

Voter identification requirement proposed

Nebraska voters would be required to show photo ID at the polls under a bill considered Feb. 8 by the Government, Military and Veterans Affairs Committee.

LB1066, introduced by Gretna Sen. John Murante, would require voters to provide a qualifying form of photographic identification before voting. These would include a:

- driver license or state or territorial ID issued by a U.S. state or territory;
- photo ID issued by an accredited postsecondary educational institution;
- U.S. passport or U.S. military ID card; or
- ID issued by a political subdivision of the state of Nebraska.

An individual who does not show photo ID at his or her polling place could cast a provisional ballot and would have seven days to present acceptable photo ID at the local election office.

In addition, the bill would require the Nebraska secretary of state to provide photo ID for voting purposes at no charge to a registered voter who successfully applies for one. The ap-



Sen. John Murante said voter ID would help ensure that only eligible voters participate in Nebraska elections.

plication process would be determined by the secretary of state's office.

LB1066 specifies that the cost of providing such photo ID would be paid from the state's general fund appropriation to the secretary of state's office. The bill's fiscal note estimates the cost of providing equipment to local election officials to issue IDs, as well as training and public education, to be \$2.9 million in fiscal year 2018-19.

Murante said he believes that the bill could be implemented for a substantially lower cost, stating that much larger states have implemented similar voter ID requirements at a "fraction" of the estimate for Nebraska.

In addition, he said, approximately 97 percent of Nebraskans already possess one of the required forms of photo ID. The law would not infringe upon anyone's right to vote, he said, but would protect the integrity of the

(continued page 2)

Family planning funding change requested

The Appropriations Committee heard testimony Feb. 5 on proposed changes to the use of Title X funding that would impact disbursement to health clinics that also provide abortion services.

Nebraska receives funds from the federal Title X program, which are used to subsidize reproductive and preventive health services, including the diagnosis and treatment of sexually transmitted diseases, cancer screenings and family planning services. Federal grant funds dispersed by

the state through the program cannot be used to perform abortions.

A provision included in LB944 as part of Gov. Pete Ricketts' mid-biennium budget proposal would prohibit federal Title X funds from being paid or granted to an organization that performs, assists, provides counseling in favor of or refers for abortion services. An otherwise qualified organization that is affiliated with, but objectively independent from, such an organization—which the bill

(continued page 3)

Voter identification requirement proposed

(continued from front page)

state's voting system.

"I believe that securing our elections is a fundamental responsibility—certainly of this committee, which has jurisdiction over elections—but also the entire Legislature," Murante said. "This is a basic, common-sense approach that the majority of Nebraskans support."

Missouri Secretary of State John Ashcroft testified in support of the bill, saying a similar law was successfully implemented in his state in June 2017. Missouri has spent \$1.5 million on the process, he said, which is significantly less than the \$4 million to \$5 million that was estimated.

Since implementation, he said, Missouri has conducted over 80 elections.

"We have not had a single individual who was legally registered to vote who was turned away from voting," Ashcroft said.

Also supporting the bill was Susan Gumm of Omaha. Voter ID requirements give the public some assurance that their vote counts, she said, and an electoral system without proper safeguards cannot inspire public confidence.

"Honest elections are the foundation of representative government," Gumm said. "If you aren't actively looking for voter fraud, you won't find it. In close or disputed elections, a small amount of fraud can make a difference and there are many elections, particularly at the local and state level, that are decided by a very small number of votes."

Kristin Pfabe of Lincoln testified in opposition to the bill, saying the Nebraska secretary of state has affirmed that Nebraska does not have a problem with in-person voter fraud. Such voter fraud is rare, she said, because an individual would have to know another voter's name, address and polling place—and hope that they had not already voted—in order to be successful.

"It's a terribly inefficient and risky way to try and steal an election," Pfabe said. "If you are motivated enough to sway an election, wouldn't you choose a safer method with a bigger pay-off, like canvassing, making phone calls and talking to friends and family about candidates?"

Suzan DeCamp of AARP Nebraska

also opposed the bill. Many older Nebraskans do not have a driver license or other form of photo ID, she said, and the additional requirement that the bill would impose would fall most heavily on the state's aging population.

"Voting systems should be designed to encourage maximum participation in the electoral process," she said. "States should not impose identification requirements that discourage or prevent citizens from voting."

Nate Dobbs of Nebraska Appleseed expressed concern that the bill does not specify the process by which an individual would apply for a free photo ID if he or she lacked one. Testifying against the bill, he said many eligible voters currently do not possess a photo ID and the process of obtaining one through the secretary of state's office could involve conditions, documentation requirements or deadlines that would be cumbersome.

"There is really no way right now to have a meaningful, robust discussion about the real impact of that scenario," he said.

The committee took no immediate action on LB1066. ■

UNICAMERAL UPDATE

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Family planning funding change requested

(continued from front page)

defines as legal, physical and financial separation—would not be disqualified from receiving funds under the bill.

Bo Botelho, chief operating officer for the state Department of Health and Human Services, testified in support of the provision, saying that it would ensure all pregnancy counseling at Title X facilities is neutral and non-directive.

The change would not necessarily reduce access to reproductive health care for low-income Nebraskans, he said, as long as facilities maintain objective independence between any abortion services provided and their Title X activities. He cited a recent state audit that indicated Title X funds had been used for abortion services, in violation of federal and state law.

“The proposed [change] is needed to ensure program integrity through enhanced clarification,” Botelho said. “At this point in time we do not foresee a decrease in available services because of the proposed language. The department believes that other organizations would step forward should current grantees choose not to participate.”

Marion Miner, associate director of pro-life and family for the Nebraska Catholic Conference, also supported the change, which he said would bring state law into compliance with the express will of Congress in regard to Title X. The clear separation requirements in the new language would assure Nebraskans that tax dollars are not being used to fund abortion services illegally, he said.

Sandy Danek, president of Nebraska Right to Life, agreed. Currently, taxpayers have no certainty that Title X funds are not being used for abortion advocacy because of the fiscal

“shell game” that can occur within the walls of providers, she said.

“If the abortion providers want to continue to receive Title X funds, for the purpose for which they are intended, they only have to act in good faith to comply with the stipulations set forth in this language,” Danek said.

Julie Reno, former Title X manager for DHHS, testified against the funding change. Reno, who retired in December, said the audit issues referenced by the department were coding errors—a common issue in the medical field—made by an inexperienced staffer at Planned Parenthood of the Heartland. The situation was remedied, she said, and was not a cause for concern to federal auditors.

Title X, which Reno said served 55,000 Nebraskans in 2016, has been in place since 1970 and the state has never had compliance issues with the federal government, she said. Any of the facilities currently providing services in the state likely would be forced to close if they were to lose funding under the proposal, she said.

“They all struggle, all the time, to keep their heads above water,” Reno said.

Jeff Tracy, director of the Community Action Health Center in Gering, also testified against the proposal on behalf of the Health Center Association of Nebraska. Five of the state’s seven community health centers receive Title X grant funds, he said, and are required by federal law to provide information and counseling to pregnant women regarding prenatal care and delivery, infant care, foster care or adoption and pregnancy termination.

Upon request, they also must provide referrals, he said, including referrals for abortion services. As a

result, the bill’s language could be viewed as being in direct contradiction to federal regulations, he said, and could prevent entities from qualifying as Title X providers.

“Our concern with LB944 as drafted is that, potentially, all existing Title X clinics could lose funding depending on how certain aspects of the language are interpreted,” Tracy said. “The elimination of even one provider would severely limit access to reproductive health care.”

Sofia Jawed-Wessel, assistant professor of public health at the University of Nebraska-Omaha, agreed. If a Nebraska provider were to lose Title X funding, she said, those grant dollars would not automatically transfer to another facility in the state. Grant funds are distributed based on the number of people an entity serves that obtain Title X reproductive services, she said, and reallocation of those funds to the state by the federal government would not happen immediately, nor be guaranteed.

“We want to make sure that Nebraskans have the ability to get these services as soon as possible,” Jawed-Wessel said.

The committee took no immediate action on the proposal. ■

AGRICULTURE

Industrial hemp research program proposed

The Agriculture Committee heard testimony Feb. 6 on a bill meant to expand research on industrial hemp in Nebraska.

Under LB1133, introduced by Sen. Justin Wayne of Omaha, the state Department of Agriculture would establish and oversee a five-year industrial hemp research program that would consist of the planting, cultivation, testing and analysis of industrial hemp demonstration plots by growers who are licensed by the department.



Sen. Justin Wayne

The department also would be responsible for obtaining any federal permits or waivers necessary to grow industrial hemp in Nebraska, and it would promote the research and development of industrial hemp and commercial markets for it.

Wayne said LB1133 would give Nebraska farmers a new alternative crop at a time when the agricultural economy has been struggling. Industrial hemp can be used to make more than 25,000 products, he said, including fabric, rope, paper, insulation materials, industrial oils and dietary supplements. More than \$700 million in hemp products were sold nationwide last year, he added.

Although hemp is a cannabis plant like marijuana, Wayne said, it is important to note that hemp contains very low levels of tetrahydrocannabinols (THC), the chemical responsible for marijuana's psychoactive effects. He said LB1133 would expand on a

2014 law that authorized Nebraska's postsecondary institutions or the state Department of Agriculture to grow industrial hemp for agricultural or academic research. The 2014 Farm Bill gave universities and state departments of agriculture the same authority.

"We already knew that this plant wasn't dangerous," Wayne said, "and now it's time to open [it] up for the market and for pilot programs beyond just the university."

The program, which would be managed by the College of Agricultural Sciences and Natural Resources at the University of Nebraska, would conduct research and analysis of the soils, growing conditions, and harvest methods related to the production of varieties of industrial hemp that may be suitable for commercial hemp products. It also would conduct seed research on types of industrial hemp that are best suited to be grown in Nebraska.

The department would notify the State Patrol and local law enforcement agencies of the location of all demonstration plots, and applicants for licenses would be required to allow the State Patrol to enter onto the premises where hemp is being grown to conduct physical inspections twice per year.

The department would be responsible for monitoring the hemp grown by license holders and would provide for random testing of the plants to ensure compliance with THC levels.

