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# UPDATE

## Prostitution, trafficking penalties heard

The Judiciary Committee heard testimony Feb. 20 on a bill that would enhance penalties for pandering, soliciting and harboring people for prostitution.

Under LB255, introduced by Lincoln Sen. Amanda McGill, prostitution-related crimes would be considered a:

- Class I misdemeanor with a \$500 fine for the first offense of soliciting a person for sex in exchange for money or something of value;
- Class II felony for debauchment of minors and harboring minors for prostitution;
- Class IIIA felony with a \$5,000 fine for pandering;
- Class IIIA felony with a \$2,500 fine for the first time offense of soliciting a minor for sex in exchange for money or something of value; and
- Class IIIA felony with a \$5,000 fine for harboring people for prostitution.



Sen. Amanda McGill said prosecuting customers is the most effective way to combat human trafficking.

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## Child care subsidy quality assurance program proposed

The Health and Human Services Committee heard testimony Feb. 20 on a bill aimed at creating a comprehensive system for assessing and promoting quality care among the state's publicly subsidized child care providers.

LB507, introduced by Lincoln Sen. Kathy Campbell, would adopt the Step Up to Quality Act, which would put in a place a quality rating and improvement system (QRIS) for

child care providers.

The system would develop quality ratings based on a five-tiered system and assign ratings to applicable programs. The QRIS would be available to all child care providers and early childhood education programs in the state, but would be required for programs that receive significant public funds.

Under the bill, mandatory participation would be phased in over a three-year period. Beginning July 1,

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### HEARINGS RESCHEDULED

Due to forecasts of heavy snow, committee hearings scheduled for Thursday, Feb. 21 were rescheduled for the morning of Tuesday, March 5. See hearing schedule for times, p. 15.

# Prostitution, trafficking penalties heard

(continued from front page)

The bill also would create offenses for human and labor trafficking and child labor trafficking. Human trafficking would be a defense for victims who are charged with prostitution and minor victims would be immune from prosecution and placed in temporary state custody. Victims would be allowed to submit a written statement in lieu of testifying against their perpetrators at trial.

Many human trafficking victims do not seek assistance from law enforcement because they fear prosecution or deportation, McGill said, so state data on human trafficking has been difficult to collect. Current laws prosecute victims of human trafficking, she said, while those who buy and sell people for sex often face minimal legal consequences.

Prosecuting prostitution customers is the most effective way to combat human trafficking, McGill said.

Christy Hargesheimer, Lincoln coordinator for One Billion Rising, testi-

fied in support of the bill. Many human trafficking victims are undocumented and fear law enforcement, she said, so the bill would provide them protection rather than treat them as criminals.

Robert Sanford, legal director of the Nebraska Domestic Violence Sexual Assault Coalition, also testified in support of the bill. Human trafficking victims will seek help only if they recognize that the risk to them is greater if the crime is unreported, he said.

Sanford said the bill would reassure victims that they would not be criminalized for seeking help. Furthermore, he said, enhancing penalties for perpetrators would allow the victims more time to overcome the trauma of being trafficked.

Al Riskowski, executive director of the Nebraska Family Council, testified in support and said defining human trafficking in state statute would help increase awareness of it throughout the state. The council contacted 2,500 organizations and inquired about


their level of knowledge on human trafficking, he said, and of the 1,413 organizations that responded, only 25 of them recognized that human trafficking occurs in Nebraska.

“There is a tremendous need for understanding on this topic,” Riskowski said. “The greatest advantage [human traffickers] have is that they are moving in darkness.”

Denise Frost of the Nebraska Association of Criminal Defense Attorneys testified in opposition to the bill, saying it violates the Confrontation Clause of the Sixth Amendment to the U.S. Constitution. Defendants have the right to be confronted by their accusers, she said, so allowing the victims to submit letters in lieu of testifying in court would be unconstitutional.

“This bill as drafted would result in appeal of convictions and would negate the good it was intended to accomplish,” Frost said.

The committee took no immediate action on the bill. ■



## UNICAMERAL YOUTH LEGISLATURE

High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2013 Unicameral Youth Legislature, which will convene June 9-12.

The Unicameral Youth Legislature is a four-day legislative simulation conducted at the State Capitol Building and coordinated by the Clerk's Office of the Nebraska Legislature. Student senators will sponsor bills, conduct committee hearings, debate legislation and discover the unique process of the nation's only unicameral.

Students will learn about the inner workings of the Legislature directly from senators, staff and lobbyists. Bills will be based on legislation considered during the current legislative session.

Early-bird registration is available until April 1. Registration forms can be obtained from the Legislature's Unicameral Youth Legislature page: [www.nebraskalegislature.gov/education/unicamyouth.php](http://www.nebraskalegislature.gov/education/unicamyouth.php) and the UNL Big Red Summer Academic Camps website: [liferaydemo.unl.edu/web/4hcamps/bigredcamps](http://liferaydemo.unl.edu/web/4hcamps/bigredcamps). The registration deadline is May 15.



## Child care subsidy quality assurance program proposed

(continued from front page)

2014, programs that received over \$500,000 in child care subsidy assistance in fiscal year 2011-12 would become subject to the QRIS and programs that received over \$250,000 in that fiscal year would join starting July 1, 2015.

Beginning July 1, 2016, programs that received over \$250,000 in subsidies in the previous fiscal year would become participants.

The state departments of health and human services and education would be required to develop, implement and provide oversight to the QRIS and would make program ratings public beginning in 2017. The QRIS also would include incentives for participating programs to improve their quality of care based on measurable outcomes.

Campbell said approximately 43,000 Nebraska children qualified for publicly subsidized child care in FY2011-12. That year, she said, the licensed providers that cared for those children received over \$94 million in public funds in the form of child care subsidy payments.

Given the amount of public funds involved, the state should work to ensure that high-quality care is provided, Campbell said, noting that program quality affects school readiness, future academic achievement and general success in life.

“The first five years of a child’s life lay the foundation for the future,” she said, “and a child should have quality child care no matter the resources of the child’s parents.”

Natalie Peetz, representing First Five Nebraska, supported the measure. She said Nebraska ranks among the top five states in the nation for the number of children with all available parents in the workforce.

Those children are in someone else’s care during the day, she said, and the state has a stake in ensuring the quality of that care.

“LB507 is about accountability of existing funds,” Peetz said. “It’s about getting our house in order and ensuring a good return on the investment of taxpayer money.”

Fawn Taylor, executive director of early childhood services at Building Bright Futures, also testified in support of the bill.

She said establishing a QRIS for child care providers and making the rankings public would be a valuable resource for struggling parents seeking quality care for their children.

“Right now, they have no way of knowing what’s good and what isn’t,” Taylor said.

No opposition testimony was given and the committee took no immediate action on the bill. ■

“The first five years of a child’s life lay the foundation for the future, and a child should have quality child care no matter the resources of the child’s parents.”

-- Sen. Kathy Campbell

# MEET THE SENATOR

## Howard ready for new adventure closer to home

Omaha Sen. Sara Howard comes by her admiration for the Nebraska Legislature naturally; it's a family affair. Having managed her mother Gwen's first campaign for her legislative seat in 2004 – at age 23 – Howard said the Unicameral has long felt like family.

That bond became even stronger following the unexpected death of Howard's sister, Carrie, in 2009. Howard had just taken her first job out of law school in Chicago and was unable to return immediately to Nebraska.

"Her legislative family really stepped up and took care of my Mom," she said. "It was a good reminder that this place is as much about the people as it is about policy."

Howard said the ability to see past political perspectives and view fellow senators as friends can help lawmakers work toward the common goal of a better Nebraska.

"At the end of the day, you can always find an area of common ground," she said.

After moving back to Nebraska from Chicago, Howard began work at One World Community Health Center in Omaha. Being passionate about health care access also has informed Howard's legislative goals, she said.

"It's an exciting time to be working in health care," she said, adding that health care reform and access look to be major issues for lawmakers in the coming session.

But one still has to learn the ropes of being a legislator.

Howard said she sought advice from veteran senators, asking them what they wish they had known when starting their legislative careers. The answers ranged from making sure to know the location of the nearest bathroom to never signing on to a bill without having read it completely, she said.

But the best advice, Howard said, came from Sen. Brad Ashford, who she said has known her since she was a baby.

"He told me not to take myself too seriously," she said. "If something you support doesn't get passed this year, don't take it personally. And remember that anything you do accomplish may be undone after you leave."

