

Kintner resigns from Legislature

Sen. Bill Kintner of Papillion announced at a morning press conference Jan. 25 that he has resigned from the Legislature.

Kintner said he had offered his resignation letter to Speaker Jim Scheer this morning. The letter states that his resignation is effective at 12:01 a.m. on Jan. 30.

Kintner faced a surge of public anger this week after retweeting a comment about the recent Women's March that appeared to make light of sexual assault. During floor debate on a separate issue yesterday, more than 20 senators rose to say Kintner should resign or face expulsion due to his pattern of behavior. Lawmakers said they had received a flood of angry emails and phone calls from constituents calling for his dismissal.

Last summer the Nebraska Accountability and Disclosure Commission fined Kintner \$1,000 for the misuse of state property when he used a state-issued computer to engage in cybersex with a woman he met online. Kintner reported to the State Patrol that the woman tried to extort money from him to keep their exchange private.

Omaha Sen. Bob Krist filed a resolution yesterday to expel Kintner from the Legislature, and lawmakers were scheduled to take up that resolution Wednesday morning. Scheer notified



Sen. Bill Kintner

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State sales taxes for large online retailers proposed



Members of the Revenue Committee listen to public testimony on two bills calling for sales tax on online purchases.

The Revenue Committee heard two bills Jan. 27 that would require some online retailers to collect sales taxes on Nebraska transactions.

LB44, introduced by Sen. Dan Watermeier of Syracuse, would require online retailers without a physical presence in the state to collect and remit sales tax revenue to Nebraska if their gross revenue in the state exceeds \$100,000 or they make 200 or more separate sales transactions in the state.

LB564, introduced by Sen. John McCollister of Omaha, would apply to online retailers with annual sales as low as \$25,000.

The state Department of Revenue estimates that Nebraska could collect an additional \$30 million to \$40 million in sales tax revenue from online

retailers every year.

If a retailer would refuse to collect the tax, it would be required to notify Nebraska purchasers that tax is due and that the state requires them to file a sales or use tax return on their purchases. Each failure to notify would result in a \$5 penalty.

Online retailers would be required at the end of each year to send Nebraska purchasers a notification detailing their purchases and to file an annual statement for each purchaser. Failure to meet either of those provisions would result in further penalties of \$10 for each instance.

Nebraskans who purchase items online already are required to keep track of their online purchases and report any state taxes owed, but few opt to do so.

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State sales taxes for large online retailers proposed

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“The longer we wait before passing legislation similar to this,” he said, “the harder it will be for the general public to understand that it is not a new tax.”

Both senators stressed that the current law puts local retail stores at a disadvantage to online sellers. McCollister said that when his wife owned a business she was continually frustrated to see customers come into her stores to look at merchandise but ultimately decide to purchase online to avoid sales tax.

“Internet sales have an automatic price advantage,” McCollister said. “They’re just not fair.”

Douglas Kindig, mayor of La Vista, spoke in support of both bills, saying that they would protect local retailers from unfair competition from online sellers. He said La Vista’s one-cent local sales tax produces approximately 30 percent of the city’s general fund revenue.

“We continue to lose sales tax revenue because of the online sales trends, which not only affects our ability to fund essential public services but will ultimately increase our reliance on

property tax,” he said.

Paul Briseno, assistant city manager of Kearney, also testified in support of the bill. Like La Vista, he said, Kearney relies on its local sales tax base to fund essential services that also benefit surrounding communities.

Half of Kearney’s 1.5 percent sales tax is used for property tax relief, he said, giving it one of the lowest property tax rates in the state. But two years of flat sales tax revenue has prompted the city to consider a rate hike and hire a retail consultant to help local businesses strengthen their sales.

Thomas Wright, co-owner of Wright’s Jewelers in Lincoln, also testified in support of the bill, saying it would ensure taxes are collected fairly. A sale is a sale, he said, whether it is made online or not, and sales taxes should be collected in each case. He said internet sales in his industry are projected to increase 15 percent each of the next few years.

“When we small businesses are gone, who’s going to pay for these streets?” he said. “Who’s going to pay the property taxes for your schools? Those online people aren’t going to

come in here and do that.”

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

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Kintner resigns from Legislature

(continued from front page)

senators of Kintner's resignation when the Legislature convened at 9 a.m.

Gov. Pete Ricketts, who has repeatedly called for Kintner's resignation since last summer, issued a statement shortly after the press conference saying that Kintner did the right thing by resigning. The governor's office is accepting applications to fill the vacant seat for Legislative District 2 until Jan. 31. The district contains Cass County and portions of Sarpy and Otoe counties.

Eligible applicants must have lived in the district for at least one full year, be registered to vote and be at least 21 years old. ■



Sen. Bill Kintner announced his resignation at a press conference Jan. 25.

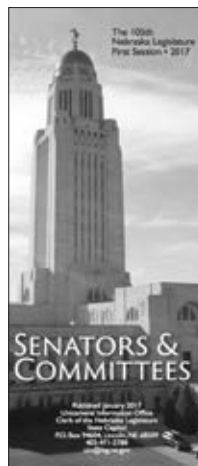
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MEET THE SENATOR

Experience abroad informs senator's work at home

Sen. Bruce Bostelman, who is rooted in small Nebraska farming communities, witnessed agriculture's global scale on a recent trip to South Korea where he stood in a dockyard watching ships unload American grain.

He was traveling with fellow graduates of UNL's Leadership Education/Action Development program, in which participants spend two years studying national and international issues facing farmers and ranchers. Bostelman said meeting with U.S. Foreign Service officials and international agencies gave him a better understanding of how global forces affect Nebraska agriculture.

Now he hopes to apply that experience as a state senator.

"International study was very helpful in understanding roles between countries and how our government interacts with them," he said.

Bostelman, a lifelong traveler, joined the U.S. Air Force after high school and spent four years in the U.S. and U.K. guarding aircraft and missile installations. On a later duty assignment in Turkey, he trained to be a paralegal and spent the rest of his 20-year career managing various law offices that handled cases in military justice, civil law, claims, contract law and international law.

He said his legal experience prepared him for his job as a senator, which requires the careful scrutiny of proposed legislation and the ability to think critically about how a bill would affect existing laws and the people of Nebraska.

"I think it gives me a good background," Bostelman said.

The senator maintains a farm near Loma, where he grows woody floral stems and pecan trees. He grew up near the state's southern border in the small farming community of Superior, where his parents still live. His two children and two grandchildren live in Lincoln.

A sportsman who also enjoys scuba diving and hiking, Bostelman said he and his wife, Jan, try to travel abroad whenever they can. Their destinations include the Arctic Circle, New Zealand and the Great Wall of China. They visited Namibia in 2014.

