

Initial budget cuts advance first round

After four days of debate, lawmakers gave first-round approval Feb. 3 to a bill that would make cuts to the state's budget for the current fiscal year. The reductions are a first step to offset an unexpected budget shortfall of nearly \$1 billion.

LB22, introduced by Norfolk Sen. Jim Scheer at the request of Gov. Pete Ricketts, is part of the governor's expedited adjustments proposed for the state budget ending June 30, 2017. The regular budget process for setting spending for the next two fiscal years will be taken up separately later in the session.

The Appropriations Committee amendment, adopted 46-0, became the bill. Sen. John Stinner of Gering, chairperson of the committee, said the



From left: Speaker Jim Scheer and Sens. Dan Watermeier and Steve Erdman review a hand-out related to the budget debate.

amendment reflects only minor deviations from the governor's proposed adjustments to appropriations and re-appropriations for state operations, aid and construction programs.

Stinner said the Legislature ended last session with a balanced budget but revenue growth has not kept up with projections, resulting in the anticipated revenue shortfall over the next two years.

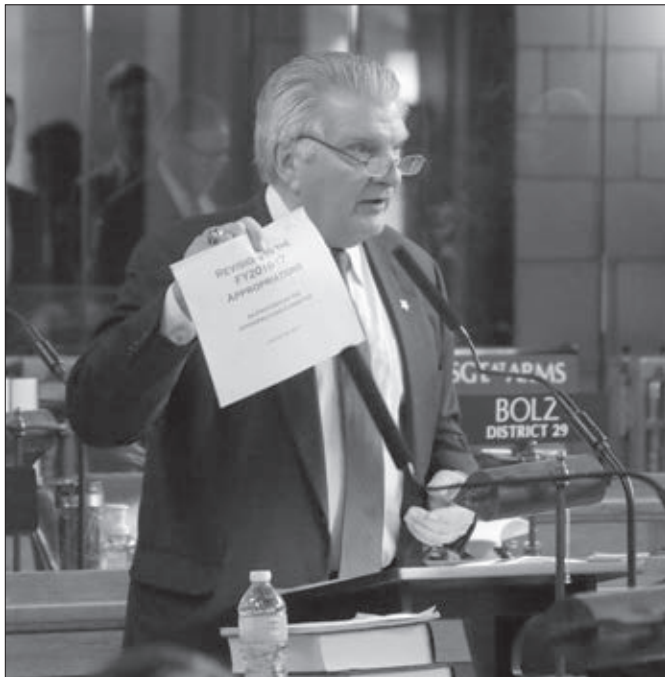
Rather than calling a special session to address the issue, he said, it was agreed that lawmakers and the governor's office would take a multi-step ap-

proach to addressing the problem by making an expedited round of budget adjustments early in the 2017 session. That process focused on re-appropriations, across-the-board cuts and strategic reductions, he said.

"This isn't business as usual," Stinner said. "This is making the thoughtful, prudent cuts that we have to make in order to rebalance the budget."

The governor's recommendations would have cut \$8.2 million from the state Supreme Court's budget, but the committee amendment would cut only half that amount. Stinner said the decision was made following warnings from Chief Justice Mike Heavican that the proposed cuts would set back recent reforms enacted by the Legislature to reduce the state's prison population through alternative sentencing, probation services and other programs.

Speaking in favor of the amendment, Gothenburg Sen. Matt Wil-



Sen. John Stinner explained the state's process for addressing the projected revenue shortfall.

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liams said it was especially important to maintain necessary funding to carry out criminal justice reform.

“If we take away — through the budget process — the programs that are available to probationers and to those who are participating in drug courts, we have removed from the judges the opportunity to use probation and post-release supervision and drug court as an alternative to incarceration,”

Williams said.

Lincoln Sen. Kate Bolz, vice chairperson of the Appropriations Committee, said members focused on adjustments needed to capture matching federal funds, maintain legislative priorities and keep grants intact that already had been allocated.

Calling LB22 “unique in both its scope and scale,” Bolz said the Legislature has expedited deficit

budget bills in the past, but only to address specific issues — not to make across-the-board cuts to agencies in the middle of a fiscal year.

“This is a historic process,” Bolz said. “This is not typically the way we do business.”

The committee’s plan also would allow the University of

Nebraska to retain approximately \$5.2 million in unspent funds. The governor’s proposal would have re-appropriated those funds to the state’s general fund.

Lincoln Sen. Adam Morfeld, whose district includes the UNL campus, supported the amendment, but expressed concern regarding deep cuts to the university budget called for in the governor’s biennial budget proposal. Morfeld said cuts to important programs and institutions should not be the only tools considered to fix the state’s financial situation.

“It is also the responsibility of the Revenue Committee to find revenue to balance the budget,” he said.

The amendment also would add \$3.5 million to the governor’s recommended appropriation to the state Department of Health and Human Services for certain developmental disability providers.

Sen. Anna Wishart of Lincoln said the funds would partially offset \$7 million in matching federal funds that the department lost due to an error in their provider billing process. Ad-



Sen. Kate Bolz said the Appropriations Committee’s amendment reflects legislative priorities.

UNICAMERAL UPDATE

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ditional funds are required to ensure that necessary services continue to be provided, she said.

“These services support Nebraskans with developmental disabilities to be able to live and work as independently as possible in their communities,” Wishart said.

Among other provisions, the committee amendment also would restore:

- \$600,000 of the \$900,000 reduction proposed for the Storm Water Management Grant program to assist communities with federal storm water compliance obligations;
- \$400,000 in funding to four education programs;
- \$274,725 in across-the-board cuts to the Postsecondary Coordinating Commission;
- \$75,000 to the Nebraska State Historical Society for compliance with the Native American Graves Protection and Repatriation Act; and
- \$46,000 to the Commission for the Blind and Visually Impaired to leverage federal funds.



Sen. Bob Krist raised concerns about the budget process.

During debate Feb. 1, Omaha Sen. Bob Krist offered an amendment that would have restored re-appropriated funds to all noncode state agencies and independent branches of government. Noncode agencies are not subject to the direct control of the governor’s office. Krist said lawmakers then could take time to determine strategic reductions.

“This is not the way to do busi-

ness,” he said. “We don’t have to slash and burn in the first 19 days ... of this legislative session. We can carefully and judiciously walk through this process.”

Krist withdrew his amendment Feb. 3. Following two unsuccessful attempts to bracket the bill by Omaha Sen. Ernie Chambers, lawmakers voted 46-1 to advance the bill to select file. ■

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MEET THE SENATOR

Lowe sets up shop in the Legislature

As he settles into his first legislative session, you won't find Sen. John Lowe of Kearney spending too much time decorating his new work space. Despite having one of the smaller offices in the Capitol, he's still getting used to having so much room and natural light.