The advice from mom was less about policy and more

about practicality, Howard said. "She trusted me to make good decisions for my district," she said, "so she just wanted to be sure that I was taking care of myself."

That means trying to find time for hobbies, which include letterpress – a form of relief printing that has enjoyed a revival in recent years among artisan stationery and invitation makers. She also enjoys reading. The latter being a pastime Howard appears to share with many of her constituents.

Howard said many of the people she met while campaigning were reading *Game of Thrones* – which she recently finished – including one constituent who was enjoying it on his porch.

"I walked up and he said, without looking up from the book, 'I'm voting for you, alright? Get out of here!'" she said, laughing.

In addition to these more tame pursuits, Howard often has been one for bold choices.

After taking flying lessons at 13 and flying planes for six years, Howard said she decided to spend all of her money and journey to Scotland, where she studied Scottish history at the University of Edinburgh and was a page

in the Scottish Parliament.

It was that same sense of adventure that took Howard to Smith College in Massachusetts and then to law school in Chicago.

"I think every young person pictures themselves having an exciting life, blazing a trail out in the world," she said. "But sometimes you realize that being there for your family is just as important, and just as satisfying."

Howard said not being able to be in Omaha to physically support her mother following her sister's death was a major reason that she decided to move back to Nebraska.

She said her grandmother recently questioned whether she would prefer spending more "exciting" time with friends. Howard said she assured her grandmother that she is exactly where she wants to be.

"I'd rather be here watching *Downton Abbey* with you," Howard replied. ■



Sen. Sara Howard (right), who spent her teenage years flying planes, enjoys a cockpit tour with her mother, former Sen. Gwen Howard.

## Agriculture

### Removal of individual cattle ID requirement proposed

Individual animal identification would not be required for cattle imported into Nebraska under a bill heard by the Agriculture Committee Feb. 19.

Under LB647, introduced by Hyannis Sen. Al Davis, imported cattle would not be required to have individual identification if they are:



Sen. Al Davis

- identified by a registered brand;
- accompanied by an official brand inspection certificate issued by the recognized brand inspection authority of the state of origin; and
- imported directly from a mandatory brand inspection area of any state.

Davis said current regulations place undue burdens on livestock owners, sale barns and veterinarians.

“This bill would put in place practices that are already used while still protecting the health and safety of Nebraska’s cattle herds,” he said.

The state Department of Agriculture could require imported cattle to have individual identification under LB647 if the director determined that:

- the state of origin recognized brand registration or brand inspection procedures and documentation are insufficient to trace an individual animal to its herd of origin;
- identification by brand alone is in conflict with a standard of federal law or regulation regarding identification of cattle moved into Nebraska; or

- the cattle originates from a location that is not an accredited tuberculous-free state or zone or is not designated a brucellosis-free state or zone.

The bill would continue to allow the state veterinarian to issue import orders imposing additional requirements for animals imported into Nebraska from any state, country, zone or other area, including identification requirements.

Former Sen. LeRoy Loudon, a rancher from Ellsworth, testified in support of LB647. He said the bill was necessary to encourage interstate commerce.

“Nebraska is one of the leading cattle feeding states in the nation for people moving herds,” Loudon said. “We must have simplified rules to accommodate this industry.”

The committee also heard testimony on LB435, introduced by North Platte Sen.

Tom Hansen, which would authorize out-of-state brand permits allowing a one-time use of a brand registered with a state other than Nebraska to brand cattle to be immediately exported out of state.



Sen. Tom Hansen

Hansen said the permits would benefit both Nebraska and out-of-state buyers.

“This is an attempt to address a need for all buyers to make interstate transactions run more smoothly,” he said.

The bill would authorize an owner to brand cattle with an out-of-state brand if:

- the cattle are purchased at a livestock auction market licensed under the Livestock Auction Market Act or another location approved by the Nebraska Brand Committee;
- the cattle would immediately be exported from Nebraska;

- the cattle are branded at the livestock auction market or other approved location; and
- an out-of-state brand permit has been obtained prior to branding the cattle.

Owners could obtain an out-of-state brand permit by submitting an application and corresponding fee to a brand inspector.

No one testified in opposition to either bill and the committee took no immediate action on them.

## Banking, Commerce & Insurance

### Bill would create oversight for insurance exchange

The Banking, Commerce and Insurance Committee heard testimony Feb. 19 on a bill intended to create state-based oversight for Nebraska’s health insurance exchange.

Under the federal Patient Protection and Affordable Care Act, Nebraska is required to have an operational health insurance exchange by Jan. 1, 2014. Nebraska will have a federally facilitated exchange.

LB384, introduced by Omaha Sen. Jeremy Nordquist, would create the Nebraska Exchange Stakeholder Commission. Nordquist

said the bill would provide the state a group of stakeholders willing to work with the federal government to ensure a smooth transition to the new system.



Sen. Jeremy Nordquist

Under the bill, the commission would:

- work with state and federal agen-

cies and policymakers to provide oversight and recommendations regarding implementation and operation of the exchange;

- create technical and advisory groups as needed to discuss issues regarding the exchange and to make recommendations to the commission, state or federal agencies and the Legislature;
- assist the exchange in meeting the stakeholder consultation requirements as provided in federal regulations; and
- identify challenges and problems in the implementation and operation of the exchange and prepare recommendations to alleviate the problems identified.

The commission would report to the Legislature by Dec. 1, 2013.

The commission's 12 members would include:

- health care consumer advocates;
- small business representatives;
- health care providers;
- health insurance carriers and agents;
- a member of Rural Health Advisory Commission; and
- representatives of the state departments of insurance and health and human services.

Members – appointed by the governor and approved by the Legislature – would serve four-year terms.

Testifying on behalf of AARP Nebraska, Mark Intermill supported the bill, saying the commission would provide Nebraskans a forum for participating in the process.

“There is a chance that the Affordable Care Act could be implemented in Nebraska without a hitch,” he said, but added that issues are likely to arise which Nebraska stakeholders should have a voice in resolving.

Rebecca Rayman, chairperson of the Health Center Association of

Nebraska, also supported the bill. She said many of the people who will be using the health exchange will be first time purchasers of health insurance and their interests should be protected.

Director of Insurance Bruce Ramage testified in a neutral capacity, saying the department is committed to transparency throughout the process of implementing the exchange.

“We’re working with our federal counterparts to make this transition as smooth as possible,” Ramage said.

The committee took no immediate action on the bill.

## Education

### New deadline for school state aid certification adopted

The certification deadline for state aid to schools will be pushed back under a bill passed by the Legislature Feb. 22.

LB408, introduced by Cedar Rapids Sen. Kate Sullivan, delays the certification deadline for state aid and budget authority under the Tax Equity and Educational Opportunities Support Act from March 1 to June 1 for the 2013-14 school year. The certification date reverts back to March 1 for the 2014-15 school year.

Senators passed the bill on a 48-0 vote.

## Executive Board

### Tax commission and economic development oversight proposed

The Executive Board heard testimo-

ny Feb. 19 on two proposals seeking planning information for the future of Nebraska’s tax system.

LB613, introduced by Columbus Sen. Paul Schumacher, would establish the Tax Modernization



Sen. Paul Schumacher

Commission to review and recommend updates to Nebraska’s tax code.

The commission would comprise the speaker of the Legislature and members of the appropriations, health and human services, revenue and legislature’s planning committees.

Ex-officio members would include the Legislature’s fiscal analyst, tax experts from the University of Nebraska and the tax commissioner and property tax administrator from state Department of Revenue.

Schumacher said the state needs to engage in strategic planning to respond to changes in Nebraska’s economy.

“LB613 creates a structure going forward ... in order to develop tax policy in the state,” he said. “It gives us an opportunity for public input before – rather than after – the introduction of legislation.”

The bill would direct the commission to consider fairness, competitiveness, simplicity and compliance, stability, adequacy and complementary tax systems as it evaluates Nebraska’s current tax code.

Under the bill, the commission would provide a preliminary report to the Legislature and the governor by Dec. 15, 2013, and a final report would be due by Nov. 15, 2014. The commission would continue to meet at least once per year to review and evaluate the tax code.

Kearney Sen. Galen Hadley, chairperson of the Revenue Committee,

testified in support of the bill, saying it would help the state engage in equitable tax reform. The commission would provide valuable information to current senators developing bills for next session, he said.

“If we wait two years out, we are in a brand new Legislature and the learning curve starts all over,” Hadley said.

Renee Fry, executive director of the OpenSky Policy Institute, also testified in support of the bill, saying Nebraska’s tax structure has not kept up with changes in the state’s economy.

