

## Solitary confinement process questioned

Members of the Judiciary Committee heard testimony March 22 on a bill that would make several changes to state Department of Correctional Services procedures for inmates in solitary confinement.

LB560, introduced by Columbus Sen. Paul Schumacher, would prevent the department from placing a member of a vulnerable population in restrictive housing. Vulnerable populations would include any inmate who is 18 years of age or younger, pregnant or diagnosed with a serious mental illness.



Sen. Paul Schumacher

These inmates could be temporarily placed in immediate segregation to protect staff, other inmates or inmates awaiting classification as a vulnerable population member.

Schumacher said Nebraska has disproportionately high solitary confinement rates compared with other states. It is only a matter of time before the department's consideration of inmates' civil rights is challenged in court, he said.

"We've been down this road several times and we know where we're at," he said. "[We need to] step up and try to do what we can to avert an inevitable legal challenge because we are not doing what we should to address this issue."

The bill also would establish a

(continued page 2)

## Delayed child care rate adjustment advanced

Lawmakers gave first-round approval March 22 to a bill that would delay rate changes for child care subsidy providers.

The Child Care and Development Fund Market Rate Survey is required by the federal government. Current state law requires the state Department of Health and Human Services (DHHS) to adjust the rates paid to child care subsidy providers every other year based on the survey.

LB335, introduced by Ralston Sen. Merv Riepe at the request of the governor, would eliminate implementation of any rate changes in 2017.

Riepe said the proposal is an important modification to the state's budget in light of a projected shortfall. The bill would result in a "cost avoidance" of approximately \$7.4 million in fiscal year 2017-18 and \$1.8 million in FY2018-19, he said, when rates otherwise would be adjusted based on current law.

"LB335 is the first opportunity for this body to discuss modifications to the budget before we discuss the actual budget," Riepe said.

Omaha Sen. Bob Krist offered an amendment that - for the next two fiscal years - would prohibit the provider



Sen. Merv Riepe said delaying the rate adjustment would not harm vulnerable children and is an important component in balancing the state's budget.

rate from falling below the 50th percentile, or the rate for the immediately preceding fiscal year. Currently, the rate that child care subsidy providers receive must be between 60 and 75 percent of the market rate.

Krist said it is important to retain a floor in regard to how low provider rates are allowed to drop. Providers need to know the minimum that they are going to be paid, he said.

"How would it be if you didn't know how much money you had to deal with going into your next year?" Krist said. "I'm trying to protect those providers that are out there in this very critical area."

(continued page 3)

# Solitary confinement process questioned

(continued from front page)

procedure for an inmate to seek judicial review of his or her solitary confinement after spending at least 90 days confined in a calendar year. The review would be conducted in district court in the county where the correctional facility is located.

Finally, the bill would redefine solitary confinement to include at least two hours of outside-of-cell activity. Currently, only one hour is required.

State Ombudsman Marshall Lux testified in support of the bill. He said the department currently has full discretion regarding which inmates are placed in restrictive housing. Progress has been made by the department, Lux said, but the goal of reforming the system's handling of solitary confinement remains unmet.

"Our office has been struggling for many years to encourage the Department of Correctional Services to reform its practices with regard to the use of solitary confinement," he said. "Absolute discretion often leads to arbitrary decision making and questionable results."

Scott Frakes, director of the De-

partment of Correctional Services, opposed the bill. He said the ability to place inmates in restrictive housing is a vital tool to protect the safety of correctional staff and inmates. Not enough time has passed, Frakes said, for the benefits of reforms approved in 2015 to come to fruition.

"I have serious concerns about

the provisions of the bill and my ability to safely manage our correctional facilities [if it were passed]," he said. "I must have the ability to place an individual that presents a significant risk in segregated housing so that I can assess that risk."

The committee took no immediate action on the bill. ■

## COMMITTEE HEARINGS

\*Current hearing schedules are always available at:  
[NebraskaLegislature.gov/calendar](http://NebraskaLegislature.gov/calendar)

### **Tuesday, March 28**

**Revenue**  
**Room 2102 - 1:30 p.m.**  
AM707 to LB233

### **Friday, March 31**

**Nebraska Retirement Systems**  
**Room 1525 - 8:00 a.m.**

Appointment: DeFusco, Richard - Neb. Investment Council

- Presentation of the Neb. Investment Council Annual Report to the Nebraska Retirement Systems Committee pursuant to §72-1243(2)
- Presentation of the Neb. Public Employees Retirement Systems Annual Report to the Nebraska Retirement Systems Committee pursuant to §84-1503(3) ■

## UNICAMERAL UPDATE

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# Delayed child care rate adjustment advanced

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Omaha Sen. John McCollister supported the amendment, saying it is imperative not to let provider rates drop too low in order to ensure quality child care for subsidy recipients. The subsidy is an essential support for low-income parents as they attempt to get off of public assistance, he said.

“Maybe this is the only thing we can do at this point, but we need to recognize our commitment to these children in Nebraska,” McCollister said. “It’s either pay me now or pay me later, and we’ve often been shortsighted in our view and lived to regret it.”

Sen. Sara Howard of Omaha also supported the amendment, but opposed the underlying bill. She said that the federal government will issue new regulations Oct. 1, 2018, which will require that every child who is eligible for the subsidy be able to access a child care provider that will accept that subsidy.

If providers stop participating in the subsidy program due to low rates,

the state could be out of compliance, she said, which would result in the return of \$30 million in federal funding.

“I hate the idea of robbing Peter to pay Paul,” Howard said. “Maybe it will be ok - but when \$30 million is on the line, maybe is hard to go on.”

Seward Sen. Mark Kolterman spoke in favor of the bill and said he supported the concept of the amendment. He acknowledged that subsidy provider rates have not kept up with market rates over the years, but said the state’s tight budget situation requires holding rates steady.

“Nobody wants to do this, but it’s a necessity,” Kolterman said.

The Krist amendment was adopted on a vote of 27-14.

Sen. Ernie Chambers of Omaha then offered a motion to indefinitely postpone the bill. The amount of money it would save is inconsequential in relation to the state’s projected budget deficit, he said, but the harm caused could be devastating to those

who rely on the child care subsidy.

“This little piece of money that you’re going to get by cutting this program can be found somewhere else,” he said. “There are actual people affected by the legislation that we enact.”

Lincoln Sen. Mike Hilgers opposed the motion, saying killing the bill would tie the Legislature’s hands. The child care subsidy is important for working families, he said, but senators need to keep all options open for potential budget adjustments. Without the bill, lawmakers would not have a means of addressing provider rates at all, he said.

“At some point, this body will be faced with the challenge of having to weigh the various priorities [of state government],” he said, noting that the Appropriations Committee budget proposal will be up for consideration in the coming weeks.

The Chambers motion failed on a vote of 3-34 and LB335 advanced to select file 31-10. ■

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# MEET THE SENATOR

## Vargas brings drive, vision to Capitol

If there is one thing Sen. Tony Vargas does not want to do, it's disappoint his mother, Lidia. As a first-generation son of Peruvian immigrants, he knows that she is proud of his many achievements – but also knows that she doesn't want him to rest on his laurels.

Being elected to public office is one thing, but Vargas said he knows that his mother would be incredibly disappointed if he was not giving his all to his constituents or had forgotten where he comes from.

Not to worry: slacking is one thing the young senator is not built for.