"You don't really have a traditional office when you're starting a business from the ground up," he said. "All my offices have been a folding table in a dingy basement. This is grand in comparison."

Lowe's business acumen is a family trait, passed down through the generations.

His great-grandfather crossed the Atlantic from Liverpool, England and settled the family in the Kearney area in 1883. The Lowes have made their mark on the town's landscape, working in the local real estate industry for over 100 years.

His experience in the family business inspired him to broaden his horizons into other business ventures. A self-proclaimed "jack of all trades," Lowe says he's owned and operated just about every kind of business one man can, buying and selling seven businesses over the years.

There's a pretty good chance that he is the only bar owner/restaurantur/frozen-yogurt purveyor/document-imaging company owner/real estate agent to serve in the Legislature.

Call it his entrepreneurial spirit, but Lowe is much happier and more comfortable when he's busy. This has absolutely helped him transition into his role as state senator, he says.

"Being here at the State Capitol is definitely an adjustment, but I'm still busy — it's just a new kind of busy. Instead of working for myself, now I'm working for my constituents."

He said he felt compelled to run

for the Legislature to help address the problems facing Nebraskans each day. High property taxes and expanding government are the issues that are impacting his constituents, the people he's known his entire life.

"I decided to run because I was breaking all my televisions and radios at home," he laughed. "I was frustrated with the way our government was functioning. I realized I wasn't solving any problems in my living room."

While he definitely senses an urgency from his friends and neighbors to act, Lowe takes a more measured approach. He understands issues that have been building for years cannot be fixed overnight with a stroke of a pen.

"The Legislature doesn't move fast and that's a good thing," he said. "We should take our time, be methodical and make well informed decisions."

Lowe said he often benefits from the advice of his family, including wife

Kim and sons John, Robert and Patrick. They've encouraged him to keep his head on straight and never lose sight of his values when legislating, which he intends to take to heart.

"There won't be a bust of me in the hallway when my time in the Legislature is over," he said. "I'm just a common guy who wants to represent the people well." ■



Sen. Lowe and his wife Kim traveled to Hawaii last year with their sons to renew their vows after 25 years of marriage.

EDUCATION

School aid certification delay advanced

Lawmakers advanced a bill Jan. 31 that would delay the deadline for certifying state aid, budget authority and applicable allowable reserve percentages for state aid to schools.

LB119, introduced by Sen. Mike Groene of North Platte, would delay the deadline from March 1 to June 1 for 2017 only. The later date would allow the Legislature to make adjustments as it considers options for addressing the state's budget shortfall.

Groene said such a delay has been used at least 15 times since the Tax Equity and Educational Opportunities Support Act (TEEOSA), which provides state aid to schools, was created in 1990.

"We want to provide the Appropriations Committee ample time to arrive at a budget recommendation and to give this body ample time to determine how much money is available for state aid and TEEOSA," he said. "We do not want to make a financial promise to our schools and then break that promise if we can help from doing that."

Lawmakers voted 29-1 to advance the bill to select file.

Bill would end master teacher program

A program that provides aid to teachers who complete a credentialing program would be terminated by a bill heard by the Education Committee Jan. 31.

Introduced by Sen. Steve Halloran of Hastings, LB214 would end the master teacher program, which provides aid to students seeking a National Board for Professional Teaching Standards credential.



Sen. Steve Halloran

Teachers who apply for the program are eligible to receive an award amounting to 50 percent of the registration fees. They may apply for an award to receive the other half of the fees after completing the program. After fees are reimbursed, the remainder of the fund is used to pay a \$5,000 salary bonus to teachers who have the credential.

The Legislature appropriated \$500,000 to the program in fiscal year 2015-16 and again in FY2016-17.

Halloran questioned the necessity of a state-sponsored bonus program for teachers when the state provides no similar assistance to other professions.

"While we all see the benefits of teachers enhancing their educational training, we need to make sure such programs maximize positive impact on our teaching communities across the state," he said. "Given the state's current financial situation, this program is not a prudent use of our resources."

Maddie Fennell, a board-certified Omaha Public Schools teacher, spoke in opposition to the bill. Fennell said she became board certified a few years ago, before the Legislature had appropriated money to the master teacher program. Without money from OPS and a federal grant, she said, she could not have afforded to pursue board certification. Fennell received a stipend under the program last year, she said.

The rigorous certification process required Fennell to analyze her teaching methods and provide evidence

that she understood the factors that lead to student success, she said — lessons she was able to pass on to other teachers.

"The master teacher program is the only support the state gives toward teaching excellence and must be maintained," Fennell said. "We won't have the kinds of teachers our kids need and they deserve if we lower the bar on the teaching profession."

The committee took no immediate action on the bill.

Bill to assist pregnant and parenting students discussed

The Education Committee heard testimony Jan. 30 on a bill that would accommodate pregnant and parenting students as they complete their education.

LB428, introduced by Omaha Sen. Tony Vargas, would require school districts to adopt a written policy providing standards and guidelines to accommodate pregnant and parenting students. The bill would direct the state Department of Education to develop and distribute a model policy to districts that they could implement.

Vargas said approximately 70 percent of young women who have a child leave school and do not return to complete their education until years later, if at all. He said inconsistent policies on pregnant and parenting students across the state's school districts cause disparities in student success.

"LB428 seeks to address this disparity and make all Nebraska schools a welcoming and more inclusive place for pregnant and parenting students," he said.



Sen. Mike Groene



Sen. Tony Vargas

At a minimum, the policy would require districts to provide for student absences due to pregnancy and eliminate requirements for physician approval to return to school or participate in extracurricular activities after pregnancy. They also would be required to provide alternative methods for keeping pregnant or parenting students in the classroom by allowing them to complete coursework at home or by providing online classes or visits from tutors.

The model policy would require districts to ensure that students have private, hygienic spaces to express breast milk during the school day. Finally, if schools do not have an in-school child care facility, the proposed policy would identify local child care providers or designate staff to assist student parents in placing their children in child care facilities that collaborate with the school.

The department's model policy would be developed and distributed to districts by Dec. 1, 2017, and individual districts would be required to adopt a policy by May 1, 2018. The policies would be implemented at the start of the 2018-2019 school year.

In addition to creating a model policy, the department also would offer training for teachers, counselors and administrators on school districts' adopted policies.

Anabelle Garcia of the Nebraska Children's Home Society testified in support of the bill. Garcia, who teaches parenting skills to pregnant teens and teen mothers, became pregnant at 16. She said she struggled to finish high school because her school did not offer maternity leave or provide adequate tutoring services.

Garcia used a nurse's office bathroom to pump breast milk, which she kept in her backpack because there was no other place to store it. She eventu-

ally had to stop breastfeeding her son so that she could keep up with classes.

"It was between choosing to make milk or choosing to pass my classes," she said. "So I chose my classes over my milk."

