

Chief justice outlines achievements

Focusing on services to young people, access to the justice system and sentencing alternatives, Chief Justice Michael Heavican of the Nebraska Supreme Court delivered his State of the Judiciary address to the Legislature Jan. 29

Juvenile justice is being reformed throughout the nation, Heavican said, and Nebraska's efforts have focused on young people who are charged in

juvenile court with breaking the law and status offenses.

Transferring supervision of juvenile offenders from the state Department of Health and Human Services



Chief Justice Michael Heavican of the Nebraska Supreme Court greets senators after delivering his State of the Judiciary address Jan. 29.

to the Office of Probation Administration has reduced the number of young people who are made wards of the state in order to obtain rehabilitative services, he said.

mately 50 during the same time period, he said.

"This significant reduction is a direct result of the efforts of our juvenile

Heavican also cited the judicial branch's success in providing alternatives to detention in order to more appropriately address juvenile behavior. For example, he said, the number of boys admitted to the Youth Rehabilitation and Treatment Center (YRTC) at Kearney fell from 450 to approximately 175 in the last three years.

Similarly, the number of girls admitted to YRTC at Geneva was reduced from 140 to approxi-

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Bills would expand eligible evidence

Incarcerated individuals would have more options to request new trials under two bills heard by the Judiciary Committee Jan. 30. Both were introduced by Lincoln Sen. Patty Pansing Brooks.

Currently, motions may be filed only within three years of a verdict when based on discovery of new non-DNA evidence. LB244 would allow motions for new trials to be filed whenever new non-DNA evidence is discovered.

From 1989 to 2012, Pansing Brooks said, 848 wrongly convicted people were exonerated in the U.S; three-fourths of them spent an average of five years in prison.

Pansing Brooks said Nebraska has a moral duty to avoid wrongfully incarcerating people. Allowing judges to consider new non-DNA evidence would lead to prosecution of those who are actually guilty and would protect the state from costly litigation caused by wrongful incarceration.

"The placement of an arbitrary time limit does not promote the interest of justice," she said.

Tracy Hightower-Henne, executive director of the Nebraska Innocence Project, testified in support of the bill. She said the current three-year time limit keeps judges from looking at new evidence no matter how much merit it has.

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Bills would expand eligible evidence

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Amy Miller of American Civil Liberties Union Nebraska also spoke in favor of the bill, saying courts would not see a flood of motions to revisit cases because of the high standards set by the Nebraska Supreme Court regarding newly discovered evidence.

LB245, the second bill considered, would allow convicts to request DNA testing of previously tested material if current technology could provide more accurate or probative results.

Current law requires convicts who want material retested to prove to courts that such forensic testing did not exist at the time of the trial.

Pansing Brooks said the bill would clarify language in the Nebraska DNA Testing Act to give more options to people who feel they were wrongly convicted. Citing the wrongful convictions of six Nebraskans for the 1985 murder of Helen Wilson in Beatrice, Pansing Brooks said newer forensic techniques could prevent similar mistakes.

“We should take advantage of any opportunity to identify any miscarriage of justice,” she said.

Michelle Feldman of the National Innocence Project

testified in favor of the bill, saying it would ensure DNA testing could be used in cases where it was not yet available or not considered.

Ada JoAnn Taylor, one of those exonerated by DNA evidence in Wilson’s death, called herself a tragic and triumphant example of the benefits of forensic science.

“My case shows that sometimes the criminal justice system gets it wrong,” she said.

No one spoke in opposition to the bills and the committee took no immediate action on them. ■



Sen. Patty Pansing Brooks explains the provisions of LB244 to the Judiciary Committee Jan. 30.

UNICAMERAL UPDATE

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Chief justice outlines achievements

(continued from front page)

courts and probation staff providing intervention and treatment services closer to home for young people and their families,” Heavican said.

He said the courts also continue to work to ensure consistent access to justice in Nebraska through a pilot program to provide all court clerk

services through one office, improved language access and computerized case management.

“We are fortunate to be one of the few states that has established a statewide system which enables us to share and analyze case information across jurisdictional boundaries and promotes consistency for attorneys and citizens who interact with the courts,” Heavican said.

The chief justice also noted progress in reforming the state’s adult criminal justice system, particularly in the area of sentencing alternatives. Approximately 80 percent of individuals involved in the justice system struggle with alcohol and drug abuse, he said, and problem-solving courts have helped to address those issues.

“This is one of the most successful and cost-effective responses to the problem of addiction and associated crime,” Heavican said, “both nationally and in Nebraska.”

The state’s Specialized Substance Abuse Supervision program—which allows otherwise prison-bound substance abusers to be supervised intensively by probation while receiving treatment—also has been successful, he said.

Heavican said both programs have provided substantial cost-savings to the state and reduced recidivism rates.

“Whether through sentencing alternatives, specialized programs, services or technology, the courts and probation continue to collaborate with the other two branches of government,” he said. “We also work with both public and private entities to confront these criminal justice challenges as we strive to improve the lives and safety of all Nebraskans.” ■

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MEET THE SENATOR

Senator leaves farm for new field

When Sen. Dan Hughes' uncle ran for the District 44 legislative seat in 1974, he figured he was known well enough in the area that he didn't need to campaign.

Herb Hughes' defeat taught his nephew a valuable lesson about how to run for office that stayed with him for 40 years.

"I wasn't going to make that same mistake," said the new lawmaker from Venango. "I'm fortunate to have advanced to the job that he came just a few votes short of getting."

Hughes said his uncle's political pursuits and his parents' community service—including his father's more than 30 years of service on Venango

school board—set examples that helped put him on a path to the Unicameral.

In the agricultural community, Hughes said, helping neighbors and friends is a way of life, and serving on organizations such as the Nebraska Wheat Board and the Nebraska Farm Bureau is how he gives back to the agriculture industry. Serving as a state senator continues that effort.

"I get a lot of enjoyment helping my fellow farmer," he said. "I just like being busy. I'm not happy unless I have about six balls in the air at the same time."

One of those "balls" is the farm Hughes runs with his wife of 37 years, Josie, and his two adult children, Tyler and Ashley. A third-generation farmer,

Hughes lives a half-mile from where he grew up in Imperial and names farming as his sole passion.

Although Hughes said it was a tough decision to leave the farm for the Legislature, his absence gives his children the opportunity to maintain the operation "without having dad looking over their shoulders."

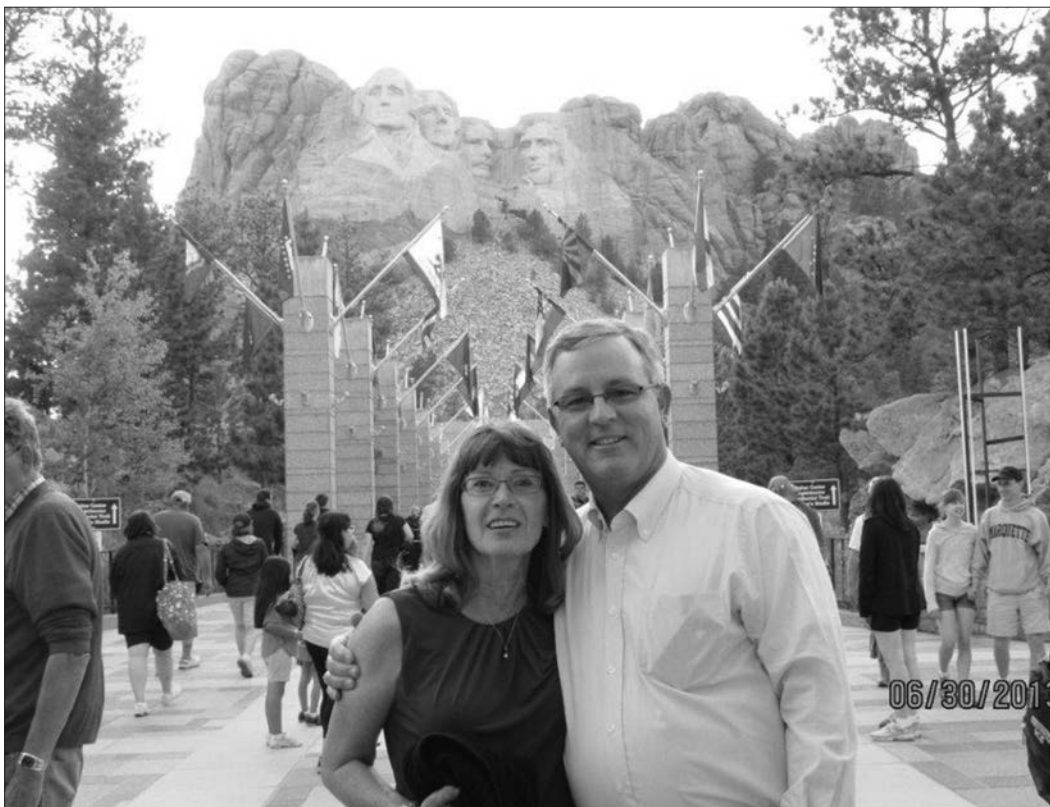
"I get to follow my dreams and it allows them to begin the transition of the farm for the next generation," he said.

