

Comprehensive banking law updates advanced

A comprehensive update of Nebraska's banking laws received first-round approval Feb. 24.

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 suggest 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 or update to the current Nebraska Banking Act has occurred since its enactment in 1963," Williams said.

Norfolk Sen. Jim Scheer, former chairperson of the Banking, Commerce and Insurance Committee, spoke in support of the bill, saying it was created through a process that included all interested parties.

"Nothing was brought forward in this bill that there was not unanimous approval on from all the stakeholders," Scheer 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

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Two additional juvenile court judges advanced

A bill that would increase the number of juvenile court judges in Omaha by two was advanced from general file Feb. 23.

LB10, introduced by Omaha Sen. Bob Krist, initially would have added one juvenile court judge in counties with populations of at least 400,000 people. Douglas County currently is the only county with at least 400,000 residents.

Krist said the five juvenile judges currently serving Douglas County carry an average workload of 253 cases each.

"This bill is based on the recommendation of the Nebraska Judicial Resources Commission and it is past time we listen to them," he said. "It's important to the children and families of the Omaha area."

A Judiciary Committee amendment proposed that two judges be added instead of one. Crete Sen. Laura Ebke, chairperson of the committee, said the amendment would double the cost of implementing LB10, but the expense is necessary to address the mounting caseloads in Douglas County.



Sen. Bob Krist said some judges' caseloads are disproportionately high.

"[Douglas County] routinely has more cases per judge than other counties with separate juvenile courts," she said. "The addition of two judges will better serve the interests of juveniles in the court system."

Sen. Patty Pansing Brooks of Lincoln supported the amendment, saying the bill's cost pales in comparison to the money being spent on long detentions for juveniles awaiting court dates.

"Kids are being detained due to a lack of judicial resources," Pansing Brooks said. "Clearly the delays have ramifications on our court systems and on our kids in the juvenile justice system. Justice delayed is justice

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Comprehensive banking law updates advanced

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- 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. LB140 advanced to select file on a 35-0 vote. ■

Two additional juvenile court judges advanced

(continued from front page)

denied.”

Omaha Sen. Justin Wayne opposed the committee amendment but supported the underlying bill. Douglas County needs an additional judge, he said, but adding more judges does not address the real problems affecting juveniles in the court system.

“The issue is how we prosecute minority students and young people,” Wayne said. “If we start adding more judges, that encourages prosecutors to send more kids through the system.”

Opposing the increased funding that would be required under the amended bill, Sen. Mike Groene of North Platte said resources would have to be redirected from other programs. In a year when the state already is facing a \$900 million budget deficit, transferring money from state aid to schools or a similar fund would be irresponsible, he said.

Senators adopted the amendment 26-18 and voted 33-10 to advance the bill to select file. ■

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MEET THE SENATOR

Quick negotiates new role

One would assume that Sen. Dan Quick, a former labor union president, would be a confident public speaker. In fact, there are far more dangerous things he would rather do than give a prepared speech.

“You could hang me upside down and tell me to weld something and I would think nothing of it,” he laughed. “But you put me on a stage and ask me to give a speech and I immediately get stage fright.”

Quick grew up on a farm outside Hordville with one sister and three brothers, helping his parents raise hogs and cattle. Starting his own small farm was not an option just out of high school, so he turned to the local grain elevator for work.

He spent nearly three decades at the Platte Generating Station in Grand Island, beginning as a coal handler and eventually going to community college to become a certified welder and then boiler inspector.

Quick’s quiet but diligent work at the power plant did not go unnoticed by his union president.

“He kept asking me to run for vice president but I kept putting him off. I felt a little selfish, but I wanted to wait until my kids were older and I’d have more time,” he said. “The day my daughter graduated from high school, there was a knock on my door.”

His work fighting

for the membership of the International Brotherhood of Electrical Workers Local 1597 – he served both as vice president and president – has evolved into a new role as state senator, fighting for his constituents.

Quick believes the most important way to affect change is to simply have a seat at the table, which is what led him to run for office.

“I don’t want to turn away any constituent,” Quick said. “We may not always agree on the issues, but it’s important to listen and to make sure they know they are being heard.”

“In Grand Island we have the poorest of the poor living next door to some of the wealthiest citizens in town,” he said. “We need to address property taxes, but we also need to make income and sales taxes fair and equitable for everyone.”

His resume shows a man willing to work his way up from the bottom in an industry, acquiring new skills along

the way. A brief, three-month detour into women’s shoe sales, however, turned to be one of his more fruitful career choices.

“A coworker told her sister that her friend Alice should come down and meet the new guy she worked with,” he said. He left the job still owing the company money for the dress clothes he bought for work. “But I did get a wife out of the deal.”

The couple married in 1980 and have three children: Michael, Stephen and Christy. Eight grandchildren keep him pretty busy in his free time, although he does find time to cheer on his beloved Nebraska Cornhuskers.

Quick said he’s unlikely to reach for the spotlight during his time in the Legislature, but he continues to develop new skills in service to his constituents.

“I’m getting better at giving public speeches, but it’s going to take some time.” ■



The extended Quick family gathered at the farm near Hordville where the senator grew up.

AGRICULTURE

Industrial hemp research proposed

The Agriculture Committee heard testimony Feb. 21 on a bill that would bolster research and development of industrial hemp for use in agribusiness, alternative fuels and other areas.

LB617, introduced by Sen. Justin Wayne of Omaha, would create the Industrial Hemp Commission within the state Department of Agriculture. The commission would oversee a five-year research project conducted with the University of Nebraska that would include seed research and the planting, cultivation and analysis of industrial hemp demonstration plots.



Sen. Justin Wayne

License holders would be allowed to sell industrial hemp to an agribusiness or manufacturer to process it into hemp products.

Wayne said industrial hemp has been unfairly stigmatized due to its similarity to marijuana, which has much higher levels of tetrahydrocannabinol (THC), the chemical compound responsible for the drug's psychotropic effects. Industrial hemp should be viewed instead as a valuable agricultural commodity that could generate revenue and create jobs, he said.

Similar legislation adopted by Kentucky in 2013 created 500 jobs and led to a 300 percent increase in the amount of land used for industrial hemp production, Wayne said. Approximately \$600 million in hemp products, such as fabric, rope, paper, insulation material, drywall and body care products, were sold nationwide

last year, he added.

"We have expert farmers, scientists, industrialists and centuries of history to prove that hemp is safe and can be used to make money for Nebraskans," he said.

The commission would license industrial hemp growers, and application fees would fund the program. The commission also would be responsible for monitoring the industrial hemp grown by license holders and conducting random testing of the plants' THC levels.

The commission would notify the Nebraska State Patrol and local law enforcement agencies of the size and location of the demonstration plots. The State Patrol could inspect an industrial hemp growing operation twice a year.

John Hansen, president of the Nebraska Farmers Union, testified in support of the bill. He said Nebraska farmers are exploring alternative crops such as wheat, small grains, legumes and hemp that can withstand the hotter, drier climate predicted by a 2014 UNL study on the implications of climate change for Nebraska. Hemp is drought tolerant and well suited to Nebraska growing conditions, Hansen said.

"I think this particular crop has a lot of potential because it is so versatile," he said.

John Lupien of Omaha also testified in support of the bill. Lupien's company, BastCore, produces textile fibers made from hemp. He said the company currently imports or plans to import hemp bales from Canada, Colorado and Kentucky because current rules prevent Nebraska farmers from growing hemp and selling it to manufacturers. Hemp can be used to make composite materials, animal bedding, cement additives and oil drilling fluids, Lupien added.

"I think we're a lot further along

than everyone thinks," he said. "The markets are here right now."

Bill Hawkins of the Nebraska Hemp Company also testified in support of the bill. He said Nebraska is one of the only states that has not eradicated wild hemp, often called "ditch weed." This means that the plants' genes are valuable for breeding and research. He said Nebraska is losing the race to develop hemp production to Kentucky, which has 40 hemp processing companies.