“Nebraska hasn’t had comprehensive tax reform since 1967,” she said.

Schumacher also introduced LB612, which would require the state Department of Revenue to supplement required reports regarding various economic development incentive programs by appearing once every two years before a joint hearing of the Legislature’s appropriations and revenue committees to present the reports and provide supplemental information.

Among the programs included would be the:

- Quality Jobs Act;
- Invest Nebraska Act;
- Nebraska Advantage Act;
- Employment and Investment Growth Act; and
- Nebraska Advantage Rural Development Act.

Schumacher said economic development programs currently do not undergo periodic review in the same way that programs receiving state appropriations do. Such programs should be discussed in an open forum in order to evaluate how well they are working, he said.

“Those are things that need the give and take of an open public hearing in order to determine,” Schumacher said.

The committee took no immediate action on either bill.

## Government, Military & Veterans Affairs

### Restrictions on government contracts proposed

The Government, Military and Veterans Affairs Committee heard testimony Feb. 22 on a bill that would allow a governing body to set a stricter standard when entering into contracts with its own employees or officials.

LB364, introduced by Lincoln Sen. Bill Avery, would allow a governmental body to prohibit contracts valued over a specified dollar amount in which a public official or a public employee may have an interest.



Sen. Bill Avery

Avery said that governing bodies currently may enter into such contracts valued under \$2,000 without a public bidding process, and over \$2,000 if the contract is open for public bid.

While current law allows governing bodies to prohibit contracts with elected officials, he said, it does not provide a similar mechanism to limit contracts with other public officials and employees.

“It makes sense, I think, to allow local political subdivisions to decide how they want to handle contracts – not only with elected officials but also with public employees,” Avery said.

Jeff Kirkpatrick, deputy city attorney for the city of Lincoln, supported the bill, saying the city would like the ability to have a stricter standard for contracts with public officials and employees.

He said Lincoln should have the flexibility to limit contracts with city department directors or others who ex-

ert influence over employees in order to avoid the appearance of abuse of power.

“We realized that we couldn’t achieve that goal without a change in state statutes,” Kirkpatrick said.

Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission, also supported the bill. He said many states simply prohibit contracts between government bodies and public employees, but that Nebraska would be better served by allowing greater flexibility in the contract process.

In many rural areas of the state, he said, the only source of certain goods and services that cities need to contract for might be someone who serves on the school board or city council.

“The approach in Nebraska has been that you can have an interest as long as you jump through certain hoops,” Daley said.

No one testified in opposition and the committee took no immediate action on the bill.

### Special needs emergency management registry bill advanced

Senators gave first-round approval Feb. 22 to a bill intended to facilitate assistance to people with special needs in emergency situations.

LB434, introduced by Bellevue Sen. Scott Price, would allow emergency management and other public agencies to create registries for the purpose of planning assistance for people with special needs before, during and after a disaster or emergency.



Sen. Scott Price

Information obtained for such purposes would not be considered a public record.

Price said local registries were created based on a federal mandate and that ensuring that the information contained in them is private may increase participation.

"This bill is about those on the registry no longer being subject to special records requests," he said.

Price offered an amendment, adopted 43-0, which stipulates that participation in an emergency management registry would be voluntary.

Lincoln Sen. Bill Avery supported the bill, saying it would facilitate cooperation between the Nebraska Emergency Management Agency and other public agencies to assist vulnerable people in the event of a natural disaster or other emergency.

Sen. Colby Coash of Lincoln expressed concern that the bill does not define the term special needs. Many categories of vulnerable Nebraskans may be left off of an emergency registry as a result, he said, including those who have limited English proficiency or lack adequate transportation.

"If you ask someone who fits any of these criteria, 'Are you special needs?' they are not going to say yes," Coash said. "Special needs is not a label that people aspire to have put on them."

Price said a specific definition was not used in the bill in the interest of inclusion. Allowing individuals to self-identify as having a special need and ask to be placed on the registry would capture a broader range of people who may need help in an emergency situation, he said.

LB434 advanced to select file on a 42-0 vote.

### **Bill would limit lobbying during legislative sessions**

Lobbyists would be limited in their ability to contribute to state senators or candidates for the Legislature while

lawmakers are in session under a bill heard Feb. 22 by the Government, Military and Veterans Affairs Committee.

Under the bill, no principal, lobbyist or person acting on behalf of either could make contributions to any member of the Legislature, candidate for the Legislature or candidate committee. The restriction would apply only to contributions reportable under the Nebraska Accountability and Disclosure Act.

Lincoln Sen. Bill Avery, sponsor of LB448, said 29 states have similar limitations on lobbyists and Nebraska should follow suit. Creating distance between senators and contributions from the lobby while laws are being made is simply good public policy, he said.

"Wrongdoing is not really the issue," Avery said. "The essential issue is that this practice creates the public image that we are too cozy with lobbyists."

Jack Gould of Common Cause Nebraska testified in support of the bill, saying it would help to address a concern about "invisible money."

Gould said contributions of less than \$250 currently are not required to be reported under the state's disclosure laws. As a result, he said, it is difficult to follow the flow of money and influence at the state Capitol.

"You have to take a good look at the size of the lobbying force here in Nebraska," Gould said. "About \$14 million is spent yearly on trying to influence government."

No opposition testimony was given and the committee took no immediate action on the bill.

### **Program extension proposed for Commission on Indian Affairs**

The Government, Military and Veterans Affairs Committee heard testimony Feb. 20 on a bill that would authorize the Nebraska Commission on Indian Affairs to spend designated funds in fiscal years 2013-14 and 2014-15.

Currently, a political subdivision may grant funds to an area within 30 miles of a tribal government. LB504, introduced by Lincoln Sen. Colby Coash, would expand the area restriction to 60 miles.



Sen. Colby Coash

Education would be categorized as a qualifying expenditure, in addition to the existing qualified expenditures: economic development, health care and law enforcement.

Coash said that low demand has resulted in over \$22,000 in unused funds.

"Currently only one group qualifies and they've said they're not interested," he said. "This will allow us to let more communities apply for the funds and do some good."

Judy gaiashkibos, executive director of the Nebraska Commission on Indian Affairs, supported the bill, saying it would allow the commission to further its goal of helping children stay out of trouble.

"This would allow us to have more latitude in utilizing the remaining funds," gaiashkibos said. "We could begin to level the playing field for our kids at high risk."

No one testified in opposition to the bill and the committee took no immediate action on it.



**Changes to rule and regulation adoption process proposed**

Rule and regulation changes proposed by the Nebraska Department of Environmental Quality (NDEQ) would be subject to increased reporting requirements under a bill heard by the Government, Military and Veterans Affairs Committee Feb. 20.

LB637, introduced by Cortland Sen. Norm Wallman, would require NDEQ to prepare a statement describing the annual economic impact on all affected businesses when considering the adoption of rules or regulations that differ from federal regulations or that increase costs on regulated persons and other entities.

Wallman said the bill is widely supported by state businesses, saying, "This is all about accountability."

NDEQ also would be required to consider less intrusive or costly alternative methods for achieving the proposed rules or regulations, including less stringent schedules or deadlines for compliance, simplification of reporting and the establishment of performance standards in place of design or operational standards.

LB637 would also require the governor's Policy Research Office to review any proposed rule or regulation having a total estimated economic impact greater than \$500,000 and imposing new requirements or costs on regulated persons and other entities.

Pat Ptacek, representing the Association of Nebraska Ethanol Producers, supported the bill, saying it would ensure decisions are made with plenty of input.

"The agency should be meeting with stakeholders before any final drafts are created," he said. "We would like to be



Sen. Norm Wallman

at the table, offering our suggestions."

NDEQ director Mike Linder testified in opposition to the bill. He said it would increase time and operating costs unnecessarily.

"Knowing the complexity of environmental regulations, we do as much proactive outreach with stakeholders as possible," Linder said. "This would just add an additional layer of process."

The committee took no immediate action on the bill.

**Judiciary**

**Inmate employment provisions debated**

Senators began debating a bill Feb. 13 that would permit nonprofit corporations to enter into work arrangements with inmates of the Work Ethic Camp (WEC). Debate on the bill continued on Feb. 20 with no resolution.

LB52, introduced by Imperial Sen. Mark Christensen, would permit WEC inmates to enter into working arrangements with any charitable, fraternal or nonprofit corporation that provides a public benefit.