Josh Egle, a hemp farmer from Colorado, testified in support of the bill. Egle, who also is preparing to grow hemp in eastern Wyoming next year, said that Nebraska has better potential for industrial hemp production than almost any other state because wild varieties of the plant already grow well here. He said Nebraska farmers are missing out on the economic benefits of industrial hemp, which already can be grown for commercial purposes in

Colorado, Oregon and Kentucky.

"This bill is about getting farmers onboard the train before it completely leaves the station," Egle said.

Rebecca Schwarz testified in support of the bill on behalf of the Nebraska Farm Bureau. She said the bureau supports the production, processing and commercialization of industrial hemp and believes it should be regulated by the Department of Agriculture rather than the Drug Enforcement Administration.

The bureau is working with Congress to remove hemp from the federal list of controlled substances, eliminating uncertainty for states and growers, Schwarz said.

"We believe there is a path forward to clarify liability and protect states and provide guidance and reduce strain on law enforcement," she said. "And with enough states indicating willingness and interest in moving forward with industrial hemp laws, federal leaders will take note."

Testifying in opposition to the bill was Steve Wellman, director of the state Department of Agriculture. He said the program would cost more than \$950,000 in the first two years while generating only about \$286,000 in licensing fees. Additionally, Wellman said, the department's licensing of growers under LB1133 would fall outside the scope of research allowed by federal law, and hemp remains a controlled substance under the federal Controlled Substances Act.

"Congress has not expressly exempted industrial hemp from the definition of marijuana under this act," Wellman said, "and without such exemption there remains potential serious conflict between industrial hemp laws and the Controlled Substances Act."

The committee took no immediate action on the bill.

EDUCATION

Several school classifications eliminated

Three of the state's six public school classifications were eliminated by a bill given final approval Feb. 8.

Introduced by the Education Committee last session, LB377 eliminates Class I, II and VI districts, with the remaining Class II districts becoming Class III districts. All districts now will be classified as either Class III, IV or V.

Under LB377, Class III districts will have fewer than 150,000 inhabitants and maintain elementary and high school grades under a single school board.

Class IV districts are those with a population of 100,000 or more that maintain elementary and high school grades. Class V districts have a metropolitan-class city, and their employees participate in a separate retirement system. Lincoln Public Schools will be the only remaining Class IV district, and Omaha Public Schools will be the only remaining Class V district.

The bill takes effect Jan. 1, 2019 and passed on a 47-0 vote.

Statewide data collection of student disciplinary action proposed

The state Board of Education would create a statewide system for collecting data on school disciplinary measures and student interactions with law enforcement under a bill heard by the Education Committee Feb. 6.

Lincoln Sen. Matt Hansen, sponsor of LB1056, said the data would contain the number of students who were suspended, expelled, referred to law

enforcement and ticketed or arrested while attending a school-sponsored activity or event. Additionally, the board would collect data on the use of physical restraints in schools and whether a sworn law enforcement officer is assigned to the school.

School districts would be required to provide the board with individual student data that could be organized by race or ethnicity, gender, grade level and whether the student has a disability.

Hansen said Nebraska does not collect consistent data on school disciplinary actions and student interactions with law enforcement. Those interactions have become more likely since the late 1990s and early 2000s, when many schools responded to safety concerns by hiring school resource officers and security guards, he said. Such interactions are important to study because they often are a youth's first point of contact with the state's criminal justice system.

"Unfortunately, with increased law enforcement presence at schools, there are many opportunities for students to enter the justice system for behaviors which in previous eras would not be considered criminal," Hansen said.

Juliet Summers, policy coordinator at Voices for Children, testified in support of the bill. Both students and schools suffer when schools respond to misbehavior with excessive exclusionary policies such as out-of-school suspensions, expulsions or referrals to law enforcement, she said. For the student, suspension can lead to further suspension, expulsion, decreased academic performance and court involvement, and schools with a higher reliance on exclusion have lower overall academic performance.



Sen. Matt Hansen

"We support this bill because we believe it is a measured first step in examining our schools' disciplinary policies and whether we are pulling students in to educational success or pushing them out to the streets for the court system," Summers said.

Brad Meurrens, public policy director for Disability Rights Nebraska, also testified in support of the bill. According to the Civil Rights Data Collection, Meurrens said, schools restrain and exclude students with disabilities at a higher rate than their peers. During the 2013-14 school year, students with disabilities made up 12 percent of the students enrolled in public schools nationally but made up 67 percent of students subjected to restraint or exclusion. Students with disabilities comprised 25 percent of students arrested or referred to law enforcement, he said.

"Data collection is necessary to understand the scope of these practices, the underlying causes leading to their use and ultimately the mechanisms by which these practices can be reduced or alleviated," Meurrens said.

The committee took no immediate action on the bill.

Alternative teaching certification path discussed

The Education Committee heard testimony Feb. 5 on a bill that would create a two-year alternative certification path for those who wish to teach in Nebraska's public schools.

LB1135, introduced by Omaha Sen. Tony Vargas, would require the state Board of Education to grant a Nebraska teaching certificate to any person in good standing who has a valid teaching



Sen. Tony Vargas

certificate from another state.

It also would require the board to grant a two-year teaching certificate to those who hold a bachelor's degree from an accredited college or university, pass basic skills and subject area tests and enroll in an alternative teacher certification program approved by the board. The two-year certificate would not be renewable, and the holder would have to complete the alternative certification program to obtain a Nebraska teaching certificate.

Vargas said he is working on an amendment that would require teachers with certificates from other states to maintain Nebraska's certification requirements once they start teaching here.

He said the bill would alleviate Nebraska's teacher shortage by simplifying the certification process for teachers who move to Nebraska and for people who are changing careers. Currently, only the University of Nebraska at Kearney has a teacher certification program for those with no teaching background, and no state college or university offers a two-year program like that proposed by LB1135, he said.

"For individuals that are coming as career changers," Vargas said, "there isn't as succinct or clear and consolidated a pathway as we're proposing here."

Maddie Fennell, executive director of the Nebraska State Education Association, testified in support of the bill, provided that it includes an amendment requiring out-of-state teachers to maintain Nebraska certification requirements.

"This is important, as some states offer lifetime certificates," she said. "We believe that educators must confirm ongoing professional development for certification renewal."

Nicole Fox, director of government relations for the Platte Institute, also

testified in support of the bill. A 2016 state Department of Education survey found that 112 of the state's 450 public school districts, educational service units and private school systems reported a total of 232 unfilled positions, she said. A lack of qualified applicants was the main reason for the vacancies.

Fox said that LB1135 would help address the shortage by making it easier for teachers from other states to become certified to teach in Nebraska.

"Workers do not become unqualified by moving from one state to another," she said.

Brian Halstead, deputy commissioner at the state Department of Education, testified in opposition to the bill, saying that alternative certification already exists under the state Board of Education's rules. Those who graduate from a teaching program at a higher education institution in another state may receive an initial, standard or professional teaching certificate in Nebraska, he said.

Someone with a bachelor's degree but no teaching background can apply for a transitional permit and start coursework at UNK, which he or she has four years to complete, Halstead said.

"From the state board's perspective, we're not quite sure how a two-year program—when the board's giving somebody up to four years to complete that—is better," he said.

The committee took no immediate action on the bill.



Bill to improve tax incentive audits advanced

A bill intended to improve legislative performance audits of the state's tax incentive programs was advanced

to select file Feb. 6.

LB936, introduced by the Legislative Performance Audit Committee, would make a number of changes to the Legislative Performance Audit Act. The act requires the Legislative Audit Office to conduct performance audits that review state agency programs in order to evaluate the agency's success in effectively implementing legislative intent.

Heartwell Sen. John Kuehn, chairperson of the committee, said the bill's recommendations are the result of the first three tax incentive audits undertaken by the Performance Audit Office. There is a steep learning curve associated with the process, he said, and the office will not be able to conduct audits on the remaining tax incentive programs this year.

As a result, he said, the bill would extend from three to five the number of years between audit reviews of tax incentive programs. Kuehn said the change would be in line with the requirements of other state's evaluation schedules.

In addition, the bill would require that audits analyze whether job growth in businesses receiving tax incentives is at least 10 percent above industry averages, and the cost per full-time worker. The bill also adds definitions in order to develop the most effective evaluation of how the programs are being implemented, Kuehn said.

"This bill is designed to help the Legislature get better information about tax incentive evaluations and encourage members to provide their input and opinions on the matter," he said.

Henderson Sen. Curt Friesen spoke in support of the bill. Several of the state's incentive programs do not work the way they were intended, he said, and the state is losing revenue while incentivizing low-wage jobs.

“We have created a whole [system] of tax credits and programs out there and our ability to monitor whether they are doing what they are meant to accomplish—we have no idea,” Friesen said.

Lincoln Sen. Kate Bolz praised the committee’s work, but said the bill’s wage evaluation level is too low. The state invests \$270 million in tax incentive programs, she said, yet is incentivizing jobs that cannot support a family. The family-supporting wage in Lancaster County for a family of four is \$52,157 per year, she said, but the state incentivizes jobs through these programs that pay as low as \$26,000.

“If we are setting an evaluation benchmark too low, we are setting our sights too low for wages and jobs in our state,” she said. “We are investing too much of our state’s resources in too low of wages and it’s time for a change.”

Sen. Sue Crawford of Bellevue also expressed reservations about the definition of high-quality jobs in LB936, but noted that the bill addresses the current evaluation standards for tax incentive programs and not actual program qualification requirements.

The state’s economic development task force has identified strengthening the definition of incentives as an important priority for both qualification and evaluation in the future, she said.

“The definition in LB936 does at least require that they pay higher than the industry average [wage], so it does put a bar that is higher than our qualification standards in some of the parts of the Advantage Act,” Crawford said. “So, it at least moves the bar up a bit, but we can move that bar up much further—and need to move that bar up further—as we move forward.”

The bill advanced to select file on a 43-2 vote.

Redistricting bills considered

The Executive Board considered two proposals Feb. 5 regarding the Legislature’s redistricting process.

Currently, the Legislature is responsible for drawing new governmental boundaries every 10 years after the decennial census for districts pertaining to the U.S. House of Representatives, Legislature, Public Service Commission, University of Nebraska Board of Regents and the state Board of Education.

Redistricting will be undertaken next in 2021.