"All we're asking for is that opportunity to get back in the race," he said.

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

APPROPRIATIONS

Funds sought for bilingual labor investigators

The Appropriations Committee heard testimony Feb. 24 on a bill that would provide funds for bilingual investigators to enforce the Employee Classification Act (ECA).

Omaha Sen. Tony Vargas, sponsor of LB416, said employee misclassification happens when a worker is improperly paid by an employer as an independent contractor rather than as an employee. The result, he said, is that those workers are ineligible for benefits including employee-sponsored health insurance, workers' compensation and unemployment benefits.



Sen. Tony Vargas

Misclassification often occurs when a worker does not speak English as their first language, Vargas said,

adding that the state Department of Labor (DOL) currently is reactive in its enforcement of the ECA in part because it has only one bilingual employee who serves as an investigator.

“We’re going to need to be more proactive in the way that we do [work] site visits and in the way that we’re looking for these violations,” he said. “We want to make sure that we’re creating a more even, equitable playing field.”

LB416 would provide \$250,000 in fiscal year 2017-18 and FY2018-19 from the Employment Security Special Contingent Fund to the DOL to employ two bilingual investigators to enforce the ECA.

Ken Ostronic, testifying on behalf of the International Brotherhood of Teamsters Local 554, supported the bill. He cited a report by the Maine Department of Labor indicating that more than 4 in 10 workers are misclassified annually. Nebraska has a similar problem, he said.

“Many of our members have seen first-hand the implications of how employee misclassification can negatively impact workers,” Ostronic said.

Steven Mulcahy of Omaha also supported the bill. He said Nebraska misses out on between \$18 and \$23 million annually in combined unemployment insurance and income tax revenue due to employee misclassification, according to a report from OpenSky Policy Institute.

Full enforcement of the ECA would allow honest contractors to win competitive bids while still treating workers fairly, he said, particularly in the construction industry.

“Contractors would be able to compete in a fair and equitable environment,” Mulcahy said.

Commissioner of Labor John Albin opposed the bill, saying the 85 annual complaints of ECA violations

received by the department do not justify two additional positions. He also expressed concern over the bill’s proposed funding mechanism.

Albin said the Employment Security Special Contingent Fund is used by DOL for maintenance and improvements to its two office buildings, which are not part of the state system and are nearly 70 years old. Because the buildings were purchased with federal funds, he said, federal grant dollars cannot be used for needed upgrades.

“That contingency fund is basically our rainy day fund,” Albin said, that must be protected and preserved for unforeseen needs. He added that the bill’s \$500,000 fiscal note for the biennium is equivalent to an entire year’s income to the fund.

The committee took no immediate action on LB416.



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Among other provisions, the bill would:

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- 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;
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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. LB140 advanced to select file on a 35-0 vote.

Restrictions proposed for payday lenders

Borrowers of short-term, delayed deposit loans would receive more favorable loan terms under a bill heard by the Banking, Commerce and Insurance Committee Feb. 21.

To secure a delayed deposit loan — often called a payday loan — a borrower typically submits a personal check for the loan amount, which is then held and cashed by the lender at the end of the loan period, typically 34 days.

LB194, introduced by Omaha Sen. Tony Vargas, would limit the amount of interest that could be charged on a delayed deposit loan to 36 percent. Vargas said some Nebraska delayed deposit lenders currently charge more than 450 percent interest on loans, creating a cycle of debt and poverty.

"This industry, as it exists currently, takes advantage of vulnerable Nebraskans and traps borrowers in a cycle of debt from which it is difficult to escape," he said. "It is my intention [with LB194] to make this lending model work better for Nebraskans."

An individual loan could not exceed \$500 under the bill. The total monthly payment could not exceed 5 percent of a borrower's gross monthly income or 6 percent of his or her net income. The bill would require

loan repayment plans with equal installment payments — including all principal, fees, interest and charges — payable over a minimum six-month repayment period.

Lenders could not enter into more than one payday loan with the same borrower at any one time. Lenders also would be required to conspicuously display a schedule of all applicable finance charges, fees, interest and penalties.

Robert Haller, representing the Lincoln chapter of the Society of St. Vincent de Paul, testified in support of the bill. He said the banking resources low-income families rely upon often require money upfront, furthering the cycle of debt.

"Many borrowers find these loans quickly repayable, but there are enough people caught in the trap to justify the regulations of LB194," Haller said. "[This bill] is an important step toward the provision of banking resources that give low-income families the financial stability that high-income families enjoy."

Several former delayed deposit borrowers testified in support of the proposed regulations, including Elsa Ramon-Moody of Omaha. She said it is easy for some to fall into a cycle of renewing loans out of desperation.

"People have dire emergencies where there is very little recourse but for them to go to [these] lenders," she said. "LB194 will help protect consumers and help stop lenders from exploiting low-income borrowers through predatory lending practices."

Glenda Wood of Bellevue also spoke in support of the bill. She and her husband initially took out a \$500 delayed deposit loan to pay for new car tires, but fell into a cycle of continuously renewing the loan to pay for the original loan amount. Over eight years, the couple spent close to

\$10,000 in principal, interest and fees trying to pay back the original \$500 loan, she said.

"The debt cycle can affect a person's ability to maintain adequate housing and support a household," she said. "People need access to affordable credit and having fair and reasonable loan payments would accomplish that."

Opposing the measure was Brad Hill, president of the Nebraska Financial Services Association and manager of several delayed deposit lending branches. He said lenders offering such loans provide a valuable service to people who need money quickly. Complaints against lenders in the delayed deposit industry in Nebraska are few and far between, Hill said.

"This is paternalistic legislation from a group of people who have taken it upon themselves to tell other people what to do with their money," he said.

The committee took no immediate action on the bill.

EDUCATION

Protection for teachers' religious rights advanced

After two days of debate, senators gave first-round approval Feb. 22 to a bill that would protect the right of a public school teacher to wear religious dress or garb in the classroom.

LB62, introduced by Norfolk Sen. Jim Scheer, would repeal a law prohibiting public school teachers from wearing religious garments at school. School boards currently are required to suspend for one year



Sen. Tony Vargas



Sen. Jim Scheer

any teacher in violation of the laws and termination of employment is required after a second violation.

Scheer said he introduced the bill after learning of Sister Madeleine Miller, a Norfolk nun who was told she would be unable to wear her habit as a substitute teacher in the public school system. Scheer said the law should be repealed because it discriminates against followers of all religions.

“As a state we understand that it’s the teacher that teaches, not the clothing they wear,” he said. “We believe that [teachers] are professionals and that they are fully capable of wearing garb that expresses their First Amendment rights while remaining religiously neutral in the classroom.”

Sen. Ernie Chambers of Omaha opposed the bill and filed several motions to extend debate. Because children are required to attend school, he said, the classroom should be a neutral place in which children are protected from unwanted religious influence.

“There should be no person standing in front of a classroom wearing the garb, the paraphernalia, the dress of any sect, religion or denomination,” he said. “There should be no favoring of any religion.”

Sen. Lynne Walz of Fremont supported the bill. Allowing teachers to wear religious dress in the classroom would expose students to diversity and teach them to be tolerant of others who are different from them, she said.

“I think [the bill] allows students to learn about the differences of other people,” Walz said. “I think it promotes an acceptance and appreciation of others.”

Lincoln Sen. Adam Morfeld, who also supported the bill, agreed. He said teachers should be able to express their religious beliefs as long as they do not infringe on others’ rights or let those beliefs interfere with secular instruc-

tion in public schools.

“[This bill] allows people to express themselves how they see fit without imposing their religion or religious beliefs on our children.”

Lawmakers voted 36-1 to advance the bill to select file.