For now, his transition from farmer to senator is made a little easier, Hughes said, because the Unicameral conducts its business in the winter when life slows down on the farm.

Despite knowing the farm is in good hands, Hughes said it will feel a little awkward when the weather warms and he's conducting the state's business rather than the family trade.

A self-professed "farm boy," Hughes expressed more difficulty dealing with Lincoln's nighttime traffic noise than with the legislative process. Having testified before committees on behalf of the wheat industry, Hughes said he now enjoys seeing how laws are created and finds the inner workings of the Legislature fascinating.

"I like to know how things work," he said. ■



Sen. Dan Hughes and his wife Josie pose in front of the famous faces of Mount Rushmore.

AGRICULTURE

Increase of brand inspection fee considered

The Nebraska Brand Committee could increase its inspection fee cap under legislation heard by the Agriculture Committee Jan. 27. The brand committee inspects cattle and investigates missing and stolen cattle in Nebraska. The organization is funded solely through the collection of fees for those services.

LB85, introduced by Hyannis Sen. Al Davis, would permit the committee to charge as much as \$1.25 per head for cattle brand inspections. Currently, the fee is capped at 75 cents per head.



Sen. Al Davis

Davis said the brand committee asked for a fee increase to compensate for declining cattle herds and sales. Although the committee sets and charges the fees, Davis said, the Legislature establishes the maximum amount that can be charged for inspection services. Davis, who said he has been the victim of cattle theft, added that the committee provides a valuable service for ranchers to keep records of their herds.

Shawn Harvey, executive director of the brand committee, testified in favor of the bill, saying the committee voted unanimously to raise the fee cap. Although salaries and costs of doing business have steadily risen, he said, the committee has kept the same inspection fee since 2007.

Harvey said the committee needs the fee increase to offer competitive salaries and update the technology used to process cattle.

Mark Blackford, a Nebraska cattle producer, agreed there is a need for a fee increase, saying the committee must update its computer equipment to help modernize its procedures.

“Things have not changed a lot since 1941,” he said, which is the year the Legislature created the brand committee.

Korby Gilbertson, a lobbyist for Tyson Foods, spoke in opposition to the bill, saying the proposed fee cap increase is too high.

The committee took no immediate action on the bill.

Senators consider protections for grain growers

Nebraska grain producers would receive additional protections when seeking payment from grain dealers under a bill heard by the Agriculture Committee Jan. 27.

Introduced by Wahoo Sen. Jerry Johnson, LB183 would reduce grain dealer obligations covered by the dealer’s security, which is money set aside to pay growers who are not paid immediately upon delivery of their product.



Sen. Jerry Johnson

The bill would limit the dealer security to cover payment only to growers who sell directly to dealers. The bill would not prevent owners who are not growers from claiming past due payments or grain purchasers from filing claims stemming from dealers’ failure to deliver.

The bill also shortens from 30 to 15 days the time a grower may demand payment from the dealer, attempts payment negotiations with the dealer or notifies the Public Service Commission of an apparent loss. Additionally,

the bill removes a requirement that all grain transportation vehicles be registered and issued grain dealer plates.

Johnson said the bill is designed to protect grain producers in cases where grain elevators become insolvent. Decreasing the time during which growers can demand payment from an elevator, he said, alerts the Public Service Commission sooner to potential financial problems.

The commission’s grain department is responsible for the licensing and enforcement of the Grain Dealer Act.

Jerry Vap, chairman of the commission, testified in support of the bill, saying it is important because the grain dealer security is the only recourse for growers when elevator businesses fail.

“We need to protect the producer who asked for but got no payment,” he said.

John Meuret, a Nebraska grain producer, spoke in opposition to the proposal. Although he agreed with most provisions in the bill, he said the dealer security should be used to repay all parties that do business with elevators, not just those selling directly to the dealers.

The committee took no immediate action on the bill.

EDUCATION

School sex abuse guidelines proposed

The state Department of Education would be required to develop a model child sexual abuse policy under a bill discussed by the Education Committee Jan. 27.

Under LB303, introduced by Hoskins Sen. Dave Bloomfield, the de-

partment would develop a sexual abuse policy for K-12 students by July 1, 2016, which would serve as a guide to schools that choose to adopt such a policy.



Sen. Dave Bloomfield

A school that adopts a child sexual abuse policy would be required to:

- publish the policy in any school handbook, manual or similar publication;
- present the policy to the students in the form of an age-appropriate educational program or school assembly; and
- provide child sexual abuse training to staff that is deemed appropriate by the school administration.

Bloomfield said the bill would ensure that school districts have a statewide source of information to draw from if they wish to develop a child sexual abuse policy beyond current health education requirements.

“There is nothing here that requires a school to do anything,” he said. “If they feel a need, this [bill] allows them to go to the Department of Education and get information.”

Michael Carnes, a child sexual assault survivor from Wayne, testified in support of the bill, calling it a step in the right direction toward more adequately teaching Nebraska children about sexual abuse.

Nationally, he said, one in six boys and one in four girls are sexually assaulted before the age of 18. If one applied those statistics to Nebraska, he said, there would be “more than enough children to fill every seat in Memorial Stadium.”

Julia Tse of Voices for Children in Nebraska also testified in support, saying schools are a critical place to

prioritize sexual assault education because children spend the majority of their time in school.

“LB303 provides a key opportunity to continue the work that Nebraska has done in recent years to keep children safe,” Tse said.

John Bonaiuto, representing the Nebraska Association of School Boards, testified in opposition to the bill. Laws already exist that require reporting of suspected child abuse, he said, and there are penalties in place for not reporting.

Bonaiuto said he appreciated the intent of the proposal, but said schools already are burdened by a long list of responsibilities in addition to educating children.

“How many more things can we add?” he said.

The committee took no immediate action on the bill.

Bill would create educational success council

The Education Committee heard testimony Jan. 27 on a bill that would create a new education council focused on strategic planning and coordination for the state’s educational system.

LB371, introduced by Cedar Rapids Sen. Kate Sullivan, would establish the Nebraska Council for Educational Success.

Sullivan said the bill resulted from the committee’s interim studies of school finance and strategic planning. The studies included an electronic survey, roundtable discussions and public hearings to help identify education priorities, she said.

“I believe LB371 is the next step in

this visioning effort,” Sullivan said. “It creates the Nebraska Council for Educational Success—an entity that will continue the discussion of those educational priorities and, in so doing, keep the Legislature informed on their recommendations.”

The 22-member council would include the state commissioner of education, chairpersons of the Appropriations, Education and Revenue committees as well as representatives from the state and community college systems, the state departments of Labor, Economic Development and Health and Human Services and seven stakeholders appointed by the governor.