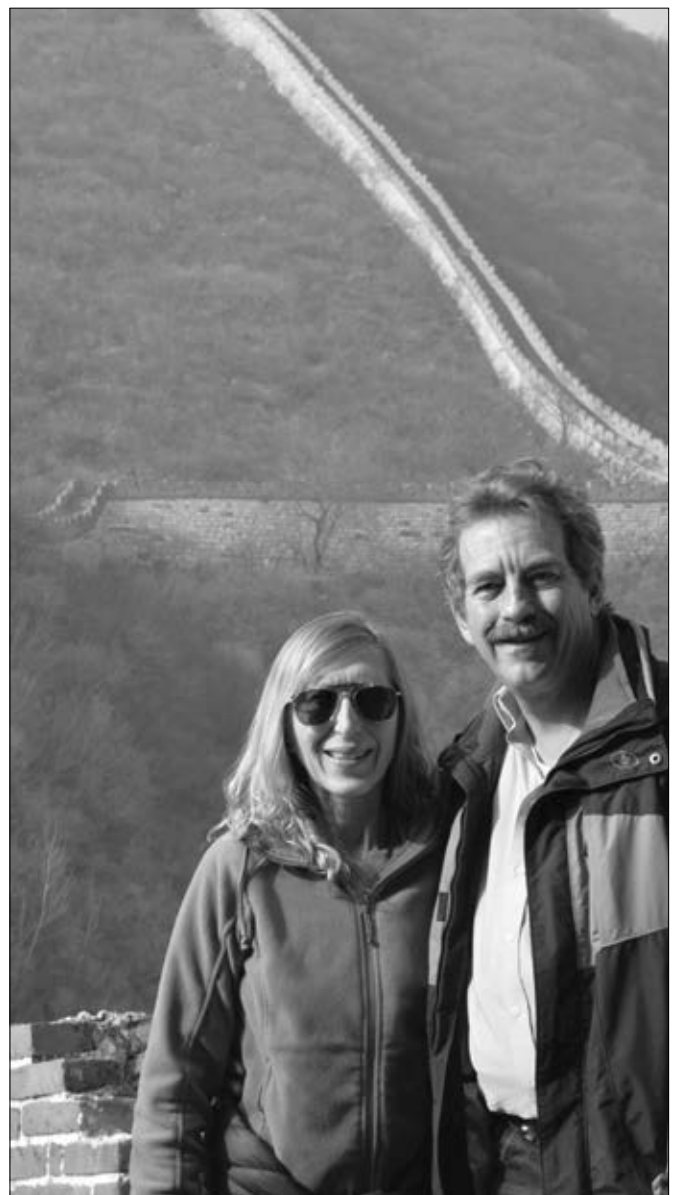
"We'd love to get back again," he said. "You can just see amazing sights – animals everywhere."

For now, though, travel is limited mostly to his district as he visits constituents in the areas of Schuyler, David City and Wahoo. Bostelman said property taxes are the chief concern there, along with funding for education and

correctional services, all issues he hopes to address during his time in the Legislature.

He looks forward to serving on the Natural Resources Committee, which he requested, and on the Transportation and Telecommunications Committee, where he hopes to expand broadband internet access in the state's rural areas.

"I think that would really provide us opportunities for more families to move back either to the farm or to our small communities," he said. ■



Sen. Bruce Bostelman and his wife, Jan, visited the Great Wall of China in 2015.

AGRICULTURE

Egg-handling rules clarification advanced

Lawmakers advanced a bill from general file Jan. 24 that would update the state Department of Agriculture’s authority to regulate those who provide eggs for human consumption.

LB134, introduced by Sen. Lydia Brasch of Bancroft, would repeal the Graded Egg Act and transfer authority for regulating egg-handling operations to the Nebraska Pure Food Act.



Sen. Lydia Brasch

Egg handlers, defined as those who buy or sell shell eggs or process shell egg products, would be required to label eggs with an identification number assigned by the U.S. Department of Agriculture or the state Department of Agriculture. The bill also would authorize the state department to establish standards, grades and weight classes for eggs and would require those who sell or package eggs to comply with any applicable regulations under the Pure Food Act.

Apart from incorporating oversight of egg-handling activities, LB134 also would strengthen the department’s inspection authorities. The bill would provide express authority for the department to enter and inspect food establishments or processing plants, examine records and take food samples. The department also would have clear authority to inspect food being shipped into or through the state and to obtain an inspection warrant.

LB134 would clarify permit and inspection fees for food delivery services, businesses that do not prepare, store, serve or sell food and whose only

food-handling activity is the delivery of food items such as restaurant take-out orders or home grocery delivery. The bill would define delivery services to distinguish them as a subcategory of food establishments and create a new license and inspection fee category for them. Currently, delivery services are included within the “all other food establishments” category and pay an annual inspection fee of up to \$120.64. LB134 would reduce the annual inspection fee for food delivery services to no more than \$17.23.

LB134 would continue exemptions from licensure under the Pure Food Act for small producers and retailers of eggs sourced from local producers similar to the current exemption from licensure under the Graded Egg Act.

“[The bill] does not impose any new regulations on small egg producers or egg sellers,” Brasch said.

Senators voted 38-0 to advance the bill to select file.

BANKING, COMMERCE & INSURANCE

Comprehensive updates to banking laws proposed

A comprehensive update of Nebraska’s banking laws was considered Jan. 23 by the Banking, Commerce and Insurance Committee.

Gothenburg Sen. Matt Williams, sponsor of LB140, said the bill is the result of a year of work by state senators, banking industry representatives and the state Department of Banking and Finance.



Sen. Matt Williams

Stakeholders met monthly, he said, in order to review existing laws and sug-

gest changes that would reduce regulatory complexity while still protecting consumers and preserving public confidence in Nebraska’s banking industry.

“To our knowledge, no comprehensive review and update to the current Nebraska Banking Act has occurred since its enactment in 1963,” Williams said, adding that the stakeholders involved had an overriding rule for the working group.

“We all came to the table with the idea of working together, and we agreed on the front end that the only provisions that would be included in LB140 would be those that were mutually agreed upon by all [parties],” he said.

Among other provisions, the bill would:

- allow a minor to open and maintain a safe deposit box;
- allow electronic filing of bank fidelity bonds with the state Department of Banking;
- require banks that employ a mortgage loan originator to register that employee with the Nationwide Mortgage Licensing System;
- allow a bank to acquire the stock of another financial institution if the transaction is part of the merger, consolidation or acquisition of assets of the other institution;
- authorize an increase in the maximum number of a bank board of directors from 15 to 25 and require that a bank president be a member of the board;
- prohibit bank-affiliated individuals from being paid a higher rate of interest on deposits than paid by the bank for similar deposits and provide that a violation is a Class IV felony; and
- allow a bank, in a state of emergency, to open a temporary office to conduct business for up to 30 months, or allow a mobile branch to serve as a temporary emergency branch office.

The bill also would repeal obsolete sections of the state's banking laws.

Mark Quandahl, director of the state Department of Banking and Finance, testified in support of LB140 and addressed specific provisions outlined in the 143-page bill.

"As the working group was reviewing the laws relating to emergencies, two of our banks - Wahoo State Bank and First Central Bank in Cambridge - had very real emergencies when fires destroyed their main offices," he said.

The department discovered that existing laws were inadequate in regard to authorizing the banks to immediately establish temporary locations, he said, and LB140 would address those issues.

Also testifying in support was Robert Hallstrom of the Nebraska Bankers Association. He said the bill reflects best practices and incorporates many necessary updates.

"Many of the provisions, as director Quandahl has noted, were technical in nature," he said, "but there are substantive provisions that will be beneficial both for the financial institutions and the customers that we serve."

No opposition testimony was offered and the committee advanced the bill to general file 8-0.

BUSINESS & LABOR

Reimbursement proposed for second workers' comp exam

Employees injured on the job would be entitled to a second free medical opinion under a bill heard by the Business and Labor Committee Jan. 23.

Currently, an employee filing a workers' compensation claim must submit to a medical exam by a physician chosen by the employer or

its insurer. Under LB181, introduced by Grand Island Sen. Dan Quick, an employee that disputes the initial medical findings could seek a second opinion from a physician of the employee's choice.

The employee would be reimbursed for the associated costs of the second examination by either the employer or its insurer.

Quick said he was injured on the job and was told he must return to work while still taking prescribed narcotics. He said he could have sought a second opinion but would have had to pay for it himself.

"[LB181] would provide more balance to medical findings," he said. "The current system just doesn't seem fair."

Current law allows for an employee to dispute a medical opinion at cost to the employer, but only in the event of at least two dissenting medical opinions. In most cases, however, an employee's file includes only the opinion of the employer or insurer's physician, according to Adam Tabor, an Omaha attorney specializing in workers' compensation claims.

Tabor said this means the employee would have to seek and pay for a second medical opinion to take advantage of the statute.

"Asking an injured worker to pay for a medical evaluation and report is simply not an option for some," he said. "The current system is not adequate. LB181 levels the playing field by recognizing the disparate financial situations between workers and employers."