Christine Henningsen of the UNL Center on Children, Families and the Law also testified in support of the bill. She said many girls are at risk of entering the juvenile court system due to truancy filings. Young mothers cannot get a doctor's note to excuse them for absences related to pregnancy and parenting such as prenatal visits, time to bond with a child, child illness or problems with child care, Henningsen said.

"It is not surprising that many young women, as a result of these policies, have chosen to drop out of school – not because they do not want to receive an education but because the system makes it impossible for them to succeed," she said. "We must take these steps to support these young women and remove obstacles that make transition to motherhood a barrier to continuing their education."

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



Independent redistricting commission proposed

The Legislature would once again consider including the help of an independent commission in the redistricting process under a bill heard by the Executive Board Jan. 30.

The Legislature has been responsible for drawing new governmental boundaries every 10 years after the decennial census for districts pertain-

ing to the U.S. House of Representatives, the Legislature, Public Service Commission, University of Nebraska Board of Regents and the state Board of Education.

Lawmakers passed a bill creating an independent citizen advisory commission during the 2016 session, which was vetoed by Gov. Pete Ricketts.

LB216, introduced by Omaha Sen. Burke Harr, represents another attempt to create the Independent Redistricting Citizen's Advisory Commission to assist in the process beginning in 2021.



Sen. Burke Harr

Harr said the measure would address concerns raised by the governor last year, including the removal – in the interest of separation of powers – of required formal opinions from the state attorney general and secretary of state regarding the constitutionality of proposed maps.

"While those opinions are nice, I'm not sure that they are necessary and I agree with the governor that they are on questionable constitutional ground," Harr said.

Under the bill, the commission would be established by Jan. 30 of each redistricting year. Each of the three legislative caucuses would appoint two people to serve on the commission, with no more than three members having the same political party affiliation.

To be eligible for service on the commission, a person must be a Nebraska resident and a registered voter who, at the time of appointment, has not changed political party affiliation within the previous 24 months.

Residents registered as lobbyists within the previous 12 months, public officials, candidates for elective office and those holding a political party of-

office in Nebraska or the United States would not be eligible. Also ineligible would be an individual who is a relative of or employed by a member of Congress or the Legislature, a constitutional officer or an employee of the University of Nebraska.

The director of the Legislative Research Office would use census data to assign an ideal district population to each type of district and develop base maps for the commission to use in developing redistricting plans.

The office director, serving as liaison between the commission and the Executive Board, would deliver the following to the Legislature:

- final maps illustrating each of the six redistricting plans adopted by the commission;
- any corresponding public hearing reports; and
- a summary of differences between any of the redistricting plans adopted by the commission and the corresponding base maps developed by the research office.

The chairperson of the Executive Board then would introduce a bill for each redistricting plan adopted by the commission within two days of delivery of the final maps. The bills would be placed directly on general file.

Within five legislative days, if any of the bills fail, do not pass or are vetoed by the governor, a new redistricting plan would be prepared.

Gavin Geis, executive director of Common Cause Nebraska, testified in support of the bill. Concerns about the current redistricting system indicate that reform is needed, he said, and establishing an independent commission would enhance the work of lawmakers, not replace it.

“Whatever the commission does will fall to the Legislature,” Geis said. “This [process] can be thrown out if

it doesn’t work – it can be amended if it doesn’t work.”

Attorney Steve Grasz testified in opposition, saying the commission would be an improper delegation of legislative authority. The state constitution requires that legislators do the work of redistricting, he said.

“Under LB216 the advisory commission rather than state senators draft redistricting plans and they go directly to general file,” Grasz said, essentially placing lawmaking authority with the commission rather than state senators.

The committee took no immediate action on the bill.

Bill would donate property to community college

The Executive Board heard testimony Feb. 1 on a bill that would direct the state to donate excess land at the Norfolk Regional Center to Northeast Community College.

Introduced by Norfolk Sen. Jim Scheer, LB376 would require the state Department of Administrative Services (DAS) to seek authorization from the governor and the Legislature to donate the land, which would be used to develop a technology park.

Scheer said a bill passed several years ago by the Legislature gave the community college the right of first refusal to purchase the land. At that time, the property was valued at approximately \$2,000 to \$3,000 per acre, he said. However, after the vacant buildings were razed to prepare the land for sale, the state decided to do an additional appraisal, he said, which came in at approximately \$34,000 per acre.

“There is not much in Norfolk, Nebraska that would fetch \$34,000 per acre, especially sitting next to a sex-offender, razor-wired facility [as the land in question does],” Scheer said, adding that the land was appraised as commercial land despite being zoned for public use only.

As a result, Scheer said, he hopes that lawmakers will consider donating the plot to Northeast Community College, in much the same way it did for the state fairgrounds in Grand Island and innovation campus in Lincoln.

“I just don’t want it to take another two to three years to facilitate some type of finality on this,” he said, adding that the state already has decided to divest of the land.

Bo Botelho, operations officer and materiel administrator for DAS, testified in a neutral capacity. After surveying the land, it was determined by the department that 43 acres of the former regional center site was excess land and it was cleared for sale, he said.

Botelho said a subsequent appraisal valued the land at \$1.43 million, which the community college questioned. A second, independent appraisal is in process.

The committee took no immediate action on the bill.

Public health task force proposed for Whiteclay

A bill heard by the Legislature’s Executive Board Feb. 2 proposed a special task force that would research the public health implications of alcohol sales on the Whiteclay community.

The unincorporated village of Whiteclay, NE is home to four liquor stores despite having a population of only 11 people. Although alcohol is banned on the Pine Ridge Reservation, a large number of tribal members travel the two miles across the South



Sen. Jim Scheer

Dakota border to patronize Whiteclay's liquor stores.

High rates of alcoholism, fetal alcohol syndrome and poverty among members of Pine Ridge have combined to create a public health emergency, said Lincoln Sen. Patty Pansing Brooks.

She introduced LB407 to examine the impact of alcohol sales in Whiteclay and its surrounding communities and make recommendations to the Legislature on how to solve the economic and social issues facing the area.

Pansing Brooks said the four stores in Whiteclay sell 3.5 million cans of high-alcohol malt liquor annually. Inaction by the state is affecting people of all ages, she said, adding that 25 percent of all babies born on the reservation suffer from fetal alcohol syndrome.

"Both our actions and inactions in Nebraska are having devastating effects on the people of Pine Ridge, where there is an alcoholism rate of almost 80 percent," she said. "[LB407] is an effort to compassionately deal with the people affected by the predatory sale of alcohol near Whiteclay."

The task force's executive committee would include five voting members: the chairpersons of the State-Tribal Relations and Health and Human Services Committees, an at-large member from the University of Nebraska Medical Center (UNMC) and two at-large members appointed by the Executive Board.