A former public school teacher in Brooklyn, New York, Vargas was in the first generation of his family to go to college. His father Virgilio and his mother worked tirelessly to help their three sons achieve their dreams. Oldest son Gene served in the U.S. Navy and Charles also is a public school teacher.

“What I loved most about teaching is that I was serving kids in the same community where I grew up,” Vargas said. “So, I felt like I had come full circle. Their parents reminded me of my parents, who sacrificed so much for their kids.”

If not for crossing paths with yet another school teacher, he likely still would be in New York state, where he was born and earned his bachelor's and master's degrees.

Vargas met Lauren Micek, whose family is from Nebraska, when she was teaching special education in New York and he was working on education policy. Having been

to Omaha many times while the couple was dating, Vargas knew that he could make a home here. So, when Lauren decided to attend law school at Creighton University, a new chapter in their lives began.

A new chapter that initially lacked decent bagels and late night pizza slices.

“Thankfully, my Omaha neighborhood is incredibly diverse – racially, ethnically and culturally,” he said. “We're lucky to have a bustling art and music scene and many great restaurants.”

Readily embraced by his new home, Vargas was appointed to the Omaha Public School Board a year after moving to Nebraska. It was his first time in public office and, as satisfying as the work was, it sparked a desire to do more.

Kids need role models, Vargas said, especially under-represented groups. Having seen no Latinos or recent immigrants serving in the state Legislature, he saw a gap in perspective that he could fill.

Vargas plans on spending his time in Lincoln making sure that people in his district and across the state have access to education, employment and opportunity. He sees his teaching experience as vital training for that role.

“One thing I learned as a teacher is that relationships matter a tremendous amount,” he said. “In order to achieve our mutual goals, I had to build strong partnerships with my students and I think the same principle applies at the Legislature with my colleagues.” ■

A basketball player since high school, Sen. Tony Vargas joins a youth game at the South Omaha YMCA.



**BANKING, COMMERCE  
& INSURANCE**



**Comprehensive banking law updates adopted**

A comprehensive update of Nebraska's banking laws was approved March 23.

Introduced by Gothenburg Sen. Matt Williams, LB140, makes a number of changes to the laws that govern the state's banking industry.



Sen. Matt Williams

Among other provisions, the bill:

- allows a minor to open and maintain a safe deposit box;
- allows electronic filing of bank fidelity bonds with the state Department of Banking;
- requires banks that employ a mortgage loan originator to register that employee with the Nationwide Mortgage Licensing System;
- allows 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;
- authorizes 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;
- prohibits bank-affiliated individuals from being paid a higher rate of interest on deposits than paid by the bank for similar deposits and provides that a violation is a Class IV felony; and
- allows a bank, in a state of emergency, to open a temporary

office to conduct business for up to 30 months, or allows a mobile branch to serve as a temporary emergency branch office.

The bill also repeals obsolete sections of the state's banking laws and includes provisions of three additional bills:

- LB196, introduced by Omaha Sen.

Joni Craighead, which provides an annual update of statutory reference dates to align state financial institutions with their federal counterparts;



Sen. Joni Craighead

- LB454, introduced by Omaha Sen. Brett Lindstrom,

which allows credit unions in Nebraska to opt out of licensing of its executive



Sen. Brett Lindstrom

officers by the state Department of Banking and Finance; and

- LB341, also introduced by Lindstrom, which clarifies provisions relating to the license suspension or revocation of an executive officer who is acting in an unsafe or unauthorized manner or endangering the interests of stockholders or depositors.

LB140 passed on a 48-0 vote.

**Security law updates advanced**

A bill that would make updates to security law advanced from general file March 21.

LB148, sponsored by Columbus Sen. Paul Schumacher, is based on recommendations from an interim study in 2016 and would make numer-

ous changes to the Nebraska Securities Act.

Schumacher said state law regulating securities – which regulate how businesses



Sen. Paul Schumacher

raise money through stock sales – has not been systematically updated since 1965. Stakeholders met monthly in order to work on the proposal, he said, with a goal of reducing regulatory complexity, encouraging capital formation and enhancing investor protections.

“[This bill] is an update of our security laws and hopefully it will take us into the future in a way that is consistent with the needs of business and also the revised federal laws that have happened over the years,” Schumacher said.

Current law excludes from the securities act individuals with no place of business in the state who effect transactions exclusively with other broker-dealers, specified types of financial institutions and other institutional buyers. The bill would add credit unions to the list of entities to which sales could be made without triggering registration requirements.

Among numerous technical changes and updates, the bill also would:

- update references to federal securities acts and regulations;
- authorize the director of the state Department of Banking and Finance to issue a notice of abandonment if an applicant for registration fails to respond to a notice within 100 days; and
- authorize the department to deny, suspend or revoke the registration of a broker-dealer, issuer-dealer, agent, investment adviser or investment advisor representative if the director finds that such person meets any one of 12 listed criteria.

Schumacher offered an amendment, adopted 41-0, that added provisions of LB187. The provisions would increase from \$250,000 to \$750,000 the cap on proceeds from all sales of securities by an issuer under a registration exemption for small offerings.

The amendment would allow the department to increase the amount in the future, which Schumacher said would remove the need for the Legislature to take up the issue on a regular basis due to inflation.

The amendment also would specify that a security issued through an exempted transaction would not be considered a security for purposes of determining professional malpractice insurance premiums.

“Hopefully, this will encourage our professionals in accounting and law and finance – particularly in rural Nebraska – not to shy away from starting and helping to start businesses using a small issuance of equity credit,” Schumacher said.

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



### State claims bill considered

The Business and Labor Committee heard testimony March 20 on a bill that would authorize payment of claims against the state of Nebraska.

If a person sues the state, he or she files with the state claims board. Approved claims exceeding \$50,000 must be reviewed by the Legislature.

LB171, introduced by Thurston Sen. Joni Albrecht, would approve ap-



Sen. Joni Albrecht

proximately \$294,000 in tort claims and a \$395,000 miscellaneous claim. The miscellaneous claim would cover the constitutionally and statutorily required publishing of legal notices in newspapers across the state regarding the death penalty ballot measure voted on in the 2016 general election.

Among the tort claims included in the bill is \$103,000 for an accident that occurred Feb. 4, 2016, when a state employee operating a truck collided with a vehicle. In addition, three separate accidents involving Nebraska state troopers are included in the bill, with claims totaling approximately \$275,000.

Kyle Schneweis of the Nebraska Department of Roads testified in regard to the bill. He said the department expects an amendment that would include an approximately \$2 million claim from a 2014 accident in Stanton County that left three people dead. The department was replacing and repairing stop signs and had omitted placing a stop sign at an intersection, resulting in the crash.

“We’re all very disappointed in this particular incident and we consider it to be a tragedy,” Schneweis said.

The bill also includes approximately \$937,000 in agency write-offs for fiscal year 2016-17. That amount includes \$792,000 in uncollectible debts from the state Department of Health and Human Services (DHHS).

DHHS attorney David McManaman, testifying in regard to the bill, said the majority of the cases involve individuals who were overpaid needs-based public benefits, which the state was unable to collect due to death, bankruptcy or a claim had exceeded the statute of limitations.

“With many of our clients – because they are in need of assistance – once the debt is out there, it’s going to be difficult to collect without

taking out of one hand while at the same time providing assistance with the other,” he said.

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

### Grants to address rural housing shortage advanced

Lawmakers gave first-round approval March 22 to a bill that would provide grant funds to communities looking to address workforce housing shortages.