The council would:

- facilitate and strengthen collaboration of publicly funded programs from early childhood through postsecondary education;
- identify a process for measuring implementation of the strategic plan to create a statewide vision for education; and
- make recommendations for a more coordinated, integrated and seamless education system that enables children to enter school ready to learn, receive challenging instruction, graduate from high school ready for postsecondary education and careers and continue their education in ways that make them productive in the workforce and successful citizens.

Mike Baumgartner, executive director of the Coordinating Commission for Postsecondary Education, testified in support of the bill. He said LB371 would create a place for state leaders to push forward their vision to improve the state’s educational system.

“These are all issues that need to be addressed in a collaborative nature



Sen. Kate Sullivan

in Nebraska,” he said.

Virginia Moon of the Nebraska Council of School Administrators also supported the bill, while suggesting the addition of more administrators to the council’s membership. For example, she said, elementary and high school administrators would bring different expertise to the council.

“We would like to see administrators from a variety of levels,” Moon said.

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

GENERAL AFFAIRS

Senators advance cigar bar clarification

Cigar shops could obtain liquor licenses under legislation heard by the General Affairs Committee Jan. 26. Introducer O’Neill Sen. Tyson Larson, said the bill explains the Legislature’s intent better than the previous exemption recently declared unconstitutional by the Nebraska Supreme Court.



Sen. Tyson Larson

LB118 would permit a cigar shop to apply for a liquor license if the establishment:

- does not sell food;
- generates at least 10 percent of its gross revenue from sales of cigars, tobacco and tobacco-related products, not including cigarettes;
- has a walk-in humidor; and
- does not allow cigarette smoking.

Larson said the bill is intended to

provide a narrow and constitutional exception to the Nebraska Clean Air Act of 2009 that prohibits indoor smoking in the state. Cigar bars differ from other drinking establishments, Larson said, because smoking is the primary reason customers go there. Similarly, he said, because so few cigar bars exist in Nebraska, there are ample non-smoking businesses that provide job opportunities.

People who choose to patronize or work in a cigar bar know they’ll be subjected to cigar smoke, he said.

“Customers choose to go into that cigar bar and employees choose to work in that cigar bar,” Larson said. “This has been the status quo for the past six years,” he said. “LB118 would keep the status quo.”

Jeff Doll, owner of Safari Cigars and Lounge in Omaha, testified in support of the bill. He said his business can’t compete with online cigar vendors, so providing a local location to purchase and smoke cigars is how he stays in business.

“Cigar smoking is a relaxing and social activity,” he said. “Without the option to smoke indoors, there is no way for us to build relationships with customers.”

Glynn Loope, representing Cigar Rights of America also spoke in favor of the bill, saying that cigar bars are legal in 47 states. Nebraska’s cigar bars represent important small businesses that deserve the same opportunity as other venues to serve customers, he added.

Cigars are different than cigarettes in that they are designed to be paired with alcohol and smoked at a relaxed pace, said Bradley Boyum, a cigar bar patron from Omaha. Testifying in support of the bill, he called the venues “amazing places” that unite people with a wide variety of backgrounds and professions.

Boyum said the last six years have shown that cigar bars can be operated successfully in Nebraska.

“Let’s keep these great businesses alive in Nebraska,” he added.

Speaking in opposition to the bill, David Holmquist of the American Cancer Society said that smoking one cigar is equal to smoking an entire pack of cigarettes.

“They’re still tobacco,” he said. “They’re still dangerous to peoples’ health.”

Hobert Rupe, executive director of the Nebraska Liquor Control Commission, testified in a neutral capacity. He said that when the Clean Air Act exemption was first approved, officials anticipated a large number of bars would offer cigars as a way to allow smoking indoors. However, Rupe said high startup costs have limited the number of cigar bars to 10 venues in Nebraska.

The bill was advanced to general file 7-0 with a committee amendment.

Bill would eliminate time limit between Keno games

The General Affairs Committee heard testimony Jan. 26 on a bill that would remove the time limit required between Keno games.

LB250, introduced by O’Neill Sen. Tyson Larson, would eliminate the current 5-minute time limit that Keno operators must wait between games.

Larson said the bill would not result in instant gaming because time still would be required between games for players to select their numbers and have their games activated.

“There still wouldn’t be instant Keno,” he said, “since players can’t start their own games.”

Bill Harvey, general counsel for Big Red Keno, testified in support of the bill, saying Keno gaming has

generated more than \$350 million for community betterment projects across the state.

He said LB250 would eliminate unnecessary regulations and give Nebraska communities more freedom to structure their Keno operations.

“This should be a matter between Keno operators and the cities,” Harvey said.

Al Riskowski of the Nebraska Family Alliance testified in opposition to the bill. Research should be done to explore the impact of removing the time limit between games before implementing such a change, he said.

“As we look at LB250, we believe it’s much more than a technical bill,” Riskowski said. “This does change the complexion of Keno in bars.”

David Wimmer of West Point also opposed the bill, saying those who lose money playing Keno often are not financially equipped to underwrite community betterment projects with their gaming losses.

“I don’t really believe that it’s good public policy to make this type of practice go faster or to enable more of it,” Wimmer said.

The committee took no immediate action on the bill.



Bill would change joint public agency bonding powers

The Government, Military and Veterans Affairs Committee heard testimony Jan. 29 on a bill that would change the bonding power of any joint public agency (JPA).

LB132, introduced by Crete Sen. Laura Ebke, would require a JPA to follow the bond issuance procedures

required by law for the participating public agency from which the JPA derived taxation powers.

Ebke said the JPA Act—created in 1999 to encourage cooperation among local public agencies—contains a loophole that allows JPAs to issue bonds without public hearings or a public vote.

“LB132 links joint public agency bonding procedures to taxing power,” Ebke said.

Ann Post of the Lincoln Independent Business Association testified in support of the bill, saying JPAs currently have more bonding authority than the entities that create them.

For example, she said, both school districts and cities require a public vote to issue general obligation bonds, but a JPA comprising a school district and a city could issue general obligation bonds without a vote of the public. Post said requiring such a vote would not be too great a burden for JPAs.

“It isn’t a hindrance if you have a good project and a popular project,” she said.

Dick Clark of the Platte Institute also supported the bill, saying Nebraskans generally support a “pay as you go” philosophy when it comes to both personal and public expenditures. JPAs should respect that philosophy, he said.

“If they want to take action that can increase taxes,” Clark said, “[then] taxpayers should have all the transparency and accountability that they deserve.”

Lynn Rex, representing the League of Nebraska Municipalities, testified in opposition to the bill. Only six JPAs have been created since 1999, she said, which indicates that the process is not being abused.



Sen. Laura Ebke

In addition, she said, JPAs are transparent because those who serve on them are subject to open meeting and public record requirements and to voter approval at the ballot box.

“Only elected officials can serve on a JPA,” Rex said, adding that the purpose of JPAs was to incentivize cooperation and efficiency among local-level public entities.

Michael Rogers, representing the city of Lincoln, also opposed the bill. He said LB132 would be difficult to implement because the participating members of a JPA may be subject to different bonding procedures.

“The bond issuance process is complex and varied ... with no centralized process for all issuers,” Rogers said.

The committee took no immediate action on the bill.

Public power board change amended, advanced

Senators gave first-round approval Jan. 27 to a bill that would change provisions relating to public power district boards in Nebraska.

Currently, public power district employees are prohibited from serving on the board of directors of the public power district by which they are employed.

Under LB177, introduced by Malcolm Sen. Ken Haar, a full- or part-time employee of a public power district would be prohibited from serving as a member of the board of directors of any public power district.

Members of a governing body of a municipality within the area of a district also would be prohibited from serving on the original board of directors.



Sen. Ken Haar

If a public power district employee requests leave to serve on a board of directors of another public power district, the bill would require the employing district to grant the leave as requested.

Haar said existing law does not address a potential conflict of interest that may arise if a public power employee of one district were to be elected to the board of directors of another. For example, he said, in a long-term power purchase negotiation, the interests of an employer and the interests of the people who elected that person as a board member may be in opposition.