Representing the National Federation of Independent Business, Robert Hallstrom opposed the bill. He said



Sen. Dan Quick

the current process to dispute medical opinions under state law is more than adequate.

"[The bill] would install an additional, unnecessary layer of expense on employers or their insurance carriers in light of current law," he said.

The committee took no immediate action on the bill.

EDUCATION

Parental involvement for high-ability learners proposed

Some school districts would be required to establish focus groups for high-ability learners under a bill heard by the Education Committee Jan. 23.

LB103, introduced by Sen. John Murante of Gretna, would require each school district in a learning community that offers an accelerated or differentiated curriculum program to create a high-ability learners focus group.

The focus groups would consist of teachers, parents and administrators and also may include representatives from organizations that advocate for meeting the educational needs of high-ability learners. The groups would look for ways that parents and students can play a role in their district's accelerated or differentiated curriculum program and study issues related to high-ability learners.

The bill would require school districts to provide the focus groups with the district's criteria for identifying students with high ability and the number of those students participating in accelerated programs. It also



Sen. John Murante

would require districts to disclose how much they spend on programs for high-ability learners.

Murante introduced the bill after meeting with a group of parents from Millard Public Schools, one of the 11 member districts in the Learning Community of Douglas and Sarpy Counties. Not enough information about accelerated learning programs in the district's schools is available to parents, he said. This makes it difficult for them to assess the quality of a school's accelerated program when choosing which elementary, middle or high school their child will attend.

"The language in the bill centralizes the role of the parent by creating the focus group and reinforces the importance of making sure programs are adequately carried out so that our high-achieving kids can succeed," he said.

Carlos Castillo, whose daughter attends Millard Public Schools, spoke in support of the bill. He said parents of high-ability learners approached the school's administration and asked for regular meetings to discuss the district's accelerated programs and request better access to information on those programs. They were not satisfied with the administration's response, Castillo said.

"Here you have a group of parents who are begging to be involved in high-ability learning and we can't find a way to do it," he said. "That, as a parent, seems to me a bit ludicrous."

Kristen Job, a Westside Community Schools high-ability learning teacher, also testified in support of the bill. Job, speaking on behalf of the Nebraska Association for the Gifted, said the proposed focus group is not meant to be a complaint group but rather a grassroots effort to support schools and advocate for the needs of high-ability learners. She said this is es-

pecially important at a time when the high-ability learning director position at the state Department of Education is vacant due to budget cuts.

"This focus group would help provide a voice for stakeholders in high-ability education and a chance to come together, learn from one another and support each other in our endeavor to protect funding and support for our high-ability learners."

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

Bill would protect students of failed for-profit colleges

The Education Committee heard testimony Jan. 24 on a bill that would offer financial protection to students of for-profit colleges and universities if those institutions shut down.

LB123, introduced by Lincoln Sen. Patty Pansing Brooks, would authorize the Coordinating Commission on Postsecondary Education to assess a fee on for-profit postsecondary institutions that have a physical presence in the state and direct the proceeds to a cash fund. The commission then would receive, evaluate and pay claims to students to recover lost tuition and fees resulting from the closure of a for-profit institution.

Each for-profit postsecondary institution would be assessed the fee until the cash fund reaches a minimum of \$250,000; the fund would be capped at \$500,000. Schools would be required to maintain a surety bond to provide protection to students until the fund reaches the minimum level.

The bill also would require that

student records be maintained and transferred when a school closes. Finally, it would require for-profit institutions, if they close, to reimburse the Nebraska Opportunity Grant Fund for academic terms not completed by students who received awards from the fund.

Pansing Brooks said that the commission does not have authority over for-profit institutions that provide a bachelor's degree or higher. She said students who attend those institutions therefore have inadequate protection from financial loss if the schools suddenly close their doors, as happened twice last year. Kansas-based Wright Career College, which had a campus in Omaha, closed its doors in April 2016, followed by the closure of ITT Technical Institutes' Omaha campus in September.

"Nebraska students suffer as a result of these closings," she said. "Many were in the middle of degree programs or close to graduating, and they were left to find a school that would accept their transfer credits."

Mike Baumgartner, executive director of the Coordinating Commission for Postsecondary Education, spoke in the support of the bill. He said three institutions would be affected by the proposal: the Creative Center in Omaha; Kaplan University, with locations in Lincoln and Omaha; and the National American University campus in Bellevue. He estimated that for-profit institutions in Nebraska collect between \$25 million and \$35 million in tuition every year.

"[The bill] would provide a greater level of protection to students attending these institutions with relatively little financial impact on these institutions," he said. "Many other states have enacted similar requirements and they have proven to be effective."

Ken Smith of Nebraska Appleseed



Sen. Patty Pansing Brooks

also supported the bill, saying that it is a reasonable step to ensure students at these institutions are financially protected. He said 22 states maintain some type of tuition recovery fund and 40 states require for-profit schools to secure a surety bond. The commission already has authority to regulate for-profit schools that offer degrees up to an associate's level and LB123 would simply extend those protections, Smith said.

"Passing [the bill] would ensure that Nebraskans pursuing higher education at these schools are protected better than they are today," he said.

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

Bill would update summer food program

The Education Committee heard testimony on a bill Jan. 23 that is meant to increase student access to summer food programs.

Sen. Lynne Walz, sponsor of LB235, said the summer food service program, started in 2012, currently has more than 60 sponsors, including schools, faith-based organizations, non-profits and libraries. Each sponsor can operate up to 15 sites and may apply for up to \$15,000 in grants annually to expand or start more programs. Qualifying expenses include equipment, staff salaries, training and vehicles used to transport food.



Sen. Lynne Walz

Under current rules, sponsors must prorate their expenses. For example, Walz said, if a sponsor needs to buy a refrigerator that it would use only during the summer, the grant would cover only a fraction of its cost.

LB235 would authorize sponsors to spend a grant's full amount when starting or expanding a child nutrition program. Walz said the change would allow the summer food service program to serve more low-income students, especially in rural Nebraska.

"It is essential that we make this program more accessible so that our children, many of whom do not get a good meal at home, can get the nutrition they need to be healthy," she said.

Walz said the bill would not increase the amount of money allocated to the program, which is capped at \$140,000 annually.

Linda Richards, vice president of the board of education for Ralston Public Schools, spoke in support of the bill. She said 60 percent of the 3,300 students in her district qualify for free and reduced meals, a percentage that is growing. Over the past four summers, she said, Ralston served approximately 1,000 meals to students in need.

If the bill passes, Richards said, Ralston would apply for a grant to buy equipment and marketing materials to expand the reach of its summer food program.

Kaitlin Reece, policy coordinator at Voices for Children in Nebraska, also testified in support of the bill, which she said would remove a barrier that prevents many Nebraska children from receiving nutritious meals during the summer.

Boosting participation in summer food programs additionally would increase the amount of federal reimbursements the state would receive, Reece added. If summer nutrition programs reach just 40 percent of the level of participation in free and reduced lunch programs during the school year, she said, Nebraska will receive up to \$2.8 million in federal reimbursements.

"Increased access to summer nutri-

tion programming means fewer kids go hungry while also bringing additional dollars and economic opportunities to Nebraska communities," Reece said.

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



Bill would ease hiring of county law clerks

Senators voted Jan. 23 to advance a bill that intends to make it easier for county attorneys and public defenders to recruit and retain law clerks and law students.

LB80, introduced by Omaha Sen. Carol Blood, would designate law clerks and law students who work for county attorneys or public defenders as unclassified employees.



Sen. Carol Blood

Those workers currently are considered classified employees, subject to the County Civil Service Act. The bill applies only to counties with populations between 150,000 and 300,000.

"The current hiring process under the Civil Service Act makes it extremely difficult to recruit, hire and then retain top-notch law clerks because of the strict framework laid out when it comes to promotions and pay scale for classified employees," Blood said.