Sen. Mark Christensen

WEC inmates currently may enter into work arrangements with political subdivisions and state boards and agencies.

Christensen said the state Department of Corrections discontinued WEC inmates' working contracts with nonprofit organizations in 2008 over concerns that such a practice was in violation of statute. However, he said, community members and organizations believed the program to be successful and beneficial to both the inmates and the community.

"The bill is appropriate to continue and expand the successful partnership

between the department and local [agencies]," Christensen said.

A Judiciary Committee amendment, adopted 33-0, would allow inmates housed in all state correctional facilities to voluntarily provide labor services for the permitted organizations.

Omaha Sen. Steve Lathrop spoke in support of the amendment and the bill, saying it would provide necessary training to inmates.

"If we put people in prison for their offenses and they sit without any type of vocational training, without learning a skill or transitioning into a community, the chances of them returning are much higher," he said. "This is a tool that allows them to transfer more successfully into a life outside of prison."

Omaha Sen. Ernie Chambers spoke in opposition to the amendment and the bill, saying that department officials could coerce inmates into providing labor. Corporations could take advantage of inmates who provide cheap labor, he said, and allowing these practices at facilities statewide would exacerbate such a problem.

"This is a drastic and radical change in the way that people committed to the department are going to be utilized," Chambers said. "I do not like the idea of farming out free labor to these groups."

Christensen introduced an amendment Feb. 20 that replaced the committee amendment and would allow the department to use inmates who volunteer to work for charitable, fraternal or nonprofit corporations that provide a public benefit.

He said the amendment would address the concerns of allowing inmates who are not housed at WEC to work for corporations.

The amendment was adopted on a 32-0 vote.

Chambers filed a number of failed amendments and motions in an attempt to filibuster LB52.

“This is bad legislation,” Chambers said. “I do not think these corporations should get free labor.”

The Legislature adjourned before taking further votes. An additional motion filed by Chambers to reconsider a failed vote on his amendment is pending.

**Permit contracts proposed for escort services**

The Judiciary Committee heard testimony Feb. 20 on a bill that would create the Escort Services Accountability and Permit Act.

LB314, introduced by Imperial Sen. Mark Christensen, would require counties, cities and villages to implement ordinances for escort services.

A Class III felony and a fine of \$5,000 or more would be imposed for violators who:

- operate or advertise as an escort agency without a permit;
- employ individuals who are not permitted as escorts; or
- knowingly provide false information on the permit application or renewal form.

Violators who allow an escort agency employee to be in a state of nudity while in the presence of a patron and who knowingly provide services to minors would be guilty of a Class IIIA felony and fined \$2,500 or more.

In addition, the bill would require that escort agencies provide each patron a written contract for services. The contract would include the escort agency employee’s name, the name and address of patrons, services per-



Sen. Mark Christensen

formed, the length of time of services, compensation rates, any special terms and a statement that prostitution is illegal in Nebraska. Copies of contracts would be provided monthly to the local permit authority and also would be available for law enforcement review.

Christensen said many escort businesses are engaged in human trafficking.

“If we have to allow escort businesses to operate in Nebraska, we should make an effort to regulate the industry,” he said. “At the very least we need to put pressure on [escort services] not to cross the line into illegal activity.”

Al Riskowski, executive director of the Nebraska Family Council, testified in support of the bill, saying that most escort services engage in prostitution. One escort service website advertised 310 individuals who were located in Lincoln and 17 of them were minors, he said.

Jim Cunningham, executive director of the Nebraska Catholic Conference, also testified in support of the bill. He said LB314 would be an effective approach to combat human trafficking, which he said is a serious problem that exploits women and children and is an affront to human dignity.

No one testified in opposition and the committee took no immediate action on the bill.

**Parenting programs proposed for inmates**

The state Department of Correctional Services would receive funding for programs to improve parenting skills of incarcerated parents under a bill heard by the Judiciary Committee Feb. 22.

LB483, introduced by Lincoln Sen. Kate Bolz, would impose a \$1 court fee on all misdemeanor and felony convictions that would be used to implement parenting programs in correctional facilities. Such programs would consist

of parent education, early literacy, relationship skills development and reentry planning involving family members of the parents. Parents whose children are younger than 5 years old would receive priority enrollment in the program.



Sen. Kate Bolz

Bolz said children with incarcerated parents are six times more likely to be incarcerated than their peers. Parenting programs currently offered at select correctional facilities are in high demand, she said, so the bill would provide a financial means to expand the program to correctional facilities statewide.

A.J. Santos, supervisor of Christian Heritage’s parenting program, testified in support of the bill, saying that 264 incarcerated fathers were enrolled in the program in 2012. The program tracks outcomes for children, provides outreach to families, offers domestic violence courses and establishes partnerships, he said.

“Parenting programs help keep vulnerable children out of trouble and encourage fathers to become more involved in their children’s lives,” he said.

Gregg Nicklas, CEO of Christian Heritage, testified in support of the bill, and said that parenting programs reduce recidivism. Only 31 of the 407 fathers who participated in parenting programs while they were in jail were re-incarcerated, he said.

Richard Reinke, a graduate of the program, also testified in support, saying the program helped him establish a relationship with his children.

“I thought I knew a lot about parenting and relationships already, but I learned there is a lot more to it,” he said.

No one testified in opposition to the bill.

State Court Administrator Janice Walker provided neutral testimony, saying the program should not be funded by court fees.

The committee took no immediate action on the bill.

### Bill would suspend, revoke certificates and diplomas of incapacitated officers

The Judiciary Committee heard testimony Feb. 22 on a bill that would change the revocation and suspension provisions for law enforcement training certificates and diplomas.

LB538, introduced by Omaha Sen. Ernie Chambers, would temporarily suspend the certificate or diploma of a law enforcement officer deemed to have physical, mental or emotional incapacities. If such disabilities are deemed permanent, their certificate or diploma would be revoked.



Sen. Ernie Chambers

The provisions of the bill would apply retroactively to law enforcement.

Law enforcement certificates and diplomas are evidence that officers are qualified and are capable of performing their duties, Chambers said, so if they are deemed incapacitated they should not be allowed to continue working as police officers.

No testimony was given and the committee took no immediate action on the bill.

## Natural Resources

### Plan to contain future wildfires proposed

The Natural Resources Committee heard testimony Feb. 22 on a bill that would establish new procedures for

fighting and preventing wildfires.

LB634, introduced by Hyannis Sen. Al Davis, would direct the Nebraska Forest Service to:



Sen. Al Davis

- contract with private aviation companies to place two single engine air tankers at airports near Chadron and Valentine during fire season;
- thin forests to reduce fuel loads, substantially reducing risk to residents, communities and emergency personnel;
- provide expanded training programs for volunteer firefighters, private landowners and communities in order to increase fire suppression effectiveness and safety;
- develop a Nebraska-based Type 3 incident management team that would serve as a comprehensive resource to augment and help manage large wildfire operations;
- expand the federal excess property programs managed by the Nebraska Forest Service to provide volunteer fire districts with fire suppression equipment; and
- rehabilitate forest lands that have been destroyed by wildfires.

Davis indicated in his statement of intent that 2012 was the worst year on record for wild land fires in Nebraska, with nearly 500,000 acres burned, 65 structures lost and at least \$12 million in suppression costs.

Mega fires are predicted to occur far more frequently than in the past, he said, spreading and growing very rapidly immediately upon ignition and burning over large areas for weeks. They are difficult to control and threaten lives, property, communities and infrastructure statewide, Davis said.

“If trends continue, we’re going to have serious problems for years to come,” he said. “We need this kind of support for our volunteer firefighters, our communities and our state.”

Scott Josiah, director of the Nebraska Forest Service, supported the bill, calling the wildfires in 2012 “a huge wake-up call.”

“We have an emerging forest that is incredibly flammable,” he said. “As these fires become bigger and more intense, we need better incident management.”

No one testified in opposition to the bill and the committee took no immediate action on it.

## Retirement

### Leave spend-down requirement discussed

The Nebraska Retirement Systems Committee heard testimony Feb. 20 on a bill that would eliminate a provision in state law relating to leave time for certain Nebraska police officers.

LB321, introduced by Bellevue Sen. Sue Crawford, would eliminate a provision requiring that all credits for unused annual or sick leave or other similar credits be spent down by a disabled police officer employed by a city of the first class in order to receive temporary disability salary or disability pension.



Sen. Sue Crawford

Crawford said officers place themselves in harm’s way to protect the public and should not be penalized if they sustain disabling injuries.