“LB177 starts with this premise: that the Legislature has an oversight responsibility to the political subdivisions that it has formed,” Haar said. “And public power certainly is one of those political subdivisions.”

Heartwell Sen. John Kuehn questioned the need for the bill, saying voters have the ability to discern potential conflicts of interest. In addition, he said, the bill would prevent individuals with valuable expertise from serving their communities.

“These are highly technical positions in a highly tech industry,” Kuehn said. “The learning curve is steep.”

Papillion Sen. Jim Smith offered an amendment that would alter the prohibition to include only employed officers of any public-owned electric utility. He said LB177 was too narrow as written.

“I think it restricts the service that public power employees can provide to our state,” he said.

Smith said the amendment would allow employees who could not impact negotiations to serve on neighboring public power boards—allowing citizens to benefit from their expertise.

Haar supported the amendment, saying it was consistent with the bill’s

policy goals.

Following adoption of a technical amendment, senators voted 44-0 to adopt the Smith amendment. LB177 advanced to select file on a vote of 36-8.

State funding of probation administration proposed

The facility and administration costs of state probation offices would be paid with state funds under a bill heard by the Government, Military and Veterans Affairs Committee Jan. 29.

Under LB427, introduced by North Platte Sen. Mike Groene, counties would no longer be required to provide office space and necessary facilities for probation services as of June 30, 2015.



Sen. Michael Groene

Probation administration is an unfunded state mandate, Groene said, and the burden of funding it should not fall on counties. Judicial reforms likely will result in more required probation services in the near future, he said, which will only increase the tax burden on counties.

“I’m not against probation ... but, there’s no free lunch,” Groene said.

Larry Dix, executive director of the Nebraska Association of County Officials, testified in support of the bill. Lawmakers will have to address the issue of property taxes this session, he said, and unfunded mandates are a part of that equation.

“Counties support what we’re doing in probation because we see the big picture,” Dix said, but they also need relief from the pressure of unfunded mandates.

Fred Uhe, testifying on behalf of Sarpy County, agreed. Testifying in

support of the bill, he said transparency also should be a concern when it comes to public policy decisions.

“When you have state responsibilities that are being funded by the counties, you really don’t know the true costs of the services,” Uhe said.

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



Suspension of Medicaid for inmates proposed

The Health and Human Services Committee heard testimony Jan. 28 on a bill that would suspend Medicaid assistance to an eligible individual who enters a public institution as an inmate.

Omaha Sen. Bob Krist, introducer of LB12, said the bill would follow the general practice under federal law of suspending, rather than terminating, an inmate’s Medicaid assistance while he or she is incarcerated.



Sen. Bob Krist

Krist said that if eligibility were suspended rather than terminated, an eligible inmate who is placed in an outside facility for more than 24 hours could have that care paid for with Medicaid funds.

“I think this is a common-sense approach to not spending tax dollars out of the general fund to provide those services,” he said.

Under the bill, suspension would last until the individual was released from the public institution or one year

after the date that he or she became an inmate, whichever was sooner.

Molly McCleery of Nebraska Appleseed testified in support of the bill, saying the state should take advantage of the opportunity to obtain federal reimbursement for care under the 24-hour rule. She said North Carolina began billing Medicaid under the rule in 2011 and saved an estimated \$10 million.

“LB12 creates the opportunity for significant financial savings for our state,” McCleery said.

Frederick Echternacht, a physician and former medical director of the Hastings Regional Center, also testified in support of the bill.

Inmates often have behavioral and mental health issues, he said, and interruptions in care exacerbate those conditions. For example, he said, a lapse in care may result when an inmate must reapply for Medicaid upon release—possibly increasing the likelihood of re-incarceration.

“If you don’t have continuity of care, the patient is going to deteriorate and your health care costs are going to go higher,” Echternacht said.

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

Carbon monoxide safety considered

Carbon monoxide detectors would be required in residences under legislation heard by the Health and Human Services Committee Jan. 29.

LB34, introduced by Omaha Sen. Sara Howard, would require the installation and maintenance of carbon monoxide detectors in any



Sen. Sara Howard

residence sold, rented or receiving a building permit after Jan. 1, 2017.

The bill would apply only to single- and multi-family dwellings with a fuel-fired heater, fireplace or attached garage. Building owners would be required to install detectors with alarms on every habitable floor or according to applicable building codes.

Howard said carbon monoxide poisoning kills hundreds of people every year. The bill is vital for the protection of Nebraska families, she said, because the invisible, odorless gas is emitted from common appliances such as furnaces and water heaters.

“Carbon monoxide detectors are the only way to detect unsafe levels in the home,” Howard said.

Dr. Jeffrey Cooper of the University of Nebraska Medical Center testified in support of the bill. Patients often are misdiagnosed, he said, because the symptoms of carbon monoxide poisoning are similar to those of the flu. The triggered alarm of a detection device would help physicians start correct treatments sooner, he said.

Don Johnson, a parent whose daughter died from carbon monoxide poisoning, also spoke in favor of the bill. He said his daughter was killed when a damaged roof vent forced boiler exhaust into her apartment. Peoples’ lives are worth much more than the minimal cost of carbon monoxide detectors, he said.

“Is it too much to ask of a landlord, is it too much to ask of a homebuilder?” Johnson asked. “I think not.”

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

Expansion of family planning services considered

Eligibility for the state’s publicly funded family planning services would

be expanded under a bill heard by the Health and Human Services Committee Jan. 28.

LB77, introduced by Omaha Sen. Jeremy Nordquist, would require the state Department of Health and Human Services



Sen. Jeremy Nordquist

(DHHS) to submit a state plan amendment to the federal Centers for Medicare and Medicaid Services (CMS) no later than Sept. 1, 2015, to provide medical assistance for family planning services to individuals with a family earned income at or below 185 percent of the federal poverty level.

Nordquist said the bill would expand the state’s existing family planning services to reach a broader population in need of access. The new income level would equate to a family income of about \$36,000 for a family of three, he said.

“Currently, 28 states—including our neighboring states of Iowa, Missouri and Wyoming—have federal approval to extend Medicaid for family planning services,” Nordquist said. “I introduced this bill because it’s the right thing to do for Nebraska women and families in need.”

Nordquist said the bill would save the state an estimated \$13 million per year and likely would reduce the number of unintended pregnancies and abortions in Nebraska.

The bill also would appropriate \$500,000 in general funds in fiscal year 2015-16 and FY2016-17 to DHHS. The funds would be directed to the Every Woman Matters program for services including preventive health and family planning services, education, outreach and reimbursement for:

- mammograms;
- breast examinations;

- Pap smears;
- colposcopy; and
- associated laboratory costs.

Dave Holmquist, representing the American Cancer Society Cancer Action Network, testified in support of the Every Woman Matters portion of the bill.

Increased funding for education and outreach regarding cancer screening would improve the program's effectiveness, Holmquist said. Nebraska falls below the national average in the percentage of high-risk women who are screened for breast and cervical cancer through the program, he said.

"For the past several years, I don't believe our state programs have been encouraged to provide appropriate education and outreach," Holmquist said.

Mary Larsen of the Nebraska chapter of the March of Dimes testified in support of the bill, saying family planning is critical to healthy families.

"We strongly believe that healthy pregnancies and healthy babies start with planned pregnancies," she said, adding that states that have increased access to family planning have improved health outcomes for mothers and infants.

"Currently, Nebraska ranks 51st in making family planning services available and 49th in the nation for funding for this issue," Larsen said.

Greg Schleppebach, executive director of the Nebraska Catholic Conference, spoke in opposition to the bill, citing moral, social and health concerns.

Schleppebach said studies that show reductions in unplanned pregnancies in states that have expanded family planning services are flawed. The studies are based on estimates and assumptions rather than empirical data, he said, adding that contraceptive access may increase unplanned

pregnancies by making women believe that they are insured against the risk of pregnancy.

"Encouraging this false sense of security may end up achieving the opposite of what this bill intends," he said.