Under LB518, introduced by Gothenburg Sen. Matt Williams, rural communities in counties of fewer than 100,000 people could apply for grant funds to build workforce housing. The grants would be funded by a one-time transfer of \$12 million from the Affordable Housing Trust Fund by July 1, 2017, followed by a transfer of \$1 million in both 2018 and 2019.



Sen. Matt Williams

Williams said the state enjoys a nationally recognized business climate, low rates of unemployment and a high quality of life. Despite having a high number of job vacancies, recruiting potential employees to rural Nebraska often is thwarted by a lack of affordable, quality housing, he said.

“We don’t have the same number of housing developers in rural Nebraska compared with our neighbors in Lincoln and Omaha,” Williams said. “[LB518] is designed to help communities fill job openings by expanding housing opportunities that potential employees desire.”

A Business and Labor Committee amendment, adopted 37-0, replaced the bill. It defined workforce housing as an owner-occupied home that costs

no more than \$275,000 to construct or a rental housing unit that cost no more than \$200,000 to construct.

Grants would be available to non-profit development organizations in eligible communities. The maximum amount awarded could not exceed \$1 million to any one organization over a two-year period and no more than \$2 million through fiscal year 2020-21. Eligible applicants would provide one-to-one matching funds to be considered for a grant.

Priority would be given to communities that have demonstrated an ongoing need for housing through a housing study, a low unemployment rate, difficulty filling vacancies, a demonstrated commitment to growing their housing markets and potential projects that could be ready for occupancy within two years.

The amended bill would create the Rural Workforce Investment Fund, which would be funded by a one-time transfer of \$10 million from the Affordable Housing Trust Fund, a reduction of \$2 million from the original bill's proposed \$12 million transfer.

Lincoln Sen. Kate Bolz introduced an amendment to further reduce the one-time transfer to \$7 million. She said a number of projects that would have been funded by Affordable Housing Trust Fund grants were declined due to a lack of available funds.

"This amendment recognizes that some of the dollars that are contemplated in LB518 should reasonably be sent back to the Affordable Housing Trust Fund to recognize there were unfunded projects," she said.

Columbus Sen. Paul Schumacher supported the bill, but said the state must take a more proactive, creative approach to addressing workforce shortages in the future.

"Overall, the success of rural Nebraska — and maybe also the success

of Nebraska as a whole — is going to depend on a lot more creativity and acceptance of the future than what we've been doing so far," he said.

Following the 38-0 adoption of the Bolz amendment, senators advanced the bill to select file on a 41-0 vote.

## EDUCATION

### Protection for teachers' religious rights passed

Lawmakers passed a bill March 23 that protects the right of a public school teacher to wear religious dress or garb in the classroom.

LB62, introduced by Norfolk Sen. Jim Scheer, repeals a law prohibiting public school teachers from wearing religious garments at school. School boards currently are required to suspend for one year any teacher in violation of the laws and termination of employment is required after a second violation.

The bill passed 39-5.



Sen. Jim Scheer

### Civics education bills proposed

The Education Committee heard testimony March 20 on two bills intended to ensure that Nebraskans graduate high school with basic civic knowledge and skills.

As introduced by Sen. Lydia Brasch of Bancroft, LB155 would require Nebraska high school students to answer correctly 70 percent of the questions on



Sen. Lydia Brasch

the civics portion of the naturalization test used by the U.S. Bureau of Citizenship and Immigration Services as a prerequisite to graduating. Brasch brought an amendment to the hearing that would limit the requirement to public schools.

If immigrants are expected to learn the content on the exam before becoming citizens, Brasch said, then citizens who are born and educated here should learn it too.

"My hope is that if this bill becomes law, it will raise a greater awareness of the need for all citizens to have at least some basic knowledge of our government," she said. "Otherwise how can they be an informed voter or at the very least an informed citizen who knows their rights under our laws?"

Nancy Carr of Lincoln testified in support of the bill, saying that the exam would highlight what students do not know about American history and government, helping teachers focus on those areas. She said all American students should be required to know their rights and responsibilities under the Constitution.

"I fear that the majority of students at this point would not be able to pass even that very elementary exam," Carr said.

Testifying in opposition to the bill was John Bonaiuto of the Nebraska Association of School Boards. He said Nebraska's social studies standards already are designed to teach students to become patriots who have an intellectual understanding of the country's founding principles.

"There is nothing wrong with this test," Bonaiuto said, "but it really should be handled through the state board and through social studies standards."

LB14, as introduced by Omaha Sen. Bob Krist, also would have required passing the civics portion of the Bureau

of Citizenship and Immigration Services naturalization exam as a prerequisite to graduation. Krist brought an amendment to the hearing that instead would require the school board in each district to create a committee on American Civic Competence and Engagement, currently named the committee on Americanism.



Sen. Bob Krist

Each new committee would ensure that the district's social studies curriculum teaches and assesses foundational knowledge in civics, history, economics and geography. The naturalization exam would be included in those assessments, but passing it would not be a prerequisite to graduation.

Krist said the bill would update the state's McCarthy-era Americanism statutes to reflect modern social studies standards. LB14 maintains local school districts' control over curriculum while creating a baseline for civics education that would provide students the fundamental knowledge they need to become well-informed, engaged citizens, he said.

"Students who have a strong foundation in the democratic values of America's history are in turn well-positioned to contribute to society," Krist said.

Barry Thomas, president of the Nebraska State Council for Social Studies, testified in support of the bill as amended. Foundational knowledge — assessed on the immigration and naturalization exam — is important, Thomas said, but social studies curriculum also should ensure that students can apply that knowledge. LB14 would require social studies curriculum to include the discussion of current events and controversial issues, service learning and simulations

of democratic processes, among other activities, he said.

"It's not just knowing the information — it's being able to communicate what you understand about the information," Thomas said.

Maxwell Smith, a freshman at Southeast High School in Lincoln, testified in opposition to the bill, saying that it would weaken current Americanism laws.

"We're being taught globalist ideas, and we're not being taught about America," he said. "We're not being taught about the importance of why our country became what it was."

The committee took no immediate action on the bills.



**Bill passed to require payment of penalties before candidacy**

The resolution of civil sanctions will be required of candidates for public office under a bill passed by lawmakers March 23.

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



Sen. Carol Blood

A candidate with outstanding civil penalties can file for office if they have appealed the penalty and filed a surety bond in favor of the state, pending the appeal.

Candidates will be required to certify on the filing form that they

have complied with the civil penalty provisions contained within LB85.

Finally, the NADC will 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 can request additional updates to the list as needed.

The bill passed on a 48-0 vote.

**Consolidation of veterans' services advanced**

Lawmakers advanced a bill March 23 that would consolidate veterans' services in Nebraska.

LB340, introduced by Gretna Sen. John Murante on behalf of the governor, would transfer all programs, services and duties of the state Department of Health and Human Services (DHHS) Division of Veterans' Homes to the state Department of Veterans' Affairs, effective July 1, 2017.



Sen. John Murante

The bill also would create the Department of Veterans' Affairs Cash Fund to receive all money paid to the state by members of the Nebraska veterans' homes. Division employees would be considered employees of the Department of Veterans' Affairs after the transition and retain their rights and service under the state personnel system.

Murante said the transfer would increase service efficiency and result in better care at the state's four veterans' homes, which provide skilled care and assisted living services. DHHS is a large organization with diverse goals and priorities, he said, while the department focuses only on veterans' issues.

"[This bill] works toward our com-



mon, shared goal of continuing to find ways to better serve Nebraska's veterans," Murante said. "After our veterans have sacrificed so much for our country, it is the least we can do to assure that we serve them to the best of our ability."