LB975, introduced by Omaha Sen. Sara Howard, would adopt the Redistricting Act.

Howard said the bill would codify in state law the legislative resolution that guided the last redistricting process in 2011. According



Sen. Sara Howard

to her research, Howard said, the redistricting process has never been done the same way twice, so placing the guidelines in state law could help to ensure a consistent process going forward.

She said the bill is modeled on the Iowa process, which is widely respected by lawmakers and the public and has resulted in competitive districts and a smooth redistricting experience.

“It is innovative [and] nonpartisan and allows all parties to work together to create fair and even political districts,” Howard said.

Among other provisions, the act would require that new district maps be drawn using state-issued computer software and politically neutral criteria, including:

- equal population;
- contiguous districts;
- no political affiliation data;
- no previous voting data;
- deference to county and municipi-

- pal lines when appropriate; and
- only data and demographic information obtained from the U.S. Bureau of the Census.

The Redistricting Committee of the Legislature would be required to hold at least one public hearing in each congressional district to receive input on the maps. The committee then would deliver a report on those hearings to the Legislature.

The director of the Office of Legislative Research would deliver initial versions of the maps to the Legislature, to be placed on general file no later than 15 calendar days after the director receives the federal decennial census data from the U.S. Bureau of the Census.

No changes other than corrective amendments would be allowed to the initial version of the maps. The Legislature would have three attempts to pass redistricting maps. If unsuccessful, the act would provide for the governor to call a special session within 30 days after adjournment of the regular legislative session and the redistricting committee would begin the process again.

Also considered was LB974, sponsored by Omaha Sen. Tony Vargas, which would prohibit consideration of the political affiliation of registered voters, demographic information other than population figures and results of previous elections when drawing boundaries for legislative districts. Information required by federal law or the U.S. Constitution would be exempted under the bill.



Sen. Tony Vargas

“The intent of LB974 is to ensure that our next redistricting process is as fair and transparent as possible,” Vargas said. “The language in this bill is taken directly from LR132, which was the Redistricting Committee’s resolu-

tion on criteria and the redistricting process in 2011.”

Jack Gould of Common Cause Nebraska testified in support of both measures, saying clear guidelines would ensure that no political party is advantaged in the redistricting process and could help the state avoid lawsuits. The 1990 redistricting process resulted in litigation, he said, and term limits mean that legislative memory about how to avoid those problems has been lost.

“It’s all about making a process that’s respected and represents the true interest of the public,” Gould said.

John Hansen, president of the Nebraska Farmers Union, also spoke in support of both bills. The public has lost a great deal of faith in government and the political process, he said, and anything that can be done to promote high standards and transparency would be beneficial to restoring the public trust.

“The issues that are [raised] through redistricting are not only the practical part of how it is that districts actually get set up and how communities of interest are defined and captured, but there is also the public perception part of how all of that works,” Hansen said.

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

Legislative ethics board considered

A board to investigate ethics complaints against members and employees of the Legislature was proposed in an Executive Board hearing Feb. 8.

LB1099, introduced by Heartwell Sen. John Kuehn, would create the Legislative Ethics Board, comprised of a chairperson elected by the



Sen. John Kuehn

members of the Legislature and six appointed members, two from each of the state’s three congressional districts.

The board would be required to establish what constitutes inappropriate conduct by an employee or member of the Legislature and establish procedures for receiving and investigating complaints.

The board also would establish potential disciplinary sanctions for violations and administer those sanctions when necessary. Submission of a complaint to the Legislative Ethics Board would not preclude the filing of a complaint with any court of law or other appropriate agency.

Kuehn said he introduced the measure to begin discussions about what currently happens when questions of unethical conduct arise at the Legislature, and what changes could or should be made to that process. Nebraska is one of only eight states that does not have an internal legislative committee to address ethics issues, he said.

“While recent events across the country and questions involving policies such as sexual harassment and others certainly can be a potential part of this, it is much broader,” Kuehn said, adding that it could include conflicts of interest and other conduct. “I firmly believe that a process that everyone understands is better than a question mark.”

The committee took no immediate action on the proposal.

GENERAL AFFAIRS

Omnibus liquor law bill considered

The General Affairs Committee heard testimony Feb. 5 on a bill that would make a number of changes to the state’s liquor laws.

LB1120, sponsored by committee chairperson Sen. Tyson Larson of O’Neill, would make a variety of changes to the Nebraska Liquor Control Act.



Sen. Tyson Larson

Among other provisions, the bill would:

- allow a party to apply for a re-hearing when a license application is denied;
- clarify that the fees collected for beer shipper licenses are to be deposited in the Nebraska Beer Industry Promotional Fund;
- require third-party shippers to file annual reports with the Liquor Control Commission regarding the alcohol they transport;
- require that Special Designated License applications be received within 10 working days prior to an event, but this requirement could be waived by the commission’s executive director;
- allow Class C licensees with a bottling endorsement to increase the size of their growlers from 32 to 64 ounces;
- prohibit the commission from requiring the long-form application unless the local governing body requests in writing a hearing to determine whether there has been a change in circumstances to warrant requiring the long-form application;
- establish procedures that include requiring the commission to maintain a list of delinquent accounts and prohibit wholesalers from selling to retailers who are more than 34 days overdue;
- allow the commission the discretion to suspend a license for a second and subsequent viola-

tions of the Liquor Control Act in addition to compliance check violations; and

- prohibit expenditures from the Nebraska Beer Industry Promotional Fund to be used for salaries or compensation for employees of any licensee or entity representing licensees under the Liquor Control Act.

In addition, the bill would create the Music Licensing Agency Act. The act would require a music licensing agency to register with the state Department of Revenue and file an annual electronic copy of each performing rights agreement that provides for payment of royalties made available from the music licensing agency to any Nebraska proprietor.

Michelle Weber, testifying on behalf of Kum & Go convenience stores, supported the provision allowing increased growler size for Class C licensees with a bottling endorsement. She said 64 ounces is the most popular growler size for craft beer enthusiasts, so the change would justify the company's investment in seeking the endorsement.

"Kum & Go is interested in investing in Nebraska to offer growlers of craft beer in its stores," Weber said.

Les Meyer of the Nebraska Winery and Grape Growers Association testified in support of the music licensing portion of the bill, which he said would offer important protections from aggressive licensing companies to vineyards and other entities.

"This bill will require [licensing entities] to provide updated information [regarding] who it is they represent so a proprietor can decide which of the entities they need to license with or if they can even afford to offer live music," Meyer said.

Kim Kavulak, representing the Nebraska Craft Brewers Guild, testified

in opposition to a provision in the bill that she said would eliminate a key source of funding for the state's craft beer industry. Currently, she said, the guild pays an executive director with funds awarded by a grant from the Nebraska Beer Industry Promotional Fund, who works full time to coordinate regulatory compliance, create tourism opportunities and promote Nebraska craft brewers.

LB1120 would prohibit paying the executive director with those funds, she said.

"The primary purpose of the beer fund is to continue to market and grow the craft beer industry in Nebraska," Kavulak said. "This requires the focus and attention of a single individual. We are all small brewers—we are all small business owners—we are busy running our own businesses."

Hobert Rupe, executive director of the Nebraska Liquor Control Commission, also opposed the provision, saying violations by craft brewers often are the result of owners not understanding the intricacies of state liquor law. Having an executive director for the craft brewers' guild provides a point of contact between the oversight agency and producers, he said.

Rupe also opposed the provision prohibiting the LCC from requesting a long-form renewal application from a licensee absent a written request from a local governing board. He said the provision would fundamentally change the role of the commission, which he said strives to remove local political considerations from the licensing process.

Also opposing the change was retired attorney Dennis Carlson of Lincoln. Without the ability for a state-level review of liquor licensees, he said, the situation in Whiteclay, Nebraska, likely never would have been resolved due to the vested interests of

local political officials.

The four beer sellers in the unincorporated community of eight residents were denied a liquor license renewal because the area lacked adequate law enforcement, he said. The community's experience "provides ample evidence" that local governing bodies should not provide the only level of oversight, he said.

"If the county board had the final say, the beer stores in Whiteclay would still be in business," Carlson said.

The committee took no immediate action on LB1120.



Direct primary care pilot program considered

The Government, Military and Veterans Affairs Committee heard testimony Feb. 7 on a bill that would create a state employee pilot program for direct primary care.

LB1119, sponsored by Ralston Sen. Merv Riepe, would create a pilot program for state employees eligible to participate in the Nebraska state insurance program. The two-year pilot program would begin in fiscal year 2019-20 and require that the state insurance program include at least two primary care options—one high-deductible and one low-deductible—for state employees.



Sen. Merv Riepe

Riepe said direct primary care focuses on developing a strong relationship between doctors and patients that allows individuals to obtain care without worrying about co-pays or

insurance claims and deductibles.

“Direct primary care has doubled in 2017,” Riepe said. “It is a rapidly growing concept because it’s proven to be cost effective.”

Under the bill, a participating provider would be required to:

- provide primary care to an enrollee;
- coordinate care across all care settings;
- oversee transitions in care between settings; and
- minimize the risk of gaps in care.

Providers would receive a monthly payment of a per-member, per-month fee for each enrollee and would be required to continuously monitor care quality measurements. The state Department of Administrative Services would provide the Legislature with an annual report on the clinical and financial performance of the program.

Cliff Robertson testified in support of the bill on behalf of CHI Health and the Nebraska Hospital Association. CHI Health recently became one of the first health systems to offer direct primary care as a benefit to its employees, he said, and the result has been better care at a lower cost.

Robertson, a family physician and CEO of CHI Health, said the traditional “fee-for-service treadmill” results in providers seeing more patients in a shorter time in order to maintain economic viability. Because direct primary care patients pay a monthly fee, they can see a doctor at any time without additional charge, he said, and providers have the time to get to know patients.

“Based on our own experience with both our employees and our own providers, I believe you’re on the right track with LB1119 and that you’ll see positive benefits for state employees as well as seeing lower health care costs,” Robertson said.

Todd Johnson also testified in support of the proposal, saying he was the first direct primary care provider in Nebraska. Direct primary care offers greater affordability, he said, in part because providers can offer wholesale pricing for prescription medication, medical imaging, medical equipment and laboratory services.