The committee took no immediate action on the bill.

Nursing background checks proposed

New nursing license applicants would be subject to a criminal background check under a bill heard by the Health and Human Services Committee Jan. 28.

LB129, introduced by Omaha Sen. Burke Harr, would require a criminal background check for applicants for an initial license to practice as a registered or licensed practical nurse.



Sen. Burke Harr

Harr said it is national best practice for nurses to be subject to a thorough criminal background check, and 34 states require them. Currently, nursing licensure applicants are subject only to a name check and review for in-state convictions, he said.

"This [current process] does not provide any information about an applicant's actions that took place outside the state of Nebraska," Harr said.

Linda Lazure, testifying on behalf of the Nebraska Board of Nursing, supported LB129, saying the measure would ensure the health and safety of Nebraskans. She said that after a similar law was passed in Texas, the state discovered that 28 percent of applicants had felony criminal histories.

"The lesson to be learned is that requiring fingerprint-based criminal background checks is a sound safety

policy," Lazure said.

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

Medicaid coverage sought for additional former foster youth

Young people from other states who have aged out of foster care would be eligible for extended Medicaid coverage in Nebraska under a bill considered by the Health and Human Services Committee Jan. 30.

LB148, introduced by Bellevue Sen. Sue Crawford, would require the state Department of Health and Human Services (DHHS) to submit a state plan amendment or waiver to the federal Centers for Medicare and Medicaid Services (CMS) on or before July 1, 2015, to provide coverage to former foster youth from other states.



Sen. Sue Crawford

Crawford said Nebraska youth who age out of foster care already are eligible for Medicaid under federal law, which mirrors a provision of the Affordable Care Act that allows young adults to remain on their parent's insurance plan until age 26.

The bill would require DHHS to conduct outreach to all eligible young adults and to implement a federal option to accept self-attestation of foster care status and Medicaid enrollment for those individuals. The bill also would require DHHS to report annually on its outreach efforts.

Crawford said a recent interim study indicated that only 3 percent of Nebraska former foster youth are covered under the provision, and that greater efforts need to be undertaken to reach more eligible young adults.

“I think it’s very important that we use all the tools that we can,” she said.

Monika Anderson of Nebraska Families Collaborative testified in support of the bill, saying many former foster youth experience high rates of emotional and psychological disorders as well as chronic illnesses. Ensuring continuity of care is vital as state wards transition to independent living, she said.

“The outreach requirement in this bill is a vital link to this population,” Anderson said.

Former state ward Augusta Kamara agreed. Testifying in support of LB148, she said medical bills from a car accident nearly derailed her college career—bills she would not have incurred had she been enrolled in the Medicaid coverage for which she was eligible. Kamara said she now is covered under the provision for former state wards.

“This bill helps young people who are enrolled in school to focus on their educational goals,” Kamara said. “I am currently a senior at the University of Nebraska and will be the first person in my family to have a college degree.”

Amy West of the Nebraska chapter of the National Association of Social Workers also testified in support, saying the enrollment process for former state wards is flawed and needs to be streamlined.

“I worry about the number of young people who have been given false information or who have been incorrectly denied coverage,” she said.

Ruth Vineyard of the DHHS Division of Medicaid and Long-Term Care testified in opposition to the bill. She said the division already has improved the enrollment process under the federal provision and has increased the number of former state wards who are enrolled in Medicaid under the program.

Vineyard said CMS is still finalizing

the rules for the former state ward population, so it is difficult to project what the ultimate cost of LB148 might be. In addition, she said, South Dakota is the only nearby state that has implemented the provision allowing former state wards from other states to enroll under their state plan.

“The potential impact from out-of-state enrollees is unknown,” Vineyard said. “If we do this, four of our five neighboring states would not be participating.”

The committee took no immediate action on the bill.

JUDICIARY



Felony charge proposed for hitting cyclists

Stiffer penalties for motorists who kill or injure bicyclists and pedestrians were proposed by a bill heard by the Judiciary Committee Jan. 28.

Introduced by Omaha Sen. Rick Kolowski, LB38 would make the offense of killing or injuring vulnerable road users a Class IV felony, punishable by up to five years’ imprisonment and a \$10,000 fine. Current statute classifies motor vehicle homicide as a Class I misdemeanor.

The bill defines vulnerable road users as pedestrians, highway workers, bicyclists, tractors, mopeds, motorcycles, horse-drawn carriages, motorized chairs, wheelchairs and people riding animals.

The bill also would require that courts sentence offenders to at least 200 hours of community service and

revoke their driver’s licenses for between six months and 15 years.

Kolowski said the bill is especially meaningful to him because his friend and former colleague, Jim Johnston, was killed while cycling last year.

“This bill is not about giving bicyclists the right to do anything they want on the road,” he said. “We just want to have a safe environment for all who ride or drive on our roads.”

David Rowe, representing the Nebraska Bicycling Alliance, testified in favor of the bill. He said the current law does not adequately punish drivers who injure or kill cyclists.

James Blue, president of Cedars Youth Services, also spoke in favor of the bill, saying that he suffered a concussion and broken ribs when he was struck by a motorist while cycling. The bill would serve as a “building block” in helping change drivers’ aggressive behavior, he said.

Thomas Strigenz of the Nebraska Criminal Defense Attorneys Association testified in opposition to the bill. Felony offenses stay on offenders’ records for a lifetime, Strigenz said, and courts should have the flexibility to assess penalties that correspond to the level of recklessness of the crimes.

“This conduct should not be a felony charge,” he said, adding that a careless accident should not be treated the same as willful recklessness.

The committee took no immediate action on the bill.

Marriage license fee increase met extended debate

A bill that would increase marriage license fees in Nebraska was considered on general file Jan. 28 to 30.

LB88, sponsored by Lincoln Sen. Kathy Campbell, would increase the fee charged by counties from \$15 to \$50 for issuing and recording



Sen. Rick Kolowski

marriage licenses and to administer oaths or affirmations for marriage. The bill also would increase the fee charged by counties from \$5 to \$16 to make a certified copy of a marriage record.



Sen. Kathy Campbell

Campbell said that Nebraska county officials requested the fee increases because their administrative costs have not been adjusted since 1995. She said county officials have estimated that the time required to verify and correct information provided by couples totals an average of \$55 in administrative costs per year.

Omaha Sen. Ernie Chambers opposed the bill, calling it a 300 percent tax increase that is too large, especially for a document he said holds no value.

“This piece of paper that allows you to get married does not ensure the marriage will work,” he said during the second day of debate on the bill. “You are not going to hurt these counties if you do not pass this bill.”

Chambers filed several motions over three mornings to extend debate. All failed to be adopted.

Papillion Sen. Bill Kintner introduced an amendment that would allow counties to charge up to \$35 for a marriage license. He said the lower fee better reflects how administrative costs have risen due to inflation.

Chambers offered a floor amendment to Kintner’s amendment that instead would place a \$25 cap on the proposed marriage license fee. It was rejected 0-43.

The Legislature adjourned for the week before voting on the Kintner amendment. Several other amendments are pending.

Changes to marijuana definitions and penalties considered

Definitions of real and synthetic marijuana and penalties for their possession would be revised under legislation heard by the Judiciary Committee Jan. 28.

LB189, introduced by Hyannis Sen. Al Davis, would define marijuana concentrate as any compound or mixture obtained from a cannabis plant, which contains any quantifiable amount of tetrahydrocannabinols (THC). The definition would not include concentrates extracted from industrial hemp.



Sen. Al Davis

The bill would make possession of marijuana concentrate subject to the same penalties as those for possession of less than one ounce of marijuana, but would make jail time optional for a third offense.

Current law states that offenders guilty of possessing of less than one ounce of marijuana are subject to the following penalties:

- first offense is an infraction punishable by a \$300 fine and attendance in a drug counseling course according to the court’s discretion;
- second offense is a Class IV misdemeanor punishable by a \$400 fine and up to five days’ imprisonment; and
- third and all subsequent offenses are Class IIIA misdemeanors punishable by a \$500 fine and up to seven days’ imprisonment.