Gordon Sen. Tom Brewer supported the bill, saying the transfer would save the state millions while continuing to provide veterans with high quality care.

"This is serving our veterans and protecting our taxpayers," Brewer said. "This is real reform."

Following the 33-0 adoption of a technical amendment brought by Murante, LB340 advanced to select file on a 39-0 vote.

### Holiday proposed to recognize indigenous leaders

The Government, Military and Veterans Affairs Committee heard testimony March 23 on a bill that would create a new state holiday honoring indigenous leaders.

Sponsored by Sen. Patty Pansing Brooks of Lincoln, LB485 would establish Standing Bear and Indigenous Leaders' Day to honor Standing Bear and other notable indigenous leaders, including Chief Blackbird, Chief Little Priest and Big Eagle.

As introduced, the bill would have replaced Columbus Day with Standing Bear and Indigenous Leaders' Day. Pansing Brooks brought an amendment to the hearing that would celebrate both state holidays on the same day.

"This compromise will allow those who want to continue to recognize

Columbus to do so just as before," she said, "but it will also allow those who want to recognize and celebrate our very own Standing Bear and other leaders as a better reflection of our values and history to be able to do so."

Standing Bear, chief of the Ponca tribe, successfully argued in United States District Court in 1879 that Native Americans are persons under the law. Pansing Brooks said the new holiday would celebrate his story and those of other Native American leaders.

"This day will be something uniquely Nebraskan," she said. "It will help instill in every citizen a greater understanding of our history, our culture and our common humanity and will further our state's motto of equality before the law."

Larry Wright Jr., chairman of the Ponca Tribe of Nebraska, testified in support of the bill. He said Nebraska's story cannot fully be told without including the history of the Ponca Nation and of Standing Bear, one of the nation's earliest civil rights figures.

"Recognizing and honoring the determination, bravery and spirit of the Ponca tribe and other Native American tribes within the state ensures that stories like that of Standing Bear and others who have come before us will not be forgotten."

Judi gaiashkibos, executive director of the Nebraska Commission on Indian Affairs and a member of the Ponca Tribe of Nebraska, also spoke in support of the bill as amended. She said some tribal constituents are unhappy with having to share a holiday with Columbus Day after centuries of sharing the continent with European and other immigrants, often by force.

However, gaiashkibos said, the compromise allows Nebraskans to celebrate the story of Columbus and European migration while at the same time recognizing the people who were here first.

"We can use this shared holiday that — as awkward as it might seem and despite our lingering differences and animosities — can represent our ability to grow beyond what we were," she said. "Despite our many differences, we are much more the same, as was so eloquently stated by Chief Standing Bear: Our blood is the same. The same God made us."

Testifying in opposition to the bill was George Matuella, representing the Nebraska chapter of the Sons of Italy in America. He said Standing Bear and other indigenous leaders deserve to be recognized by a state holiday but that sharing it with Columbus Day would diminish the sailor's accomplishments.

"I'm not comfortable with a shared day — I think [Standing Bear] ought to have his own day," Matuella said. "Why share it with somebody else who [Native Americans] really don't care for?"

The committee took no immediate action on the bill.



Sen. Patty Pansing Brooks



### Dental assistant licensure approved

Nebraska dental assistants have the option of becoming licensed under a bill given final approval March 23.

Introduced by Seward Sen. Mark Kolterman, LB18 creates a new category of licensed dental assistant. Licensure is optional under the bill, which also creates the position of expanded function dental assistant.



Sen. Mark Kolterman

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 are required.

Under the indirect supervision of a licensed dentist, a licensed dental assistant is authorized 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 provides the option for credentialing in expanded duties for licensed dental assistants, dental hygienists and public health hygienists.

The bill passed on a 46-0 vote and becomes operative Jan. 1, 2018.

### Acupuncture referral requirement removed

Lawmakers passed a bill March 23 removing a requirement that an individual receive a letter of referral from a medical practitioner before seeking services from a licensed acupuncturist.

Under LB19, introduced by Seward Sen. Mark Kolterman, a licensed acupuncturist instead is required to refer a patient to an appropriate practitioner if his or her symptoms are beyond the training, experience or competence of the acupuncturist.

LB19 passed on a 46-0 vote.

### Omnibus health licensing bill advanced

A bill that would provide temporary credentialing for military spouses was amended March 23 to become an omnibus health care licensure bill.

LB88, introduced by Bellevue Sen. Carol Blood, would allow military spouses – defined as the spouse of an

officer or enlisted person on active duty in the U.S. armed forces – to obtain temporary licensure in Nebraska in a variety of health professions under the Uniform Credentialing Act.

As introduced, the bill would require a qualified individual to hold a similar and valid credential from another jurisdiction and a temporary license would be valid for six months and could not be renewed.

A Health and Human Services Committee amendment, adopted 37-0, clarified that the bill would not apply to licensure to practice dentistry. The amendment also replaced the six-month duration with a provision that a temporary license would be valid for one year or until the application for a regular credential is approved or rejected.

Blood said the bill deals with over 30 professions, including several that the state faces a shortage of, such as mental and behavioral health professionals. The licensure process can be lengthy and expensive, she said, and Nebraska should encourage individuals who already are licensed elsewhere to practice while they pursue licensure here.

“[The bill] would remove hurdles many military spouses encounter when they transfer to the great state of Nebraska,” Blood said, adding that it is important for Nebraska to continue to strongly identify as a military friendly state.

Ralston Sen. Merv Riepe, chairperson of the Health and Human Services Committee, offered an amendment that incorporated provisions of four additional licensure-related bills.

LB61, introduced by Seward Sen. Mark Kolterman, would authorize Nebraska to join the Interstate Medical Licensure Compact. Through the



Sen. Carol Blood

compact, a physician licensed in a member state who meets eligibility requirements can receive an expedited license in another member state.

Kolterman said 18 states have passed legislation to join the compact, including all of Nebraska’s neighbors except Missouri.

“These Midwestern states see this as an opportunity to expand our health care workforce by streamlining licensure while still maintaining our Medical Licensure Practice Act,” he said.

LB342, introduced by Bayard Sen. Steve Erdman, would amend portions of the state’s Nurse Practice Act to allow Nebraska to join the Enhanced Nurse Licensure Compact when it takes effect – either on Dec. 31, 2018, or when 26 states have joined.

Nebraska currently is a member of the Nurse Licensure Compact, which allows nurses to have a multistate license with the ability to practice in both their home state and other compact states.

Erdman said 25 states currently have enacted legislation to join the enhanced compact and Nebraska needs to update its Nurse Practice Act in order not to be left behind when the new compact takes effect.

“This will allow Nebraska to reduce the nurse shortage and allow spouses of people who move here to get licensed and practice here,” Erdman said.

LB283, introduced by Riepe, would allow licensed practical nurses (LPNs) to provide intravenous (IV) therapy and would eliminate the Licensed



Sen. Steve Erdman



Sen. Merv Riepe

Practical Nurse-Certified (LPN-C) Practice Act.

Riepe said the goal of the proposal is to integrate current LPN-C requirements into the state’s LPN requirements, eliminating the need for a separate practice act for the former.

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 eight-hour didactic course in IV therapy and an approved employer-specific IV therapy skills course.

