



# Legislative Update

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A WEEKLY SERVICE OF THE NEBRASKA STATE BAR ASSOCIATION

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March 9, 2010

## **Budget Shortfall Continues**

The Nebraska Economic Forecast Advisory Board met February 26, 2010 to adjust the projections for state tax receipts for FY2009-2010 and FY2010-2011. For the biennium, projected tax revenue was reduced by a total of \$31.6 million. Yearly revenues are projected to be down \$40.2 million for FY09-10, however, projected revenues were increased \$8.6 million for FY10-11. If budget numbers are adjusted to reflect the 3% required reserve amount to be set aside, the actual adjustment will amount to \$30.7 million. The State Department of Revenue reported yesterday that February's tax receipts were two percent below these new projections. It remains to be seen if March and April receipts will bring actual receipts back in line with what was predicted.

The Appropriations Committee of the Nebraska Legislature has been meeting to finalize and balance the FY2010-2011 Budget, which is being lowered by \$30.7 million based on the Forecast Advisory Board's revised forecast. Initial reports indicate that another two percent across the board cut to state agencies will be suggested. It is anticipated that this revised budget will be reported to the Legislature on Thursday and debate on the budget is anticipated to begin next Monday, March 15, 2010.

## **L.B. 800 Advanced to General File**

The Judiciary Committee, chaired by Omaha attorney Brad Ashford, has advanced Legislative Bill 800 to General File. The bill has been amended by the committee to address concerns raised by many working with juveniles across our state. The committee amendment also includes language from L.B. 923, introduced by Senator Ashford, which provides for the sealing of certain juvenile records. As reported last week, L.B. 800 has been designated as a Judiciary Committee Priority Bill. The bill is anticipated to be scheduled for first round debate by the full Legislature sometime in the next two weeks.

## **L.B. 727 Advanced to Select File**

Legislative Bill 727, introduced by Lincoln Senator Colby Coash, was advanced to Select File on Wednesday, March 3, 2010. L.B. 727 would change compensation for retired judges serving temporary duty and would provide additional incentives for retired judges to continue to serve during this time of strained judicial resources in our state. Such additional stipend could be used by a retired judge to purchase health insurance.

### **L.B. 888 Advances to Final Reading**

Legislative Bill 888, introduced by Lincoln attorney Danielle Conrad, was advanced from Select File to Final Reading on Tuesday, March 2, 2010. L.B. 888 provides for the Uniform LLC Act to govern Nebraska LLCs formed after January 1, 2011 and govern all LLCs after January 1, 2013. LLCs formed prior to January 1, 2011 may elect to be subject to the current Act. Current Nebraska LLC statutes were adopted prior to the creation of the Uniform Limited Liability Company Act, which L.B. 888 largely mirrors.

### **How Can I Help?**

Much of the success of the NSBA's legislative efforts is dependent upon personal contact with state senators. To assist in our advocacy at the state capital, it is important that we know of your personal acquaintance with members of the legislature, and those you would be willing to contact on behalf of the NSBA. We would appreciate your completion and return of the Legislative Contacts form attached to this update or accessible online at: <http://www.nebar.com/associations/8143/files/LegislativeContactsSheet.pdf>.

### **Unicameral Website**

The Nebraska Legislature maintains a helpful website at: <http://nebraskalegislature.gov/>. From that site you may view the current legislative agenda and upcoming committee hearings, search through introduced bills, and find contact information for your senator.

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