Proposed keno changes stall

Lawmakers voted Feb. 24 to indefinitely postpone a bill that would make several changes to keno operations in Nebraska.

LB470, introduced by O’Neill Sen. Tyson Larson, would allow the use of an electronic keno ticket, beginning Jan. 1, 2018. Current law requires a paper ticket.



Sen. Tyson Larson

Under the bill, a paper ticket still would be available on request. A lottery operator that chooses to use electronic tickets would be required to take “reasonable measures” to prevent an individual outside of the licensed premises from participating – which could include geofencing to block access.

Larson said electronic tickets most likely would take the form of a phone app that would require a player to be “geofenced” into the keno location in order to play.

The bill also would reduce from five to four minutes the time required between keno games and permit the use of debit cards as a cash equivalent for wagers. The bill would not authorize the use of credit cards.

Larson said the inclusion of debit cards simply would update the state’s keno rules to acknowledge the way

modern transactions occur. In addition, he said, the changes likely would increase keno revenue by approximately \$500,000 annually.

“We hear a lot about a \$900 million shortfall and looking for any funds that we can get,” he said. “Keno funds are the ones that help build parks – that help maintain a lot of good things that counties and cities do – and without it, property taxes will rise even further.”

Bellevue Sen. Carol Blood supported the bill. Bellevue has used keno funds for a variety of services, she said, including police and fire department enhancements, a nonprofit that assists abused women and children and new dental services for low-income residents.

“Keno dollars do good things for our communities – good things that communities couldn’t afford to do otherwise,” Blood said.

Sen. Ernie Chamber of Omaha offered a motion to indefinitely postpone LB470, saying the state should not authorize changes that would increase the addictive potential of keno. Speed of play and ease of payment are important factors in gambling addiction, he said.

In addition, Chambers said, the bill would not save the state money because it fails to include funding for additional state oversight of the keno industry.

“To say that this bill should be passed as a component of property tax relief is beyond the pale,” he said.

Sen. Lydia Brasch of Bancroft supported the Chambers motion. LB470 would not provide meaningful property tax relief, she said, because it does not address how agricultural land is valued. Instead, she said, the bill only would benefit keno operators.

“The house is designed to win,” Brasch said. “It always has been; it always will be.”

Elkhorn Sen. Lou Ann Linehan also supported the motion. Property taxes have not decreased in the years since keno gaming was first authorized, she said, and there is no reason to believe that LB470 would change that.

“I don’t buy that [keno] has brought us any tax relief,” Linehan said.

The motion to indefinitely postpone LB470 was adopted 24-9, ending consideration of the bill for the session. A majority of those voting was required.



Bill requiring payment of penalties before candidacy advanced

The resolution of civil sanctions would be required of candidates for public office under a bill advanced by lawmakers Feb. 23.

Under LB85, introduced by Bellevue Sen. Carol Blood, any person with outstanding late filing fees or civil penalties issued by the Nebraska Accountability and Disclosure Commission (NADC) would be prohibited from filing for election to public office.



Sen. Carol Blood

Blood said if LB85 were to pass, the NADC finally would have some authority when it comes to collecting these fines and holding public officials to a higher standard.

“Elected officials’ salaries are paid by the public and these jobs place us in a position of trust,” she said. “[LB85] would continue to foster a unified moral and ethical culture

while expressing that certain actions or inactions have consequences.”

Under a Government, Military and Veterans Affairs Committee amendment, adopted 39-0, only civil penalties would preclude a person from filing for election to public office. Additionally, a candidate could file for office with outstanding civil penalties if they have appealed the penalty and filed a surety bond in favor of the state, pending the appeal.

The amendment includes a provision that would require candidates to certify on the filing form that they have complied with the civil penalty provisions contained within LB85, as amended.

Finally, the NADC would be required to produce a list of all individuals with outstanding civil penalties to election filing officers prior to Dec. 1 each year, with monthly updates through March 1 prior to a statewide primary election. Filing officers also could request additional updates to the list as needed.

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

Modification, elimination of state boards and commissions proposed

The Government, Military and Veterans Affairs Committee heard testimony Feb. 23 on a bill that would modify and eliminate various state-established boards and commissions.

Gretna Sen. John Murante said LB644, introduced on behalf of the committee, was the result of a statutorily-required review of all state boards and commissions undertaken by the committee every four years. The review



Sen. John Murante

examined approximately 200 entities, he said, and is designed to determine which of them should be modified or eliminated.

“[We] solicit feedback and basically ask everyone to justify their existence,” Murante said, noting that the bill would modify or delete from state law 25 boards and commissions.

Testimony focused on proposed changes to three judicial commissions.

Murante said the commissions were included in the bill because the judicial branch did not respond to the committee’s request for information due to separation of powers concerns.

Traditionally, he said, the committee eliminates boards that do not respond. However, two of the judicial commissions are set forth in the state constitution and cannot be eliminated without a constitutional amendment, he said, so LB644 instead would modify them.

“There was no choice but to create modifications while adhering to the legislative tradition of the Government, Military and Veterans Affairs Committee,” Murante said.

The bill would make changes to the Judicial Qualifications Commission, which investigates complaints regarding Nebraska judges’ actions and qualifications. The commission currently includes the chief justice of the Nebraska Supreme Court, three judges appointed by the chief justice, three members of the Nebraska State Bar Association appointed by the association’s executive council and three lay members appointed by the governor.

LB644 would require that a majority of the members appointed by the governor be present in order to achieve a quorum, and be required to agree before any action could be taken by the commission.

Terry Wittler, testifying on behalf of the Nebraska State Bar Association,

opposed the changes, which he said would complicate the commissions' work and could violate state constitutional provisions requiring a simple majority for the commission to act.

"The [commission] meets six times a year and many laypersons would not be able to commit to attend every meeting," Wittler said, adding that requiring them to do so would limit the number of people who would consider serving on the commission.

The bill also would make changes to the Judicial Nominating Commissions, which select qualified candidates for consideration by the governor to fill judicial vacancies.

LB644 would require that all lay members of the Judicial Nominating Commissions be affiliated with the same political party as the governor. The bill also would remove current requirements that:

- members be limited to eight consecutive years of membership;
- alternates to the commission not be members of the same political party;
- no more than two lawyer members be registered members of the same political party; and
- lawyer members of the commission be members of the Nebraska bar and reside in the judicial district served by the commission.

The bill would allow the governor, rather than the executive council of the Nebraska State Bar Association, to nominate lawyer members to the commission if an insufficient number of solicited nominations for vacancies are received. The bill also would require that all meeting and communications of the commission be public.

Ted Kessner, representing the Nebraska State Bar Association, opposed the changes, noting in particular the public record requirements.

A great deal of sensitive information – including financial and medical records – often is part of the review process for potential judges, he said, and should not be made public. In addition, he said, applicants for judgeships may not want to reveal their intentions for personal and professional reasons and commission members need to be able to engage in frank discussions regarding applicants.

"If you make all of this information public it will have a chilling effect on people applying for judgeships," Kessner said.

The bill also would eliminate the Judicial Resources Commission. Under current law, when a district or county judge leaves office, or if there is a need to change the boundaries or number of judicial districts or judgeships, the commission holds a public hearing and makes a recommendation to the Legislature.

LB644 would eliminate the commission and place its responsibilities with the Nebraska Supreme Court.

Tim Engler, representing the Nebraska State Bar Association, testified in opposition to eliminating the commission, which he called a valuable resource for balancing judgeships and judicial needs.

"That's a difficult challenge in this state because of our urban/rural makeup," he said. "We want to make sure that our limited judicial resources are spread out across the state in a way that gives everyone equal access to justice."