The proposal would place law students and law clerks under the same hiring framework as attorneys, making it easier for them to transition to full-time employment, she added.

Lawmakers voted 34-0 to advance the bill to select file.

HEALTH & HUMAN SERVICES

Bill would allow investigational drug use

Drugs in U.S. Food and Drug Administration (FDA) clinical trials could be used by eligible Nebraska patients under a bill heard Jan. 27 by the Health and Human Services Committee.

LB117, introduced by Omaha Sen. Robert Hilke-
mann, would allow an eligible patient under the Investigational Drug Use Act to be treated with any drug, biological product or medical device that has successfully completed Phase 1 of a clinical trial but has not yet been approved for general use by the FDA—provided that the drug remains in an FDA-approved clinical trial.



Sen. Robert Hilke-
mann

Hilke-
mann said the bill would offer hope to patients facing illnesses whom conventional medication has failed.

“Thirty-three states have adopted similar legislation with bipartisan support,” Hilke-
mann said. “I believe that it is time for Nebraska to join this growing list of states and help terminally ill patients access medications or therapies that may help them save their own lives.”

To be eligible, a patient must:

- have a documented, advanced illness;
- have considered all other approved treatment options;
- not be receiving inpatient treatment in a licensed hospital;
- give written, informed consent

for the use of the investigational treatment; and

- have a recommendation from his or her treating physician for an investigational drug, biological product or device.

Under the bill, a manufacturer could provide an investigational treatment without compensation and would be prohibited from seeking reimbursement for such treatment if an eligible patient dies while being treated.

In addition, a treating physician would not be held liable if a treatment failed to work or be subject to action by a professional board based solely on a recommendation of the use of an investigational treatment.

Testifying on behalf of the Nebraska Medical Association, Matt Schaefer supported the bill.

“Anything that we can do to support well-crafted, expanded access to potentially life-saving medication to folks who don’t have any other options is a good thing,” he said.

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

Changes to pharmacy regulations proposed

The Health and Human Services Committee heard testimony Jan. 27 on a bill that would update state law regulating pharmacy practice in Nebraska.

LB166, introduced by Seward Sen. Mark Kolter-
man, would amend and update the Pharmacy Practice Act and the Uni-
form Controlled Substances Act.



Sen. Mark Kolter-
man

Kolter-
man said regulations governing pharmacists in Nebraska have not

been updated since 2007. A recent review of those regulations revealed the need for updates and clarifications in state law, he said.

“This is a very important piece of legislation,” he said. “We need to get this right.”

The bill would clarify that a Schedule II controlled substance could be dispensed in an emergency situation in which a prescribing practitioner determines that no appropriate alternative treatment is available, immediate administration of the controlled substance is necessary and it is not possible to provide a signed prescription for the dispenser.

Among other provisions, LB166 also would:

- require that a pharmacist intern be supervised at all times;
- allow more than one drug to be placed in a container in certain circumstances;
- specify that 60 days be the quantity of drug indicated for a long-term care facility resident;
- allow a hospital to provide the unused portion of a drug to a patient upon discharge under certain circumstances;
- extend the time available to fill the remainder of a partially dispensed controlled substance prescription from 72 hours to 30 days after the prescription date;
- authorize a pharmacist to enter into a practice agreement with a qualified licensed health care practitioner to provide pharmaceutical care independently; and
- require that a registered pharmacy in which controlled substances are stored or dispensed complete a controlled-substances inventory when there is a change in the pharmacist in charge.

Joni Cover, CEO of the Nebraska Pharmacists Association, testified in support of the bill, saying it would bring consistency to pharmacy practice in the state while also providing flexibility to practitioners in rural areas.

For example, she said, an individual who falls from a horse in a rural area may not have access to a 24-hour pharmacy within 100 miles of where they live when released from a hospital.

“We wanted to have some continuation of care provisions so that you can take medication home with you until the pharmacy is open on Monday,” Cover said.

No opposition testimony was given and the committee took no immediate action on LB166.

Adjustments, cuts to HHS programs proposed

The Health and Human Services Committee heard testimony Jan. 25 on four bills that would make adjustments and cuts to programs in the state Department of Health and Human Services (DHHS) Division of Children and Family Services.

The bills were introduced by Ralston Sen. Merv Riepe on behalf of Gov. Pete Ricketts as part of his proposed budget modification package. The bills represent funding alterations that would require changes in state law to accomplish.

Riepe said the changes are being proposed in light of the state’s projected \$990 million shortfall.

“Any of the adjustments in the budget are not because we want to, but because we have to,” he said.

LB334 would allow DHHS to end



Sen. Merv Riepe

a pilot program in which the department contracts with two child-placing agencies to deliver the family-finding model. The model is used to locate and engage family members and others to accept placement or become more involved in the life of a state ward in need of permanency.

Doug Weinberg, director of the Children and Family Services Division testified in support of the bill, saying department workers can do the job of finding relatives and other connected adults to engage with and possibly care for state wards.

He said the number of children placed with a relative or kin has increased from 36 to 55 percent since 2014.

“This is an area where we can embrace efficiency,” Weinberg said, adding that eliminating the contracts should save the state \$883,800 per year.

Karen Authier, CEO of Nebraska Children’s Home Society – one of the two agencies currently contracting with the state to locate wards’ families – testified in opposition, saying DHHS workers already are struggling to keep up with current caseloads.

In addition, she said private agency workers are specially trained in encouraging connection between family members and state wards who often have multiple emotional and psychological issues. She proposed that the state consider narrowing the scope of the pilot project to the most difficult cases rather than eliminating it.

“While I acknowledge the need to reduce spending and achieve a balanced budget, I believe that there are alternatives to consider that would allow for continuing the pilot on a more limited basis,” Authier said.

Also considered was LB335, which would eliminate implementation of any rate changes in 2017 for child

care providers as a result of the Child Care and Development Fund Market Rate Survey.

Testifying in support of the bill, Weinberg said the federal government requires the rate survey, and current state law requires DHHS to adjust the rates paid to child care subsidy providers based on the survey.

LB335 would delay any increase in Nebraska’s provider rates for two years, he said, saving the state approximately \$7.4 million.

Sarah Ann Kotchian, testifying on behalf of the Holland Children’s Movement and the Nebraska Child Health and Education Alliance, opposed the bill. The state’s child care subsidy program served more than 34,000 children in 2015, she said, and suspending a rate adjustment for providers would further limit the choices that low-income families have for child care.

“LB335 stands out as the most damaging and direct hit to the largest population of our youngest and most vulnerable at-risk children,” Kotchian said.

A third bill, LB333, would end funding for the state’s short-term disability program.

Under current law, DHHS must perform an independent medical review of an individual’s disability if he or she is denied benefits by the federal Social Security Administration based on the duration of the disability.

An individual may then qualify for and receive short-term assistance from the State Disability Program (SDP) for up to 12 months.

Testifying in support of LB333, Weinberg said SDP serves an average of 50 individuals a month and has an annual budget of \$4.2 million. The program currently has 16 active participants who receive an average of \$740 a month in cash benefits and nearly

\$6,000 a month in medical services, he said, adding that only three people will remain in the program after June 2017.

He said that another small DHHS program that is not being fully utilized could cover the cost of services to the remaining individuals until their eligibility ends.

“It may not meet all the needs, but it will meet some of the needs,” Weinberg said.

Finally, LB336 would allow DHHS to assess a fee for background checks involving the state’s abuse registry.

Riepe said DHHS conducts an average of 10,000 background checks each month involving the state’s central registry, which contains reports of substantiated cases of abuse and neglect.

Various agencies that care for children and vulnerable adults conduct background checks to ensure that potential employees and volunteers do not appear in the registry, he said, which is required by state law and maintained by the department.

The bill would allow the department to charge a fee, not to exceed \$3, to conduct a central registry background check. The fee could be waived if the requesting party demonstrates that the fee would create an undue financial hardship.