“Disability is not vacation or personal time,” she said, “Police officers should not have to sacrifice that time.”

Bryan Waugh of the La Vista Frater-

nal Order of Police testified in support of the bill, saying the change would allow injured officers to qualify for workers' compensation benefits without having to drain their leave time first.

"They simply want to get back to work and they want to maintain that leave time that has accrued to them," Waugh said.

Matt Lathrop, representing the Nebraska Association of Trial Attorneys, also supported the bill. He said it is unfair to ask injured police officers to surrender leave time if firefighters and others are not also required to do so.

"In any other industry in Nebraska, that is not a requirement," he said.

Lynn Rex of the League of Nebraska Municipalities testified in opposition to the bill. Rex said she does not believe that police officers would abuse disability leave. Nevertheless, she said, public policy should not create an incentive for its use.

The committee took no immediate action on the bill.

## Transportation & Telecommunications

### One year mandatory ignition interlocks considered for repeat DUI

Those convicted of driving under the influence of alcohol would be required to install ignition interlock devices for a minimum of one year under a bill heard by the Transportation and Telecommunications Committee Feb. 19.

Current law requires a 45-day revocation of an offender's license with an optional requirement to install an ignition interlock device for the remaining balance of the one-year probation period.

Under LB158, introduced by Hast-

ings Sen. Les Seiler, those convicted of driving under the influence of alcohol would receive a mandatory 45-day driver's license revocation after which they would be permitted to install an ignition interlock device for at least one year.

Seiler said the bill was introduced to bring Nebraska into compliance with a National Highway Traffic Safety Administration (NHTSA) mandate that requires repeat DUI offenders to have such devices installed for at least one consecutive year.

Randy Peters, director of the state Department of Roads, testified in support of the bill, saying the state was penalized prior to receiving any notice about the revised mandates that took effect in 2012. The department will continue to be penalized until Nebraska is in compliance, he said.

No one testified in opposition to the bill.

Coleen Nielsen, representing the Nebraska Criminal Defense Attorneys Association, provided neutral testimony, saying the 45-day license suspension is problematic for offenders who must attend work, school or alcohol treatment programs. The state would remain in compliance with the federal law if the 45-day license suspension were removed, she said.

"We should keep people driving within the law instead of driving while they are suspended," Nielsen said.

The committee took no immediate action on the bill.

### Bill would raise contract limit for bridge and road improvements

The Transportation and Telecommunications Committee heard tes-



Sen. Les Seiler

timony Feb. 19 on a bill that would increase the contract value for bridge and road projects in which counties must undergo a formal bidding process.

Counties currently undergo an informal bidding process if a contract is less than \$60,000 for bridge and road projects and less than \$10,000 for material costs. Such contracts automatically are awarded to the lowest bidder. Projects that are estimated above the allotted costs must go through a formal bidding process, which requires county board approval.

LB623, introduced by Bellevue Sen. Scott Price, would raise the bidding threshold to \$150,000 for county contracts for bridge and road repair projects and to \$20,000 for material costs.



Sen. Scott Price

The threshold for county road and bridge projects has not been raised since 1988, Price said, and it should be adjusted to reflect current inflation costs. The formal bidding process costs the county roughly \$5,000 per project, Price said, so the bill also would save the counties and taxpayers money.

Larry Dix of the Nebraska Association of County Officials testified in support of the bill. Rural communities have fewer options for contractors, he said, so with less competition the project costs sometimes are much higher. Increasing the contract value to forgo the formal bidding process would make bridge and road projects more efficient for smaller counties, he said.

No one testified in opposition and the committee took no immediate action on the bill. ■

# COMMITTEE HEARINGS

## Monday, February 25

### Appropriations

#### Room 1524 - 1:30 p.m.

LB194 (Adams) Provide for deficit appropriations  
 LB195 (Adams) Appropriate funds for state government expenses  
 LB196 (Adams) Appropriate funds for salaries of members of the Legislature  
 LB197 (Adams) Appropriate funds for salaries of constitutional officers  
 LB198 (Adams) Appropriate funds for capital construction and property acquisition  
 LB199 (Adams) Provide fund transfers, create funds, and authorize the sale of land  
 LB200 (Adams) Provide for transfers from the Cash Reserve Fund  
 LB130 (Mello) Eliminate Cash Reserve Fund transfers  
 LB286 (Conrad) Provide for Cash Reserve Fund transfers for affordable housing, homeless shelter assistance, and legal aid  
 LB629 (Conrad) Provide an additional requirement for the Governor's budget submission

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 PM

LB92 (Karpisek) Prohibit use of credit information for insurance and repeal a model act  
 LB312 (Scheer) Designate certain acts as unfair insurance trade practices  
 LB614 (Schumacher) Provide for withholding insurance proceeds for demolition costs

### Business & Labor

#### Room 2102 - 1:30 PM

LB396 (Conrad) Change Neb. Workers' Compensation Court powers  
 LB302 (Wallman) Change total disability income benefits under the Nebraska Workers' Compensation Act  
 LB310 (Bolz) Clarify compensation for shoulder injuries under the Nebraska Workers' Compensation Act

### Education

#### Room 1525 - 1:30 PM

LB512 (Scheer) Change provisions relating to academic content standards and statewide assessment and reporting  
 LB593 (Lautenbaugh) Adopt the Charter

### Schools Act

LB438 (Adams) Provide for priority schools, operating councils, and community schools  
 LB253 (Adams) Correct references in school statutes  
 LB410 (Sullivan) Change and eliminate provisions relating to education

### General Affairs

#### Room 1510 - 1:30 p.m.

Appointment: Feller, Helen Abbott - State Racing Commission  
 Appointment: Hiller, John - State Electrical Board  
 Appointment: LeBaron, Kathryn - Neb. Arts Council  
 Appointment: Drickey, Patrick - Neb. Arts Council  
 Appointment: McClymont, Sherry - Neb. Arts Council  
 Appointment: O'Keefe, Stephanie Metz - Neb. Arts Council  
 AM249 to LB230  
 LB244 (Brasch) Require apprentice electricians to complete continuing education  
 LR34CA (Schumacher) Constitutional amendment authorizing gaming and directing use of the proceeds

### Nebraska Retirement Systems

#### Room 1525 - 9:00 a.m.

Appointment: Stuhr, Elaine - Public Employees Retirement Board  
 Appointment: Conley, John - Neb. Investment Council  
 Appointment: Fisher, Darrell E. - Public Employees Retirement Board

### Transportation & Telecommunications

#### Room 1113 - 1:30 PM

LB11 (Krist) Change provisions relating to surcharges for 911 service  
 LB595 (Price) Provide for a Public Service Commission study of next-generation 911  
 LB545 (Dubas) Change Public Service Commission appeal procedures

## Tuesday, February 26

### Agriculture

#### Room 2102 - 1:30 p.m.

Appointment: Kircher, Chris - Neb. State Fair Board  
 Appointment: Minert, Lowell - Neb. State Fair Board

LB544 (Hansen) Require notifications regarding bovine trichomoniasis  
 LB583 (K. Haar) Change provisions relating to membership on the Climate Assessment Response Committee and provide duties for the committee  
 LB597 (Larson) Change provisions relating to county agricultural societies

### Appropriations

#### Room 1003 - 1:30 p.m.

Agency 59: Board of Geologists  
 Agency 45: Board of Barber Examiners  
 Agency 30: State Electrical Board  
 Agency 74: Neb. Power Review Board  
 Agency 41: State Real Estate Commission  
 Agency 53: Real Property Appraiser Board  
 Agency 63: Neb. Board of Public Accountancy  
 Agency 62: State Board of Examiners for Land Surveyors  
 Agency 36: Neb. State Racing Commission  
 Agency 58: Board Of Engineers and Architects  
 Agency 66: Abstracters Board of Examiners  
 Agency 73: State Board of Landscape Architects

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 p.m.