Finally, among other boards and commissions, the bill would eliminate the following:

- Health Advisory Board;
- Nursing Home Advisory Board;
- Community Gardens Task Force;
- Perfusionist Committee;
- Stem Cell Research Advisory

Committee;

- Carbon Sequestration Advisory Committee;
- Nebraska Potato Development Committee;
- Health Care Database Advisory Committee;
- Exchange Stakeholder Commission;
- Medicaid Reform Council;
- Aging Nebraskans Task Force; and
- Out of Home Data Pilot Project Advisory Group.

Murante said an amendment would be offered to remove certain entities from the bill that had indicated incorrectly that they were no longer functional or necessary, including the Critical Incident Stress Management Council and the Board of Emergency Medical Services.

No one testified in support of LB644 and the committee took no immediate action on the bill.



Dental assistant licensure clears first round

Nebraska dental assistants would have the option of becoming licensed under a bill given first-round approval Feb. 21.

Seward Sen. Mark Kolterman, sponsor of LB18, said the bill is essentially the same as a measure he introduced in 2016, which was the result of years of discussions among dentists, hygienists and others. That



Sen. Mark Kolterman

bill advanced from committee with

strong support, he said, but the Legislature ran out of time to take action on it during floor debate.

LB18 would create a new category of licensed dental assistant. Licensure would be optional under the bill, which also would create the position of expanded function dental assistant.

Kolterman said the bill would improve access to oral health care in Nebraska, particularly in rural areas, by allowing dentists to delegate some functions of their practice and freeing them to concentrate on more complex procedures.

“The goal is to create safe and quality care at the least cost and to be able to allow Medicaid providers the ability to appropriately delegate functions,” he said.

Bellevue Sen. Sue Crawford supported the bill, saying it would allow dental professionals to start on a career path and advance their skills and salaries through additional credentialing.

“It’s really an expansion of career opportunities,” she said, especially in rural areas of the state.

Under the bill, a licensed dental assistant applicant must be a graduate of an accredited dental assisting program or have performed a minimum of 1,500 hours of dental assisting. Passage of an exam and completion of continuing education also would be required.

A licensed dental assistant would be authorized, under the indirect supervision of a licensed dentist, to:

- perform coronal polishing;
- take dental impressions and x-rays; and
- monitor and administer nitrous oxide analgesia.

In addition to creating the position of licensed dental assistant, the bill would provide the option for credentialing in expanded duties for licensed

dental assistants, dental hygienists and public health hygienists.

Kolterman offered an amendment, adopted 44-0, that would make the bill operable Jan. 1, 2018.

Following adoption of the amendment, senators voted 40-0 to advance LB18 to select file.

Removal of acupuncture referral requirement advanced

Lawmakers advanced a bill to select file Feb. 21 that would remove a requirement that an individual receive a referral from a medical practitioner before seeking services from a licensed acupuncturist.

Under current law, a patient must obtain a letter of referral from a medical practitioner within a 90-day period prior to seeking services from an acupuncturist.

Seward Sen. Mark Kolterman, sponsor of LB19, said a recent state review determined that the requirement serves no public safety interest and should be removed.

“LB19 simply codifies in statute the findings of the [review] report,” he said.

Under the bill, a licensed acupuncturist instead would be required to refer a patient to an appropriate practitioner if his or her symptoms were beyond the training, experience or competence of the acupuncturist.

LB19 advanced to select file 38-0.



Graduated accountability for juvenile probationers advanced

Lawmakers give first-round approval Feb. 23 to a bill that would change how violations of juvenile probation

terms are addressed.

LB8, introduced by Omaha Sen.

Bob Krist, would authorize the Office of Probation Administration to develop a statewide matrix of immediate, certain and consistent sanctions for violations of court orders.



Sen. Bob Krist

Krist said the bill continues the work of creating a Nebraska juvenile justice system built on common-sense practices that put youth on a path to success.

“Nationwide and in Nebraska, youth sit in detention centers for minor probation violations,” he said. “[LB8] does what we need to do to put these youths who have fallen into the system and gives them the opportunity to succeed.”

A probation violation would be considered resolved upon a juvenile’s successful completion of the sanction. Failure to complete a sanction could result in repetition or increased duration of the sanction, or an entirely new sanction.

The matrix also would include a series of graduated incentives to promote compliance and positive behaviors for juvenile probationers. Records of incentives for each youth would be available to the individual’s attorney and the county attorney upon request.

LB8 would retain a probation officer’s authority to file a motion to revoke probation in case of continued failure to complete sanctions or new law violations. It also would allow for detention of an individual if he or she is deemed a safety risk.

Bellevue Sen. Carol Blood supported the bill, saying a graduated system of accountability is appropriate for young offenders. If they are not given the opportunity for rehabilitation, she said,

they will fall into a cycle of recidivism that ultimately leads to incarceration in the adult correctional system.

“This gives those children the opportunity to step up to the plate and work on being good citizens, work on their issues and show their probation officers and communities that they want to do well,” she said.

Senators advanced the bill to select file on a 37-0 vote.

Workplace protections proposed for sexual orientation

Employees would be protected from discrimination based on sexual orientation and gender identity under a bill heard by the Judiciary Committee Feb. 22.

Introduced by Lincoln Sen. Adam Morfeld, LB173 would prohibit employers, employment agencies and labor unions from discriminating against individuals based on their sexual orientation or gender identity. The bill would apply to employers with 15 or more employees, employers with state contracts, the state of Nebraska, governmental agencies and political subdivisions.



Sen. Adam Morfeld

Discrimination based on race, color, religion, sex, disability, marital status and national origin currently is prohibited.

Morfeld said Omaha adopted a 2012 ordinance protecting employees based on sexual orientation and gender identity. The city has faced no litigation under the ordinance and local businesses have seen no negative impacts, he said.

“No one should be fired for who they are or who they love, but judged based on the quality of their work,” he said. “As a young Nebraskan, the time for this common sense protection has not only come, but has passed. Equality

under the law and justice demands it.”

Representing the Greater Omaha Chamber of Commerce, Victoria Graeve-Cunningham supported the bill, saying the proposed protections would have a tremendous positive economic impact on the state and local communities.

“We hear feedback constantly from those who are averse to moving to Nebraska because the state does not offer these protections,” she said. “People are our greatest asset and we need to demonstrate that we mean that.”

Mary Boschult, representing the League of Women Voters of Lincoln-Lancaster County, also testified in support of the bill.

“There should be equality of opportunity for education, employment and housing regardless of their race, religion, marital status, sexual orientation or gender identity,” Boschult said.

Additionally, several members of the LGBT community testified in support of LB173, including Reuben Erickson, a high school student from Lincoln. He said the bill would represent a giant leap forward for all Nebraskans’ civic rights and bolster individual political freedoms without instituting overly burdensome government oversight.

“We have a chance to not only advance civil rights, but to take a step forward in pushing Nebraska beyond the curve we’ve fallen behind,” he said. “We have a chance to strengthen our economy, ensure political freedom and make a real difference in how Nebraska is perceived throughout the country.

Opposing the measure was Jack Phillips, a Colorado cake shop owner. Phillips was sued for refusing to produce a cake for a same sex wedding because it conflicted with his religious beliefs. The Colorado law under which he was sued, he said, is similar to LB173.

“The government’s actions have forced me to lose 40 percent of my business,” Phillips said. “Regardless of your

viewpoint on marriage, shouldn’t we all agree that the government shouldn’t force us to speak or act in a way that violates our religious convictions?”

Karen Bowling, executive director of the Nebraska Family Alliance, also opposed the bill. She said that while Christian beliefs are not shared by all Nebraskans, they should be respected by all.

“Religious institutions, family businesses and private individuals should not be compelled to condone activities that violate their sincerely held beliefs,” Bowling said. “[LB173] has the potential to compromise Nebraskans’ rights to religious liberty.”

The committee took no immediate action on the bill.

Protection orders requested for sexual assault victims

Victims of sexual assault could receive civil protection orders under a bill heard by the Judiciary Committee Feb. 23.