Weinberg, testifying in support of the bill, said DHHS intends to start with a \$2.50 fee, which should net the department approximately \$200,000 per year.

The committee took no immediate action on the bills.

JUDICIARY



Bill would ensure legal representation for juveniles

Juveniles appearing before the court would be ensured legal representation under a bill heard by the Judiciary Committee Jan. 26.

Under LB158, introduced by Lincoln Sen. Patty Pansing Brooks, legal counsel would be appointed each time a juvenile court petition is filed. The juvenile and his or her parent or guardian would be informed of the right to retain such counsel as needed.



Sen. Patty Pansing Brooks

Pansing Brooks said access to counsel for juveniles varies widely across the state. She said juveniles in some counties have no access to a lawyer, regardless of the seriousness of the pending charges.

“That a child’s access to counsel is dependent upon where they live just isn’t acceptable,” she said. “Why should one child have their constitutional rights guaranteed while a juvenile in another county does not?”

The bill also requires any legal counsel representing a juvenile to continue representation through post-dispositional proceedings unless the juvenile requests new counsel.

Representing Voices for Children in Nebraska, Juliet Summers supported the bill, saying young people need adequate legal representation when facing juvenile court judges.

“Every child in Nebraska deserves equal protection under the law,” Summers said. “This bill would ensure youth across our state have meaningful

protection for one of their most basic rights: right to legal counsel.”

Kim Hawekotte, executive director of the state Foster Care Review Office, also testified in support of the bill. She said fewer youth would end up in out-of-home placements with adequate legal counsel to help them navigate the justice system.

“We could keep many of these youth from going deeper in the system [with LB158],” she said. “Justice by geography does not work. We need justice for all our youth.”

Elaine Menzel, representing the Nebraska Association of County Officials, opposed the bill, saying that a lack of funding and resources would make it difficult to implement the proposed requirements.

“Over one-third of the state’s counties are represented by less than three attorneys,” Menzel said. “You also may not have an attorney conversant in juvenile law and may not be able to provide adequate counsel.”

The committee took no immediate action on the bill.

Bill would reschedule cannabidiol for use in medication

The Judiciary Committee heard testimony Jan. 25 on a bill that would proactively reschedule a drug designed to treat certain types of childhood epilepsy.

LB167, introduced by Crete Sen. Laura Ebke, would reclassify cannabidiol in a drug product as a Schedule V drug from its current status as a Schedule I drug.



Sen. Laura Ebke

In order to be classified as a Schedule I drug under federal law, a drug or substance must have a high potential for abuse, lack

an accepted safe use under medical supervision and have no currently accepted medical treatment use in the United States.

No prescriptions may be written for Schedule I controlled substances and they are subject to production quotas by the federal Drug Enforcement Administration (DEA).

Ebke said the U.S. Food and Drug Administration (FDA) is considering approving a cannabidiol drug this year as a potential anti-convulsive treatment for children with certain types of childhood-onset, medication-resistant epilepsy. If the drug is approved by the FDA, it must be rescheduled at the state level, she said.

“Without this proactive legislation, Nebraska children with these devastating types of epilepsy might not be able to obtain rapid access to an exciting new treatment option,” Ebke said. “There is no reason why these children and their families should suffer a day longer than is necessary if there is an FDA-approved treatment that might alleviate the burdens of uncontrolled seizures.”

The FDA will be considering final approval of the drug in 2017.

Michelle Welborn, representing the Intractable Childhood Epilepsy Alliance, supported the bill. She said her daughter suffers from an epileptic disorder and has responded positively to the drug currently under study by the FDA.

“Parents are desperate for help. These children should not be denied a drug in this day and age that can help them because of drug scheduling,” Welborn said.

Representing Nebraska Families for Medical Cannabis, Dexter Schrodt opposed the bill. He said the scope of LB167 is too narrow and suggested that cannabidiol instead be rescheduled for all medical uses.

The committee took no immediate action on the bill.

Movie theater accommodations proposed

Movie theaters would provide special accommodations under a bill heard by the Judiciary Committee Jan. 26.

Under LB269, introduced by Syracuse Sen. Dan Watermeier, movie theaters with five or more screens at one location would be required to provide open movie captioning at two weekly showings of each movie produced with open captioning through 2021.



Sen. Dan Watermeier

A movie with open captioning projects dialog on the bottom of the screen, viewable to all audience members.

Watermeier said handheld captioning devices currently are available but can distract from the experience and lessen enjoyment of a movie for viewers who cannot hear well. Movie theaters can obtain open captioning movies at no additional cost, he said.

“According to the Hearing Loss Association of America, 20 percent of Americans have some level of hearing loss,” he said. “It’s important we provide the means by which deaf and hard of hearing Nebraskans can enjoy the movie experience.”

Violations would be considered a discriminatory practice and subject to a penalty of up to 30 days in county jail, a fine of up to \$100 or both.

John Wyvill, executive director of the Nebraska Commission for the Deaf and Hard of Hearing, testified in support of the bill. He said handheld captioning technology often is ineffec-

tive or unreliable.

“[Unreliable technology] prevents approximately 20 percent of our population from enjoying the movie-going experience,” he said. “All we’re asking is very simply to have captioning on the movie screen, the same as you’d see if watching a movie with captioning on Netflix.”

Representing the National Association of Theatre Owners, Jeff Logan opposed LB269. He said most theater owners are accommodating of all movie viewers.

“Open captioning is really an older solution. I think there are better solutions now that the technology is evolving,” Logan said, adding that many hearing individuals prefer not to watch a movie with open captioning. “We don’t want to exclude anyone from the theater experience.”

The committee took no immediate action on the bill.



Tax credit carry-over extension proposed

Businesses that make large capital investments in Nebraska could carry over unused tax credits for a much longer period under a bill heard by the Revenue Committee Jan. 25.

LB161, introduced by Sen. Curt Friesen of Henderson, would extend the income tax credit carryover period for companies that file a Tier 6 application under the Nebraska Advantage Act from one year to 20 years after the end of the entitlement period. The change would apply to all



Sen. Curt Friesen

Tier 6 project applications filed before, on or after the bill's effective date.

The state Department of Revenue estimates that the bill would reduce state tax revenue by \$1.8 million in fiscal year 2023-24 and by an additional \$1.89 million in FY2024-25.

The act, which provides tax incentives for businesses to relocate or expand in Nebraska, allows companies to carry over unused credits for a limited number of years depending on which of the act's six tiers the project falls under.

Tier 6 is meant to encourage companies to make significant capital investments and bring high-paying jobs to the state. To qualify for Tier 6 benefits, companies must invest \$10 million and create 75 new jobs or invest \$109 million and create 50 new jobs.

Friesen said the current carry-over period of one year is too short for Tier 6 companies to use the credits they earn. In comparison, firms may carry forward credits for no more than nine years after application for a Tier 1 or Tier 3 project and for no more than 14 years after application for a Tier 2 or Tier 4 program.

Extending the carry-over period for Tier 6 companies would attract a wider range of businesses to the state, Friesen said, helping to diversify Nebraska's economy at a time when the agricultural sector is struggling.

"As we work to grow the state and wrestle with tax incentive reform, this is an important update to our current Nebraska Advantage program."

Kiewit, a large construction firm with headquarters in Omaha, is the only company to have qualified for Tier 6 benefits so far, Friesen said.

Bruce Grewcock, chairman and CEO of Kiewit, spoke in support of the bill, saying that Nebraska Advantage Act credits helped Kiewit expand its operations in the state. Since 2012, he said, Kiewit has invested more than \$400 million and hired 400 employees in Nebraska.

Grewcock said the incentives were a major factor in the company's decision to move its data center here and to open new shared services and training facilities. Kiewit's ability to use the credits it earns under the act will help determine where it opens new facilities and hires new workers over the next few years, he said.