Finally, LB425, introduced by Bellevue Sen. Sue Crawford, would update provisions for licensure and practice requirements within the current Nurse Practitioner Practice Act. The Legislature passed a bill in 2015 that removed a requirement for an integrated practice agreement between a nurse practitioner and a collaborating physician and replaced it with a transition to practice agreement.



Sen. Sue Crawford

Crawford said technical changes are required to allow the nurse practitioners’ governing board to promulgate rules and regulations to implement the Legislature’s previous changes. Speaking in favor of all of the bills included in the amendment, she said the provisions would be an important step forward for health licensure in the state.

“[This is a] package of bills that were important to the committee in

terms of addressing this issue that’s critical for our health workforce in our state and our economic development – to make sure that our licensure laws work well and that we get people up and credentialed as quickly and efficiently as possible while still protecting the public interest,” she said.

LB88 advanced to select file on a 37-0 vote.

**Prescription drug monitoring changes considered**

The Health and Human Services Committee considered a proposal March 23 that would make changes to the state’s drug monitoring program.

Heartwell Sen. John Kuehn, sponsor of LB223, said the bill would make technical and procedural changes to the law governing the state’s Prescription Drug Monitoring Program (PDMP) system, established in 2016 to enable prescribers and pharmacies to check for suspected abuse.



Sen. John Kuehn

Kuehn said the bill would continue to ensure successful implementation of the PDMP in Nebraska and further the program’s goals of improved patient safety and the promotion of information sharing and best practices among providers.

Among other provisions, the bill would require individuals to be trained before accessing the PDMP. Training would be conducted by the Health Information Exchange. The bill would strengthen provisions requiring that information transmitted to the exchange meet Health Insurance and Portability and Accountability Act (HIPAA) standards.

The bill also would allow members of a patient care team to access the

PDMP on behalf of a prescriber.

Kuehn said that stakeholders have continued to work on the bill’s language since its introduction, and a number of changes would be addressed in a coming amendment. Among those changes would be clarification of specific fields for veterinary controlled substance reporting and establishment of training requirements regarding proper use and legal responsibilities for individuals who might access the PDMP as members of a patient care team.

Joey Gaines, testifying on behalf of the Nebraska Veterinary Medical Association, supported the bill – in particular the proposed changes that would clarify language regarding veterinary reporting requirements.

Gaines said the proposed amendment, which would delay implementation of veterinary reporting requirements, would allow time for a pilot program before all veterinarians in the state must begin reporting to the PDMP.

“In order for the PDMP to work as it was intended it must work for all health care professionals who are dispensing prescription medications, which does include veterinarians,” Gaines said. “Veterinarians are willing to be part of the solution but we also want to be sure that the information we’re providing to the state is meaningful in addressing the issue at hand.”

Kevin Conway, testifying on behalf of the Nebraska Hospital Association, also supported the bill. He said the provision allowing a member of a patient care team to access data on behalf of a prescriber reflects the original intent of the PDMP and the modern team approach to health care provision.

“Precluding members of a patient’s treatment team from accessing the medication records creates a flawed

system that counters the intent of the [PDMP],” Conway said.

Marcia Mueting of the Nebraska Pharmacists Association testified in opposition. While the association supports allowing qualified non-physician members access to the PDMP and the bill’s training requirements, she said the primary concern was allowing participants to have access to PDMP data through the Nebraska Health Information Initiative (NEHII) portal.

NEHII participants include insurance companies and health care providers, Mueting said, and the association’s research indicates that no other state operating a PDMP has authorized access to insurers.

The committee took no immediate action on LB223.

**Alternative response for low-risk child welfare cases amended, advanced**

Lawmakers advanced a bill March 23 that would extend an alternative response pilot program and allow it to be used statewide. The bill was amended to include three additional child welfare related measures.

Bellevue Sen. Sue Crawford, sponsor of LB225, said alternative response allows the state Department of Health and Human Services (DHHS) to provide services to families that meet certain screening requirements and are the subject of a child abuse or neglect investigation where the risk to the child is considered minimal.

“The goal of the alternative response program is to provide early intervention and services to at-risk families in order to strengthen the family, protect the children from harm



Sen. Sue Crawford

and prevent the child from being removed from the home if possible,” Crawford said.

The department was granted a five-year waiver to implement an alternative response pilot project in 2013, she said, and lawmakers must reauthorize the program or risk losing federal child welfare funding.

LB225 would expand the pilot to a statewide program and extend the authorized use of alternative response until Dec. 31, 2020. The bill also would require that the mandatory evaluation of the program be presented to the Nebraska Children’s Commission by Nov. 15, 2018.

DHHS would be required to provide regular updates to the commission on challenges, barriers and opportunities that may occur if alternative response were made a permanent program. The bill also adds child advocacy centers to the list of entities to which the department would provide a copy of all reports relative to a case of suspected child abuse or neglect.

A Health and Human Services Committee amendment, adopted 31-0, added provisions of three additional bills.

LB297, introduced by Omaha Sen. John McCollister, would create the Children and Juveniles Data Feasibility Study Advisory Group as a pilot project. The group would



Sen. John McCollister

oversee a feasibility study to identify how existing state agency data systems that account for the use of all services, programs and facilities by children and juveniles could be used to establish an independent, external data warehouse.

The state Foster Care Review Office would provide administrative

support for the feasibility study and the advisory group. A written report would be delivered to the Legislature in October of 2017 and 2018, and the pilot project would end Dec. 31, 2019.

LB298, introduced by Lincoln Sen. Roy Baker, would rename the Normalcy Task Force as the Nebraska Strengthening Families Act Committee under the Nebraska Children’s Commission and add a juvenile facility representative to the committee.



Sen. Roy Baker

The bill would apply provisions of the Nebraska Strengthening Families Act to children placed in juvenile facilities and require DHHS and the Office of Probation to develop a written normalcy plan and annual normalcy report. DHHS and the Office of Probation Administration also would be required to establish a procedure for public dissemination of pictures and information about a child missing from a foster or out-of-home-placement, subject to state and federal confidentiality laws. The bill also would require DHHS to develop training for foster parents on how to recognize human trafficking.

LB336, introduced by Ralston Sen. Merv Riepe, would allow DHHS to charge a fee of at least \$5, but not more than \$10, to conduct a central registry check. Child-placing agencies would be exempt from the fee. The bill originally would have capped the fee at \$3.



Sen. Merv Riepe

Omaha Sen. Sara Howard offered an amendment, adopted 32-1, to specify that any entity or individual that is

required to request a check by state law or a department rule or contract also would be exempt from the fee.

Howard said required central registry checks for potential foster parents and employees of child-placing agencies that contract with the state should be exempt. The potential lost revenue would be made up by charging a slightly higher fee for other registry checks than the department originally requested, she said.

Crawford said the measures would represent a comprehensive update to public policy regarding the protection of Nebraska's children.

"Together these bills will work to strengthen our child welfare system and improve protections for our youth to keep them out of foster care and out-of-home care and provide protections if they do land in out-of-home care," she said.

The bill advanced to select file on a 33-0 vote.

## JUDICIARY

### Graduated accountability for juvenile probationers approved

Lawmakers passed a bill March 23 that changes how violations of juvenile probation terms are addressed.

LB8, introduced by Omaha Sen. Bob Krist, authorizes the Office of Probation Administration to develop a statewide matrix of immediate, certain and consistent sanctions for violations of court orders.



Sen. Bob Krist

A probation violation will 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 includes a series of graduated incentives to promote compliance and positive behaviors for juvenile probationers. Records of incentives for each youth will be available to the individual's attorney and the county attorney upon request.