Two categories of protection orders currently are granted: harassment and domestic violence. To qualify for a harassment protection order, a victim most show a history of continued harassment. A domestic violence protection order applies only to a victim in familial or dating relationship.

LB178, introduced by Lincoln Sen. Kate Bolz, would create a protection order specifically for victims of sexual assault, who she said often would not meet the criteria for either order because many assaults are a one-time incident between two people who have no relationship to each other.



Sen. Kate Bolz

If passed, the bill would address this gap in civil protection orders, Bolz said.

“According to statistics from the Ne-

braska Crime Commission, there were 653 forcible rapes in Nebraska in 2015,” she said. “Keep in mind, not all sexual assaults are reported. Victims of sexual assault exist and deserve protection.”

The bill would enable a victim of sexual assault to file for a sexual assault protection order against their assailant, which would prohibit him or her from harassing, threatening, assaulting, molesting, attacking or otherwise disturbing the peace of the victim. The order also would prohibit all communication with the victim.

A sexual assault protection order would remain in effect for two years from the date of issuance. Any person who knowingly violates such an order would be guilty of a Class I misdemeanor, punishable by up to one year in prison, a \$1,000 fine, or both. A second offense within a two-year period or a third offense, whenever committed, would be categorized as a Class IV felony, punishable by up to two years in prison with 12 months of post-release supervision, a \$10,000 fine, or both.

Representing the Nebraska Coalition to End Sexual and Domestic Violence, Stephanie Huddle testified in support of the bill. She said 1 in 5 women and 1 in 75 men are raped in their lifetime. The bill would provide a form of relief for sexual assault survivors and address a severe gap in state law, Huddle said.

“Most victims of crimes can avoid the crime scene but that isn’t possible for sexual assault victims because the crime scene is their body,” she said. “By passing LB178, Nebraska would join 33 other states in helping sexual assault victims heal from the horrendous crimes that have been perpetrated against them.”

Madalyn McKeone, a freshman at Creighton University, also supported the bill. She was sexually assaulted by a man she did not know and was

unable to receive any protection from him because her assault did not meet current criteria for civil protection orders in Nebraska.

“[This bill] would give victims the confidence to stand up to their perpetrators and give voice to others,” McKeone said. “It’s horrifying that because I didn’t know him beforehand or that he didn’t harass me for months afterward, that I can’t get protection as easily.”

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

Bill would enable termination of rapists’ parental rights

The Judiciary Committee heard testimony Feb. 24 on a bill that would allow a victim of sexual assault to seek sole parental rights of a child conceived as a result of an assault.

Under LB188, introduced by Omaha Sen. Sara Howard, if a child is conceived by a sexual assault victim, parental rights of the perpetrator would be terminated if it is found to be in the best interests of the child.



Sen. Sara Howard

The perpetrator must be found or plead guilty to the sexual assault charge and be found beyond a reasonable doubt to be the parent of a child conceived as a result of the assault before parental rights could be terminated.

Howard said 34 states have passed legislation pertaining to parental rights of a child conceived by sexual assault — 22 of which allow for full termination.

“LB188 would ensure victims of sexual assault have a pathway to protect their parental rights,” she said, adding that the bill would not provide for au-

tomatic termination of parental rights.

A perpetrator also would not be considered a member of the child’s family for reunification purposes under the bill, if the child needed to be placed with a family member.

Stephanie Huddle, representing the Nebraska Coalition to End Sexual and Domestic Violence, supported the bill. She said that according to the National Alliance to End Sexual Violence, between 1 and 5 percent of sexual assaults result in pregnancy.

“Because there currently is no law in Nebraska allowing for the termination of parental rights, victims must endure facing their perpetrators time and time again,” Huddle said. “[This bill] would protect victims from having to have frequent contact with his or her perpetrator.”

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



Bill would shield private electric facilities from eminent domain

A bill heard by the Natural Resources Committee Feb. 23 would bar Nebraska’s public utilities from using eminent domain to seize privately owned electric generation or transmission facilities.

The Legislature passed a bill last year that removed public power districts’ authority to use eminent domain to seize

renewable energy facilities. LB547, introduced by Sen. Dan Watermeier of Syracuse, would extend that protection to all private electric generation



Sen. Dan Watermeier

or transmission facilities.

The bill also would exempt privately developed electric generation or transmission facilities from review by the Nebraska Power Review Board (NPRB) if they meet certain requirements. Additionally, LB547 would repeal the existing prohibition on private electric suppliers from selling or delivering electricity at retail in the state.

Watermeier said the threat of eminent domain makes it difficult for private companies to secure financing to build electric generating and transmission facilities in the state. Nebraska is forgoing the jobs and property tax revenue that such projects would generate, he said.

“It seems our state policy is at cross purposes with our often-stated goal of helping bring economic development to our state,” Watermeier said.

The bill would not give private developers the right to use eminent domain, he added, and it would not prevent public utilities from using eminent domain to build new facilities.

Watermeier addressed concerns that allowing private electric generators in the state would result in an oversupply of electricity that would strand assets and strain existing infrastructure. Keeping private retailers out would not prevent that outcome, he said, because Nebraska is now part of the Southwest Power Pool (SPP), a group of utilities, power generation and transmission companies that oversees electricity infrastructure in 14 states.

The SPP is adding generating capacity in other states, which affects the market price of electricity the same as if the facilities were built in Nebraska.

“The boundaries of the state of Nebraska are not going to stop that,” Watermeier said.

Michael Matheson of Grain Belt Energy testified in support of the bill, saying that current law deters private developers from building electric generating facilities in the state.

“Public power having the ability to use the power of eminent domain to take private generation is keeping economic development out of Nebraska,” he said.

Philip Young of Americans for Electricity Choice also spoke in support of the bill. He said the Power Review Board’s reviews of planned projects are unnecessary now that Nebraska is part of the SPP, which determines the generation sources it will accept into its transmission network.

“Having the NPRB approve generation and transmission projects is an unwarranted barrier to stop projects from going forward even if they are determined to be acceptable by the SPP,” he said.

Testifying in opposition to the bill was Tom Richards, manager of governmental and community affairs for Omaha Public Power District. He said LB547 would open the state to private electric generators, undercutting OPPD’s ability to pay for existing infrastructure. The cost of those stranded assets would be passed on to customers, Richards said.

“Opening Nebraska to out-of-state electricity generators and introducing competition may sound like a good idea,” he said, “but in reality it has serious consequences and downsides.”

Shelley Sahling-Zart, vice president and general counsel for Lincoln Electric System, also testified in opposition to the bill, saying that it would provide virtually no state oversight of private generation and transmission projects. Currently, public utilities must prove to the NPRB that any new power plant would be a public convenience and a necessity, that there would be no duplication of facilities and that the plant is the most economically feasible option. Private developers would be required to do none of those things under LB547, she said.

“There is no accountability here,” Sahling-Zart said. “There are no consumer protections.”

John Hansen, president of the Nebraska Farmers Union, also spoke in opposition. He said private retailers have not served the state’s rural areas well in the past because it is more profitable for them to focus on areas with higher population densities and fewer miles of transmission line to maintain.

“We are a low-population state, we have a lot of miles to serve and the entire comprehensive, integrated system of public power works for our state extremely well,” Hansen said.

Tim Texel, executive director and general counsel for the Nebraska Power Review Board, provided neutral testimony. Texel said the bill would invert the common practice of states regulating private electric companies and exempting public power systems from oversight because they have elected boards.

“I’m not aware of any other state that would do what LB547 does,” he said.

The committee took no immediate action on the bill.

Community solar project grants proposed

Nebraska communities could apply for a state grant to build solar energy projects under a bill heard by the Natural Resources Committee Feb. 22.

LB610, sponsored by Omaha Sen. Rick Kolowski, would allow public power districts, nonprofit organizations or political subdivisions to apply for grants from the Nebraska Environmental Trust to help pay for community solar projects. The grants would cover up to 25 percent of a project’s cost.