"Kiewit is not asking the state for additional incentives," he said. "We simply want the opportunity to realize the intent of incentives we have earned and continue to earn."

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

Tax credit for private school scholarship donations proposed

The Revenue Committee heard testimony Jan. 26 on a bill that would allow private donations to fund scholarships for students who attend private schools in Nebraska.

LB295, introduced by Papillion Sen. Jim Smith, would create a nonrefundable tax credit for those who donate money to nonprofit organizations that grant scholarships to students to attend a private elementary or secondary school in Nebraska.

Individuals, pass-through entities, estates, trusts and corporations would receive a nonrefundable income tax deduction equal to the contributions they make. Credits could be carried forward for up to five years.

Smith said the bill is meant to ensure that all families, especially ones with low incomes, have the opportunity to send their children to private schools if they so choose.

"Some children thrive in one en-

vironment while others do better in another," he said. "Unfortunately not all families have the means to make that choice for themselves."

Only students from a household with an income less than twice the required level of the federal reduced-price lunch program would be eligible to receive scholarships. They must also be receiving an education scholarship for the first time and transferring from a public school or entering kindergarten or the ninth grade.

The bill would limit the total amount of credits to \$10 million for the 2018 calendar year and would allow 25 percent increases each year after that if most of the credits are claimed.

The state Department of Revenue would certify scholarship-granting organizations, which would be required to offer one or more scholarships to eligible students and grant scholarships without limiting them to only one qualified school.

Jim Vokal, CEO of the Platte Institute, testified in support of the bill. By boosting the number of private school students, he said, the bill ultimately would save the state money because public school enrollment would drop. Vokal said an analysis of a similar Florida program found that the state saved \$1.49 for every dollar it spent on tax credits.

"But the [bill] deserves your support not because it saves money over time but also because it's the right thing to do for working families in Nebraska," he said.

Patrick Slattery, superintendent of the Archdiocese of Omaha, said enrollment in the archdiocese's 70 schools increased by 700 in the last two years, and the majority of those students meet free and reduced-price lunch requirements. He said the bill is not about favoring private schools over public schools but about giving more families the opportunity to choose



Sen. Jim Smith

the best education for their children.

“In my opinion,” he said, “there are thousands of families that, if they had additional access to scholarship dollars, would have an option — would have that ability — to choose.”

Jayleesha Cooper, an eighth grader who attends an Omaha Catholic school, also testified in support of the bill, saying that she would have benefited from a tax credit scholarship. Cooper’s mother worked two jobs to help pay for tuition, and she eventually received financial assistance. Cooper said the bill would increase the number of scholarships available to students like her who wish to attend private school.

“There are many kids just like me who want to find a school that is a better fit for them,” Cooper said, “but they aren’t able to go to the private school options because they don’t have enough funds.”

John Bonaiuto, executive director of the Nebraska Association of School Boards, opposed the bill, saying that the amount of credits could grow dramatically with the proposed annual increases, reducing state tax revenue.

“We’re not saying it’s the public schools’ money,” he said, “but it’s money that you’re not going to have when you sit down to make decisions for the state.”

Kathy Danek, a Lincoln Public Schools board member, also testified in opposition to the bill. She said Nebraska has a high-quality public school system that already provides parents with a choice of schools through its option enrollment system. She said the bill would divert tax revenue that could be used to pay for public schools.

“Can Nebraska afford to pay for two systems of education?” she said. “The Constitution requires one, a public system where every child who walks through our door is served.”

Renee Fry, executive director of OpenSky Policy Institute, also opposed

the bill. She said LB295 would not save the state money, as proponents say, because even if public enrollment declines, schools’ fixed costs, such as lighting, heating and maintenance, will not change. Claims that the bill is aimed at helping low-income families are misleading, she said, because children could qualify for scholarships even if their family’s income is in the top 40 percent in the state.

“Many middle- and upper-class families would receive a tax break for sending kids to private school when they would have gone to private school anyway,” she said.

The committee took no immediate action on the bill.



Honor license plates advanced for military reservists

Lawmakers gave first-round approval Jan. 24 to a bill that would expand eligibility for military honor license plates.

Active duty service people or honorably discharged veterans currently are eligible to purchase a military honor license plate. LB45, introduced by Syracuse Sen. Dan Watermeier, would extend eligibility for the license plates to people who serve or have served on reserve duty.



Sen. Dan Watermeier

Reservists serving in the United States Navy, Marine Corps, Coast Guard, Air Force and Army all would be eligible under LB45. A trust could purchase a military honor license plate if a designated beneficiary of that trust is eligible to receive the plate, under the bill.

Watermeier said several veterans

were surprised to learn they were ineligible for the plates despite their years of service.

“I talked to a veteran with a service-connected injury who was surprised when he found out he didn’t qualify under current law,” he said, adding that current law requires a service member to have been federalized to qualify.

Omaha Sen. John McCollister introduced an amendment, adopted 44-0, that incorporated provisions of his LB419. As amended, current and former commissioned officers of the United States Public Health Service or National Oceanic and Atmospheric Administration also would be eligible for the military honor license plates.

“They serve, they took the same oath and many of them have served deployments,” McCollister said.

Columbus Sen. Paul Schumacher raised concerns during debate Jan. 23 that the bill would allow the sale of honor plates to designated trust beneficiaries. A trust could purchase honor plates for multiple cars, driven by multiple beneficiaries, as long as one of the beneficiaries is an eligible service member, he said.

Sen. Bob Krist of Omaha agreed with Schumacher’s interpretation. He said the honor conveyed by a military honor license plate should be reserved only for those eligible.

“I, along with other veterans in this chamber are very proud of our military service,” he said. “As passionate as I am about honoring the people who have served our country, I’m equally passionate that people who have never served or put on a uniform don’t have access to one of these plates in any way.”

Watermeier later introduced an amendment to remove the language authorizing a trust to purchase a military honor plate and it was adopted 34-2.

Senators then advanced the bill to select file on a 40-0 vote.

URBAN AFFAIRS

Bill would extend infrastructure repayment period

The Urban Affairs Committee heard testimony Jan. 24 on a bill that would allow certain cities more time to repay special assessments levied for infrastructure projects.

Cities can create a special assessment district to finance infrastructure projects including improvement of streets, alleys, storm sewers and sidewalks. Financing provided by the city at the beginning of a project is then repaid through a special assessment levied upon property owners located

within the special assessment district.

Currently, special assessments over \$5,000 must be paid within 10 years. LB159, introduced by Omaha Sen. John McCollister, would extend the repayment period to 20 years. He said some older neighborhoods in Omaha were built without an expectation that developers also build infrastructure like streets, alleys and storm sewers.



Sen. John McCollister

“As a result, we’re left dealing with unfinished projects,” he said. “[LB159] represents a good solution to deal with many [neighborhoods] in Omaha that have this same problem.”

The first installment payment would

be due 50 days after the initial levy date, with subsequent payments due after one year and annually after that.

Cassie Paben, deputy chief of staff of economic development for Omaha, supported the bill. She said the city currently has 240 lane miles of roads that need improvement, at an estimated cost of \$300 million. Extending the repayment period would help the city make needed improvements much more quickly, she said.

“Currently, property owners in assessment districts are responsible for 100 percent of the [improvement] cost, which could mean \$25,000 or more per property owner to be paid back in 10 years,” she said.

No one testified in opposition to the bill. The committee advanced it to general file on a 7-0 vote. ■

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COMMITTEE HEARINGS

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

Monday, January 30

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB137 (Lindstrom) Adopt the Unclaimed Life Insurance Benefits Act
LB231 (Kolterman) Authorize disciplinary action under the Insurance Producers Licensing Act for failing to maintain a license in good standing
LB241 (Craighead) Provide an exception to the annual privacy notice requirement under the Privacy of Insurance Consumer Information Act
LB239 (Baker) Change provisions relating to trust funds under the Burial Pre-Need Sale Act

Business & Labor

Room 2102 - 1:30 p.m.