LB218 (Avery) Require insurance coverage for certain food formulas as prescribed  
 LB397 (Conrad) Require insurance coverage for screening for amino acid-based formulas  
 LB505 (Coash) Provide requirement for insurance coverage of autism spectrum disorders  
 LB71 (Karpisek) Require insurance coverage for cochlear implants

### Education

#### Room 1525 - 1:30 p.m.

LB585 (Smith) Provide, change, and eliminate provisions relating to learning councils  
 LB179 (Kintner) Eliminate learning communities  
 LB178 (Kintner) Change provisions relating to transportation reimbursement and state aid relative to learning communities  
 LB9 (Krist) Change provisions relating to transportation for students in learning communities

# COMMITTEE HEARINGS

## **Transportation & Telecommunications Room 1113 - 1:30 p.m.**

LB258 (Sullivan) Prohibit use of certain wireless devices by school bus drivers as prescribed  
LB500 (Brasch) Change school bus operation provisions  
LB154 (Dubas) Redefine road assistance vehicle relating to drivers' duties to move over  
LB649 (Karpisek) Change certain penalties relating to operating a motor vehicle during a revocation period and tampering with an ignition interlock device

## **Wednesday, February 27**

### **Appropriations**

#### **Room 1003 - 1:30 p.m.**

Agency 57: Neb. Oil and Gas Conservation Commission  
Agency 60: Neb. Ethanol Board  
Agency 18: Dept. of Agriculture  
Agency 39: Neb. Brand Committee  
Agency 56: Neb. Wheat Board  
Agency 61: Neb. Dairy Industry Development Board  
Agency 86: Dry Bean Commission  
Agency 88: Corn Development, Utilization and Marketing Board  
Agency 92: Neb. Grain Sorghum Board

## **Government, Military & Veterans Affairs Room 1507 - 1:30 p.m.**

LB418 (Kolowski) Change powers and duties of election commissioners, chief deputy election commissioners, and county boards  
LB433 (Price) Require a report and change administration procedures for ballots at hospitals and nursing homes  
LB449 (Avery) Redefine high elective office for restrictions on multiple office holding  
LB450 (Avery) Change political party convention and caucus provisions

## **Health & Human Services**

### **Room 1510 - 1:30 p.m.**

LB344 (Sullivan) Change moratorium exceptions for long-term care beds  
LB625 (Conrad) Change income eligibility provisions relating to federal child care assistance  
LB347 (Gloor) Provide for a moratorium on issuance of licenses under the Health Care Facility Licensure Act

## **Judiciary**

### **Room 1113 - 1:30 p.m.**

LB379 (Nelson) Change furlough and reduction of sentence provisions as prescribed  
LB374 (Nelson) Provide for a delinquent child support payment lien on an appearance bond as prescribed  
LB615 (Schumacher) Provide for summary guardianships  
LB455 (Lautenbaugh) Provide procedures for termination of a lease based upon clear and present danger  
LB441 (Seiler) Change provisions relating to control of dead human remains

## **Natural Resources**

### **Room 1525 - 1:30 p.m.**

LB514 (Carlson) Provide for new funding mechanisms under the Wastewater Treatment Facilities Construction Assistance Act  
LB549 (Schilz) Change the scrap tire recycling sunset provision and fees

## **Revenue**

### **Room 1524 - 1:30 p.m.**

LB266 (Chambers) Eliminate provisions relating to increases in local option sales tax rates  
LB531 (Conrad) Change distribution of sales and use tax revenue and repeal the Build Nebraska Act  
LB370 (Lathrop) Create the County Property Tax Assistance Program and the Municipal Property Tax Assistance Program  
LB600 (Wightman) Change inheritance tax rates

## **Thursday, February 28**

### **Appropriations**

#### **Room 1003 - 1:30 p.m.**

Agency 28: Dept. of Veterans' Affairs  
Agency 37: Workers' Comp. Court  
Agency 75: Neb. Investment Council  
Agency 77: Commission of Industrial Relations  
Agency 85: Neb. Public Employees Retirement Board

## **Government, Military & Veterans Affairs**

### **Room 1507 - 1:30 p.m.**

LB515 (Carlson) Change provisions relating to irrigation district elections  
LB565 (Nelson) Prohibit registering to vote and voting early on the same day

LB576 (B. Harr) Require flagging of area near polling places and change restrictions on electioneering  
LB646 (Murante) Change election provisions for public power districts

## **Health & Human Services**

### **Room 1510 - 1:30 p.m.**

LB577 (Campbell) Change provisions relating to the medical assistance program  
LB578 (Nordquist) Create a fund to provide funding for medicaid services and change distribution of premium tax revenue

## **Judiciary**

### **Room 1113 - 1:30 p.m.**

LB472 (Karpisek) Prohibit flying lanterns  
LB608 (Pirsch) Change provisions relating to stalking  
LB610 (Pirsch) Change provisions relating to terroristic threats  
LB298 (McCoy) Change provisions relating to controlled substances schedules  
LB390 (Christensen) Change provisions relating to Governor's powers regarding restrictions on firearms and ammunition under the Emergency Management Act

## **Natural Resources**

### **Room 1525 - 1:30 p.m.**

Appointment: Forney, Kent - Neb. Game and Parks Commission  
LB454 (K. Haar) Adopt the Electronics Extended Producer Responsibility and Job Creation Act  
LB635 (Wallman) Provide powers and duties regarding hydraulic fracturing to the Neb. Oil and Gas Conservation Commission

## **Nebraska Retirement Systems**

### **Room 1525 - 12:00 p.m.**

LB138 (Krist) Create the Group Health Trust Fund and provide for investment and provide duties for the State Treasurer  
LB77 (Avery) Adopt the Nebraska Iran Divestment Act

## **Revenue**

### **Room 1524 - 1:30 p.m.**

LB101 (Watermeier) Change valuation of agricultural land and horticultural land  
LB145 (Brasch) Change valuation of agricultural land and horticultural land

# COMMITTEE HEARINGS

LB55 (Wightman) Change provisions relating to reassumption of assessment function by counties

LB574 (B. Harr) Provide that certain assessments are levied and collected as special assessments

## Friday, March 1

### Appropriations

#### Room 1003 - 1:30 p.m.

Agency 16: Dept. of Revenue

Agency 93: Tax Equalization and Review Commission

Agency 84: Dept. of Environmental Quality

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 p.m.

Appointment: Eisenhauer, Don - State Emergency Response Commission

Appointment: Danon, Steven - State Emergency Response Commission

LB563 (Krist) Change provisions relating to contracts for services

LB603 (Chambers) Include affirmation as an alternative when an oath is required

### Health & Human Services

#### Room 1510 - 1:30 p.m.

LB428 (K. Haar) Change permitted practice provisions for certified nurse midwives

LB361 (Howard) Name the Child and Maternal Death Review Act and change review procedures

LB528 (Howard) Provide for partner treatment relating to sexually transmitted diseases

### Judiciary

#### Room 1113 - 1:00 p.m.

Appointment: Vaughn, Derek - Crime Victims Reparations Committee

Appointment: (Davis), Jeff - Crime Victims Reparations Committee

Appointment: Kelly, Joe - Crime Victims Reparations Committee

Appointment: Schindler, Michelle - Crime Victims Reparations Committee

Appointment: Richard, Rex - Board of Parole

### Judiciary

#### Room 1113 - 1:30 p.m.

LB564 (Nelson) Adopt the Health Care Freedom of Conscience Act

LB300 (Krist) Provide licensure requirements for health care facilities

and require Dept. of Health & Human Services to provide abortion information

### Natural Resources

#### Room 1525 - 1:30 p.m.

LB402 (Mello) Change power purchase agreement provisions relating to rural community-based energy development

LB567 (K. Haar) Change provisions relating to approval of electric generation facilities and transmission lines

### Revenue

#### Room 1524 - 1:30 p.m.

LB237 (Karpisek) Change provisions relating to a property tax exemption

LB348 (B. Harr) Change provisions relating to the assessment of certain rent-restricted housing projects

LB43 (Cook) Change provisions relating to a property tax exemption

LB110 (McGill) Change the eligibility determination for homestead exemptions

## Monday, March 4

### Appropriations

#### Room 1524 - 1:30 p.m.

LB190 (Harms) Appropriate funds for the Early Childhood Education Endowment Cash Fund

LB432 (Price) Appropriate funds for the Interstate Compact on Educational Opportunity for Military Children

LB193 (Nelson) Change funding for the Neb. Cultural Preservation Endowment Fund

Agency 13: Dept. of Education

Agency 32: Board of Educational Lands and Funds

Agency 34: Neb. Library Commission

Agency 69: Neb. Arts Council

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 p.m.