Kolowski said Lincoln Electric System’s community solar facility is a good example of a project that could



Sen. Rick Kolowski

be built using the proposed grants.

“Solar projects can keep energy dollars in Nebraska, provide jobs and solar power, and can be easily scaled to the desired need and provide power at peak times,” he said.

A community solar project would be defined as a solar electric generation facility that has an agreement to sell its electricity to an electric utility or political subdivision and allows subscribers to receive bill credits in proportion to the amount of energy they generate.

Laverne Thraen of Omaha testified in support of the bill. He said building more private solar generating facilities would benefit the state by allowing public utilities to shut down coal-fired and nuclear plants that pollute the state’s land and rivers. Utilities then could focus on maintaining the state’s electric grid and customers could choose to buy electricity from cleaner sources.

“The solution moving forward is getting our public utilities out of generating power because they’ve done a very poor job of it for 50 years,” he said.

Testifying in opposition to the bill was Dan Schmid of Dwight. He said the Nebraska Environmental Trust was established to conserve the state’s environment, including its air, land and water.

“I believe extracting funds from this trust for solar power development violates the original intent of this Nebraska statute,” he said.

Kristen Gottschalk, testifying on behalf of the Nebraska Rural Electric Association, provided neutral testimony. She said LB610, as written, would allow community solar projects to sell electricity to political subdivisions when only public utilities currently are allowed to sell electricity in the state.

The committee took no immediate action on the bill.



Review of state fossil fuel investments recommended

Nebraska would review its investments in fossil fuel companies under a bill heard by the Nebraska Retirement Systems Committee Feb. 21.

LB412, introduced by Sen. Kate Bolz of Lincoln, would require the state investment officer to determine how much of the state’s money is invested in companies or funds that derive at least 50 percent of their revenue from the extraction or combustion of fossil fuels, including coal, oil and natural gas.

The state investment officer is a member of the Nebraska Investment Council, which manages \$23 billion in investments in state pension plans, retirement plans, public endowments and other programs.

“I believe it is important that our investments are sound financial decisions,” she said, “but I also believe that we should do what we can in a real and tangible way to take steps to address some of the great concerns of our world, including climate change.”

The bill would require the state investment officer to report on the volatility and risk associated with fossil fuel investments and begin the process of investing in clean energy, such as solar or wind, in a way that is consistent with prudent investment strategies.

Bolz said the bill would not require the state to sell any current investments or stop the state from making good investments in any energy sector.

The investment officer would be



Sen. Kate Bolz

required to report on the status of fossil fuel investment and clean energy investment to the governor and the Clerk of the Legislature by Dec. 15.

James Cavanaugh, speaking on behalf of the Sierra Club of Nebraska, testified in support of the bill. LB412 would not control investment decisions, he said, but simply would provide the Legislature with information on the future of the energy market, which is moving away from fossil fuels and toward renewable sources of energy.

“What we would ask you to do is take a prudent look at our investment portfolio and look toward the future,” he said.

Carol Windrum, speaking on behalf of Nebraska Interfaith Power and Light, also spoke in support of the bill. She said continuing to invest in fossil fuels is not aligned with humans’ role as stewards of the planet, which is warming at an unprecedented rate.

“Now is the time to take stock of our investments and to move to a portfolio that reflects not only financial yields but also — more importantly — yields of a sustainable planet.”

Marilyn McNabb of Lincoln also testified in support of the bill, saying that the energy industry has changed dramatically over the past decade. Wind and solar energy accounted for two-thirds of all new electric generating capacity in the U.S. in 2015, and wind capacity tripled between 2008 and 2015, she said. Over that period, the price of land-based wind declined 41 percent, solar installation costs declined 64 percent and the price of battery storage declined 73 percent.

At the same time, McNabb said, large banks such as Deutsche Bank, Morgan Stanley and Bank of America are backing away from investments in new coal-fired power plants.

“You can’t put the genie back in the bottle when it comes to the economics

driving solar, wind and battery storage,” she said. “If you’re a long-term investor and looking out five to 10 years, it’s a no-brainer.”

Joe Kohout, speaking on behalf of the American Petroleum Institute, testified in opposition to the bill. He said LB412 seems to dismiss the historically robust gains from investments in the oil and gas industry.

He said a dollar invested in oil and gas stocks in 2005 was worth \$2.30 by 2013, compared to \$1.68 if it had been invested in all other assets. He said oil and gas stocks make up 4 percent of the top 10 public pension funds and accounted for 8 percent of those funds’ returns between 2005 and 2013.

Also testifying in opposition was Jason Hayes, speaking on behalf of the Nebraska State Education Association. Currently the state investment officer is required to act solely to benefit the members and beneficiaries of the state’s retirement programs, he said. State law also prohibits the state investment officer from investing in companies or funds if the primary objective is for economic development or social objectives.

“[The bill’s] primary objective is a social purpose and is incongruent with state law,” he said.

The committee took no immediate action on the bill.

REVENUE



Intergovernmental wastewater agreements proposed

Local government entities, in coordination with their respective counties, could band together to fund a regional wastewater system under a bill heard by the Revenue Committee Feb. 24.

Current law allows cities, in coop-

eration with their counties, to enter into agreements for joint action on the planning, construction, management, operation and financing of sewerage disposal systems. Under LB253, introduced by Sen. Sue Crawford of Bellevue, villages and sanitary improvement districts (SIDs) also could join those agreements.



Sen. Sue Crawford

The bill would allow a county and any city, village or SID to enter into a service agreement for a sewerage project with certain joint entities or joint public agencies.

It also would authorize any county, city, village or SID to make payments on a service agreement by levying a special tax on property within that entity. The tax would have the same status as a tax levied for the purpose of paying bonds secured by a levy.

Crawford said she introduced the bill on behalf of the Sarpy County Board of Commissioners so that the county and its cities could build a regional wastewater system to support development there.

“Regional sewer systems can help counties avoid the proliferation of individual or community sewerage systems as they expand into areas with minimal sewer infrastructure,” she said.

Don Kelly, chairman of the Sarpy County board of commissioners, testified in support of the bill, saying that it would allow the county and its cities to build a regional sewerage system that they could not afford individually. With the growth of the Omaha metro area, much of the county’s land available for development sits south of a ridgeline dividing the county, he said. That area currently is not served by a regional system, slowing development

along the Highway 50 corridor.

“Without addressing the issues of sewerage south of the ridgeline, the ability to continue this momentum is limited,” Kelly said.

David Black, mayor of Papillion, testified in support of the bill on behalf of the United Cities of Sarpy County. He said Sarpy County’s population is projected to grow by 140,000 people over the next 30 years. About 60 percent of those people would be served by the proposed sewerage system in the southern part of the county. Black said development in that area could result in 18,000 jobs and an additional \$45 million in state sales tax revenue annually.

“We’ve had 10 years of cooperation with the other cities in the county trying to figure this out,” he said. “We’re at a critical point of development.”

David Dechant of HDR, which is managing the project, also testified in support of the bill. He said the project, expected to cost approximately \$220 million, will be built in phases over the next 30 to 40 years depending on growth. Connection and development fees and sewer fees will help pay for the system over time, Dechant said, but LB253 is needed so that the county and cities can pool their bonding authority to pay for startup costs.

“While not without challenges, the proposed regional system is technically and financially feasible based on multiple regional systems that I’ve been involved with over the years,” he said.

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

COMMITTEE HEARINGS

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

Monday, February 27

Appropriations

Room 1524 - 1:30 p.m.