“I have a dozen businesses on board with me that are subscribing all their employees because they can finally offer health care to their employees, when before they were offering health insurance that they could not afford,” Johnson said.

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



Training about sexual abuse proposed for foster parents

Foster parents in Nebraska would receive more comprehensive training about sexual abuse under a bill heard by the Health and Human Services Committee Feb. 7.

LB1041, introduced by Lincoln Sen. Anna Wishart, would require that the training specifically include identifying a child’s risk of sexual abuse, minimizing the potential for sexual abuse, talking appropriately about boundaries with children, recognizing signs of abuse and reacting appropriately to any sign or disclosure of sexual abuse.



Sen. Anna Wishart

Wishart said the state’s current training programs for foster parents

provide information on identifying false allegations of sexual abuse or assault. This information could discourage foster parents and guardians from taking allegations seriously and reporting them to the appropriate authorities as required by law, she said.

“Child sexual abuse can haunt a survivor for the rest of their lifetime, increasing the risk for physical and mental health problems,” Wishart said. “Protecting the welfare of children in our state is a priority for every member in the Legislature.”

The bill also would require families seeking licensure for a kinship placement to complete the sexual abuse awareness training. Currently, families can receive a waiver for the general licensure training requirements.

Inspector General for Nebraska Child Welfare Julie Rogers spoke in support of the bill. She said an investigation into sexual abuse claims found that 50 children in the state’s care were victims of sexual abuse between 2013 and 2016.

Education on the prevalence of sexual abuse in the foster care system is especially important, Rogers said, considering that a child living without either parent is 10 times more likely to be sexually abused than a child living with both parents.

“In many instances, the foster parents were ill-equipped to protect the children and respond appropriately when sexual abuse allegations were made,” she said. “Educating foster parents on prevention ensures that children in state care are safe and that the appropriate action will be taken when issues do arise.”

Representing Nebraska Appleseed, Becca Brune also testified in support of LB1041. She said that child sexual abuse remains a problem throughout the state’s foster care system.

“From what we have seen, the train-

ing currently used is not comprehensive enough and not uniformly applied across the state,” Brune said. “The training detailed in the bill would better prepare foster and adoptive parents to identify and report allegations of abuse.”

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

JUDICIARY

Privacy restrictions for automatic license-plate readers approved

Senators gave final approval Feb. 8 to a bill meant to protect the privacy of Nebraskans whose license plate numbers are recorded by some government-operated cameras.

Introduced by Lincoln Sen. Matt Hansen, LB93 restricts how law enforcement agencies and other government entities gather and share data from automatic license-plate readers, which are mobile or fixed cameras used in combination with computer algorithms to turn license plate images into computer-readable data.

The bill allows government entities to use automatic license-plate readers only to identify vehicles that are associated with a missing person, registered to someone with an outstanding warrant, relevant to an ongoing criminal investigation or reported as stolen. Parking enforcement agencies may use the systems to identify vehicles with outstanding parking or traffic violations, enforce secured areas, assist



Sen. Matt Hansen

weigh stations or collect tolls.

As amended on select file, the bill prevents agencies from storing the captured data—including photographs of license plates, GPS coordinates and time and date information—for more than 180 days unless it is used as evidence or if it is subject to a preservation request or the subject of a warrant, subpoena or court order.

Governmental entities or criminal defendants may request a court order for the disclosure of captured plate data, which may be granted if they can offer facts showing that there are reasonable grounds to believe the data is relevant to a criminal or civil action.

Agencies using automatic license plate readers are required to adopt and post a privacy policy and a policy governing use of the systems, and they are required to report annually to the Nebraska Commission on Law Enforcement and Criminal Justice on their use.

LB93 passed on a 47-0 vote.

Bankruptcy exemptions increased

Senators passed a bill Feb. 8 that expands bankruptcy exemption provisions that were last modified 20 years ago.

LB105, introduced by Bancroft Sen. Lydia Brasch, increases the personal property exemption from \$2,500 to \$5,000 when filing for bankruptcy or resolving a creditor judgment.



Sen. Lydia Brasch

The bill additionally increases an exemption for household items from \$1,500 to \$3,000 and an exemption for business tools and equipment from \$2,400 to \$5,000. The bill also provides an exemption for a debtor’s

interest in a motor vehicle for up to \$5,000.

The exemption limits will be adjusted for inflation every five years, beginning in 2023.

The bill passed on a 47-0 vote.

Bill would restrict use of juvenile custodial statements

The ability to use statements made by a juvenile during a custodial interrogation would be restricted under a bill heard Feb. 9 by the Judiciary Committee.

Under LB930, sponsored by Lincoln Sen. Matt Hansen, such a statement would be admissible against a juvenile only if his or her parent, guardian or custodian was present during the interrogation—and if both were advised of the juvenile’s right to counsel and to remain silent and voluntarily waived those rights prior to questioning.

An exception would be made for a statement, admission or confession that otherwise would be admissible under the public safety exception to *Miranda v. Arizona*.

Hansen explained that a custodial interrogation is when someone is being questioned by law enforcement and reasonably without the ability to leave, even if they technically are not under arrest. Often, he said, juveniles are pulled out of school and undergo custodial interrogation without a parent’s knowledge or consent.

Nebraska does not consider 18-year-olds to be adults under the law, he said, because their decision-making abilities are considered not fully formed.

“If we as a state do not think that 18-year-olds are able to fully understand and able to consent to an apartment lease, why on earth do we think we could get them to waive their

constitutional rights?" Hansen said.

Amy Miller of ACLU of Nebraska supported the bill, saying that without legislative action, the courts have decided that children as young as 14 are capable of fully understanding the implications of waiving their Miranda rights. Yet science indicates that children lack the ability to do so, she said.

"They simply lack both the real-world knowledge and the brain development," Miller said, adding that Arkansas, Hawaii and Missouri already provide the kind of protections outlined for juveniles in LB930.

Juliet Summers of Voices for Children in Nebraska also testified in support, saying the bill would provide age-appropriate protection for young people who come in contact with law enforcement. Research shows that juveniles are far more likely to offer false confessions during interrogations, she said, noting that 43 percent of juvenile exonerations involve false confessions, compared to 13 percent of adult exonerations.

"A custodial interrogation, when you're not free to leave, is by its nature—or can be—coercive," Summers said. "Particularly if the person under interrogation is a child."

Sarpy County public defender Dennis Marks, testifying on behalf of the Nebraska Criminal Defense Attorneys Association, said having a parent present would be a step toward better protecting the rights of juveniles during custodial interrogations.

Law enforcement are specifically trained in how to obtain information and confessions, he said, and are legally able to lie in an effort to do so. In addition, he said, parents often don't realize that their children can be interrogated without their knowledge or consent.

"Having a parent present—although an attorney would be preferable—is a

step in [the right] direction," Marks said. "It doesn't exactly level the playing field, but I think it helps."

Corey O'Brien, speaking on behalf of the Nebraska attorney general's office and the Nebraska County Attorneys Association, said the courts should regulate how the Miranda warning is administered. Testifying against the bill, O'Brien said Nebraska courts already have determined that juveniles must receive age-appropriate advisement of their rights.

In addition, he said, there are times when a parent is the victim of the juvenile in a custodial interrogation or is placing pressure on a child to cooperate with police when the child does not wish to do so.

"It is our opinion that it is the constitutional right of the child, and not of the parent," O'Brien said.

The committee took no immediate action on LB930.

Bill would establish affirmative consent standard for sex

The Judiciary Committee heard testimony Feb. 9 on a bill that would establish an affirmative consent standard in deciding cases of sexual assault.

Under LB988, introduced by Lincoln Sen. Patty Pansing Brooks, people must have a knowing and voluntary agreement, freely given, to engage in sexual contact. Pansing Brooks said it would better protect victims of sexual assault under the law.



Sen. Patty Pansing Brooks

"This is more than a definitional change—it is about empowering survivors of sexual assault who seek justice

from their attacker," she said. "It reframes the way our legal system approaches situations in which an individual did not give voluntary consent in sexual encounter."

The existence of a current or previous dating, social or sexual relationship would not imply consent. Similarly, a person's clothing or alcohol and drug use would not constitute consent.

Consent given under instances of force, fraud or coercion also would be considered invalid under the bill.

Miranda Melson, vice president of PREVENT UNL, spoke in support of the bill. After she was raped, she said she reported it to university officials but was told the encounter was consensual because she never said "no."

"'Yes means yes' is based on enthusiasm and ongoing dialogue," Melson said. "It is not to punish people caught in seemingly ambiguous situations, but to prevent situations from being ambiguous in the first place."

No person should be presumed to be constantly consenting to sexual activity, said Planned Parenthood representative Meg Mikolajczyk.

"Seeking permission instead of assuming consent is exceptionally important in the way power imbalances present themselves," she said. "Affirmative consent restructures the power dynamic and allows people to actively set their boundaries."

Representing the Women's Foundation of Lincoln and Lancaster County, Kathleen Uhrmacher also supported the bill.

"This reframes the way consent is viewed and thus moves the onus from victims of sexual assault to the perpetrators," Uhrmacher said. "By requiring both partners to make a conscious, voluntary affirmative agreement to engage in sex with each other, LB988 empowers sexual assault victims and

establishes clear boundaries.”

Opposing the measure was Molly Keane, representing the Nebraska County Attorneys Association. She said she admires the motivation behind the bill but testified that the language was confusing and could make it more difficult for prosecutors to prove cases against sexual assault perpetrators.

“We’re responsible for proving every element of a crime beyond a reasonable doubt,” Keane said. “This would force the defense to prove something, rather than forcing the state to prove its case.”

The committee took no immediate action on the bill.

Gun possession would be prohibited for certain juveniles

Certain adjudicated youth would be temporarily barred from possessing firearms under a bill heard by the Judiciary Committee Feb. 8.

Under LB990, introduced by Omaha Sen. Justin Wayne, a person under 25 would be prohibited from possessing a firearm if they have been adjudicated in juvenile court of a misdemeanor domestic violence charge or any felony, are a fugitive from justice, or are the subject of a current domestic violence, harassment or sexual assault protection order.

Wayne said the state Supreme Court has made it clear that a juvenile adjudication has no impact on a person’s civil liberties or rights, including gun ownership. Children can change, he said, but psychological research also says that a child’s brain is not fully developed until 25 years of age.