Additional non-voting, ex officio members also would include the chief executive officer of the state Department of Health and Human Services, executive director of the Nebraska



Sen. Patty Pansing Brooks

Commission on Indian Affairs, executive director of the state Department of Economic Development, a public health expert and a UNMC data analysis expert.

Members of the task force would collect, examine and analyze data on fetal alcohol syndrome rates, access to treatment services and the risk of alcoholism for children raised in the area.

Judi gaiashkibos, executive director of the Nebraska Commission on Indian Affairs, testified in support of the bill. She said alcohol-related problems have plagued Pine Ridge members for 100 years.

"This won't repair the historic damage and stop the fetal alcohol babies being born in the future" she said. "[However,] LB407 has a broader vision of making positive changes for those impacted at Whiteclay."

Fernando Wilson, an Omaha public health researcher, also supported the bill. He said feasible solutions are needed to address the public health emergency in Whiteclay.

"I believe that the establishment of this task force will help identify specific, high-impact solutions and identify policies, programs and interventions that will address the long-standing issues that comprise this problem," Wilson said.

The task force would publish three annual reports containing recommendations for future legislative action, incorporating input from medical experts, nonprofit organizations, faith-based institutions and local and tribal governments. The report would be due no later than Dec. 15 each year beginning this year. The task force would be disbanded after the publication of its final report in 2019.

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

Medicaid oversight committee proposed

A bill that would establish legislative oversight of the state's new Medicaid integrated managed care system was considered Feb. 1 by the Executive Board.

LB442, introduced by Lincoln Sen. Kate Bolz, would create the Medical Managed Care Organization Oversight Committee within the Legislature.

Bolz said managed care in Nebraska — which currently encompasses physical, behavioral and pharmacy services — will cost approximately \$1.2 billion annually to provide services to more than 200,000 Nebraskans.

"Such a significant portion of the state's budget deserves our scrutiny," she said, adding that an oversight committee would provide Legislative engagement in the process to ensure that the Heritage Health system is providing appropriate, quality services in a cost-effective manner.

Annette Dubas, executive director of the Nebraska Association of Behavioral Health Organizations, testified in support of the bill. The development and implementation of the Heritage Health managed care system is a sizeable change from how services have been provided in the past, she said.

The state Department of Health and Human Services (DHHS) has been transparent and communicated openly during the process, she said, but more oversight would be welcome.

"Any change of this magnitude will encounter bumps along the way," Dubas said, adding that providers will be dealing with new credentialing requirements, claim processing and other administrative procedures.



Sen. Kate Bolz

Molly McCleery of Nebraska Appleseed also testified in support. She said stakeholders need to be sure that the new integrated managed care system will save money and provide better access and care. A Legislative oversight committee would enhance the work that DHHS already is undertaking, McCleery said.

“A new attention on some of the details and the pieces of this bill that require data gathering is important,” she said. “In order for managed care systems to be effective you need transparency, accountability and efficiency.”

Calder Lynch, director of the DHHS Division of Medicaid and Long-term Care, testified in opposition to the bill. The department does not object to transparency and oversight, he said, but the program already is excelling in those areas.

Lynch said thousands of Nebraska stakeholders participated in town hall meetings during the development of Heritage Health and the rollout of the system has been smooth overall. For example, he said, 100 percent of claims have been processed within contractual time limits since the system’s implementation on Jan. 1.

“LB442 would duplicate existing oversight of the Medicaid program, growing government unnecessarily,” Lynch said, adding that the Legislature’s standing Health and Human Services Committee and federal oversight are more than sufficient.

Under the bill, the oversight committee would include the chairperson and vice chairperson – or their designees – of the Appropriations and Health and Human Services committees, as well as three senators appointed by the Executive Board.

The committee would study the delivery of services under Medicaid and the Children’s Health Insurance Program and provide a report to a

joint meeting of the Appropriations and Health and Human Services committees annually. The study would include information regarding:

- community outreach efforts;
- a comparison of caseload information;
- actual as compared to projected costs;
- integration and coordination of health care procedures;
- quality of care and health outcomes for individuals receiving services under the managed care system; and
- the availability of information to the public regarding services, including accessibility, expenditures and consumer satisfaction.

The committee would terminate on Dec. 31, 2020, unless reauthorized by the Legislature.

The Executive Board took no immediate action on the bill.



Proposal for convention of the states discussed

The Government, Military and Veterans Affairs Committee discussed a resolution Feb. 1 that would serve as Nebraska’s application for a convention of the states.

Introduced by Crete Sen. Laura Ebke, LR6 calls for a convention of the states, authorized under Article V of the U.S. Constitution. Congress would be compelled to call a convention of the states if a two-thirds



Sen. Laura Ebke

majority – 34 states – pass identical resolutions.

Ebke said the convention’s scope would be limited to proposals imposing fiscal restraints on the federal government, making government smaller and implementing term limits for members of Congress and other elected officials.

She said a simulated convention of the states held in 2016 reassured her that a real convention of the states would produce thoughtful, restrained proposals.

“When you look at the group assembled, we were largely in favor of the process, but we couldn’t agree on the details of what should be sent out,” Ebke said. “If anything actually comes out of a proposed convention, it would be something that resembles a consensus rather than any kind of drastic action.”

The convention would deal only with proposed amendments, which would be sent to the states for ratification. It would require a three-fourths majority – 38 states – to ratify an amendment to the U.S. Constitution.

Mark Meckler, president of Citizens for Self-Governance, supported the measure, saying the federal government controls 65 percent of each state’s budget, on average.

“When polled, 72 percent of Americans think the federal government is too big and does too much,” he said. “We’re asking you to stand in the shoes of the founders, to fulfill the obligation they gave you to restrain the federal government when it exceeds its bounds.”

Plattsmouth resident Steve Riese also testified in support of LR6. He said imposing fiscal restraint on the federal government through a balanced budget constitutional amendment is an issue of national security.

“The runaway [federal] debt is a

significant and even existential threat to our nation,” Riese said. “The relationship between our economy and our security is enormous and complex. The weakening of our nation will not happen at a single point, but here and now through unrestrained spending.”

OpenSky Policy Institute Executive Director Renee Fry opposed the measure. She said federal funds account for nearly 31 percent of the state budget and any limits imposed on that spending could have devastating effects.

“LR6’s fiscal restraints could cause incredible damage to our state and national well-being,” Fry said, adding that a loss of federal funding for programs like K-12 education likely would increase property taxes for Nebraska landowners.

The committee took no immediate action on the resolution.



Newborn health screening updates considered

The Health and Human Services Committee heard combined testimony Feb. 2 on two bills that would change provisions related to infant health screenings in Nebraska.

LB91, sponsored by Omaha Sen. Robert Hilke-
mann, would update the definition of metabolic diseases and define pharmaceutically manufactured foods as those that are chemically synthesized or processed for the treatment of in-born errors in metabolism.



