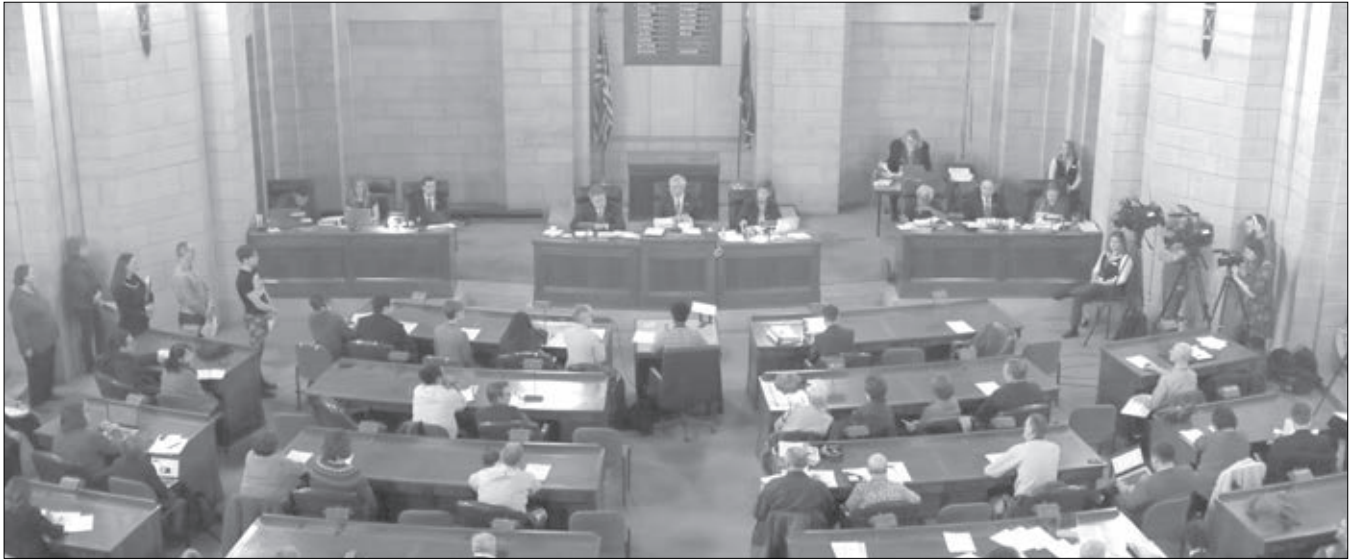


## Bill to ban conversion therapy considered



Testifiers filled the Warner Chamber to address the Judiciary Committee during public hearings Feb. 7.

Members of the Judiciary Committee heard testimony Feb. 7 on a bill that would prohibit conversion therapy for any minor child.

The American Academy of Child and Adolescent Psychiatry defines conversion therapy as any intervention purported to alter same-sex attractions or an individual's gender expression with the specific aim to promote het-

erosexuality as a preferable outcome.

LB167, introduced by Omaha Sen. Megan Hunt, would prohibit any person credentialed under Nebraska's Uniform Credentialing Act from advertising or providing conversion therapy to a child under 18.



Sen. Megan Hunt

Fifteen states and the District of Columbia have banned conversion therapy, Hunt said, because the treatment has been proven to be ineffectual and harmful.

"There is a growing body of research that shows that conversion therapy is not rooted in medically sound practices, is unethical and causes substantial harm, especially in

(continued page 3)

## Expanded military retirement pay exemption proposed

The Revenue Committee heard testimony Feb. 7 on a bill that would expand the state income tax deduction for military retirement pay.

Under current law, military retirees may, within two years of their retirement, choose between two options to exclude military retirement benefit pay from state income tax. The retiree may elect to exclude 40 percent of his

or her military retirement benefit pay for seven consecutive taxable years or 15 percent for all taxable years beginning when he or she turns 67.

LB153, introduced by Gordon Sen. Tom Brewer on behalf of Gov. Pete Ricketts, would replace the



Sen. Tom Brewer

current election options and allow an individual to exclude 50 percent of his or her military retirement benefit income to the extent included in federal AGI.

The state Department of Revenue estimates the bill would reduce state income tax revenue by a total of \$42.9 million over the four fiscal years beginning with FY2019-20.

(continued page 2)

# Expanded military retirement pay exemption proposed

(continued from front page)

Brewer said Nebraska’s tax system discourages military retirees from settling here. When retirees leave for states that do not tax military retirement benefits, he said, Nebraska loses qualified workers who also pay sales, income and property taxes.