The bill also would add synthetic THC to the list of synthetic cannabinoids and defines it as any equivalent of the substances contained in a cannabis plant or their derivatives.

The penalty for first offense pos-

session of synthetic THC would be the same as a first offense possession of less than one ounce of marijuana. For the second and subsequent offenses, the offender would be guilty of a Class IIIA misdemeanor, punishable by a \$500 fine and up to seven days’ imprisonment.

Davis said the bill is largely designed to address the inconsistent penalties being dispensed by Nebraska courts for possession of edible products containing marijuana. Law enforcement cannot quickly and accurately determine the amount of THC in marijuana-laced food, Davis said, so the bill allows officers to enforce possession laws regardless of those THC levels.

The new definition for marijuana concentrate gives law enforcement a clear direction for dealing with the wide variety of marijuana-infused products that are brought into Nebraska from Colorado, a state that permits marijuana possession and sales.

“We’re helping them by defining what they can arrest for,” Davis said.

Thomas Strigenz of the Nebraska Criminal Defense Attorneys Association testified in favor of the bill. Typically marijuana offenders are “stupid kids making stupid decisions,” he said. Keeping the penalties less severe lets them make mistakes and move on with their lives without carrying the crime on their permanent record, he said.

Alan Peterson of American Civil Liberties Union Nebraska also supported the bill, saying it provided a “reasonable moderation of severe penalties” that could ruin young lives.

Kevin Stukenholtz of the Nebraska Sheriffs’ Association testified in opposition to the bill. He said products that contain THC are too dangerous and penalties for possession should not be softened.

“The bill sends the wrong message

and will likely lead to increased usage in our state," he said.

The committee took no immediate action on the bill.

NATURAL RESOURCES

Biennial budget option proposed for NRDs

Natural resources districts (NRDs) would see expanded budget authority under a bill heard by the Natural Resources Committee Jan. 30.

Currently, NRDs may operate only on an annual budget. LB164, introduced by Henderson Sen. Curt Friesen, would allow NRDs to adopt a biennial budget.



Sen. Curt Friesen

Friesen said allowing for a biennial budget would allow NRDs to plan more effectively.

"[LB164] would improve long-term planning for NRDs and provide more certainty to taxpayers," he said. "Many NRD projects are often multi-year projects and this would assist in project and fiscal planning."

Glenn Johnson, general manager of the Lower Platte South NRD, spoke in favor of the bill. He said that having to draft and finalize a budget each year can delay completion of projects.

"Right now there is a time period where we're operating without an adopted budget," he said. "We have to put off some projects until late in the summer and then we're past our prime construction season. This would enable us to do a better job of planning and construction."

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

NEBRASKA RETIREMENT SYSTEMS

Change to county retirement system advanced

Lawmakers advanced a bill from general file Jan. 26 that would change contributions to the Lancaster County retirement system.

LB126, introduced by Omaha Sen. Jeremy Nordquist, would increase the combined employee and employer contribution rates from a maximum of 13 percent to a maximum of 16 percent of the employees' salaries.



Sen. Jeremy Nordquist

Nordquist said the bill would allow the county to help employees save more and better prepare for retirement. Workers who delay retirement cost the county more in salaries and benefits, he said.

"This bill was introduced at request of Lancaster County and it is specific to their retirement plan," Nordquist said. "They're willing to put in more on behalf of the county."

A committee amendment, adopted 39-0, would change the population size for counties authorized to create their own county retirement plan. The changes would increase the minimum population size from 200,000 to 250,000 and the maximum population size from 300,000 to 500,000.

Nordquist said Lancaster County is growing and is "inching very close" to the current maximum population of the statute that governs their retirement plan.

The amendment also would clarify that employees receiving a 150 percent

employer contribution match could elect to switch to a 100 percent employer match for all future contributions. The election would be irrevocable.

The bill advanced to select file on a 36-0 vote.

REVENUE

Decreased agricultural land valuation proposed

The Revenue Committee heard testimony Jan. 29 on a bill that would decrease agricultural and horticultural land valuations.

LB178, introduced by Syracuse Sen. Dan Watermeier, would decrease the valuation percentage of agricultural and horticultural land for purposes of school district taxation. Under the bill, valuation percentages, which are currently set at 75 percent for agricultural and horticultural land, would decrease by 5 percent annually until reaching 55 percent in fiscal year 2019-2020. That valuation percentage would continue on in perpetuity.



Sen. Dan Watermeier

Watermeier said that farmers and ranchers currently carry a disproportionate responsibility for funding schools.

"Nebraska farmers and ranchers represent less than 3 percent of the population, but they pay more than 30 percent of property taxes statewide," he said. "Rural landowners are disproportionately funding our schools even though all residents benefit."

The bill also would adjust the acceptable range for agricultural and horticultural land to:

- 64 to 70 percent in 2016;
- 59 to 65 percent in 2017;
- 54 to 60 percent in 2018; and
- 49 to 55 percent in 2019 and after.

The adjusted value percentage used in the calculation of state aid under the Tax Equity and Educational Opportunities Support Act also would decrease annually by 5 percent from its current level of 72 percent to 52 percent in 2019 and beyond.

Representing the Nebraska Farm Bureau, Lavon Heidemann spoke in favor of the bill. He said the property tax burden has been unfairly placed on the state's agricultural industry.

"We have seen a natural shift of the property tax burden to the agricultural sector," he said. "There are a lot of people in Nebraska that think it's time to shift that back to the commercial and residential sectors. We believe this bill would help accomplish that."

Larry Dix, executive director of the Nebraska Association of County Officials, opposed the bill, saying it is unlikely to accomplish its goal of increasing the number of schools receiving state aid.

"If the end game is to try to adjust the value to increase equalized schools, [this bill] would actually reduce the value in some school districts and they still won't be equalized," Dix said. "They won't have enough value and they won't be able to raise their levy high enough to continue what they're doing."

Renee Fry, executive director of the Open Sky Policy Institute, testified in a neutral capacity. Reducing property taxes for agricultural and horticultural land should be a priority, she said, but she agreed that LB178 could lead to an increase in local levies.

"Initial revenue loss for schools under this bill would be \$182.5 million," Fry said. "At least 32 districts

would be unable to make themselves whole without going over their \$1.05 levy limit."

The committee took no immediate action on the bill.

Property tax circuit breaker proposed

A refundable income tax credit would be available to residential property owners and renters under a bill heard by the Revenue Committee Jan 29.

Under LB186, introduced by Lincoln Sen. Kate Bolz, eligible taxpayers could apply for an income tax credit from the state Department of Revenue if they have lived at their residence for at least six months during the tax year.

Bolz said the credit would provide meaningful and targeted tax relief to families who must reconcile rising property taxes with steady family incomes.

"There are challenges in targeting property tax relief," she said. "[LB186] provides stability for taxpayers and helps individual taxpayers manage the change [in property taxes] from year to year."

The amount of tax credit would be equal to either the amount of property taxes paid or 20 percent of rent paid minus:

- 1 percent of adjusted gross income (AGI) if it is \$6,000 or less for married filing jointly or \$3,000 or less for single filers, with the credit not to exceed \$1,200;
- 2 percent of AGI if it is \$6,001 to \$36,000 for married filing jointly or \$3,001 to \$18,000 for

single filers, with the credit not to exceed \$900;

- 3 percent of AGI if it is \$36,001 to \$58,000 for married filing jointly or \$18,001 to \$29,000 for single filers, with the credit not to exceed \$600; or
- 4 percent of AGI if it is \$58,001 to \$116,000 for married filing jointly or \$29,001 to \$58,000 for single filers, with the credit not to exceed \$300.

A taxpayer who rents property that is owned by a tax-exempt charitable organization or is exempt from property taxes would not be eligible for the income tax credit.

Renee Fry, executive director of the Open Sky Policy Institute, spoke in favor of the bill, saying that it would provide more relief to taxpayers than the state's current property tax credit.