LB8 retains 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 allows for detention of an individual if he or she is deemed a safety risk.

The bill passed on a 45-0 vote.

### Rules of evidence proposed for parental termination

The Judiciary Committee heard testimony March 23 on a bill related to the termination of parental rights.

LB397, introduced by Omaha Sen. Justin Wayne, would require the application of the Nebraska rules of evidence in all parental termination proceedings. Any evidence that would be considered inadmissible in a criminal proceeding would be prohibited in a parental rights termination hearing.



Sen. Justin Wayne

Wayne said terminating parental rights is a profoundly serious matter that should be treated with the same seriousness as a criminal proceeding.

"The purpose of the rules of evidence is to make sure we have the best evidence possible," he said. "We want to make sure we have the most credible evidence possible to present to judge and jury, but we don't hold that same standard when a parent loses a child."

Nebraska Appleseed Legal Director Robert McEwen supported the bill. He said it would ensure that all parties in a termination hearing are aware of the evidential rules to be applied, creating a more consistent, fair system.

"[LB397] will ensure a more uniform and fair result at the trial court level," McEwen said.

Sandra Markley, representing the Nebraska County Attorneys Association, opposed the bill. Many judges informally enforce the rules of evidence in hearings currently, she said, and do a good job of protecting the due process rights of parents. Strict enforcement of the rules could disrupt a process that has worked well historically, Markley said.

"We need to keep the law as it currently is to protect children," she said. "Based on my 22 years of experience, an immediate complication of this bill passing is children might be forced to testify against their parents in termination hearings."

The committee took no immediate action on the bill.

### Bill would ban vehicular trespassing

Members of the Judiciary Committee heard testimony March 22 on a bill that would create penalties for entering others' vehicles.

Under LB593, introduced by Venango Sen. Dan Hughes, a person who remains in any vehicle where he or she is not licensed or privileged to do so would be guilty of criminal trespassing. The trespass prohibition would apply to any vehicle, aircraft, watercraft or farm implement.



Sen. Dan Hughes

Hughes said law enforcement cur-

rently cannot intervene to protect the property of citizens if it has been taken from an unlocked vehicle. If a police officer sees a person that is not a farmer carrying a John Deere toolbox full of tools, for example, it would be suspicious, he said.

“Even if officers observe an item in an individual’s possession that they believe has been taken from a vehicle, if it has not been reported as missing, it cannot be seized as evidence,” he said. “The current law allows criminals to rifle through vehicles, steal personal property and damage vehicles with impunity.”

A first or second offense would be considered a Class III misdemeanor, punishable by up to three months in prison, a \$500 fee or both. Any subsequent offense would be a Class I misdemeanor, punishable by up to one year in prison, a \$1,000 fee or both.

McCook Police Chief Isaac Brown, representing the Police Officers Association of Nebraska, spoke in favor of the bill. He said a person may notice that their car has been rifled through, but unless they report a specific missing item, there is nothing law enforcement can do.

“This would allow officers and deputies to proactively intercede when they see individuals rifling through vehicles,” he said. “It would grant [law enforcement] the ability to effectively intervene on behalf of our citizens.”

Representing the Nebraska Criminal Defense Attorneys Association, Spike Eickholt opposed the bill. He called the proposal an unnecessary over-criminalization of conduct.

“There are enough crimes in the statutes and enough penalties available, we do not need to add anymore,” he said. “[These incidents] can easily be resolved and remedied if individuals locked their car doors.”

The committee took no immediate action on the bill.

## NATURAL RESOURCES

### Entry into wildlife management compact advanced

Nebraska would work with other states to enforce wildlife management laws under a bill advanced to select file March 22.

As introduced by the Natural Resources Committee, LB566 would authorize the state Game and Parks Commission to join the Interstate Wildlife Violator Compact on behalf of the state. Under the compact, a wildlife officer could issue a citation for the violation of wildlife management laws to any person who lives in a participating state.

Sen. Dan Hughes of Venango, the committee’s chairperson, spoke in support of the bill. He said states participating in the compact also may recognize the suspension of a person’s hunting, fishing or trapping license by any other participating state as though the violation resulting in the suspension occurred in their state.

“This will help promote efficiencies in the processing of game law violations by non-state residents,” Hughes said.

Senators voted 37-0 to adopt a committee amendment that incorporated provisions from LB635, a bill introduced by Sen. Bruce Bostelman of Brainard that would increase penalties for violating certain game management laws in Nebraska.

The hunting of elk out of season would become a Class II misdemeanor, and the fine would increase from at least \$500 to at least \$1,000 for each violation. Any person who illegally takes

game or has such game in his or her possession would be guilty of a Class III misdemeanor and would be fined at least \$50 for each animal. Additionally, the fine for shooting at wildlife from a highway or roadway would increase from at least \$100 to at least \$500.

Bostelman spoke in support of the bill as amended. He said Nebraska is one of only two states that has not joined the compact or is not in the process of joining.

“It’s time for the state to become a part of the compact,” he said. “It stops our state from becoming a safe haven for game violators from another state.”

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



Sen. Dan Hughes

## REVENUE

### Bill would eliminate many tax exemptions, credits

The Revenue Committee heard testimony March 22 on a bill that would modify or repeal several sales tax exemptions, income tax deductions, credits and incentives.

Introduced by Sen. Paul Schumacher of Columbus, LB373 would terminate the Build Nebraska Act, the Personal Property Tax Relief Act and the Property Tax Credit Act, along with several other exemptions and exclusions.

Schumacher said he introduced the bill so the committee could review the major tax exemptions, credits and deductions the Legislature has enacted or modified over the last decade.

The bill would prohibit new applications for the Nebraska Advantage



Sen. Paul Schumacher

Act, the Sports Arena Facility Financing Assistance Act, the Nebraska Job Creation and Mainstreet Revitalization Act and the New Markets Job Growth Assistance Act.

LB373 also would return income tax brackets and rates to 2007 levels and would eliminate the requirement that brackets be indexed for inflation.

The committee should scrutinize two exclusions in particular that appear to be used only by a small number of wealthy Nebraskans, Schumacher said.

The bill would repeal a dividends and capital gains deduction that, according to the state Department of Revenue's 2016 Tax Expenditure Report, resulted in an approximate \$21 million tax revenue loss in 2016.

The exclusion allows Nebraska residents or trusts to subtract from taxable income the capital gains they receive from the sale or exchange of a corporation's stock acquired while the person worked for the company.

In 2014, 88 percent of the exclusion was claimed by taxpayers with a federal adjusted gross income (AGI) greater than \$500,000, Schumacher said. Eighty percent was claimed by those with an AGI of more than \$1 million. The exclusion was claimed on approximately 740 tax returns, or about one-tenth of one percent of all Nebraska taxpayers, he added.

LB373 also would eliminate a provision that allows Nebraska residents to exclude from taxation the income they receive from an S corporation or a limited liability company that is not connected with Nebraska sources. The report estimates that the exclusion resulted in approximately \$84 million in lost tax revenue last year.

Eighty-five percent of this exclusion was claimed by taxpayers with an AGI of at least \$1 million in 2014 (620 returns), Schumacher said. Sixty percent was claimed by those with at least \$5

million in income (90 returns).

"It's really, really hard to say why those breaks should be given," he said.

Renee Fry, executive director of the OpenSky Policy Institute, testified in support of the bill. She said it would close tax breaks and loopholes used by a relatively small number of Nebraskans.