“This bill will start changing the

juvenile system so that after kids commit serious offenses there’s a pause to make sure that our public safety is still number one,” Wayne said.

A person who violates the bill’s provisions would be guilty of a Class IIIA felony for a first offense, which carries a penalty of up to three years imprisonment and 18 months post-release supervision, a \$10,000 fine or both. Second and subsequent offenses would be a Class III felony, eligible for up to four years imprisonment and two years post-release supervision, a \$25,000 fine or both.

The prohibition would not apply to the possession of firearms by members of the U.S. Armed Forces, National Guard, Reserve Officers Training Corps, or law enforcement officers while on duty or during training.

A person subject to the bill’s provisions could file for an exemption. The court would consider the person’s behavior following adjudication, the likelihood of recidivism and any other relevant information.

Jim Maguire, representing the Nebraska Fraternal Order of Police, spoke in favor of the measure. He said the case of a 17-year-old who shot a sheriff’s deputy shows the need for the bill.

If that young man’s case remains in juvenile court, Maguire said, he would be able to purchase a gun after finishing his probation.

“We need to make sure the people who commit these crimes cannot have a firearm until they can show they are responsible for their actions,” he said.

Omaha Deputy Police Chief Greg Gonzalez also supported the bill. Juveniles can be rehabilitated, he said, but they should earn back their right to gun ownership.

“This would ensure past transgressions committed by juveniles do not continue to haunt them into their

adult lives,” Gonzalez said. “However, the Omaha Police Department does believe that enforcement options should continue until 25 to ensure those past transgressions do not repeat themselves.”

Opposing the measure was Spike Eickholt, representing the Nebraska Criminal Defense Attorneys Association. He said there already are crimes in statute that would cover an offense of this nature. Instead, Eickholt said, this would create another felony charge that could be stacked on top of other charges.

“Nothing in this bill would limit prosecutors from only charging this offense when a crime is committed,” he said. “We already have overlapping layered offenses that can be piled on.”

Christine Henningsen, director of Nebraska Youth Advocates, also opposed the bill. It would not make the community any safer, she said, but it would push juveniles deeper into the court system.

“Creation of a new felony based on a juvenile adjudication will not create a deterrent effect among youth and it won’t make us any safer,” Henningsen said. “I don’t think creating a new felony that will open them up to incarceration and further punitive interventions is a step forward.”

The committee took no immediate action on the bill.

Constitutional amendment would legalize medical cannabis

The legalization of medical cannabis would be placed on the ballot for voters’ consideration under a measure presented to the Judiciary Committee Feb. 8.

LR293CA, introduced by Lincoln Sen. Anna Wishart, would put the issue on the November 2018 general election ballot. A poll commissioned



Sen. Justin Wayne

last year by the Marijuana Policy Project found that 77 percent of likely Nebraska voters would vote to legalize medical cannabis, she said.

“I have heard overwhelming support from across the state, from moms dealing with their children’s seizures, older people with arthritis, people with multiple sclerosis and cancer patients,” she said. “Nebraskans deserve a chance to vote on this issue.”



Sen. Anna Wishart

If approved by voters, people would have the right to use medical cannabis products—regardless of their form—to treat or relieve any medical condition or illness. Use of medical cannabis would be subject to any law, rule or regulation passed by the Legislature, as long as it would not infringe on people’s right to consume.

The state would not have to worry about federal drug laws pre-empting legalization at the state level, said ACLU of Nebraska Legal Director Amy Miller in support of the measure. She said concerns about a state marijuana law violating the federal Constitution are unfounded.

“There is strong case-law support that shows Congress has already chosen to leave this issue up to the states,” Miller said. “When Congress passed the Controlled Substances Act in 1970, they already knew that Nebraska and 18 other states considered possession of less than an ounce of marijuana just an infraction and they did nothing.”

Lia McDowell Post of Springfield also supported the proposed amendment. She said cannabis has helped her to manage her complex regional pain syndrome for a year, but by doing so she is technically committing a crime.

“I’ve given up drinking alcohol,

smoking cigarettes, sugar, gluten, caffeine, my blood pressure medicine, my anti-psychotics, anti-depressants, anti-epileptics, opioids and sedatives and I’m still a criminal,” she said. “It is time to come together and make a change to this archaic way of thinking.”

A 2014 car accident that resulted in severe nerve damage, post-traumatic stress disorder, depression and glaucoma made Joseph Guinan of Omaha a supporter of medical cannabis. He said he truly did not understand the benefits of cannabis until he experienced it firsthand.

“The fact that there are families who are uprooting and moving to states that have legalized, no one just does that without a good reason,” Guinan said. “If cannabis helps someone get through the day pain free and stress free, they should have access to it.”

Opposing the measure was Ryan Post, representing the state attorney general. He disagreed that the state has the authority to legalize a substance currently prohibited by the federal government.

“If this constitutional amendment were passed by the Legislature and adopted by the voters, it would need to have enabling legislation,” Post said. “Federal law would preempt any legislation the Legislature would enact that is in conflict with the Controlled Substances Act.”

Dr. Monica Oldenburg, an anesthesiologist in Lincoln, also opposed the measure. She said much of the marijuana available today has alarmingly high levels of tetrahydrocannabinols, the chemical compound responsible for marijuana’s psychoactive effects.

More research is needed on cannabis and its side effects, Oldenburg said, before the state can expect physicians to prescribe it with any measure of confidence.

“We have no good long-term stud-

ies on the effects of high potency marijuana and this bill has no provision to control THC levels,” she said.

The committee took no immediate action on the bill.



Expanded sales tax base would pay for property tax credits, schools

A state sales tax increase, new sales and use taxes and many other changes to the state’s tax code would pay for additional property tax credits and increased public school funding under a bill heard by the Revenue Committee Feb. 8.

Albion Sen. Tom Briese, sponsor of LB1084, said that the average Nebraskan pays more in property taxes than state, local and motor vehicle sales taxes combined. At the same time, he added, Nebraska is nearly last in the nation in the percentage of public elementary and secondary education funded by the state.



Sen. Tom Briese

Briese said it is clear that Nebraskans—in both rural and urban areas—are demanding property tax relief.

“I believe there’s only one responsible way to do it,” he said, “and that’s raising new revenue [and] putting it into the hands of our property tax payers through increased K-12 funding and the property tax credit fund.”

All the new revenue generated by LB1084, except for the increased aid to school districts, would be deposited in the property tax credit cash fund.

The state Department of Revenue estimates that the bill would direct an

additional \$234 million to the fund in fiscal year 2018-19 and a further \$418 million in FY2019-20. The fund currently holds approximately \$224 million.

The state Department of Education estimates that LB1084 would increase state aid to schools by \$144 million in FY2018-19 and that all of the state's 244 school districts would receive additional state aid as a result of the bill's changes to the school funding formula.

LB1084 would increase the state sales tax from 5.5 percent to 6 percent beginning Oct. 1, 2018. It also would impose sales and use taxes on more than a dozen services, including investment advice, hair care, lawn care and massage. Soft drinks, candy and bottled water also would be subject to sales tax.

The bill would eliminate sales tax exemptions for school meals and the fees and admissions charged for political events, school events and nonprofit sporting events. Sales tax exemptions for capital gains, fine art purchases by museums, zoo memberships, newspapers and certain other purchases would be repealed, as would the state sales tax exemption for motor vehicle trade-ins.

It also would impose a surtax on anyone who is subject to state income taxes and has a federal adjusted gross income of at least \$500,000. The tax would equal 2.5 percent of the AGI of those earning at least \$500,000 but less than \$1 million. It would equal 5 percent for those with an AGI of \$1 million and above.

Additionally, LB1084 would increase the excise tax on a pack of cigarettes from 64 cents to \$1.64, directing the additional proceeds to the state's property tax credit cash fund.

The bill would end two tax incentive programs and the personal property tax credit program after 2018, and it would require internet

sellers without a physical presence in Nebraska to collect state sales taxes if their sales total \$100,000 or more or if they made at least 200 transactions.

LB1084 would impose a Nebraska alternative minimum tax and would repeal an adjustment that allows individuals to decrease their adjusted gross income for non-Nebraska source income earned through a pass-through entity.

The bill also would restore cuts to state aid to schools made last year and would increase the amount of allocated income taxes to schools from the current 2.23 percent to 20 percent. However, it would limit the amount that school districts can request in property taxes each year.

Finally, the bill would require the state Department of Education to oversee an in-depth review of the financing of public elementary and secondary schools. The report would examine methods of school financing that would offer alternatives to a heavy reliance on property taxes.

Al Juhnke, executive director of the Nebraska Pork Producers Association, testified in support of the bill on behalf of the Nebraska Agriculture Leaders Working Group. The ad hoc group, comprising officers and staff from six of the state's largest farming and ranching organizations, supports LB1084 because it provides substantial property tax relief while generating new revenue and ensuring adequate funding for public education, he said.

"The need for property tax relief is an urgent one for our Nebraska farmers and ranchers," Juhnke said. "We cannot wait any longer, and are willing to work with anyone and everyone when it comes to timely property tax relief."

Amie Kopcho, a York Public Schools board member, also testified in support of the bill, saying that a review of public school financing is long

overdue. She said close to 70 percent of the district's funding comes from local property taxes and less than 17 percent comes from the state.

"As a state, we simply have to find ways to pay for services outside of local property tax revenue," Kopcho said, "and this bill does that."

Tiffany Joekel, policy director at OpenSky Policy Institute, also testified in support of the bill. She said it would broaden the state's sales tax base while eliminating tax breaks and loopholes for special interests.

"It is the only fiscally responsible solution on the table that provides a path to meaningful property tax reform while protecting state budget priorities like health care and K-12 education," Joekel said.

Testifying in opposition to the bill was Coby Mach, speaking on behalf of the Lincoln Independent Business Association. He said the association is concerned about a proposed increase in sales and use tax when Nebraska retailers already are in competition with online sellers that are not required to collect those taxes. The association also opposes taxing personal care services because those providers already pay income taxes, he added.

"Service is your labor," Mach said, "and we already tax labor."