"It's difficult to provide property tax relief and also protect critical services such as education and public safety," Fry said. "According to the Institute on Taxation and Economic Policy, [LB186] would return \$149 million to taxpayers. Unlike the property tax credit, this would benefit renters as well."

Mark Intermill, representing the American Association of Retired Persons, also supported the bill. He said it would be one step toward property tax relief for all Nebraskans.

"There is support for a progressive or relatively equal balance of taxation across income levels," he said. "We would like to see this as an option on the table because it can be adapted to fit within the [state] resources available."

The tax credit would take effect Jan. 1, 2016.

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



Sen. Kate Bolz

TRANSPORTATION & TELECOMMUNICATIONS

Expanded bicycle definition advanced

Nebraska's definition of a bicycle would be expanded to include those with electric motors under a bill advanced from general file Jan. 26.

Introduced by Papillion Sen. Jim Smith, LB95 would add electric-assist bicycles, or e-bikes, to Nebraska's definition of bicycles. The new definition would include two- or three-wheeled

vehicles that can be propelled by pedaling or by an electric motor no larger than 750 watts, producing up to one brake horsepower, with a maximum speed of 20 miles per hour.



Sen. Jim Smith

Smith said the current definition of e-bikes inaccurately classifies them as mopeds or motor vehicles, subjecting them to licensing and helmet restrictions. Additionally, he said the change is needed to ensure that riders of electric-assist bicycles be allowed

to follow the same rules of the road and be accepted on the same paths as traditional bicycles.

"An e-bike is not a motor scooter or moped," Smith said. "It is a bike and should be regulated as such."

He added that because Nebraska's aging population is more active and health conscious, e-bikes likely will increase in popularity.

Sen. Mike Gloor of Grand Island agreed. He spoke in support of the bill, saying it would help encourage bike enthusiasts like himself to continue riding as they age.

Senators advanced the bill to select file 33-0. ■

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Monday, February 2

Banking, Commerce & Insurance Room 1507 - 1:30 p.m.

LB286 (Craighead) Revise powers of state-chartered banks, building and loan associations, and credit unions
LB352 (Scheer) Change provisions relating to the issuance of a mortgage banker license and recordkeeping by licensees

LB252 (Schumacher) Change provisions relating to registration by coordination and federal covered securities under the Securities Act of Nebraska

LB226 (Coash) Authorize crowdfunding as prescribed and exempt crowdfunding under the Securities Act of Nebraska

Business & Labor

Room 2102 - 1:30 p.m.

LB251 (Nordquist) Adopt the Veterans Subsidized Training and Employment Act

LB494 (Nordquist) Change minimum wage for persons compensated by way of gratuities

LB611 (Kintner) Require private employers to use the E-Verify Program
LB599 (Ebke) Provide a minimum wage for certain young student workers

Education

Room 1525 - 1:30 p.m.

LB351 (Brasch) Change state aid provisions relating to allocated income tax funds

LB590 (Friesen) Change provisions relating to a taxable value certified under the Tax Equity and Educational Opportunities Support Act

LB58 (Scheer) Provide for calculation and distribution of funds to certain schools as prescribed

LB444 (Groene) Eliminate the minimum levy adjustment for purposes of state aid to schools

LB522 (Sullivan) Provide for apportionment funds and student support aid relating to state aid to education

General Affairs

Room 1510 - 1:30 p.m.

LB204 (Schilz) Provide a tax credit for certain beer manufacturers

LB486 (Schilz) Provide for a limited bottling endorsement under the Nebraska Liquor Control Act

LB619 (Larson) Provide for a special designated poker license and a poker endorsement under the Nebraska Liquor Control Act

LB339 (Howard) Change provisions relating to payment of costs for

proceedings before the Nebraska

Liquor Control Commission

LB439 (Morfeld) Change Nebraska Liquor Control Act penalty provisions for certain violations

LB460 (Nordquist) Provide for licensure of charter bus and limousine services and pedal-pub vehicles for the consumption of alcohol

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB231 (Smith) Provide for regulation and operation of autocycles

LB312 (Transportation) Change provisions relating to the letting of highway construction contracts

LB313 (Transportation) Update certain references to federal regulations regarding motor vehicles and motor carriers

Tuesday, February 3

Agriculture

Room 2102 - 1:30 p.m.

LB128 (Chambers) Repeal the Black-Tailed Prairie Dog Management Act
LB242 (Stinner) Change provisions of the Dry Bean Resources Act

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB464 (B. Harr) Change information provided on effective financing statements
 LB180 (Scheer) Redefine terms relating to title insurance business
 LB298 (Schumacher) Change provisions relating to credit for reinsurance
 LB458 (Kolterman) Authorize limited lines travel insurance producer licenses

Education

Room 1525 - 1:30 p.m.

LB323 (Davis) Create the School Financing Review Commission
 LB182 (K. Haar) Create the School Funding and Educational Outcomes Review Committee
 LB563 (McCollister) Change provisions relating to school fiscal year
 LB343 (Kolowski) Provide funding for schools offering certain programs and courses as prescribed
 LB534 (Groene) Provide for limitations on General Fund expenditures for state aid to education

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB642 (Garrett) Change provisions relating to motorboat, motor vehicle, and trailer registration and titling
 LB624 (Larson) Change provisions relating to vehicle load requirements
 LB53 (Scheer) Provide for issuance of one license plate for passenger cars as prescribed

Urban Affairs

Room 1510 - 1:30 p.m.

LB295 (Scheer) Require municipalities to have county approval before enforcing ordinances in the extraterritorial zoning jurisdiction
 LB304 (Hansen) Adopt the Municipal Custodianship for Dissolved Homeowners Associations Act
 LB266 (Crawford) Change provisions relating to jurisdiction for municipalities to enforce ordinances

Wednesday, February 4

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB10 (McCoy) Change election of presidential electors
 LB205 (Schilz) Provide requirements for certain towers
 LB224 (B. Harr) Provide and change restrictions relating to electioneering

Health & Human Services

Room 1510 - 1:30 p.m.

LB366 (Pansing Brooks) Change the personal needs allowance under the Medical Assistance Act
 LB353 (Campbell) Change credentialing provisions for nursing home administrators

Judiciary

Room 1113 - 1:30 p.m.

LB663 (Hadley) Change the salaries of Supreme Court judges
 LB602 (Retirement) Change collection provisions relating to judges retirement fees
 LB648 (Howard) Provide for adoption by two adult persons
 LB647 (Nordquist) Prohibit discrimination relating to child placement
 LB586 (Morfeld) Prohibit discrimination based upon sexual orientation and gender identity

Natural Resources

Room 1525 - 1:30 p.m.

LB328 (Schilz) Change provisions of the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act
 LB585 (Schilz) Change provisions relating to director qualifications and employment of personnel at the Department of Natural Resources

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

Appointment: Dinkel, John - Nebraska Investment Council
 LB594 (Kolowski) Change contribution rates for certain police officers and county employees

Revenue

Room 1524 - 1:30 p.m.

LB20 (Krist) Change the income tax exemptions for social security benefits and military retirement benefits
 LB62 (Schumacher) Provide an income tax deduction for loan principal payments for graduate degrees
 LB64 (Schumacher) Provide an income tax deduction for the income earned from second jobs
 LB255 (Morfeld) Provide income tax credits for apprenticeships
 LB614 (Kintner) Change provisions relating to the taxation of military retirement benefits
 LB454 (Garrett) Change provisions relating to the taxation of military retirement benefits

Thursday, February 5

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB319 (Smith) Change provisions relating to elections conducted by mail
 LB514 (Craighead) Change provisions relating to registering to vote and voting early at the same time
 LB575 (Murante) Change provisions relating to ballots for early voting, write-in candidates, and filling vacancies
 LB578 (Murante) Change provisions relating to elections

Health & Human Services

Room 1510 - 1:30 p.m.