Sen. Robert Hilkemann

The bill also would raise the maxi-

mum fee that can be charged by the state Department of Health and Human Services to administer the newborn screening program. The fee, currently capped at \$10, could be raised to \$20 under the bill.

LB401, also sponsored by Hilke-
mann, would add X-linked adrenoleu-
kodystrophy (X-ALD), mucopolysac-
charidoses type 1 (MPS-1) and Pompe
disease to the list of diseases screened
for by the state’s screening program.

Hilkemann said a federal panel and the Nebraska Newborn Screening Advisory Committee both have recommended adding the diseases to the 29 for which newborns currently are tested. All the diseases have devastating symptoms that can be lessened through early diagnosis and treatment, he said.

“All of the parents who came here today with their children are not here because their children can be cured,” Hilkemann said. “They came here to testify so that other parents don’t have to live with what they have.”

Ashley Springer, a nurse whose 2-year-old daughter has Pompe disease, testified in support of LB401. She said her daughter seemed healthy at birth, but as symptoms developed it was discovered at three months that her heart was the size of that of a 10-year-old. A diagnosis of Pompe followed, Springer said, as did breathing tubes, enzyme treatments, surgeries, feeding tubes, a tracheostomy and a port for IV medication.

“Had we known at birth or shortly after birth that she had Pompe disease, we could have avoided [much of the above],” she said. “She would still have Pompe disease, but we would have had a better understanding from the get-go and could have gotten her help as soon as possible.”

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

Licensed practical nurse changes proposed

The Health and Human Services Committee heard testimony Feb. 3 on a bill that would allow licensed practical nurses (LPNs) to provide intravenous (IV) therapy.

LB283, intro-
duced by Ralston
Sen. Merv Riepe,
also would elimi-
nate the Licensed
Practical Nurse-
Certified (LPN-C)
Practice Act.



Sen. Merv Riepe

Riepe said the goal of the bill is to integrate current LPN-C requirements into the state’s LPN requirements, eliminating the need for a separate practice act for the former. He said LB283 is the result of a scope of practice review – also known as a 407 process – and has been agreed to by all the relevant parties.

LPNs are vital to critical access and long-term care facilities, he said, especially in rural Nebraska. The state’s credentialing requirements should be streamlined to reflect current LPN training, he said.

“I think [the bill] will help across the state with nursing home and hospital workforce issues,” Riepe said. “It’s important that we don’t diminish our skilled labor pool.”

Karen Weidner, testifying on behalf of the Nebraska Board of Nursing, supported the bill. Nebraska is one of only a handful of states to still require a separate credential for IV therapy, she said, and it is no longer necessary.

“There is no reciprocity, so Nebraska duel licensure is an impediment to LPNs coming from other states with IV therapy credentials and skills,” Weidner said. “In addition, as of May 1, 2016, all LPN graduates in Nebraska have completed education and train-

ing in IV therapy skills.”

Testifying on behalf of the Nebraska Nurses Association, Linda Stones also supported the bill. She said any LPN requiring further training to comply with the bill’s provisions has a number of options for acquiring it under LB283.

“LPNs play an important role in providing care and we need their licenses to reflect the care that they are educated to give,” Stones said. “[This bill] will allow LPNs to practice to the fullest extent of their education and training.”

Under the bill, an LPN could provide IV therapy if he or she holds a valid license issued by the state Department of Health and Human Services before May 1, 2016, under the Licensed Practical Nurse-Certified Practice Act as it existed at that time.

An LPN also would qualify if he or she graduated from an approved practical nursing program on or before May 1, 2016, and completes, within five years of the bill’s operative date, an 8-hour didactic course in IV therapy and an approved employer-specific IV therapy skills course.

The bill specifies that an LPN who is not required to provide IV therapy would not be required to complete the therapy skills course.

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



Fee increase proposed for handgun permits

The Judiciary Committee heard testimony Feb. 2 on a bill that would increase the cost of handgun permits.

LB81, introduced by Bellevue

Sen. Carol Blood, would increase the \$5 permit fee to \$25. Blood said the cost and staff time required to process permit applications has increased exponentially since the \$5 fee was first implemented in 1991.



Sen. Carol Blood

“While processing fees for these applications has stayed the same for the last 25 years, the number of permits they have to process has increased over 400 percent,” she said. “A \$5 fee doesn’t come close to covering the costs of processing these permits.”

Sarpy County Sheriff Jeffrey Davis spoke in favor of the bill, saying it takes an enormous amount of time to research and conduct background checks on handgun permit applicants.

“Last year we issued over 3,500 permits, which cost \$80,000 to process,” he said. “Our revenue from handgun permits was just over \$17,000. [LB81] would place the financial burden back on the individuals purchasing permits to use handguns.”

Rod Moeller, representing the Nebraska Firearms Owners Association, opposed the bill. He said the fee increase is too dramatic and instead suggested a \$10 fee.

“We oppose the idea that we need to cover the costs imposed by the government to exercise a natural right,” Moeller said, adding that the permit fee should not be considered a money maker for county governments.

The committee took no immediate action on the bill.

Bill would allow evidence to be heard

Evidence of driving under the influence would be considered admissible in a civil action under a bill discussed by

the Judiciary Committee Feb. 3.

Currently, if a defendant drives under the influence and causes injury or death admits negligence in a civil action, the jury never sees evidence to that fact. The defendant can argue that the evidence is no longer relevant and ask for an unfair prejudice exclusion.

LB84, introduced by Bellevue Sen. Carol Blood, would allow evidence to be admissible for any purpose, notwithstanding such objections. Blood said a jury should know the details of how an accident occurred when reaching a verdict.

“We have an issue that needs to be corrected as a way to slow down the revolving door of offenders that drive while intoxicated,” she said. “When [juries] are not told why the victim has such significant injuries, [they] cannot understand why.”

Michelle Root of Omaha testified in support of the bill. She said her daughter Sarah was killed in an accident caused by a driver who had been drinking and was underage.

“I don’t think [that fact] should be taken away when he’s brought to justice,” she said. “Sarah deserves that and her family deserves that.”

Representing the Nebraska Association of Trial Attorneys, Matt Lathrop also supported the bill, saying it simply would allow juries to make informed decisions when compensating victims.

“We’re not trying to punish drunk drivers,” he said. “We’re just trying to provide all the information to the juries.”

Andrea Snowden, representing the Nebraska Defense Counsel Association, opposed LB84. She said it confuses the criminal and civil justice systems in a way that is not allowed under the Nebraska Constitution.

Punitive action is reserved for criminal law and has no place in a civil action, Snowden said.

“Under the constitution, punishment is reserved for criminal justice, not civil actions,” she said. “Rather than compensating plaintiffs who suffer damages, it would punish those who are defendants in the action.”

The committee took no immediate action on the bill.

REVENUE

State earned income tax credit increase sought

The Revenue Committee heard testimony Feb. 1 on two bills that would increase the amount of a nonrefundable income tax credit for working people with low to moderate incomes.