Nicole Fox, director of government relations for the Platte Institute, also testified in opposition to the bill. She said the Platte Institute agrees that Nebraska should increase its sales tax base by taxing additional services, but it disagrees with how LB1084 would use the additional revenue. Without proper safeguards in place, Fox said, the bill could only accelerate local spending.

"We are concerned that LB1084 does not have a strong enough mechanism to ensure that local property tax entities will reduce levy rates in response to receiving these new rev-

enues,” she said.

Stacy Watson, speaking on behalf of the Omaha, Lincoln and Nebraska chambers of commerce, also testified in opposition to the bill. The chambers specifically oppose repealing the income tax adjustment for non-Nebraska income earned from an S corporation or an LLC, she said. The proposal would discourage new businesses from coming to the state, Watson said, and it likely would not increase revenue because many businesses would switch to C corporations to avoid it.

“We request to remove these provisions from the bill so that they don’t unfairly tax the individuals versus the C corporations as they currently exist,” she said.

Also testifying in opposition was Herb Freeman, president of the Nebraska Realtors Association. He said the proposed sales tax on real estate services related to single-family homes is unfair because similar services for commercial, multi-family, industrial, retail or other property types would not be taxed.

“We would submit to you that single-family homeowners are not a special interest group,” Freeman said.

The committee took no immediate action on the bill.

Bills would restore personal exemption credit

The Revenue Committee heard testimony Feb. 7 on two bills intended to offset state revenue increases as a result of recent changes to federal tax law.

The Tax Cuts and Jobs Act, which Congress passed in December, makes many changes to the federal tax code. Papillion Sen. Jim Smith, sponsor of LB1090, said that because Nebraska’s tax law is tied to the federal code in several places, automatic changes to the state’s tax code would generate approximately \$220 million in addi-

tional state revenue in 2018.

He said the most significant change is the repeal of the federal personal exemption, which is tied to a state exemption credit. To offset this change, LB1090 would create a new \$134 state personal exemption credit that individuals could claim for themselves and each of their dependents beginning in 2018.

Congress also made changes to itemized deductions, exemptions for capital expenditures and the federal standard deduction. To offset those changes, Smith said, LB1090 would adopt a higher Nebraska standard deduction of \$6,750 for single taxpayers and \$13,000 for those who are married filing jointly.

It also would adjust individual income tax brackets, the personal exemption credit and the standard deduction based on the Consumer Price Index instead of the new federal method for indexing tax brackets for inflation.

The state Department of Revenue estimates that the bill would reduce state tax revenue by \$326 million in fiscal year 2018-19 and a further \$257 million in FY2019-20.

Bruce Bohrer, speaking on behalf of the Lincoln Chamber of Commerce, testified in support of the bill, saying he agrees with the effort to offset any impact that changes to the federal tax code could have on the amount of state taxes that Nebraskans pay. If the state is going to collect more revenue from its citizens as a result of the federal changes, he said, senators should debate and vote on such a measure instead of letting those changes happen automatically.

“I know there’s been some talk of just letting this happen,” Bohrer said. “Some people would call it a



Sen. Jim Smith

windfall—some people would call it a tax increase.”

LB1048, introduced by Omaha Sen. Burke Harr, also would create a state personal exemption credit that some Nebraskans could use to reduce their state income tax liability during years in which personal exemptions are not allowed on the federal tax return.

Only those with federal adjusted gross incomes of up to \$100,000—or \$200,000 if married filing jointly—would qualify. An individual would be allowed to claim an exemption for himself or herself, any dependents and the individual’s spouse in certain circumstances.

The department estimates that LB1048 would reduce state tax revenue by approximately \$259 million in FY2018-19 and a further \$196 million in FY2019-20.

Harr said his bill is more conservative than LB1090 because it would retain more of the increase in state tax revenue caused by the federal changes. This would give the state more certainty about its revenue during the current budget shortfall.



Sen. Burke Harr

Tiffany Joekel, policy director at the OpenSky Policy Institute, testified in support of the bill, saying that it is difficult to predict how taxpayers will react to such a major change in tax policy at the federal level.

LB1048 would avoid the majority of the tax increase that would occur if the Legislature makes no changes to the state tax code, Joekel said, but it also would provide a greater margin of error than LB1090, which is meant to be revenue neutral.

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

TRANSPORTATION & TELECOMMUNICATIONS

School bus driver permit repealed

Lawmakers passed a bill Feb. 8 that is intended to simplify licensing requirements for Nebraska school bus drivers.

Introduced by Lincoln Sen. Suzanne Geist, LB347 eliminates the requirement for a special \$5 school bus driver permit that must be renewed annually with the state Department of Motor Vehicles.



Sen. Suzanne Geist

The department retains authority to regulate school buses and school bus drivers except for the issuance of the federally required CDL and endorsements, which the DMV handles.

School bus drivers still are required to undergo a physician's examination to determine whether they meet physical and mental standards set by the department. Additionally, school bus drivers still are required to take special training classes, and schools will continue to check drivers' driving records and criminal histories.

The bill passed on a 48-0 vote.

Bill calls for 911 service committee

The Transportation and Telecommunications Committee heard testimony Feb. 5 on a bill that would improve access to 911 services throughout the state.

A bill passed by the Legislature in 2016 authorized the Nebraska Public Service Commission to organize fund-

ing for a statewide system capable of next-generation service. This would enable public safety answering points to receive 911 calls via voice, text or video using internet protocol.

LB993, introduced this year by Henderson Sen. Curt Friesen, would create the 911 Service System Advisory Committee to assist the commission in its mission to fully implement the 911 service system.



Sen. Curt Friesen

Friesen said the bill is the result of a 2017 interim hearing on the ongoing development of the next-generation service and would move the project forward to more adequately serve all Nebraskans.

Membership of the advisory committee would include the 911 director and the state chief information officer, as well as:

- four representatives of public safety agencies within the state, including an emergency manager, member of a law enforcement agency, member of a fire department and a member of an emergency medical service;
- two county officials or employees;
- two municipal officials or employees;
- two representatives of the telecommunications industry;
- two managers of public safety answer points, one of whom is employed by a county sheriff;
- one representative of the Nebraska Association of County Officials; and
- one representative of the League of Nebraska Municipalities.

Of the 14 members appointed to the committee, at least four members must be appointed from each of the

state's three congressional districts. Each would serve a term of three years.

The commission would be tasked with creating a mechanism for determining the level of funding available to local governing bodies, public safety answering points and third-party service or infrastructure providers from the 911 Service System Fund.

Costs incurred for providing 911 service, acquiring new equipment, training personnel and maintaining, upgrading or modifying services all could be eligible for funding under LB993.

Additionally, the commission would be able to apply for federal funds available for next-generation 911 service and could distribute the funds accordingly.

Commissioner Tim Schram, representing the Nebraska Public Service Commission, spoke in support of LB993. He said the current 911 system has served Nebraskans well for 50 years, but that the technology has outlived its usefulness.

"Instead of copper telephone lines, the next-generation system will use high-speed fiber optics to provide instantaneous communication," Schram said. "It will allow for the seamless flow of voice and multimedia data between the caller who needs help and the dispatcher who can send help."

Brainard resident Norm Weberka also supported the bill. Without the ability to text 911 for help, he said, people who are deaf or hard of hearing could be denied emergency services.

"The reason I continue to support this issue is because as a deaf person, I believe I need to have equal access to 911 services," he said. "Texting 911 would be the way I'd communicate that I have the need for 911 services and without that ability, I would no longer have access."

The agriculture industry is one of

the most dangerous professions in the state, said Nebraska Farmers Union representative John Hansen. Farmers often are alone and geographically isolated when an emergency strikes, he said.

“We have a need for emergency assistance, unfortunately,” Hansen said. “Having the best, most technologically available system for assistance is so important.”

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

Study of rural broadband availability proposed

Expanding high-speed internet access to rural areas of the state was the focus of a hearing of the Transportation and Telecommunications Committee Feb. 5.

Henderson Sen. Curt Friesen introduced LB994, which would create the Rural Broadband Study Task Force to assist in developing enhanced broadband telecommunications service to unserved and underserved areas in rural Nebraska.



Sen. Curt Friesen

“It is vital to Nebraska’s future well-being that our rural residents have the same opportunities to participate in the information superhighway as our urban residents,” Friesen said. “I hope [LB994] jumpstarts the process for eliminating the digital divide between our rural and urban residents.”

Membership on the task force would include the Transportation and Telecommunications Committee chairperson, another member of the Legislature appointed by the Executive Board, a member of the Nebraska Public Service Commission, the chair-

person of the Nebraska Information Technology Commission, the director of the state Department of Economic Development, the director of the state Department of Agriculture, and additional members to be appointed by the governor, including representatives from the state’s agribusiness, business, telecommunications, public power and educational communities.

The task force would study issues relating to the availability, adoption and affordability of broadband services in rural areas of the state. Specifically, the task force would:

- determine how the average advertised subscription rates and download and upload speeds compare with neighboring states;
- determine whether the administration of the Nebraska Telecommunications Universal Service Fund is effective in bringing comparable and affordable broadband service to rural residents;
- review the feasibility of alternative technologies and providers in expediting access to faster and more reliable broadband service in rural areas;
- recommend state policies to effectively leverage state Universal Service Fund dollars with federal support; and
- recommend to the governor and Legislature the most effective and efficient ways to use federal broadband rural infrastructure funds.

A final report of the task force’s findings would be delivered to the Legislature’s Executive Board no later than Dec. 1, 2019.

LB994 also would authorize the Nebraska Public Service Commission to institute a reverse auction program that would award funding to broad-

band internet service providers to support high-speed internet infrastructure deployment projects in unserved or underserved areas. Additionally, the commission could withhold funding from companies that have not adequately served such areas.

Finally, the bill would direct the commission to establish a registry of locations within the state that receive complaints of a lack of wireless coverage. The annual report would be publicly available and could be used in future funding decisions.

Representing the Nebraska Public Service Commission in support of the bill was Commissioner Mary Ridder.

“I’m a strong proponent of pulling together stakeholders who are working to bring Nebraska forward into the future,” Ridder said. “This is a great vehicle for addressing the challenge of expanding broadband into rural areas.”

Also supporting the measure was Gwen Kautz, representing the Nebraska Rural Electric Association. She said having affordable broadband services is as important as accessible services.