Agency 51: University of Nebraska System

LB71 (Pansing Brooks) Change appropriations relating to the Nebraska Tree Recovery Program

LB242 (Bolz) Appropriate funds for the recruitment of students who study to become behavioral health professionals

LB302 (Crawford) State intent to appropriate funds for psychiatric and behavioral health medicine fellowships

LB303 (Crawford) Appropriate funds to the University of Nebraska to fund behavioral health internships

LB514 (Bolz) State intent to appropriate funds for a Justice Reinvestment Initiative Coordinator

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB324 (Kolterman) Adopt the Pharmacy Benefit Fairness and Transparency Act

LB604 (Riepe) Adopt the Nebraska Right to Shop Act and place duties on insurance carriers

Business & Labor

Room 2102 - 1:30 p.m.

LB354 (Kolowski) Adopt the Wage Disclosure Act

LB211 (Hansen) Change the minimum wage for persons compensated by way of gratuities

LB244 (Bolz) Change provisions relating to mental injury and mental illness for workers' compensation

LB553 (Lowe) Provide for a nonelection of coverage under the Nebraska Workers' Compensation Act

LB507 (Albrecht) Eliminate the Farm Labor Contractors Act

Education

Room 1525 - 1:30 p.m.

LB398 (Wayne) Provide requirements for public school districts relating to swimming activities

LB569 (Friesen) Establish the Community College Task Force and sunset community college levies

LB490 (Walz) Adopt the College Choice Grant Program Act

Nebraska Retirement Systems

Room 1510 - 4:30 p.m.

LB31 (Kolterman) Change school retirement plan provisions relating to service credits

LB415 (Kolterman) Provide and change notification requirements and duties and benefits for certain retirement system members, change certain annuity and disability benefit provisions, and provide duties for school districts and the Public Employees Retirement Board relating to retirement

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB40 (Hilkemann) Prohibit use of an interactive wireless communication device by a school bus operator as prescribed

LB41 (Hilkemann) Change child passenger restraint system enforcement from a secondary to a primary offense

LB42 (Hilkemann) Change occupant protection system provisions for children and adopt certain federal safety provisions

LB279 (Hilkemann) Require lap-shoulder belts on school buses as prescribed

LB471 (Kolowski) Provide for enforcement of the prohibition against using a handheld wireless communication device as a primary action

Tuesday, February 28

Appropriations

Room 1524 - 1:30 p.m.

Agency 24: Dept. of Motor Vehicles

Agency 48: Coordinating Commission for Postsecondary Education

Agency 50: Neb. State College System
Agency 83: Community College Aid

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB116 (Harr) Redefine automobile liability policy and change coverage provisions

LB66 (Hansen) Change provisions relating to stacking of coverage under the Uninsured and Underinsured Motorist Insurance Coverage Act

LB213 (Hansen) Add an unfair claims settlement practice under the Unfair Insurance Claims Settlement Practices Act

LB643 (Krist) Change automobile liability insurance and financial responsibility requirements

Education

Room 1525 - 1:30 p.m.

LB521 (Walz) Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act

LB511 (committee) Change provisions for payment of educational costs for state wards and students in residential settings

LB512 (committee) Change provisions related to education

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB627 (Larson) Provide for the operation of autonomous motor vehicles as prescribed

LB629 (Larson) Exempt certain commercial driver's license holders from hazardous waste endorsement requirements

LB587 (Crawford) Change provisions relating to school permits

LB82 (Blood) Require the Department of Motor Vehicles to include certain traffic stop safety information in the Nebraska Driver's Manual

LB357 (Bolz) Increase original certificate of title fees for vehicles transferred to Nebraska from another state and provide for voluntary contributions to brain injury programs

Urban Affairs

Room 1510 - 1:30 p.m.

LB95 (Crawford) Change provisions relating to the Community Development Law and tax increment financing

LB496 (Stinner) Define and redefine terms under the Community Development Law

LR16CA (Wayne) Constitutional amendment to allow cities and villages to pledge taxes relating to a redevelopment project for up to twenty years if area is extremely blighted

COMMITTEE HEARINGS

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

Wednesday, March 1

Appropriations

Room 1003 - 9:30 a.m.

LB580 (McDonnell) Appropriate funds for the Office of Violence Prevention
 Agency 21: State Fire Marshal
 Agency 31: Military Department
 Agency 35: Liquor Control Commission
 Agency 64: State Patrol, Nebraska
 Agency 78: Nebraska Commission on Law Enforcement and Criminal Justice

Government, Military & Veterans Affairs

Room 1507 - 9:15 a.m.

LB75 (Wayne) Provide for restoration of voting rights upon completion of a felony sentence or probation for a felony
 LB314 (Murante) Change state and municipal election provisions to conform to prior legislation
 LB451 (Murante) Change various provisions relating to elections as prescribed
 LB76 (Wayne) Require notice for Secretary of State regarding completion of felony sentence for purposes of voting rights

Health & Human Services

Room 1510 - 9:15 a.m.

LB344 (Albrecht) Change credentialing and regulation of mental health substance abuse centers
 LB343 (Riepe) Change credentialing and regulation of cosmetology, nail technology, audiology, massage therapy, and barbers

Judiciary

Room 1113 - 9:15 a.m.

LB478 (Groene) Provide for possession of archery equipment and knives for recreational purposes
 LB500 (Brewer) Authorize the carrying of concealed handguns by qualified active and retired law enforcement officers
 LB558 (Schumacher) Define the term knife for certain provisions of the criminal code

Natural Resources

Room 1525 - 9:15 a.m.

LB504 (Brewer) Provide for a moratorium on industrial development of wind energy projects and for a task force study as prescribed

Revenue

Room 1524 - 9:30 a.m.

LB322 (Craighead) Change the Tax Equalization and Review Commission Act
 LB385 (Lindstrom) Change provisions relating to the burden of proof and who may appeal under the Tax Equalization and Review Commission Act
 LB555 (Smith) Change and eliminate provisions of the Tax Equalization and Review Commission Act
 LB291 (Larson) Adopt the Special Economic Impact Zone Act

Thursday, March 2

Appropriations

Room 1003 - 1:30 p.m.

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

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LR1CA (Murante) Constitutional amendment to require voter identification

Health & Human Services

Room 1510 - 1:30 p.m.

LB224 (Crawford) Change asset limitation provisions relating to public assistance
 LB537 (Hughes) Provide for drug screening for applicants and recipients of cash assistance

Judiciary

Room 1113 - 1:30 p.m.

LB201 (Lowe) Change provisions relating to perjury and the issuance of search warrants
 LB259 (Hansen) Provide for competency determinations in cases pending before county courts
 LB440 (Wishart) Provide immunity from criminal or civil liability for removal of an animal from a vehicle by forcible entry as prescribed
 LB505 (Brewer) Adopt the Refugee Resettlement Notification Act
 LB589 (Crawford) Provide for depositions of a child victim or child witness

Natural Resources

Room 1525 - 1:30 p.m.

LB352 (Vargas) Adopt the Wind, Solar, and Fuel Cell Business Financing Act
 LB533 (Vargas) Require liability insurance for and restrict locations of underground enhanced recovery injection wells and wastewater disposal wells

Revenue

Room 1524 - 1:30 p.m.

LB326 (Kolowski) Provide additional budget and tax levy authority for certain school districts
 LB633 (Kolowski) Authorize school districts to levy a tax and exceed budget authority for school security measures and student technology
 LB400 (Hilkemann) Change provisions relating to motor vehicle fees and taxes
 LB531 (Harr) Change sales tax collection fees for motor vehicles

Friday, March 3

Appropriations

Room 1003 - 1:30 p.m.

Agency 57: Neb. Oil and Gas Conservation Commission
 Agency 75: Neb. Investment Council
 Agency 93: Tax Equalization and Review Commission
 Agency 16: Dept. of Revenue
 LB545 (Watermeier) Provide for fund transfers relating to the Property Tax Credit Cash Fund

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB309 (Brasch) Eliminate Daylight Saving Time
 LB433 (Ebke) Require a criminal history record information check for employees who have direct access to federal tax information
 LB252 (Crawford) Change independent expenditure reporting requirements and require electioneering reporting

Health & Human Services

Room 1510 - 1:30 p.m.