LB69, introduced by Lincoln Sen. Patty Pansing Brooks, would increase Nebraska’s Earned Income Tax Credit (EITC) from 10 percent of the federal credit to 13 percent in 2019, to 17 percent in 2020 and to 20 percent in 2021.



Sen. Patty Pansing Brooks

Pansing Brooks cited a report released last year by the Legislature’s Intergenerational Poverty Task Force, which found that 18.1 percent of Nebraska families with children under 5 were in poverty. She said the report identified increasing the EITC as one of the most effective ways to lift working families out of poverty.

“Increases in the EITC provide a mechanism to battle poverty while rewarding hard work and families with children – and providing dollars directly back into our economy,” she said.

LB129, introduced by Lincoln Sen. Adam Morfeld, would increase

Nebraska’s EITC from 10 percent of the federal credit to 11 percent in 2018 and to 12 percent in 2019.

Morfeld said the incremental changes would bring Nebraska in line with some neighboring states: Iowa’s EITC is 15 percent of the federal credit and Kansas’ is 17 percent. He said the EITC is an effective anti-poverty tool that encourages low-income people to work.

“Many low-income jobs fail to provide sufficient income on which to live,” Morfeld said. “Refundable, earned income tax credits provide low-income workers with a needed income boost that can help them meet their basic needs and pay for the things that allow them to work, like transportation and child care.”

David Piester, a volunteer for the Center for People in Need, testified in support of the bill. He said the majority of the center’s clients live on about \$1,250 a month and often must work more than one job to make ends meet. He said increasing the credit would help more of Nebraska’s low-income families work their way out of poverty.

“Allowing them to keep more of their earnings will go a long way in keeping them afloat financially,” he said, “potentially raising their standard of living and forestalling bankruptcies.”

Kaitlin Reece, policy coordinator for Voices for Children, said that many low-income families use the EITC to help pay for child care, car repair, rent and groceries. Between 2009 and 2011, she said, Nebraska’s EITC kept nearly 20,000 children out of poverty.

“The investments we make in working families through the EITC put children on a solid path to a prosperous future,” she said.

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

Extension of natural resources district levies proposed

The Revenue Committee heard testimony Feb. 2 on a bill that would extend the cutoff date of certain natural resources districts’ levy authority.

Districts located in fully appropriated or over-appropriated river basins currently may levy a 3-cent tax through fiscal year 2017-18 to pay for groundwater management

and integrated water management projects. LB98, introduced by Sen. Curt Friesen of Henderson, would extend that levy authority through FY2025-26.



Sen. Curt Friesen

Friesen said 10 of the state’s 23 natural resources districts may use the levy; seven districts are using it during FY2016-17. He said extending the levy authority will allow those NRDs, primarily in the Republican River and Platte River basins, to continue water management projects that benefit Nebraska communities.

“Water is an extremely important issue that has to be preserved and protected,” he said. “I look at this as something that we choose to do to protect assets that help us.”

Lyndon Vogt, manager of the Central Platte NRD, testified in support of the bill. He said the levy has allowed five NRDs in the Platte River basin to meet their goal of returning the basin to 1997 water levels by 2019. The second phase, or increment, of the plan probably will require more water reductions, offsets and retiming of flows, Vogt said.

“What will be needed is the funding authority to continue for NRDs to finish out this first increment and begin the second increment,” he said.

No one spoke in opposition to the

bill and the committee took no immediate action on it.

Tax credit requested for employers of apprentices

Nebraska employers could apply for an income tax credit on wages paid to apprentices under a bill heard by the Revenue Committee Feb. 1.

LB174, introduced by Lincoln Sen. Adam Morfeld, would provide non-refundable income tax credits to employers for wages paid to apprentices as part of a qualified apprenticeship training program. The credit would be equal to one dollar for each hour an apprentice worked during the year and would be capped at the lesser of \$2,000 or 50 percent of the apprentice’s wages.



Sen. Adam Morfeld

Morfeld said the bill would help Nebraska attract businesses in manufacturing, construction, information technology and health care that offer living-wage jobs.

“Offering incentives for businesses who provide high-paying apprenticeships is a great way to ensure that Nebraska is work-ready,” he said. “Apprentice training programs ensure a properly trained workforce, which leads to better work outcomes, higher wages and a portable career.”

A qualified apprenticeship training program would be certified by the U.S. Department of Labor and would consist of at least 1,200 hours of on-the-job training. The total amount of credits would be limited to \$2.5 million per year.

Steven Mulcahy, speaking on behalf of the North Central States Regional Council of Carpenters, testified in support of the bill. Many local contractors face a lack of skilled workers, he said.

At the same time, they are hesitant to hire inexperienced workers who have just graduated from high school or are starting a new career after their jobs were outsourced or replaced by new technologies, Mulcahy said.

“LB174 would give contractors an incentive to take the risk in investing in these unskilled workers to give them a start at a new career,” he said.

Josh Goldsberry, a construction apprentice, also testified in support of the bill, saying apprenticeship training has put him on a pathway to a career. He said his program taught him soft skills, such as leadership and managing generational differences, as well as technical skills, such as using software to read digital blueprints.

“The construction didn’t change, but the tools we use did,” Goldsberry said. “Apprenticeship training gave me the knowledge to use those tools.”

Sue Martin, president of the Nebraska State AFL-CIO, also spoke in support of the bill. She said apprenticeship programs help employers develop a skilled workforce, reduce turnover and recruitment costs and increase productivity while providing workers with stable careers and good wages.

“By developing a state-based tax credit for apprenticeship program sponsors,” Martin said, “the benefit would reduce an employer’s investment in apprentice training costs, taking the burden off them and allowing for more employers to use apprenticeship programs.”

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

Tax credit proposed for retailers of ethanol blended fuel

Retailers could receive a tax credit for each gallon they sell of a certain ethanol-gasoline blend under a bill

heard by the Revenue Committee Feb. 3.

Under LB215, introduced by Omaha Sen. Burke Harr, retailers would be eligible for a 5-cent tax credit on each gallon of E-15 sold in the previous year. E-15 is blended gasoline that is 15 percent ethanol by volume.



Sen. Burke Harr

Total credits would be limited to \$1 million per year.

Harr said most consumers do not know what E-15 is or that the EPA has approved the fuel for cars built in 2001 and later. The proposed credit would allow retailers to reduce the price of E-15, he said, making it more attractive to consumers and boosting Nebraska’s ethanol industry.

“Renewable fuels have been a great thing for Nebraska,” Harr said, “and E-15 is the key to continuing the success of the industry.”

Todd Sneller, administrator of the Nebraska Ethanol Board, testified in support of the bill. He said the tax credit would help retailers offset the cost of upgrading their fuel tanks and dispensers to sell E-15, giving drivers more fuel choices at the pump and benefitting Nebraska’s economy.