LB320 (Bolz) Adopt the Aging and Disability Resource Center Act
 LB405 (Davis) Create the Alzheimer's and Related Disorders Advisory Work Group and provide for a state plan
 LB440 (Morfeld) Provide for a study of rates for care by an Alzheimer's special care unit as prescribed

Judiciary

Room 1113 - 1:30 p.m.

Appointment: Rehmeier, Randall L. - Board of Parole
 LB651 (Bloomfield) Change liability for certain court costs as prescribed
 LB504 (Krist) Change provisions relating to presentence reports and examinations
 LB505 (Krist) Change provisions of the

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Security, Privacy, and Dissemination of Criminal History Information Act
LB630 (Krist) Provide duties for the Nebraska State Patrol regarding criminal history record information checks

Natural Resources

Room 1525 - 1:30 p.m.

LB104 (Krist) Change provisions relating to notice of discontinuance of utility service
LB337 (B. Harr) Rename and change the Low-Income Home Energy Conservation Act

LB469 (Smith) Provide powers and duties to the Department of Environmental Quality relating to the development of a state plan for regulating carbon dioxide emissions

Revenue

Room 1524 - 1:30 p.m.

LB69 (Schumacher) Provide an income tax credit for corporate income taxes paid

LB156 (Stinner) Change the amount of credits allowed under the Angel Investment Tax Credit Act
LB228 (Watermeier) Change corporate income tax rates
LB246 (Sullivan) Redefine a term under the Nebraska Advantage Microenterprise Tax Credit Act

Friday, February 6

Executive Board

Room 2102 - 12:00 p.m.

LR32 (Krist) Provide the Executive Board appoint a special committee to be known as the Developmental Disabilities Special Investigative Committee of the Legislature
LR33 (Krist) Provide the Executive Board appoint a special committee to be known as the ACCESSNebraska Special Investigative Committee of the Legislature
LR34 (Krist) Provide the Executive Board reappoint the Department of Correctional Services Special Investigative Committee of the Legislature

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB552 (Nordquist) Change a duty of the

Auditor of Public Accounts relating to written reviews of reports
LB503 (Krist) Provide authority for the Auditor of Public Accounts to issue subpoenas and request court orders
LB539 (Watermeier) Change provisions relating to the office of Legislative Audit and the Auditor of Public Accounts
LB621 (Larson) Change qualifications of the deputy director of the Auditor of Public Accounts
LB487 (Schilz) Change the duties of the Auditor of Public Accounts

Health & Human Services

Room 1510 - 1:30 p.m.

LB543 (B. Harr) Provide for certification of community paramedics and reimbursement under medicaid
LB89 (Campbell) Change provisions relating to aid to dependent children
LB147 (Crawford) Change provisions relating to asset limitations for public assistance

Judiciary

Room 1113 - 1:30 p.m.

LB385 (Lindstrom) Change provisions relating to forcible entry and detainer and the Uniform Residential Landlord and Tenant Act
LB409 (McCollister) Change provisions relating to landlords and tenants
LB416 (Pansing Brooks) Change provisions relating to transfers of property upon death
LB221 (B. Harr) Provide for disposition of a tenant's personal property upon death
LB253 (Morfeld) Change acknowledgment requirements relating to homesteads

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Oliver, Thomas D. - Neb.
Oil and Gas Conservation Commission
LB203 (Schilz) Change provisions relating to a game refuge

Revenue

Room 1524 - 1:30 p.m.

LB153 (Morfeld) Exempt college textbooks from sales and use taxes
LB191 (Bloomfield) Exempt food sold by veterans service organizations from sales and use taxes
LB249 (Sullivan) Exempt horses from

sales and use taxes
LB278 (B. Harr) Exempt motor vehicle washing and waxing services from sales and use tax

Monday, February 9

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB342 (Howard) Permit insurers to contract for pharmacist professional services
LB456 (Gloor) Change provisions relating to the Nebraska Exchange Stakeholder Commission
LB531 (Kolterman) Provide requirements for publication of insurance information
LB632 (Scheer) Prohibit employers and associations from precluding certain contracts relating to health benefit plans

Education

Room 1525 - 1:30 p.m.

LB582 (Nordquist) Change provisions relating to a focus school and program allowance
LB509 (Cook) Change and eliminate provisions relating to a poverty allowance under the state aid formula
LB530 (Sullivan) Provide a duty for the student achievement coordinator
LB524 (Sullivan) Change provisions documenting eligibility relating to free and reduced price school meals

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB474 (Chambers) Provide for Mountain Lion Protection Plates and create a fund
LB597 (Davis) Adopt the Contract Carrier Safety Act
LB31 (Bloomfield) Eliminate motorcycle and moped helmet requirements

Tuesday, February 10

Agriculture

Room 1524 - 1:30 p.m.

LB176 (Schilz) Change the Competitive Livestock Markets Act
LB175 (Schilz) Adopt the Livestock Growth Act and change provisions of the Nebraska Advantage Rural Development Act

COMMITTEE HEARINGS

*Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB78 (Gloor) Change provisions relating to the public agencies authorized to enter into agreements under the Intergovernmental Risk Management Act
 LB257 (Nordquist) Require insurers to provide descriptions relating to telehealth and telemonitoring
 LB553 (Gloor) Change insurance provisions relating to dental services

Education

Room 1525 - 1:30 p.m.

LB421 (Kintner) Eliminate a learning community and provide for distribution of assets as prescribed
 LB481 (Kintner) Permit school districts to opt out of a learning community as prescribed
 LB96 (Smith) Eliminate certain taxing authority of learning communities
 LB392 (Crawford) Change and eliminate learning community provisions relating to levy authority, distribution of core services funds, and state aid calculations
 LB528 (Sullivan) Change and eliminate provisions relating to learning communities
 LB529 (Sullivan) Change provisions relating to the Tax Equity and Educational Opportunities Support Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB498 (Hadley) Change sales and use

tax provisions relating to all-terrain vehicles and utility-type vehicles
 LB570 (Brasch) Change operation restrictions on golf car vehicles
 LB641 (Garrett) Provide rights and duties for a person operating a manual or motorized wheelchair or bicycle as prescribed

Urban Affairs

Room 1510 - 1:30 p.m.

LB197 (Scheer) Provide additional powers to certain sanitary and improvement districts
 LB300 (Schumacher) Change provisions relating to enforcement of ordinances by sanitary and improvement districts
 LB324 (McCollister) Provide authority to sanitary and improvement districts to contract for solid waste collection services
 LB420 (Crawford) Require acknowledgments from purchasers of real estate in a sanitary and improvement district

Wednesday, February 11

Health & Human Services

Room 1510 - 1:30 p.m.

LB471 (Howard) Change provisions relating to prescription drug monitoring
 LB452 (Hilkemann) Provide advertising requirements under the Uniform Credentialing Act
 LB567 (Johnson) Permit transfer of prescription information between pharmacies as prescribed

Revenue

Room 1524 - 1:30 p.m.

LB321 (Bolz) Adopt the Nebraska Industrial New Job-training Act and authorize certain payments and taxes
 LB322 (Bolz) Increase child and dependent care tax credits
 LB331 (Nordquist) Adopt the Bioscience Impact Opportunity Act
 LB372 (Craighead) Adopt the First-time Home Buyer Savings Plan Act and provide income tax adjustments

Thursday, February 12

Health & Human Services

Room 1510 - 1:30 p.m.

LB80 (Gloor) Provide, change, and eliminate anesthesia and sedation permit provisions under the Dentistry Practice Act
 LB315 (Howard) Change provisions relating to medicaid recovery audit contractors

Revenue

Room 1524 - 1:30 p.m.

LB210 (Ebke) Change provisions relating to housing agencies and taxation of mixed-use developments
 LB277 (B. Harr) Change tax deed lien priority
 LB345 (Kolowski) Adopt the Property Tax Relief Act
 LB615 (Kintner) Provide a property tax exemption for homesteads of certain persons ■

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Nebraska Supreme Court justices visited the Norris Legislative Chamber Jan. 29 for the State of the Judiciary speech.