Appointment: Buhlke, Brian; Dexter, April; Fattig, Martin; Goertz, Jessye; Iske, Benjamin R. - Nebraska Rural Health Advisory Commission
 LB466 (Brasch) Change credentialing

COMMITTEE HEARINGS

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and regulation of nurse-midwives
LB391 (Watermeier) Provide requirements for use of injections and surgical procedures by optometrists

Judiciary

Room 1113 - 2:00 p.m.

LB444 (Walz) Prohibit cities and counties from canceling health insurance coverage for injured law enforcement officers
LB577 (Hilgers) Create offense of assault on a peace officer, firefighter, or out-of-hospital emergency care provider by ambush
LB623 (Wishart) Change and eliminate provisions and penalties relating to assault on an officer, certain employees, or a health care professional
LB638 (Bostelman) Provide enhanced criminal penalties based upon a person's employment as prescribed

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: McPheeters, Scott - Neb. Ethanol Board

Revenue

Room 1524 - 1:30 p.m.

LB272 (Vargas) Change procedures for tax credits under the Nebraska Job Creation and Mainstreet Revitalization Act
LB475 (Schumacher) Change the application deadline under the Nebraska Job Creation and Mainstreet Revitalization Act
LB528 (Harr) Change provisions relating to the New Markets Job Growth Investment Act
LB228 (Harr) Change provisions relating to rent-restricted housing projects

Monday, March 6

Appropriations

Room 1524 - 1:30 p.m.

Agency 5: Supreme Court
Agency 11: Attorney General
Agency 94: Commission on Public Advocacy
Agency 15: Neb. Board of Parole
Agency 46: Dept. of Correctional Services
LB378 (McCollister) Appropriate funds to the Department of Correctional Services

LB538 (Wishart) Appropriate funds for Legal Education for Public Service and Rural Practice Loan Repayment Assistance

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

LB141 (Williams) Adopt the Revised Uniform Unclaimed Property Act
LB345 (Craighead) Eliminate an experience requirement for abstracters
LB641 (Morfeld) Create a Bioscience Innovation Program

Business & Labor

Room 2102 - 1:30 p.m.

LB609 (Linehan) Provide fee schedules under the Nebraska Workers' Compensation Act
LB408 (Lowe) Provide for a drug formulary under the Nebraska Workers' Compensation Act
LB319 (Halloran) Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act
LB147 (Hansen) Change workers' compensation provisions relating to waiting time, termination of compensation, and attorney's fees

Education

Room 1525 - 1:30 p.m.

LB634 (Wayne) Include virtual school students in the state aid to schools formula
LB409 (Groene) Change the base limitation and local effort rate for school districts
LB484 (Kolowski) Create the School Financing Review Commission

Tuesday, March 7

Appropriations

Room 1524 - 1:30 p.m.

LB270 (Kolowski) Appropriate funds to the State Department of Education
LB465 (Watermeier) Appropriate funds to the State Department of Education
Agency 13: Dept. of Education
Agency 32 Board of Educational Lands and Funds
Agency 34 Neb. Library Commission
LB221 (Stinner) Change the transfer from a fund
Agency 29: Dept. of Natural Resources

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

LB550 (Lindstrom) Change provisions relating to the Comprehensive Health Insurance Pool
LB559 (Schumacher) Prohibit the collection of interchange fees on specified taxes and fees relating to electronic payment transactions
LB582 (McDonnell) Authorize membership in a credit union by geographic boundary

Education

Room 1525 - 1:30 p.m.

LB651 (Linehan) Adopt the Nebraska Reading Improvement Act
LB662 (Linehan) Establish a grading system for schools and school districts

Wednesday, March 8

Appropriations

Room 1003 - 1:30 p.m.

Agency 72: Dept. of Economic Development
Agency 91: Neb. Tourism Commission
Agency 54: State Historical Society
Agency 52: State Fair Board
LB115 (Harr) Direct the Nebraska Tourism Commission to provide for certain uses of a fund
LB281 (Quick) Appropriate funds to the Nebraska State Historical Society
LB379 (Harr) Create the Willa Cather Historical Building Cash Fund and provide for a transfer of funds
LB620 (Wayne) Appropriate funds to the Department of Economic Development

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

LB364 (Walz) Change and eliminate licensure, regulation, and penalty provisions under the Professional Landscape Architects Act
LB437 (Craighead) Change requirements for independent instrumentalities under the Taxpayer Transparency Act
LB510 (Ebke) Provide a restriction on installment contracts for the purchase of real or personal property by political subdivisions

COMMITTEE HEARINGS

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

Health & Human Services

Room 1510 - 1:30 p.m.

LB282 (Riepe) Change telehealth provisions relating to children's behavioral health
 LB441 (Morfeld) Change eligibility provisions under the Medical Assistance Act

Judiciary

Room 1113 - 1:30 p.m.

LB501 (Brewer) Change prohibition on locations where permitholder may carry a concealed weapon
 LB520 (Hansen) Require notification when persons prohibited by state or federal law obtain a handgun or concealed carry permit
 LB556 (Halloran) Change provisions relating to firearms and create the offenses of use of a facsimile or nonfunctioning firearm to commit a felony and possession of a firearm by a prohibited juvenile offender
 LB637 (Bostelman) Prohibit disclosure of information relating to firearm owners and concealed carry permitholders
 LB666 (Lowe) Change provisions relating to carrying a concealed weapon

Revenue

Room 1524 - 1:30 p.m.

LB443 (Bolz) Adopt the Student Loan Repayment Tax Credit Act
 LB561 (Schumacher) Create the Taxpayer Investment Program
 LB557 (Harr) Adopt the Great Opportunities Nebraska Act
 LB616 (Wayne) Adopt the Startup Nebraska Program Act and provide an exemption from income, sales, and use taxes

Thursday, March 9

Appropriations

Room 1003 - 1:30 p.m.

Agency 19: Dept. of Banking
 Agency 22: Dept. of Insurance
 Agency 87: Accountability and Disclosure Commission
 Agency 65: Dept. of Administrative Services
 LB611 (Stinner) Require state agencies to provide a federal funding inventory

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB34 (Ebke) Change filing requirements for partisan candidates
 LB112 (Hansen) Permit registered voters moving within Nebraska without reregistering to vote provisionally
 LB197 (Kolowski) Provide for electronic application for an early voting ballot
 LB290 (Vargas) Provide for voter registration upon application for driver's license, state identification card, or certain benefits
 LB25 (Murante) Change provisions for presidential electors

Health & Human Services

Room 1510 - 1:30 p.m.

LB596 (Groene) Exempt equine massage therapy from credentialing and regulation under the Veterinary Medicine and Surgery Practice Act

Judiciary

Room 1113 - 1:30 p.m.

LB67 (Brasch) Adopt the Fair Repair Act
 LB434 (Ebke) Change videoconferencing provisions relating to certain juvenile hearings

LB516 (Pansing Brooks) Change provisions relating to a report on juvenile facilities
 LB656 (Baker) Provide for claims against the state by persons wrongfully incarcerated
 LB658 (Wayne) Provide for expert witness appointment as prescribed in certain juvenile proceedings
 LB226 (Wishart) Provide for purchase of motor vehicles and insurance by certain juveniles, change foster care transition proposal provisions, and provide immunity from liability for caregivers

Revenue

Room 1524 - 1:30 p.m.

LB570 (Friesen) Provide a property tax exemption for all tangible personal property
 LB572 (Friesen) Provide termination dates for the Property Tax Credit Act and the Tax Equity and Educational Opportunities Support Act and change application deadlines under the Nebraska Advantage Act
 LB576 (Brewer) Limit increases in property tax bills
 LB599 (Groene) Exempt certain improvements on land from taxes as prescribed ■

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