“Consumers that use this product are using more ethanol produced in the state of Nebraska and less gasoline that comes in from outside of the state,” he said.

Charlie Bosselman, president of Bosselman Enterprises, also spoke in support of the bill. He said his company has spent approximately \$3.5 million on infrastructure upgrades to sell blended ethanol fuels like E-15 at its convenience stores. The 5-cent tax credit would allow the company to sell E-15 for 10 cents less than E-10,

Bosselman said.

“Hopefully, if I did that I could drive more business into my stores, I could pass on better savings to my customers [and] we could pump more ethanol in the state of Nebraska,” he said.

Joe Kohout, representing the American Petroleum Institute, opposed the bill, saying it would provide a government incentive for a product that is not ready for the market. He said the average vehicle in the U.S. is more than 11 years old and is not certified or warranted to run on higher ethanol blend fuels like E-15.

“[E-15] is incompatible with ... the vast majority of the existing gasoline retail distribution system, which would require enormous cost to upgrade,” he said.

Kathy Siefken, executive director of the Nebraska Grocery Industry Association, also spoke against the bill. She said the association’s rural members are smaller businesses that do not have equipment for holding or pumping higher ethanol blend fuels. Demand for such fuels is low, she added.

The committee took no immediate action on the bill.

TRANSPORTATION & TELECOMMUNICATIONS

Aeronautics, Roads merger proposed

The Transportation and Telecommunications Committee heard testimony Jan. 30 on a bill that would create a new, unified transportation department.

Under LB339, introduced by Henderson Sen. Curt Friesen, the state Department of Aeronautics would be merged with the state Department of Roads, effective July 1. The combined agencies would be renamed the Ne-

braska Department of Transportation.

Friesen said the state’s decreasing revenue projections make now a good time to look for ways to cut spending.

“It’s appropriate to look at the opportunities it presents us to find efficiencies and savings,” he said, adding that Nebraska is the only state without a unified department of transportation.

The newly formed department would be administered by the director-state engineer for the state Department of Transportation. This position would be filled by the current director-state engineer for the state Department of Roads.

Kyle Schneweis, state Department of Roads director, supported the bill, saying it would help the department become more efficient. He said the merger represents the state’s general commitment to a more effective and customer-focused government.

“We’re about connecting our communities and providing the means by which Nebraska businesses can move their products to market,” he said. “The merger will help Nebraska take a more strategic long-term approach to our state’s transportation needs.”

State Department of Aeronautics Director Ronnie Mitchell also testified in support of the bill. He said LB339 would result in annual savings of more than \$93,000.

“[The bill] would benefit the Department of Aeronautics through resources, talent-sharing and collaboration,” Mitchell said. “We anticipate additional efficiencies and improved delivery of services to Nebraska airports, with no jobs lost.”

Representing the Aircraft Owners and Pilots Association, Jared Esselman



Sen. Curt Friesen

opposed the bill. He said his organization supports the concepts behind LB339, but had concerns regarding the continued funding of aviation in Nebraska.

“We know that the federal government mandates the use of airport revenue and we’re okay with that,” he said. “Our pilots just want to know that their aeronautics funding is going to remain intact.”

The committee took no immediate action on the bill.

Elimination of school bus permits proposed

A bill that would streamline the licensing process for school bus operators was heard by the Transportation and Telecommunications Committee Jan. 31.

LB347, introduced by Lincoln Sen. Suzanne Geist, would eliminate the school bus permit and its associated fees for any person operating a school bus carrying 16 or more passengers. Geist said the bill is part of a larger effort to eliminate unnecessary occupational licensing.



Sen. Suzanne Geist

In addition to securing a commercial driver license, school bus operators still would be accountable to state Department of Education requirements, including a criminal background check, drug and alcohol testing, specialized training and an annual physical exam.

Rhonda Lahm, state Department of Motor Vehicles (DMV) director, testified in support of the bill. She said Nebraska currently is the only state that requires a school bus permit.

“According to a 2015 study by the White House, 25 percent of profes-

sions in Nebraska require an occupational license,” she said.

“The current process is a duplicative process that puts an extra burden on school bus drivers and the DMV,” Lahm said, adding that licensure disproportionately affects lower income professions.

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

Two-person crews requested for freight trains

Members of the Transportation and Telecommunications Committee heard testimony Jan. 31 on a bill that would improve safety for freight train crews.

LB404, introduced by North Platte Sen. Mike Groene, would require a crew of at least two people on each train or light engine used in the movement of freight. Groene said the bill would improve safety for train crews as well as the general public.



Sen. Mike Groene

“In cases of emergency or mechanical issues, another crew member should be required in order to prevent accidents,” he said, “especially when one member of the crew may be impaired or unable to detect issues which may lead to accidents.”

Violation of this requirement would result in a fine of no less than \$100. Additional, graduated fines would be levied for subsequent violations committed within three years of the initial violation.

The Public Service Commission would enforce the two-person requirement, directing any collected fines for distribution to the counties for use by public school districts.

North Platte locomotive engineer Joe Meuser testified in support of the bill. He said having a second person on the train provides a second set of eyes to look for potential safety hazards.

“I’m sure at some point you’ll hear the railroad tell you that technology has made it possible to operate a train safely with one person,” he said. “It is possible – it’s just not safe. It is essential that the primary concern remain the continued safe operation of every train.”

Kevin Potthoff of McCook also supported the bill, saying that many trains carry hazardous materials near water sources, schools and homes.

“When we went from crews of five people to two people, the change was dramatic,” Potthoff said. “I cannot fathom what it will be like to go down to a one-person crew.”

Representing BNSF Railway, Jeff Davis opposed LB404. He said scientific studies have shown improved technology, not a second crew member, makes a train safer.

“We’ll keep operating trains with two-person crews for the foreseeable future, but I can’t predict what will happen in 15 years,” he said. “All I ask is that we’re able to work with our employees in implementing new technology to make railroading safer.”

The committee took no immediate action on the bill.

New mowing restriction requested

Members of the Transportation and Telecommunications Committee heard testimony Jan. 30 on a bill that would help encourage wildlife habitat growth and fight soil erosion.

LB584, introduced by Henderson Sen. Curt Friesen, would prohibit counties and townships from mowing ditches before July 1 each year. Friesen said this would reduce fuel and labor

costs for the counties and townships as well as benefit local ecosystems.

“[The bill] would hopefully encourage the growth of habitat for upland birds, pollinators and song birds, help reduce soil erosion and create bioswale buffers, helping reduce silt and pollution runoff water,” he said.

The bill would not prohibit private landowners from mowing roadside vegetation on road shoulders, intersections or entrances.

Representing Pheasants Forever Nebraska, Jerry McDonald supported the bill. He said it would go a long way toward improving nesting habitats for pheasants and other game birds.