“A non-traditional partnership and other innovative solutions could ensure all Nebraskans have reliable and affordable broadband,” Kautz said. “We should have all the same opportunities as our urban counterparts do.”

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

Increased highway speeds proposed

The state Department of Transportation could increase highway speed limits under a bill heard by the Transportation and Telecommunications Committee Feb. 6.

LB1009, introduced by Gretna Sen. John Murante, would authorize

the department to increase the interstate speed limit from 75 mph to 80 mph if a traffic and engineering study would support such a move.

Murante said the increased speed limits would align the speed of Nebraska roads with the 85th percentile speed—the speed at or below which 85 percent of all vehicles are observed to travel in free-flowing traffic.



Sen. John Murante

Traffic officials generally agree that speed limits should reflect the driving behaviors of most drivers, he said.

South Dakota recently adopted a higher speed limit, Murante said, which led to a decrease in traffic fatalities that can result from large speed differentials between drivers.

“This bill reflects what the driving patterns are telling engineers and policymakers what the appropriate speeds for highways should be,” he said. “Traffic officials generally agree that speed limits should reflect the driving speeds of most drivers.”

The bill would create a “super-two” highway classification, which would consist of two-lane highways designed primarily for through traffic with passing lanes spaced intermittently and on alternating sides of the highway to provide predictable opportunities to pass slower-moving vehicles.

The maximum speed limit would be increased from 60 mph to 65 mph on any four-lane divided highway that is not a part of the state highways system and any part of the state highway system other than an expressway, super-two highway or freeway.

Speeds would increase from 65 mph to 70 mph on expressways and super-two highways that are part of the state highway system, and freeways that are a part of the state highway

system but not part of the National System of Interstate and Defense Highways.

Finally, the maximum speed limit would be increased from 60 mph to 65 mph on any portion of the National System of Interstate and Defense Highways located in Douglas, Lancaster and Dakota counties.

Kyle Schneweis, director of the state Department of Transportation, spoke in support of the bill. The department regularly studies the traffic patterns and average speeds of the state’s highways, he said, and the results show that 75 percent of the study locations would benefit from an increased speed limit.

Substantially similar highways throughout the state have differing speed limits, he said, which can lead to driver confusion.

“LB1009 would bring consistency and uniformity to our highway system,” Schneweis said. “It would ensure that Nebraska roads are meeting our drivers’ expectations.”

Lancaster County Engineer Pam Dingman, also testified as a proponent. She said the 85th percentile method for determining speed increases is rooted in engineering principles and would create a standardized approach to assigning speed limits.

Opposing the measure was Eric Koeppe, president of the National Safety Council of Nebraska. He said that a 2017 council study ranked Nebraska 35th in the nation in highway traffic safety. The study cited high rates of speeding, distracted driving and lack of seatbelt use, Koeppe said.

“This would only exacerbate our lack of primary seatbelt and distracted driving laws,” he said. “In order to create more safe drivers, education must be combined with strong laws and proper enforcement.”

Representing Crete Carrier Corpo-

ration, Christopher Hilkemann also opposed the bill. He said his company requires drivers to travel no faster than 65 mph on interstates and 60 mph on state highways to ensure their safety and that of fellow motorists.

A difference in speed between truck drivers and motorists already exists, Hilkemann said, which creates opportunities for unsafe driving maneuvers by people trying to pass semitrucks.

“LB1009 would act not only to increase the existing speed differential to 15 mph on the interstate, but would create a new speed differential of 5 mph on highways,” he said. “This would create conditions that are rife for more frequent and serious collisions to occur.”

The committee took no immediate action on the bill.

URBAN AFFAIRS

Economic development cap removed

One of the caps in the state’s Local Option Municipal Economic Development Act was removed by a bill passed Feb. 8.

Currently, a cap of four-tenths of one percent of a city’s taxable valuation is placed on funds derived from local revenue sources that a city can use for approved economic development programs.



Sen. Justin Wayne

LB614, introduced last year by Omaha Sen. Justin Wayne, removes that cap. The bill leaves in place a second, flat-dollar spending cap.

Senators passed the bill on a 47-0 vote.

New tool proposed for neighborhood development

Neighborhoods would have an additional avenue to pursue improvement projects under a bill heard Feb. 6 by the Urban Affairs Committee.

LB986, sponsored by Lincoln Sen. Matt Hansen, would authorize the development of neighborhood improvement districts in Nebraska. Hansen said the idea was sparked by the success of business improvement districts that allow cities to focus resources on specific geographic areas. The same idea could be used to promote neighborhood improvements, he said, which could be funded through local, state or federal grants, as well as donations or special assessments.



Sen. Matt Hansen

“NIDs are designed to offer existing neighborhoods more control to fund and execute projects they deem important and necessary while not

reducing the level of other local or state resources,” Hansen said.

Under the bill, a city council would draw the lines of an NID and either appoint a board or designate an existing neighborhood association or homeowners’ association board as the NID board. If a city declined to do so, the owners of 30 percent of the assessable property in a neighborhood could petition the municipality to create an NID.

A municipality could impose an NID special assessment, with funds to be used only for a specific purpose. Authorized purposes under the bill would include landscaping or physical improvements for decoration or safety, including construction of pedestrian plazas, sidewalks, bus stop shelters, public restrooms, pedestrian overpasses or lighting.

A special assessment would end if it were opposed in writing by more than 50 percent of the assessable units in an NID.

David Landis, urban development director for the city of Lincoln, testi-

fied in support of the bill. Livable neighborhoods are a vital part of a successful city, he said, and neighborhoods currently have very few improvement tools, unlike business districts.

“If a neighborhood chooses for itself to make and enhance its own opportunities, I think the neighborhoods ought to have the power to do that,” Landis said.

Korby Gilbertson, testifying on behalf of the Nebraska Realtors Association, also supported the bill. Property owners should be able to band together to improve their neighborhoods, Gilbertson said, although she did recommend that property owners who oppose a special assessment be given more than 10 days’ notice to file their opposition.

“[That] would probably be a bigger hill than someone could climb in that amount of time,” she said.

Hansen said he would be bringing an amendment to increase the notice of a public hearing on a special assessment from 10 to 35 days.

No opposition testimony was offered and the committee took no immediate action on LB986. ■

COMMITTEE HEARINGS

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

Monday, February 12

Appropriations

Room 1524 - 1:30 p.m.

- LB677 (Krist) Change appropriations for certain health and human services programs
- LB715 (Howard) State intent relating to appropriations to local public health departments
- LB864 (Walz) Designate funds appropriated to the Department of Health and Human Services for state aid
- LB985 (Howard) Provide for state funding of prenatal care under the medical assistance program
- LB1101 (Vargas) State intent relating to appropriations to behavioral health services providers
- Agency 28: Dept. of Veterans’ Affairs
- Agency 25: Health and Human Services

Business & Labor

Room 2102 - 1:30 p.m.

- LB844 (Crawford) Adopt the Healthy and Safe Families and Workplaces Act
- LB916 (Hansen) Prohibit retaliation under the Nebraska Wage Payment Collection Act and the Wage and Hour Act
- LB843 (Pansing Brooks) Provide protections for employees’ wage disclosures
- LB1014 (Pansing Brooks) Name the Discriminatory Wage Practices Act, change provisions relating to wage discrimination on the basis of sex, and provide protections for employees relating to wage disclosure
- LB791 (Ebke) Change Nebraska State Patrol employees’ bargaining rights

Education

Room 1525 - 1:30 p.m.

- LB801 (Stinner) Adopt the Panhandle

- Beginnings Act to provide certain services to school-age children
- LB998 (Walz) Create the Collaborative School Behavioral and Mental Health Program
- LB1081 (Education) Change education provisions regarding reporting, penalties, residency, boundaries, priority schools, subpoena authority, poverty, and limited English proficiency

Executive Board

Room 2102 - 12:00 p.m.

- LB1078 (Crawford) Require reporting of sexual abuse allegations as prescribed
- LR288 (Bolz) Create the Child Welfare Death and Abuse Special Oversight Committee of the Legislature

General Affairs

Room 1510 - 1:30 p.m.

- LB1102 (Friesen) Change provisions

COMMITTEE HEARINGS

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

relating to distribution of taxes collected, license renewals and fees, and the tax on gross proceeds for county and city lotteries
 LR294CA (Larson) Constitutional amendment to allow the Legislature to authorize any game of chance, lottery, or gift enterprise and to provide for distribution of revenue
 LB984 (Quick) Change provisions of the Nebraska Lottery and Raffle Act relating to special permits and gross proceeds

Transportation & Telecommunications Room 1113 - 1:30 p.m.

Appointment: Barbara J. Keegan - Board of Public Roads Classifications and Standards

LB1136 (Clements) Provide for custody and disposition of certain vehicles in possession of multistate auction dealers by treating such vehicles as abandoned vehicles
 LB1011 (Harr) Provide a duty for drivers approaching certain stopped vehicles on a roadway as prescribed under the Nebraska Rules of the Road
 LB1049 (Harr) Redefine low-speed vehicle
 LB1080 (Hughes) Provide for Wildlife Conservation Plates
 LB1092 (Smith) Change provisions relating to autocycles

Tuesday, February 13

Appropriations

Room 1524 - 1:30 p.m.

Agency 5: Supreme Court
 Agency 15: Neb. Board of Parole
 Agency 64: State Patrol
 Agency 78: Neb. Commission on Law Enforcement and Criminal Justice
 LB716 (Howard) Appropriate funds to the Department of Correctional Services
 LB871 (Wishart) Appropriate funds to the Department of Correctional Services
 LB861 (Watermeier) Require that certain prosecution costs be paid by the state
 Agency 46: Dept. of Correctional Services

Education

Room 1525 - 1:30 p.m.

LB999 (Vargas) Change provisions relating to the Student Discipline Act
 LB1110 (Vargas) Require annual reporting of school performance scores and classifications
 LB1116 (Linehan) Create the Quality Education Accountability Commission and the Quality Education Accountability Office
 LB1052 (Pansing Brooks) Require instruction and teacher education related to dyslexia

Transportation & Telecommunications Room 1113 - 1:30 p.m.