LB168 (Larson) Authorize series limited liability companies

LB442 (Schumacher) Change provisions relating to homeowners' associations and the Nebraska Condominium Act

LB621 (Karpisek) Exempt certain information from disclosure under the Intergovernmental Risk Management Act

### Business & Labor

#### Room 2102 - 1:30 p.m.

LB476 (Carlson) Change provisions relating to grants for internships

LB652 (Lautenbaugh) Provide procedures for taking grievances by certain county corrections officers to the Civil Service Commission

LB436 (Hansen) Redefine franchisee under the Franchise Practices Act

LB570 (B. Harr) Adopt the Employers Certainty in Records Act

### Education

#### Room 1525 - 1:30 p.m.

LB465 (Lautenbaugh) Adopt the College Choice Grant Program Act

LB491 (Cook) Change calculation of target level of funds under the Nebraska Opportunity Grant Act

LB331 (Harms) Change provisions relating to the Nebraska Opportunity Grant Act

LB332 (Harms) Change application provisions relating to the Access College Early Scholarship Program

LB478 (Smith) Provide requirements for awards under the Access College Early Scholarship Program Act

### General Affairs

#### Room 1510 - 1:30 p.m.

LB444 (Krist) Require certification and presence of authorized personnel by retail liquor licensees

LB456 (Lautenbaugh) Provide for removal of containers of draft beer from licensed premises as prescribed

LB653 (Davis) Change and provide for distribution of the gallonage tax on beer

## Tuesday, March 5

*\*9:15 a.m. and 9:30 a.m. Hearings Rescheduled from Thursday, February 21*

### \*Government, Military & Veterans Affairs

#### Room 1507 - 9:30 a.m.

LB417 (Kolowski) Provide for guidelines for election workers

LB292 (Karpisek) Change population restrictions for conducting elections by mail

LB299 (Seiler) Change political subdivision election provisions

LB349 (Murante) Change ballot status and write-in provisions for presidential and vice-presidential candidates

### \*Health & Human Services

#### Room 1510 - 9:15 a.m.

Appointment: Neeley, Elizabeth - Foster Care Advisory Committee

# COMMITTEE HEARINGS

Appointment: Warner, Jeromy - State Board of Health  
LB508 (Campbell) Change provisions relating to the aid to dependent children program  
LB487 (Wightman) Change health care certificate of need provisions  
LB430 (Crawford) Change asset limitation for the aid to dependent children program, child care subsidy, and the Welfare Reform Act  
LB368 (Crawford) Create a subsidized employment pilot program within the Dept. of Health & Human Services

## \*Judiciary

### Room 1113 - 9:15 a.m.

LB415 (Seiler) Change provisions relating to financial institutions and attachment and garnishment  
LB631 (B. Harr) Change provisions relating to garnishment  
LB520 (Christensen) Allow land surveyors to enter upon public or private lands or waters as prescribed  
LB533 (Avery) Require oil and gas pipeline eminent domain condemnors to provide notice to property owners

## \*Natural Resources

### Room 1525 - 9:15 a.m.

LB557 (McGill) Change provisions relating to net metering and authorize community solar gardens  
LB598 (Larson) Change provisions relating to net metering

## \*Revenue

### Room 1524 - 9:15 a.m.

LB14 (Krist) Adopt the Elementary and Secondary Educational Opportunity Act and provide for income tax credits  
LB308 (Schumacher) Change income tax calculations relating to the federal alternative minimum tax  
LB475 (Carlson) Change the Angel Investment Tax Credit Act and the Business Innovation Act  
LB82 (Schumacher) Adopt the Taxpayer Investment Program

## Agriculture

### Room 2102 - 1:30 p.m.

LB287 (Carlson) Change rabies vaccination provisions  
LB288 (Carlson) Change provisions of the Commercial Dog and Cat Operator

Inspection Act  
LB636 (Wallman) Provide restrictions for application of certain herbicides

## Appropriations

### Room 1524 - 1:30 p.m.

LB122 (Lautenbaugh) Appropriate funds to the Dept. of Economic Development  
LB376 (Johnson) Appropriate funds to the Dept. of Economic Development  
LB394 (Conrad) Authorize use of Affordable Housing Trust Fund for vocational training  
LB519 (Krist) Appropriate funds for improvements at the Neb. History Museum  
LB582 (Carlson) Appropriate funds to the Neb. Tourism Commission  
Agency 72: Dept. of Economic Development  
Agency 23: Dept. of Labor  
Agency 91: Neb. Tourism Commission  
Agency 54: Neb. State Historical Society

## Banking, Commerce & Insurance

### Room 1507 - 1:30 p.m.

LB205 (Schumacher) Change provisions relating to application of the Securities Act of Nebraska  
LB228 (Nordquist) Provide requirements relating to copayments, coinsurance, and deductibles relating to certain services  
LB523 (Christensen) Provide requirements for copayments, coinsurance, and deductibles relating to certain services

## Nebraska Retirement Systems

### Room 1525 - 12:00 p.m.

LB552 (Nordquist) Adopt the Cities of the First Class Firefighters Cash Balance Retirement Act  
LB594 (Price) Provide Neb. Investment Council duties relating to administration of the Neb. Veterans' Aid Fund

## Wednesday, March 6

### Appropriations

#### Room 1003 - 1:30 p.m.

LB424 (Coash) State intent to appropriate funds to the Neb. State Patrol Internet Crimes Against Children Unit  
Agency 21: State Fire Marshal  
Agency 64: Neb. State Patrol  
Agency 78: Neb. Commission on Law Enforcement & Criminal Justice  
Agency 15: Neb. Board of Parole  
Agency 46: Dept. of Correctional Services

## Health & Human Services

### Room 1510 - 1:30 p.m.

LB231 (Nelson) Establish a uniform reimbursement rate for adult day services  
LB261 (Gloor) Adopt the Medicaid Insurance for Workers with Disabilities Act  
LB338 (Gloor) Prohibit certain practices by health care professionals and health care facilities

## Natural Resources

### Room 1525 - 1:30 p.m.

LB477 (Carlson) Change sunset for the Riparian Vegetation Management Task Force  
LB494 (Davis) Change number of districts and members of Game and Parks Commission  
LB513 (Carlson) Change notice provisions under the Nebraska Ground Water Management and Protection Act

## Revenue

### Room 1524 - 1:30 p.m.

LB411 (Nordquist) Change a renewable energy tax credit  
LB419 (Hadley) Change provisions relating to the nameplate capacity tax  
LB489 (Revenue) Change the sales tax rate  
LB490 (Revenue) Change income tax rates

## Thursday, March 7

### Appropriations

#### Room 1003 - 1:30 p.m.

Agency 81: Commission for the Blind and Visually Impaired  
Agency 67: Equal Opportunity Commission  
Agency 68: Latino-American Commission  
Agency 70: State Foster Care Review Board  
Agency 76: Neb. Indian Commission  
Agency 82: Commission for the Deaf And Hard of Hearing

## Health & Human Services

### Room 1510 - 1:30 p.m.

LB630 (Kolowski) Redefine place of employment for Nebraska Clean Indoor Air Act  
LB395 (Conrad) Redefine the term "school-based health center" for purposes of the Medical Assistance Act  
LB452 (Conrad) Require a medicaid waiver to provide coverage for family planning services



# COMMITTEE HEARINGS

**Natural Resources**

**Room 1525 - 1:30 p.m.**

Appointment: Brodersen, Charles "Tod"  
- Neb. Ethanol Board

Appointment: Ondracek, Mark A. - Neb.  
Ethanol Board

LB522 (Christensen) Provide state  
financial assistance to irrigation districts  
to compensate water appropriators

LB601 (Bloomfield) Require notice for

natural resources district subcommittee  
meetings

**Revenue**

**Room 1524 - 1:30 p.m.**

LB346 (Kolowski) Authorize school  
districts to levy a tax and exceed budget  
authority for school security measures

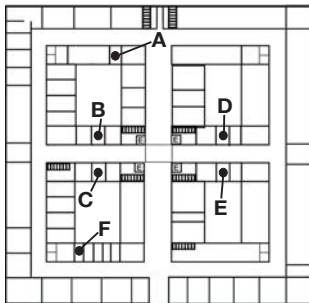
LB502 (Hadley) Change a sales tax  
exemption for health clinics

LB96 (Dubas) Exempt repair or replace-  
ment parts for agricultural machinery  
and equipment from sales and use tax  
LB90 (K. Haar) Change sales tax provisions  
on the furnishing of electricity service  
LB606 (Pirsch) Adopt the Nebraska  
Technology Entrepreneur Act to provide  
sales and use tax refunds to certain  
businesses ■

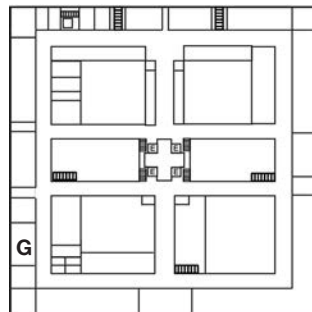
**P**ublic hearings on bills are typically held in the afternoons during the first half of the legislative session. Committees have regularly scheduled rooms and meeting days, although they sometimes meet in different rooms at varying times in order to accommodate testifiers or large audiences.