“Our roadsides provide the right combination for abundant food and cover for birds and mammals,” he said, adding that a more robust game bird population will translate into more money spent by hunters.

Duane Hovorka, executive director of the Nebraska Wildlife Federation, also supported LB584, saying multiple species of grassland birds currently are in decline.

“We’re trying to retain the habitat of those birds so we can keep them off the endangered species list,” he said. “Roadside mowing isn’t going to solve all our problems but it will help if we can do it in a more reasonable and wildlife-friendly way.”

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

URBAN AFFAIRS

Vacant property registration proposed

A bill intended to address the problem of vacant properties was considered Jan. 31 by the Urban Affairs

Committee.

Albion Sen. Tom Briese, sponsor of LB256, said the bill would provide communities an additional tool to address problem



Sen. Tom Briese

properties and housing shortages. Existing nuisance ordinances have limited application for vacant properties, he said, which can hinder economic growth and are a concern for many small communities.

“The purpose of LB256 is to promote the health, safety and welfare of Nebraska by giving communities statutory authority to enact vacant property registration ordinances,” Briese said.

Under the bill, a municipality could adopt an ordinance that would allow it to identify and register vacant properties, collect fees, plan for rehabilitation of vacant properties and encourage occupancy. The registry could apply to commercial or residential property.

If adopted, a vacant property registration ordinance would require registration of a property vacant for 180 days or longer. An initial registration fee of no more than \$250 for a residential property and \$1,000 for a commercial property would be assessed. Supplemental fees would be allowed and exemptions to the fee requirement could be provided.

Unpaid registration fees and fines would become a lien on the applicable property upon notice to the county.

Briese said he would be offering an amendment to exempt primary and metropolitan class cities from the bill’s provisions to accommodate stakeholder’s concerns.

Greg Ptacek, economic development director for the city of Neligh, testified in support of the bill. Approximately 10 percent of Neligh’s

housing stock currently sits vacant, he said, which creates a housing crunch in the small community. The fees and fines associated with a vacant property ordinance could provide a necessary financial incentive to property owners in Neligh and other municipalities across the state, he said.

“If we were to take 5 percent of those houses and put them back on the market ... we would have about 4,000 [more] homes in Nebraska,” Ptacek said.

Lynn Rex of the League of Nebraska Municipalities also testified in support of the bill and the proposed amendment. As amended, she said, the bill would exempt Lincoln and Omaha, which already have programs in place to address vacant properties.

In addition, she said, the bill would – without creating a mandate – give small and medium-sized communities more ways to encourage owners of problem properties to cooperate with

city government and find solutions.

“Financial pressure does work when you’re trying to deal with vacant properties,” Rex said.

Ward Hoppe, testifying on behalf of the Nebraska Realtors Association, opposed the bill, which he said is unnecessary and goes too far. LB256 would not address affordable housing concerns, he said, but instead would create a fining system that likely would lead to the confiscation of property.

In addition, he said, the bill does not require exemptions for property that is used sporadically, such as for hunting seasons.

“The issues that are raised by the definitions of vacant property within the bill are all issues that can be dealt with by municipalities under the existing structure of nuisance laws and authority,” he said.

The committee took no immediate action on the bill. ■

LIVE COVERAGE OF THE LEGISLATURE OFFERED FOR SMARTPHONES

The Nebraska Capitol Live app allows users of both Android and Apple products to stream all coverage of the Unicameral from bill introduction to final reading.

Provided by the State of Nebraska and Nebraska Educational Telecommunications (NET), the app is free and available from the Apple app store, iTunes and the Google Play store. It also provides live coverage of other state entities, including the Nebraska Supreme Court and the governor’s hearing room.

Additionally, NET Television continues to provide coverage from the Legislature via live broadcasts on NET2 World and its website at netNebraska.org.



COMMITTEE HEARINGS

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

Monday, February 6

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

LB220 (Harr) Adopt the Insured Homeowners Protection Act
LB406 (Kolterman) Change provisions relating to notice of cancellation, nonrenewal, or nonpayment of a premium for automobile liability policies
LB384 (Lindstrom) Change the rate of interest to be charged on installment loans under the Nebraska Installment Loan Act
LB476 (Hilgers) Change provisions relating to domestication of foreign corporations and the effect on original incorporation dates

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

General Affairs

Room 1510 - 1:30 p.m.

LB631 (Larson) Change the Nebraska Pickle Card Lottery Act and authorize methods of payment for participation in certain gaming activities as prescribed
LB470 (Larson) Change provisions of the Nebraska County and City Lottery Act relating to the manner of play of keno, use of electronic tickets, and authorized methods of payment

LB541 (Quick) Change provisions of the Nebraska Lottery and Raffle Act relating to gross proceeds restrictions, special permits, and prize percentages

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

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB257 (Craighead) Provide for a statute of limitations under the Nebraska Real Estate License Act
LB549 (Lindstrom) Eliminate requirement under the Nebraska Real Estate License Act that broker trust accounts be non-interest-bearing
LB208 (Lindstrom) Change provisions relating to broker trust accounts under the Nebraska Real Estate License Act

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

COMMITTEE HEARINGS

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

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

Appointment: Glidden, Mitch; Dixon, Roger; Moody, Tony; Schlegel, Carol - Nebraska Tourism Commission
Appointment: Shanahan, Mary - State Personnel Board

LB222 (Stinner) Change membership and provide, change, and eliminate powers and duties of the Nebraska Tourism Commission
LB655 (Murante) Authorize state employees to volunteer at public schools and certain nonprofit organizations

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

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Gard, Randy - Nebraska 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

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB280 (Crawford) Change provisions relating to the Address Confidentiality Act
LB661 (Kuehn) Provide for confidentiality of information relating to performing a lethal injection

Health & Human Services

Room 1510 - 1:30 p.m.

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
LB628 (Larson) Prohibit ordinances and resolutions prohibiting certain short-term rentals of residential property

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 & 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.

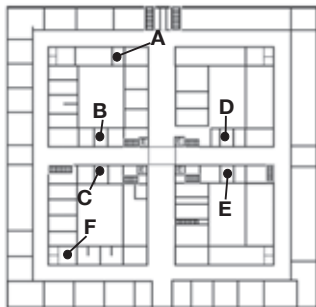
LB121 (Brewer) Change provisions relating to the taxation of military benefits
LB169 (Wayne) Exempt social security benefits and retirement income from income taxation
LB453 (Lindstrom) Change provisions relating to income tax adjustments for social security benefits ■

PUBLIC HEARINGS

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

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

FIRST FLOOR




SECOND FLOOR



* Hearing rooms labeled by letter – see chart at right

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



TESTIMONY SUGGESTIONS

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

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Members of the Nebraska Veterans Council were recognized by the Legislature as they observed debate from the balcony of the Norris Chamber Feb. 3.