"I would encourage [the committee] to look closely at whether this revenue can better be spent elsewhere such as helping to address the budget shortfall or address concerns about property taxes," Fry said.

Traci Bruckner of the Women's Fund of Omaha also testified in support of LB373, saying that lawmakers should consider tax provisions in addition to spending cuts when trying to make up the current budget shortfall.

"When we're faced with significant budget gaps as we are now, I think everything needs to be on the table, including all the tax provisions that we have authorized over the years," she said.

However, Bruckner said, the group opposes the bill's reduction in the state Earned Income Tax Credit from the current 10 percent to 8 percent of the federal credit. She said the credit is the only one in the bill aimed at helping low-income Nebraskans.

Testifying in opposition to the bill was Dave Mlnarik, executive director of the Nebraska Sports Council. Mlnarik said LB373 would remove the sales tax exemption for fees and admissions for certain sporting events and youth development organizations. This would increase fees for the Nebraska 150 Challenge and the Cornhusker State Games, as well as YMCAs.

"A sales tax would diminish the ability of the YMCAs to provide programs to the underserved, low-income children, individuals and families who

need the YMCAs the most and have come to count on these programs," he said.

Dick Ludwig, speaking on behalf of the Nebraska chapter of the Associated General Contractors of America, also testified in opposition. He said repealing the Build Nebraska Act would cut funding for 12 major transportation infrastructure projects in progress or in development.

"Any funding delay risks a project being more expensive to Nebraska taxpayers due to construction inflation and potentially starting the environmental [review] process all over again," Ludwig said.

Scott Gubbels, executive director of Nelnet's Innovation Hub, also opposed LB373. He said it would eliminate many tax incentives that help attract, retain and grow businesses in the state. The bill also would undo steps to modernize Nebraska's tax code, such as indexing tax brackets for inflation, Gubbels added.

"I believe it is prudent and wise to periodically evaluate the effectiveness of tax policies implemented within the last decade," he said. "However, there are several provisions within LB373 that eliminate or diminish a lot of great work done by some of you as well as your predecessors."

The committee took no immediate action on the bill.



### **Streamlined road construction process advanced**

Lawmakers gave first-round approval March 21 to a bill that would expedite road construction projects throughout the state.

LB271, introduced by Lincoln Sen. Mike Hilgers, would authorize the Nebraska Department of Roads (NDOR) to assume responsibility to conduct environmental, social and economic reviews for proposed transportation projects from the U.S. Department of Transportation.



Sen. Mike Hilgers

The reviews currently are conducted at the federal level under the National Environmental Policy Act (NEPA). Hilgers said the state's assumption of the federally-mandated review process would expedite the planning and development phase, reducing pre-construction costs.

"The bottom line impact of this legislation is we could shave off a year of the timeline for most road construction projects in Nebraska, saving \$19 million a year," he said. "As long as we maintain the quality of the process, then this can be a win for everyone."

In exchange for assuming total responsibility for the review process, the NDOR would sign a limited waiver of sovereign immunity, which would provide the state's consent to federal jurisdiction in any case concerning compliance with and enforcement of federal guidelines established under NEPA.

Lincoln Sen. Suzanne Geist supported the bill. She said the projected annual savings could be reinvested and distributed to other pending projects.

"That money will be rolled back into rebuilding and improving our roads and bridges," she said. "[LB271] is a win for our roads, a win for our budget and a win for our state."

Senators advanced the bill to select file on a 42-0 vote.

## URBAN AFFAIRS

### Radon task force advanced

Senators advanced a bill March 22 intended to ensure radon levels are mitigated in new homes, schools, offices and other buildings.

LB9, introduced by Sen. Bob Krist of Omaha, would create a task force that would develop minimum standards for radon-resistant new construction in Nebraska. The standards would be designed so that they could be enforced by a county, city or village as part of its local building code.



Sen. Bob Krist

Krist said radon — a colorless, tasteless, odorless radioactive gas caused by decaying uranium in soil — is the second largest cause of lung cancer in the country. The proposed task force would help ensure that radon mitigation techniques are incorporated in new construction in Nebraska, which has the nation's third highest radon levels, he said.

"LB9 is important because it is a public health bill that moves Nebraska forward to address the dangers and health risks associated with exposure to radon gas," Krist said.

The task force would provide its recommendations to the governor and the Legislature's Health and Human Services and Urban Affairs committees by April 15, 2018. The task force would disband May 1, 2018.

Lawmakers voted 37-0 to advance the bill to select file.

### City population clarification approved

A bill that clarifies how population

thresholds for certain cities are met and verified in state law was approved March 23.

Under LB113, introduced by Lincoln Sen. Matt Hansen, all municipalities will notify the Nebraska secretary of state when a population threshold is crossed. Currently, some classifications of municipalities are required to provide notification to the governor.



Sen. Matt Hansen

In addition, the bill provides a mechanism for a primary class city with a population of more than 300,000 to become a city of the metropolitan class.

Population thresholds are met based on either the most recent federal decennial census or the most recent revised certified count by the U.S. Census Bureau.

LB113 passed 48-0.

### Day care building code alignment advanced

Lawmakers advanced a bill to select file March 21 intended to align the state building code with state agency regulations.

LB590, introduced by Bellevue Sen. Sue Crawford, would bring the state building code occupancy classifications relating to in-home day cares into alignment with state Department of Health and Human Services (DHHS) regulations. The bill also would clarify that state agencies may adopt and enforce regulations that conflict with the building code when authorized by state law to do so.



Sen. Sue Crawford

Crawford said the state building code, which was adopted most recently



in 2015, classifies a care facility with more than five occupants under the commercial code rather than the residential code. The commercial code is more restrictive, she said, and could require in-home day care providers to have sprinkler systems and storm shelters, among other requirements.

The bill would raise the number of occupants for a care facility to 12, which conforms with DHHS regulation for in-home child care providers.

“LB590 works to address the relevant conflicts between the current state building code and the DHHS regulations to make the requirements for in-home day care in our state clear and consistent,” Crawford said.

An Urban Affairs Committee amendment to add an emergency clause to the bill was adopted 34-0, which would make the bill effective immediately upon passage.

LB590 advanced from general file 39-0. ■



## UNICAMERAL YOUTH LEGISLATURE

High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2017 Unicameral Youth Legislature, which will convene June 11-14.

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

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

Registrants are encouraged to apply for a Speaker Greg Adams Civic Scholarship award, which covers the full cost of admission. Applicants must submit a short essay. Other \$100 scholarships are also available.

The University of Nebraska–Lincoln’s Extension 4-H Youth Development Office coordinates housing and recreational activities for the camp as part of their Big Red Summer Camps program.

Registration forms can be obtained from the Legislature’s Unicameral Youth Legislature page: [www.NebraskaLegislature.gov/uyl](http://www.NebraskaLegislature.gov/uyl).

The registration deadline is May 15.

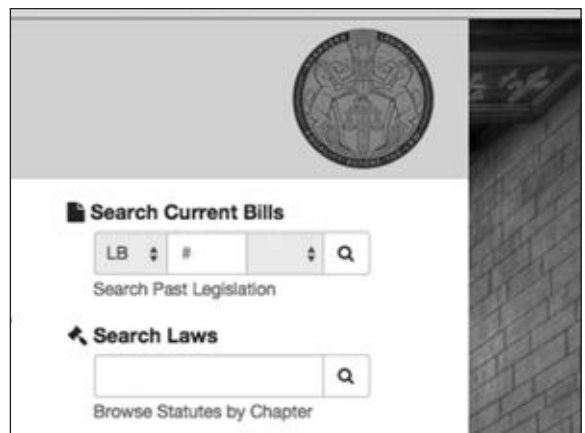


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Learn more about bills considered by the Unicameral by logging on to [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov).