The weekly schedule of committee hearings is published on the last legislative day of the week throughout the legislative session. The schedule is available on a table in front of the Clerk's Office, in the Sunday editions of the Lincoln Journal Star and the Omaha World-Herald, in the weekly Unicameral Update and at [www.nebraskalegislature.gov](http://www.nebraskalegislature.gov).

**FIRST FLOOR**



**SECOND FLOOR**



\* Hearing rooms labeled by letter – see chart at right

Hearing Room	Committee	Meeting Days
2102 (G)	Agriculture	Tu
1524 (B)	Appropriations	M, Tu
1003 (A)	Appropriations	W, Th, F
1507 (E)	Banking, Commerce & Insurance	M, Tu
2102 (G)	Business & Labor	M
1525 (C)	Education	M, Tu
1510 (D)	General Affairs	M
1507 (E)	Government, Military & Veterans' Affairs	W, Th, F
1510 (D)	Health & Human Services	W, Th, F
1113 (F)	Judiciary	W, Th, F
1525 (C)	Natural Resources	W, Th, F
1525 (C)	Nebraska Retirement Systems	(Meets at noon as scheduled)
1524 (B)	Revenue	W, Th, F
1113 (F)	Transportation & Telecommunications	M, Tu
1510 (D)	Urban Affairs	Tu

- State your name and spell it for the record, as hearings are transcribed.
- Prepare written copies of your testimony to distribute to the committee.
- Be prepared to limit your testimony, and try not to repeat the points offered by previous testifiers.
- Please turn off cell phones.

# LEGISLATIVE PROCESS

**T**he lawmaking process in Nebraska officially begins when a bill is introduced. But the process actually begins much earlier, when senators formulate ideas for new laws. Anyone — concerned citizens, special interest groups, state agencies or the governor — may suggest an idea for a new law. But a senator, a group of senators or a legislative committee must introduce the idea before the Legislature can

formally consider it.

Legislative committees then consider each bill and may propose amendments to them before advancing them to the full Legislature. The legislative body then has an opportunity to debate a bill at least twice before voting on its final passage.

This is the process a bill must undergo before it becomes a Nebraska statute:

## Research

First, a senator and his or her staff research a problem and study possible legislative remedies. Senators may introduce bills to create new laws or to repeal or change existing laws.

Much research is done during the period between sessions called the interim. During this time, committees study a variety of issues that have been outlined in interim study resolutions passed by the Legislature.

## Drafting

A senator brings his or her idea for a new law to a bill drafter, who works with the senator to transform the idea into the proper legal form for a bill. Unlike some states, bills introduced in Nebraska may contain only one subject.

## Introduction

Most bills are introduced during the first 10 days of a regular legislative session, which begins each January.

To introduce a bill, a senator files it with the clerk of



a legislative committee hearing

the Legislature. The clerk reads the title of the bill into the record, assigns the bill a number and prints copies of it for public and legislative use.

## Committee Action

Except for a few technical bills, all bills and many resolutions must receive a public hearing before a legislative committee. A nine-member Reference Committee determines which bills will be heard by which committees, based on subject matter jurisdiction.

The Legislative Fiscal Office prepares budget statements known as fiscal notes for each bill

introduced. Fiscal notes generally are prepared before a committee conducts a hearing on a bill.

After the hearing on a bill, the committee may either indefinitely postpone the measure, hold it for further discussion or advance it to the full Legislature. The committee may forward recommended amendments to the bill if it is advanced.

## General File

General file is the first time the full Legislature can debate and vote on bills. At this stage, senators often consider amendments, which may be proposed both by committees and by individual senators. Many people consider general file to be the most crucial stage of the legislative process, because it is where most compromises are worked out through debate and amendment.

Bills on general file may be amended, indefinitely postponed, sent back to committee or advanced to the next stage. As with most legislative business, it takes a majority of senators (25 votes) to adopt any amendment or to move a bill from general file to the next stage.

After a bill is advanced from general file, it undergoes an initial process of enrollment and review, or E&R. During E&R Initial, adopted amendments are reviewed and the entire bill is checked for technical and grammatical accuracy.

## Select File

Select file is the second debating and voting stage. This stage offers another opportunity for amendment, compromise and reflection. Bills on select file may be amended, indefinitely postponed, sent back to committee or advanced to the next stage.

After a bill is advanced from select file, the bill and all of its adopted amendments are sent to enrollment and review final for a process called engrossment. Once all amendments are incorporated into the bill, it is considered to be "correctly engrossed." The bill then is reprinted for final reading.

## Final Reading

Final Reading is the third and last stage of legislative consideration. The Nebraska Constitution requires the clerk of the Legislature to read every bill aloud in its entirety before the vote on whether to pass it. However, that requirement may be waived by a three-fifths vote (30 members) of the Legislature.

A bill may not be amended on final reading, but it may be returned to select file for specific amendment. No bill can be passed on final reading until at least five legislative days after the bill is introduced and one legislative day after it is placed on final reading.

## Governor

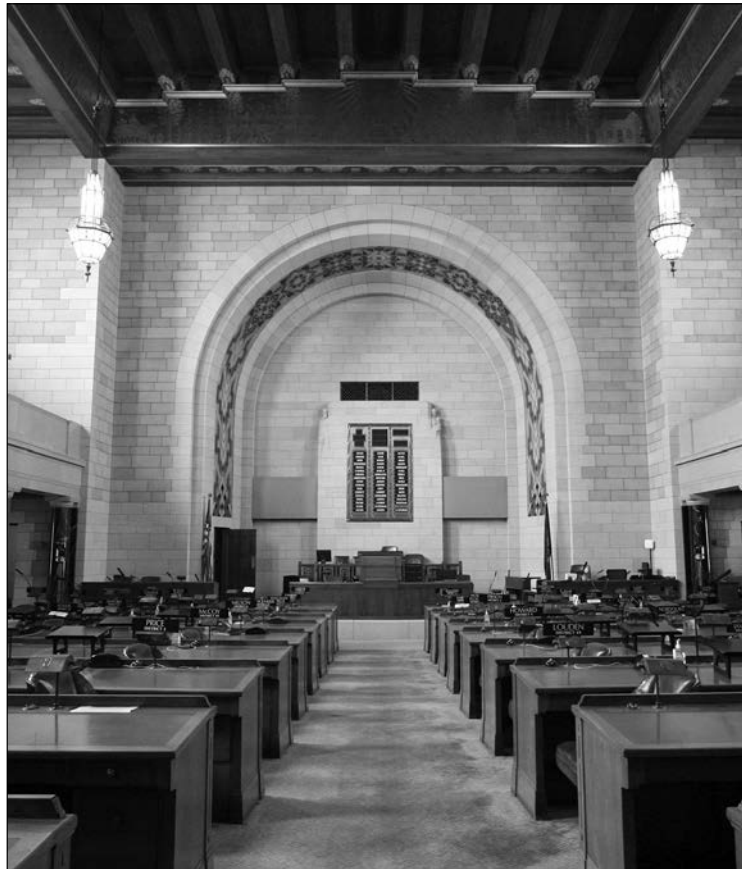
After the Legislature passes a bill on final reading, it goes to the governor. The governor has five days, excluding Sundays, to decide what to do with a bill.

If the governor signs a bill or declines to act on it, the bill becomes law. If the governor vetoes the bill, it is returned to the Legislature with the governor's objections. A three-fifths vote of the Legislature is re-

quired to override a governor's veto. The governor also may make reductions of specific figures in state budget bills. These reductions are line-item vetoes.

## Laws of Nebraska

Most bills passed and approved by the governor become law three calendar months after the Legislature adjourns. However, bills may take effect earlier if they contain an emergency clause or a specified operative date. An emergency clause allows a bill to take effect immediately after the governor signs it. It takes a vote of 33 members of the Legislature to pass a bill with an emergency clause. ■



the George W. Norris Legislative Chamber

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### STATUS OF BILLS OR RESOLUTIONS

[www.nebraskalegislature.gov/bills](http://www.nebraskalegislature.gov/bills)  
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State Capitol  
P.O. Box 94604  
Lincoln, NE 68509-4604

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