LB1063 (McDonnell) Provide funding to assist victims of traumatic brain injury and increase certain driver's license fees as a source of such funding
 LB989 (Wishart) Authorize testing of autonomous vehicles by a city of the primary class on its roadways
 LB1122 (Larson) Authorize testing of automated motor vehicles as prescribed
 LB1043 (Lowe) Change provisions relating to reimbursement of common and contract carriers for transportation costs associated with certain agency clients as prescribed
 LB1031 (Friesen) Change excavation notification and marking requirements and provide for large project planning meetings, rulemaking authority, and cost allocation under the One-Call Notification System Act

Urban Affairs

Room 1510 - 1:30 p.m.

LB709 (Baker) Change provisions relating to city and village plumbing boards and change a penalty
 LB767 (Quick) Adopt changes to the state building code
 LB1025 (Wayne) Create the Building Codes Advisory Committee and change building code provisions
 LB720 (Wayne) Change applicability provisions for building codes
 LB889 (Wayne) Provide and eliminate duties relating to fire codes
 LB890 (Wayne) Provide for a fee examination and report relating to the State Fire Marshal

Wednesday, February 14

Appropriations

Room 1525 - 1:30 p.m.

Agency 51: University of Nebraska System

Executive Board

Room 2102 - 12:00 p.m.

LR277 (Schumacher) Rescind any previous resolutions calling for U.S. Constitution Article V conventions
 LR286 (Krist) Resolution proposing an election to call a state constitutional convention to amend Article VIII and other revenue provisions of the Constitution of Nebraska

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

LB929 (Brewer) State rights of Nebraska National Guard members and provide that a residential address may be withheld from the public
 LB1015 (Briese) Allow withholding from public of reports of injury under the Nebraska Workers' Compensation Act that reveal an employee's identity
 LB959 (Murante) Provide requirements for returning a ballot for someone else and provide a penalty
 LB1065 (Murante) Permit use of electronic poll books and use of digital images for confirmation of the voter's identity
 LB1068 (Murante) Provide for seventeen-year olds to vote in special elections, provide requirements for adjusting political subdivision boundaries, and change voter registration, special election, recall, and initiative and referendum provisions

Health & Human Services

Room 1510 - 1:30 p.m.

Appointment: Robert L. Newman - Commission for the Blind and Visually Impaired
 LB866 (Crawford) Change provisions relating to rules, regulations, and waivers under the Medical Assistance Act
 LB867 (Crawford) Change provisions regarding managed care
 LB956 (Howard) Require application for a demonstration project to allow purchase of medicaid coverage

COMMITTEE HEARINGS

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

Judiciary

Room 1113 - 1:30 p.m.

Appointment: Layne Gissler - Neb.

Board of Parole

LB836 (Howard) Provide for minors' consent to certain mental health services as prescribed

LB964 (McDonnell) Authorize mental health professionals to take a person into emergency protective custody under the Nebraska Mental Health Commitment Act

LB982 (Morfeld) Provide for persons eighteen years of age or older to consent to certain behavioral health services

LB1082 (Vargas) Require jails, law enforcement agencies, and the Nebraska State Patrol to provide public notice before entering into agreements to enforce federal immigration law and to allow audits of noncomplying entities

LB1118 (Krist) Create the Coordinated Reentry Council

Natural Resources

Room 2102 - 1:30 p.m.

Appointment: Bucklin, Michelle -

Environmental Quality Council

LB1008 (Bostelman) Increase amounts of liquidated damages for certain violations of the Game Law

LR266 (Hughes) Urge the U.S. Dept. of the Interior, Bureau of Reclamation, the Nebr. congressional delegation, and the Game and Parks Commission to find a solution regarding policy changes that affect Hugh Butler Lake, Harry Strunk Lake, and Swanson Reservoir

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

AM1529 to LB548

AM1758 to LB548

Revenue

Room 1524 - 1:30 p.m.

LB911 (Bolz) Adopt the School District Local Option Income Surtax Act

LB1007 (Kolowski) Authorize school districts to levy a tax and establish a fund for facilities-related expenditures

LB1077 (Friesen) Eliminate levy limits for school districts

LB1106 (Linehan) Change requirements for overriding property tax limits

LR290CA (Kuehn) Constitutional amendment authorizing the Legislature to value real property for property tax purposes at its market value on date of acquisition

Thursday, February 15

Appropriations

Room 1003 - 1:30 p.m.

LB1002 (Wishart) Create the Nebraska Film Office Fund

LB1055 (Crawford) Create the Intern Nebraska Cash Fund and state intent regarding appropriations

LB1061 (Wayne) State intent relating to appropriations relating to a grant program as prescribed

LB1062 (McDonnell) State intent relating to appropriations for the Tobacco Prevention and Control Program

Agency 27: Dept. of Transportation

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

Appointment: Darrin Barner - Neb.

Tourism Commission

Appointment: John Chapo - Neb.

Tourism Commission

Appointment: Roger Kuhn - Neb.

Tourism Commission

Appointment: Roger L. Jasnoch - Neb.

Tourism Commission

Appointment: Barry McFarland - Neb.

Tourism Commission

Appointment: Debra Nelson-Loseke -

Neb. Tourism Commission

LB1072 (Linehan) Change a preference in awarding public contracts and eliminate reciprocal preference provisions

LB725 (Wayne) Change requirements of the Prompt Payment Act

LB948 (Murante) Change and eliminate provisions relating to rules and regulations

Health & Human Services

Room 1510 - 1:30 p.m.

Appointment: Roderick Todd Bartee -

Child Abuse Prevention Fund Board

Appointment: Paul J. Nelson - Child

Abuse Prevention Fund Board

LB1060 (Wayne) Adopt the Healthy Kids Act and require tests for lead-based hazards in housing

LB1040 (Albrecht) Provide for certificates of nonviable birth

LB922 (Vargas) Adopt the All Kids Health Care Program Act

Judiciary

Room 1113 - 1:30 p.m.

LB978 (Harr) Change provisions relating to garnishment

LB992 (Bolz) Provide for release from a residential lease for a victim of domestic violence and eviction of a perpetrator of domestic violence

LB1029 (Hansen) Change time for acceptance of a power of attorney

LB1039 (Linehan) Increase the amount that may be required for a pet deposit under the Uniform Residential Landlord and Tenant Act

LB1131 (Riepe) Define minor child relating to dissolution of marriage statutes

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Tuesday, February 20

Agriculture

Room 1510 - 1:30 p.m.

LB893 (Wishart) Change seller disclosure statement requirements and provide for restrictions and duties on pet shop owners under the Dog and Cat Purchase Protection Act

Business & Labor

Room 2102 - 12:30 p.m.

Appointment: Johnie Jason Girmus - Boiler Safety Code Advisory Board
 Appointment: Patricia L. Vannoy - Commission of Industrial Relations
 Appointment: Joel Carlson - Commission of Industrial Relations

Wednesday, February 21

Executive Board

Room 2102 - 12:00 p.m.

LR295CA (Vargas) Constitutional amendment to change the annual legislative salary to fifty percent of the median household income
 LR296 (Walz) Provide the Executive Board of the Legislative Council appoint a special committee known as the State-Licensed Care Facilities Investigative Committee of the Legislature

Health & Human Services

Room 1510 - 1:30 p.m.

Appointment: Becky D. Rieken - Commission for the Blind and Visually Impaired
 Appointment: Diane Schutt - Commission for the Deaf and Hard of Hearing

LB1127 (Kolterman) Provide additional fees for certain credentials under the Uniform Credentialing Act and create the Patient Safety Cash Fund
 LR281CA (Morfeld) Constitutional amendment to state that affordable health care is a right and to expand eligibility under the medical assistance program

Judiciary

Room 1113 - 1:30 p.m.

LB763 (Harr) Prohibit obstruction of a public power district employee
 LB797 (McDonnell) Change penalties for second and third degree arson
 LB811 (Lindstrom) Change prohibited uses of scanning devices and encoding machines
 LB872 (Harr) Change provisions relating to appeals by prosecutors

LB1010 (Hansen) Change procedures for determining competency to stand trial in counties containing a city of the primary class

Thursday, February 22

Health & Human Services

Room 1510 - 1:30 p.m.

LB862 (Howard) Adopt the Prescription Drug Cost Transparency Act
 LB686 (Blood) Adopt the Psychology Interjurisdictional Compact
 LB891 (Pansing Brooks) Prohibit discrimination in the provision of services as prescribed under the Psychology Practice Act

Judiciary

Room 1113 - 1:30 p.m.

LB927 (Howard) Change provisions relating to juveniles' out-of-home placement, care, and custody
 LB981 (Baker) Change provisions relating to arraignment of juveniles and authorize juvenile court jurisdiction to age twenty-one with consent of the juvenile and legal counsel
 LB1051 (Pansing Brooks) Change provisions relating to family member visitation
 LB1086 (Wayne) Provide for intervention in certain proceedings involving juveniles as prescribed
 LB1112 (Vargas) Change provisions relating to placement and detention of juveniles and permit an additional use of funds under the Community-based Juvenile Services Aid Program

Friday, February 23

Health & Human Services

Room 1510 - 1:30 p.m.

LB835 (Howard) Provide for independent audits and reviews under the Nebraska Behavioral Health Services Act
 LB1057 (Kuehn) Change provisions relating to prescription drug monitoring
 LB968 (Wayne) Adopt the Disability Employment and Engagement Program Act

Judiciary

Room 1113 - 1:30 p.m.

LB693 (Blood) Regulate and create criminal offenses regarding the use of unmanned aircraft systems
 LB892 (Howard) Prohibit restraining animals in the event of certain natural or manmade disasters or severe weather events as prescribed
 LB897 (Howard) Change medical providers' duties under offense of failure to report injury or violence
 LB977 (Wayne) Make post-release supervision optional for Class IV felonies ■

Providing testimony on a bill

Public hearings on bills typically are 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.

If you are not testifying in person on a bill and would like to submit a written position letter to be included in the official hearing record as an

exhibit, the letter must be delivered to the office of the committee chair (or emailed to the committee chair) of the committee conducting the hearing on the bill by 5:00 p.m. on the last work day prior to the public hearing.

Additionally, the letter must include your name and address, state a position of for, against, or neutral on the bill in question and include a request for the letter to be included as part of the public hearing record.

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