The Legislature’s website offers a bill search on the upper-right portion of the home page. Entering a bill number will retrieve the bill’s text, fiscal note, statement of intent, votes, transcripts and more.

Current laws can be searched using the keyword search found below the bill search.



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Sen. Lydia Brasch Bancroft, District 16 Room 1022 (402) 471-2728 lbrasch@leg.ne.gov news.legislature.ne.gov/dist16	Sen. Suzanne Geist Lincoln, District 25 Room 1115 (402) 471-2731 sgeist@leg.ne.gov news.legislature.ne.gov/dist25	Sen. Mark Kolterman Seward, District 24 Room 2004 (402) 471-2756 mkolterman@leg.ne.gov news.legislature.ne.gov/dist24	Sen. John Murante Gretna, District 49 Room 1423 (402) 471-2725 jmurante@leg.ne.gov news.legislature.ne.gov/dist49	Sen. Dan Watermeier Syracuse, District 1 Room 2108 (402) 471-2733 dwatermeier@leg.ne.gov news.legislature.ne.gov/dist01
Sen. Tom Brewer Gordon, District 43 Room 1202 (402) 471-2628 tbrewer@leg.ne.gov news.legislature.ne.gov/dist43	Sen. Mike Groene North Platte, District 42 Room 1107 (402) 471-2729 mgroene@leg.ne.gov news.legislature.ne.gov/dist42	Sen. Bob Krist Omaha, District 10 Room 1114 (402) 471-2718 bkrist@leg.ne.gov news.legislature.ne.gov/dist10	Sen. Patty Pansing Brooks Lincoln, District 28 Room 1206 (402) 471-2633 ppansingbrooks@leg.ne.gov news.legislature.ne.gov/dist28	Sen. Justin Wayne Omaha, District 13 Room 1212 (402) 471-2727 jwayne@leg.ne.gov news.legislature.ne.gov/dist13
Sen. Tom Briese Albion, District 41 Room 1120 (402) 471-2631 tbriese@leg.ne.gov news.legislature.ne.gov/dist41	Sen. Steve Halloran Hastings, District 33 Room 1306 (402) 471-2712 shalloran@leg.ne.gov news.legislature.ne.gov/dist33	Sen. John Kuehn Heartwell, District 38 Room 2000 (402) 471-2732 jkuehn@leg.ne.gov news.legislature.ne.gov/dist38	Sen. Dan Quick Grand Island, District 35 Room 1406 (402) 471-2617 dquick@leg.ne.gov news.legislature.ne.gov/dist35	Sen. Matt Williams Gothenburg, District 36 Room 2015 (402) 471-2642 mwilliams@leg.ne.gov news.legislature.ne.gov/dist36
Sen. Ernie Chambers Omaha, District 11 Room 1302 (402) 471-2612 news.legislature.ne.gov/dist11	Sen. Matt Hansen Lincoln, District 26 Room 1017 (402) 471-2610 mhansen@leg.ne.gov news.legislature.ne.gov/dist26	Sen. Tyson Larson O'Neill, District 40 Room 1019 (402) 471-2801 tlarson@leg.ne.gov news.legislature.ne.gov/dist40	Sen. Merv Riepe Ralston, District 12 Room 1402 (402) 471-2623 mriepe@leg.ne.gov news.legislature.ne.gov/dist12	Sen. Anna Wishart Lincoln, District 27 Room 1308 (402) 471-2632 awishart@leg.ne.gov news.legislature.ne.gov/dist27
Sen. Robert Clements Elmwood, District 2 Room 1523 (402) 471-2613 rclements@leg.ne.gov news.legislature.ne.gov/dist02	Sen. Burke Harr Omaha, District 8 Room 2011 (402) 471-2722 bharr@leg.ne.gov news.legislature.ne.gov/dist08	Sen. Brett Lindstrom Omaha, District 18 Room 1401 (402) 471-2618 blindstrom@leg.ne.gov news.legislature.ne.gov/dist18	Sen. Jim Scheer Norfolk, District 19 Room 2103 (402) 471-2929 jscheer@leg.ne.gov news.legislature.ne.gov/dist19	

# 2017 Legislative Session\*

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>January</b>						
1	2	3	4	5	6	7
			DAY 1	DAY 2	DAY 3	
8	9	10	11	12	13	14
	DAY 4	DAY 5	DAY 6	DAY 7	DAY 8	
15	16	17	18	19	20	21
	HOLIDAY	DAY 9	DAY 10	DAY 11	DAY 12	
22	23	24	25	26	27	28
	DAY 13	DAY 14	DAY 15	DAY 16	DAY 17	
29	30	31				
	DAY 18	DAY 19				

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>February</b>						
			1	2	3	4
			DAY 20	DAY 21	DAY 22	
5	6	7	8	9	10	11
	DAY 23	DAY 24	DAY 25	DAY 26	DAY 27	
12	13	14	15	16	17	18
	DAY 28	DAY 29	DAY 30	DAY 31	RECESS	
19	20	21	22	23	24	25
	HOLIDAY	DAY 32	DAY 33	DAY 34	DAY 35	
26	27	28				
	DAY 36	DAY 37				

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>March</b>						
			1	2	3	4
			DAY 38	DAY 39	DAY 40	
5	6	7	8	9	10	11
	DAY 41	DAY 42	DAY 43	DAY 44	RECESS	
12	13	14	15	16	17	18
	DAY 45	DAY 46	DAY 47	DAY 48	DAY 49	
19	20	21	22	23	24	25
	DAY 50	DAY 51	DAY 52	DAY 53	RECESS	
26	27	28	29	30	31	
	RECESS	DAY 54	DAY 55	DAY 56	DAY 57	

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>April</b>						
						1
2	3	4	5	6	7	8
	DAY 58	DAY 59	DAY 60	DAY 61	RECESS	
9	10	11	12	13	14	15
	DAY 62	DAY 63	DAY 64	DAY 65	RECESS	
16	17	18	19	20	21	22
	RECESS	DAY 66	DAY 67	DAY 68	DAY 69	
23	24	25	26	27	28	29
	DAY 70	DAY 71	DAY 72	DAY 73	HOLIDAY	
30						

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>May</b>						
	1	2	3	4	5	6
	RECESS	DAY 74	DAY 75	DAY 76	DAY 77	
7	8	9	10	11	12	13
	DAY 78	DAY 79	DAY 80	DAY 81	RECESS	
14	15	16	17	18	19	20
	DAY 82	DAY 83	DAY 84	DAY 85	RECESS	
21	22	23	24	25	26	27
	RECESS	DAY 86	DAY 87	DAY 88	DAY 89	
28	29	30	31			
	HOLIDAY	RECESS	RECESS			

Sun	Mon	Tue	Wed	Thu	Fri	Sat
<b>June</b>						
				1	2	3
				RECESS	DAY 90	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

### Federal & State Holidays

January 16 – Martin Luther King Jr. Day      April 28 – Arbor Day  
 February 20 – Presidents' Day                  May 29 – Memorial Day

### Legislative Recess Days

February 17    May 1, 12, 19, 22, 30, 31  
 March 10, 24, 27    June 1  
 April 7, 14, 17

\*The Speaker reserves the right to revise the session calendar

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