LB273 (Halloran) Require rounding a certain dollar amount in the Employment Security Law to the nearest whole dollar amount
LB519 (Hansen) Change Employment Security Law provisions relating to employers' experience and reimbursement accounts
LB363 (Hansen) Change the Conveyance Safety Act
LB172 (Albrecht) Change the Employment Security Law
LB264 (Albrecht) Change provisions relating to qualifications of boiler inspectors
LB301 (Albrecht) Provide for electronic notices of determinations of claims under the Employment Security Law

Education

Room 1525 - 1:30 p.m.

LB58 (Craighead) Change provisions relating to participation in extracurricular activities
LB427 (Vargas) Require breastfeeding accommodations for student-parents
LB428 (Vargas) Require schools and the State Department of Education to adopt policies relating to pregnant and parenting students

Executive Board

Room 2102 - 12:00 p.m.

LB216 (Harr) Adopt the Redistricting Act
LR3 (Harr) Create the Task Force on the Nebraska State Flag

General Affairs

Room 1510 - 1:30 p.m.

LB463 (Watermeier) Change a provision relating to appointment to certain cemetery boards
LB393 (Larson) Provide for regulation of kickboxing
LB469 (Larson) Adopt the Fantasy Contests Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB55 (Schumacher) Change a duty of landowners relating to the frequency of mowing roadside weeds
LB584 (Friesen) Change provisions relating to mowing of weeds along roads
LB78 (Crawford) Change provisions relating to relinquishment or abandonment of any portion of a state highway system
LB339 (Friesen) Merge the Department of Aeronautics into the Department of Roads and rename as the Department of Transportation

Tuesday, January 31

Agriculture

Room 2102 - 1:30 p.m.

LB348 (Larson) Eliminate licensing, an excise tax, and other provisions of the Nebraska Potato Development Act
LB477 (McCollister) Prohibit certain unlawful acts as prescribed relating to the Weights and Measures Act

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB148 (Schumacher) Change provisions of the Securities Act of Nebraska
LB187 (Schumacher) Increase a dollar threshold for transactions exempt from registration under the Securities Act of Nebraska, provide for an annual adjustment to such amount, and provide for the effect of exempt sales on malpractice premiums
LB486 (Kolterman) Change continuing education requirements for insurance licensees
LB306 (Lindstrom) Change provisions relating to the scope of coverage of and notice required under the Portable Electronics Insurance Act

Education

Room 1525 - 1:30 p.m.

LB214 (Halloran) Terminate the Master Teacher Program
LB457 (Briese) Change exceptions to school district levy and budget exceptions for voluntary termination agreements
LB175 (Morfeld) Adopt the Student Online Personal Protection Act
LB377 (Education) Change provisions relating to classification of school districts

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

LB219 (Committee) Change retirement system provisions relating to authorized benefit elections and actuarial assumptions

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB418 (Briese) Update certain references to federal regulations regarding motor vehicles and motor carriers
LB346 (Lowe) Eliminate the requirement for a motor vehicle, motorcycle, or trailer salesperson license
LB347 (Geist) Change provisions relating to school bus permits and qualifications
LB404 (Groene) Require a train crew of at least two individuals

Urban Affairs

Room 1510 - 1:30 p.m.

LB256 (Briese) Adopt the Vacant Property Registration Act
LB383 (Quick) Change membership provisions for certain municipal community redevelopment authorities, citizen advisory review committees, and planning commissions
LB304 (Crawford) Change provisions relating to the Nebraska Housing Agency Act
LB399 (Wayne) Change provisions relating to housing commissions

Wednesday, February 1

Executive Board

Room 2102 - 12:00 p.m.

LB376 (Scheer) Donate property to the Northeast Community College Area
LB442 (Bolz) Create the Medical Assistance Managed Care Organization Oversight Committee

COMMITTEE HEARINGS

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

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

LR6 (Ebke) Resolution to Congress for convention of the states to propose amendments to the U.S. Constitution
LR18CA (Larson) Constitutional amendment to change the age for eligibility for public office

Health & Human Services Room 1510 - 1:30 p.m.

LB225 (Crawford) Change provisions relating to alternative response to a report of child abuse or neglect and provide duties for the Department of Health and Human Services
LB417 (Riepe) Change and eliminate provisions relating to public health and welfare

Judiciary Room 1113 - 1:30 p.m.

LB353 (Baker) Change claim, award, and judgment payment provisions under the Political Subdivisions Tort Claims Act
LB371 (Crawford) Eliminate condemnation authority of the State Fire Marshal
LB381 (Harr) Change provisions relating to jury sequestration
LB542 (Kuehn) Provide for liens and recovery of debt incurred under the Medical Assistance Act
LB268 (Schumacher) Change court and other provisions relating to medical assistance reimbursement

Natural Resources Room 1525 - 1:30 p.m.

LB390 (Albrecht) Change provisions relating to flood protection and water quality enhancement bonds
LB536 (Hughes) Clarify disbursement provisions for natural resources districts

Revenue Room 1524 - 1:30 p.m.

LB49 (Schumacher) Provide for the treatment of certain amendments to the Internal Revenue Code
LB69 (Pansing Brooks) Increase the earned income tax credit
LB129 (Morfeld) Increase the earned income tax credit
LB174 (Morfeld) Adopt the Apprenticeship Training Program Tax Credit Act

Thursday, February 2

Executive Board Room 2102 - 12:00 p.m.

LB407 (Pansing Brooks) Create and provide duties for the Whiteclay Public Health Emergency Task Force
LB445 (Chambers) Prohibit lobbyist-provided meals and beverages for legislators during session in the State Capitol

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

LB127 (Groene) Change notice requirements under Open Meetings Act
LB365 (Blood) Change provisions relating to access to public records and provide for fees
LB494 (Briese) Provide for withholding public records relating to energy infrastructure

Health & Human Services Room 1510 - 1:30 p.m.

LB91 (Hilkemann) Change provisions relating to infant health screenings
LB401 (Hilkemann) Change provisions relating to metabolic screening
LB481 (Kuehn) Provide for drug product selection for interchangeable biological products

Judiciary Room 1113 - 1:30 p.m.

LB39 (Harr) Prohibit the sale and trade of ivory
LB81 (Blood) Change the application fee for handgun certificates
LB100 (Stinner) Change provisions relating to removal of firearm-related disabilities under the Nebraska Mental Health Commitment Act
LB321 (Lowe) Change provisions relating to unlawful possession of a firearm at a school

Revenue Room 1524 - 1:30 p.m.

LB98 (Friesen) Extend certain levy authority for natural resources districts
LB217 (Harr) Change provisions relating to the accrual of interest on denied and reduced homestead exemptions

Friday, February 3

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

LB152 (Craighead) Change and eliminate provisions relating to the fees for recording and filing certain documents
LB624 (Wishart) Provide procedure to withhold from the public law enforcement officers' residential addresses in county records

Health & Human Services Room 1510 - 1:30 p.m.

LB227 (Wishart) Create the Brain Injury Council and Brain Injury Trust Fund
LB283 (Riepe) Change and eliminate provisions relating to licensed practical nurses
LB323 (Kolterman) Adopt the Palliative Care and Quality of Life Act

Judiciary Room 1113 - 2:00 p.m.

Appointments: Davis, Jeffrey; Kelly, Joe P.; Sanders, Rita G. - Crime Victims Reparations Committee
LB84 (Blood) Provide for admissibility in any civil action of evidence of damages as a result of driving under the influence
LB202 (Lowe) Create the offense of obstructing government operations by refusing to submit to a chemical test authorized by search warrant

Nebraska Retirement Systems Room 1525 - 12:00 p.m.

LB278 (Kolterman) Redefine disability and change disability retirement application and medical examination provisions for various retirement acts
LB413 (Kolterman) Change a retirement application timeframe for judges and Nebraska State Patrol officers as prescribed and change supplemental lump-sum cost-of-living adjustments under the Judges Retirement Act

Revenue Room 1524 - 1:30 p.m.

LB215 (Harr) Adopt the Nebraska E-15 Tax Credit Act
LB325 (Harr) Exempt certain purchases of energy star qualified products from sales and use taxes
LB601 (Erdman) Change distribution of sales and use tax revenue and provide duties for Department of Revenue

COMMITTEE HEARINGS

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Monday, February 6

Business & Labor

Room 2102 - 1:30 p.m.

LB305 (Crawford) Adopt the Paid Family Medical Leave Insurance Act
LB372 (Crawford) Provide protections for employees with family care responsibilities under the Nebraska Fair Employment Practice Act

Education

Room 1525 - 1:30 p.m.

LB144 (Friesen) Change agricultural and horticultural adjusted valuations for calculating state aid to schools
LB265 (Friesen) Provide for a minimum amount of state aid based on the number of students in a local system
LB571 (Friesen) Change state aid for education relating to allocated income tax funds

Executive Board

Room 2102 - 12:00 p.m.

LB646 (Pansing Brooks) Provide for an extreme weather preparedness task force and strategic action plan
LB648 (Pansing Brooks) Create the New Machine Age Task Force

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB54 (Schumacher) Change provisions relating to unattended motor vehicles
LB368 (Lowe) Change helmet provisions, change passenger age limits, and require eye protection for operators of motorcycles and mopeds
LB83 (Blood) Allow physician medical directors to display emergency vehicle lights
LB275 (Hughes) Provide duties for law enforcement officers and rights and duties for private property owners regarding abandoned vehicles
LB310 (Friesen) Change provisions relating to bridge carrying capacities and weight limits

Tuesday, February 7

Agriculture

Room 2102 - 1:30 p.m.

LB600 (Committee) Change various provisions of the Livestock Brand Act relating to the Nebraska Brand Committee

LB260 (Hansen) Provide for a state food insecurity nutrition incentive grant program and state intent regarding appropriations
LB274 (Halloran) Change provisions of the Plant Protection and Plant Pest Act and eliminate the Nebraska Rangeland Grasshopper Control Act

Tuesday, February 7

Education

Room 1525 - 1:30 p.m.

LB554 (Smith) Provide for a financial transparency web site for schools, school districts, and educational service units
LB645 (Pansing Brooks) Add dyslexia for purposes of special education
LB595 (Groene) Provide for the use of physical force or physical restraint or removal from a class in response to student behavior

Nebraska Retirement Systems

Room 1507 - 4:30 p.m.

LB30 (Kolterman) Provide for a cash balance benefit plan by cities of the metropolitan and primary classes for certain police officers or firefighters as prescribed

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB351 (McCollister) Change provisions relating to veteran designations on operators' licenses and state identification cards
LB294 (Smith) Provide for a reciprocity agreement with a foreign country for mutual recognition of motor vehicle operator licenses
LB263 (Committee) Change provisions relating to vehicle certificates of title, registration, and license plates and provide for implementation of an electronic dealer services system by the Department of Motor Vehicles
LB143 (Friesen) Provide a duty to carry exception for public power district motor vehicle or trailer registration certificates
LB355 (Bolz) Provide for Native American Cultural Awareness and History Plates

Urban Affairs

Room 1510 - 1:30 p.m.

LB9 (Krist) Adopt the Radon Resistant New Construction Act
LB455 (Quick) Update references to the National Electrical Code
LB591 (Crawford) Provide for enforcement of building codes under the Contractor Registration Act
LB590 (Crawford) Change state building code provisions

Wednesday, February 8

Executive Board

Room 2102 - 12:00 p.m.

LB530 (Harr) Change requirements for providing information to the Legislative Fiscal Analyst and provide for withholding appropriations
LB539 (Krist) Change investigation and report provisions relating to the Office of Inspector General of the Nebraska Correctional System

Health & Human Services

Room 1510 - 1:30 p.m.

LB50 (Schumacher) Provide reporting duties relating to behavioral health entities
LB456 (Briese) Provide for supportive services for disabled parents in family and dependency matters
LB605 (Riepe) Change rate provisions relating to the ICF/DD Reimbursement Protection Fund

Judiciary

Room 1113 - 1:30 p.m.

LB53 (Schumacher) Change provisions relating to mandatory minimum sentencing and sentencing of habitual criminals
LB107 (Crawford) Prohibit sexual assault of a patient, client, or student as prescribed
LB108 (Crawford) Require guidelines to ensure safety of minor or dependent whose parent or guardian is arrested
LB160 (McCollister) Expand the definition of victim as relates to crime victims' rights
LB447 (Chambers) Eliminate certain mandatory minimum penalties

COMMITTEE HEARINGS

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

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Gard, Randy - Neb.
Ethanol Board
LB566 (Committee) Adopt the Interstate Wildlife Violator Compact
LB635 (Bostelman) Change certain violations and penalties under the Game Law
LB636 (Bostelman) Prohibit interference with hunting, trapping, or fishing by intimidation using a telephone or other communication device

Revenue

Room 1524 - 1:30 p.m.

LB337 (Smith) Change income tax rates and provide for deferrals of the rate changes
LB338 (Brasch) Adopt the Agricultural Valuation Fairness Act

Thursday, February 9

Health & Human Services

Room 1510 - 1:30 PM

LB495 (Riepe) Change provisions relating to developmental disabilities
LB534 (Vargas) Provide for a housing coordinator within the Department of Health and Human Services

Judiciary

Room 1113 - 1:30 p.m.

LB60 (Lindstrom) Change Parenting Act provisions relating to limitation or denial of custody or access to a child
LB104 (Bolz) Provide for a surrogate to make health care decisions
LB122 (Pansing Brooks) Provide for family member visitation petitions
LB198 (McCollister) Terminate the Crimes Against Children Fund
LB307 (Brasch) Provide for mediation, child abuse prevention, and civil legal services fees in certain proceedings

Natural Resources

Room 1525 - 1:30 p.m.

LB626 (Larson) Adopt the Shared Community Solar Act
LB392 (Larson) Adopt the Wind Friendly Counties Act

Revenue

Room 1524 - 1:30 p.m.

LB546 (Watermeier) Change the Nebraska Advantage Act

LB387 (Lindstrom) Change and eliminate provisions relating to various tax credit programs and economic development activities
LB126 (Groene) Change sunset dates under the Nebraska Job Creation and Mainstreet Revitalization Act and the Nebraska Advantage Act

Friday, February 10

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB68 (Hilgers) Prohibit certain regulation of firearms, ammunition, and firearm accessories by counties, cities, and villages as prescribed

Health & Human Services

Room 1510 - 1:30 p.m.

LB287 (Wishart) Provide duties for the State Child and Maternal Death Review Team
LB506 (Albrecht) Adopt the Compassion and Care for Medically Challenging Pregnancies Act
LB430 (Smith) Change powers and duties of the Department of Health and Human Services under the Radiation Control Act

Judiciary

Room 1113 - 2:00 p.m.

LB193 (Pansing Brooks) Change provisions relating to courts
LB509 (Ebke) Change provisions relating to the issuance of subpoenas
LB517 (Pansing Brooks) Change provisions regarding transfer of property upon death
LB647 (Pansing Brooks) Change judges' salaries

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

LB414 (Kolterman) Provide an employer contribution and a state contribution for judges' retirement as prescribed and change provisions relating to distribution and remittance of court fees

Revenue

Room 1524 - 1:30 p.m.

LB121 (Brewer) Change provisions relating to the taxation of military benefits
LB169 (Wayne) Exempt social security benefits and retirement income from income taxation
LB453 (Lindstrom) Change provisions relating to income tax adjustments for social security benefits ■

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