“Letting our veterans keep more of their military pensions will cause a modest reduction in income tax revenue,” Brewer said, “but I think that the economic benefits of attracting highly skilled and trained veterans with strong leadership qualities outweigh whatever tax dollars would be lost.”

Ricketts testified in support of the bill, saying it is part of his effort to make Nebraska the most military and veteran friendly state in the country. He described LB153 as a workforce development bill that would help the state retain skilled military retirees, many of whom begin a second career after they leave the service.

Todd Heyne of Lincoln also testified in support of LB153 on behalf of the Lincoln Chamber of Commerce Military Affairs Committee. Heyne said he could have moved to any of



Gov. Pete Ricketts said LB153 would encourage military retirees to stay in Nebraska.

the 29 states that do not tax military retirement pay after he retired from the Navy, but he chose to live in Nebraska to be closer to family. Like most military retirees he knows, Heyne said, he started a second career and contributes to the state’s economy.

“The compounding economic and social effects of LB153 significantly outpace the 50 percent exemption and missed tax revenue,” he said. “All of this economic growth is lost if a service member retires in Texas.”

Renee Fry, executive director of OpenSky Policy Institute, gave neutral testimony on the bill, saying that only a small number of people are motivated to move because of taxes.

“What we’re likely to do if this bill were to pass would be to give a tax credit to people who choose to live in Nebraska ... rather than actually motivating people to move here,” she said.

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

## UNICAMERAL UPDATE

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# Bill to ban conversion therapy considered

(continued from front page)

adolescents,” she said. “There is no evidence that people can change their sexual orientation or gender identity.”

The bill would prohibit advertising conversion therapy if it proposes to change an individual’s sexual orientation or gender identity, eliminate or reduce sexual or romantic attraction to people of the same gender or states that such therapy is harmless or without risk to patients. A violation of the bill’s provisions would be considered a deceptive trade practice and subject to penalties under the act.

LB167 also would prohibit the use of state funds for conversion therapy.

Matthew Mims, executive director of the Nebraska Counseling Association, supported the bill. The days of using electroshock therapy to reduce same-sex attraction are gone, he said, because society has evolved past it.

“We have eliminated a lot of outdated medical procedures as we’ve become more familiar with the body and with the brain,” Mims said. “I know of no one who is a licensed professional counselor who practices [conversion therapy].”

Adam Witte of Omaha sought out conversion therapy as a teenager because he was “terrified” of angering his parents and church community by coming out as gay. Witte said he supports LB167 because he knows firsthand how damaging and ineffective conversion therapy is.

“While my circumstances are specific to me ... I have yet to encounter anyone whose orientation has changed,” Witte said. “If conversion therapy in any of its forms would be successful in a humane way, I’d be here supporting it for people who choose it, even though I don’t agree with it.”

Also supporting the bill was Scott

Barker, Bishop of the Episcopal Diocese of Nebraska. He said concerns that the bill would curtail religious freedom are unfounded.

“If this were to pass today, every church, mosque and synagogue would still be open this weekend,” Barker said. “Faith leaders and parents would still be able to teach whatever their religious beliefs profess.”

Opposing the measure was Karen Bowling, executive director of the Nebraska Family Alliance. She said all patients should have the freedom to direct their own counseling, free from coercion and force.

“The state should encourage free-

dom for all and not interfere with the counselor and patient relationship,” Bowling said.

Gordon Opp of Lincoln also opposed the measure. He experienced unwanted same-sex desires as a young adult, he said, ultimately seeking out a faith-based counselor in California.

“I have no regrets regarding the decision that I made to work through my conflicting sexual orientation,” Opp said. “I have the life I wanted to have. I can’t imagine that the help that I longed for and received could be illegal in Nebraska.”

The committee took no immediate action on the bill. ■

## FIND YOUR SENATOR

If you want to know which legislative district you live in, [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov) provides an easy tool for locating your district and senator.

Enter your full address into the “Find Your Senator” search field located on the right side of the home page. This opens a map that shows your legislative district and a picture of your senator, along with a link to that senator’s web page. This page includes senators’ contact information and links to their biography and photos. It also provides a list of committees they serve on and the bills they’ve introduced.

The screenshot shows a web interface titled "Find your Senator and District". At the top, there is a search bar with the text "elmwood nebraska" and a magnifying glass icon. Below the search bar is a map of Nebraska with a red pin indicating the location of "elmwood nebraska" in "District 2". The map includes "Map" and "Satellite" tabs, a zoom-in (+) and zoom-out (-) button, and a "Web Page" link. To the right of the map is a portrait of Senator Robert Clements, labeled "District 2 Robert Clements".



# MEET THE SENATOR

## Slama trades law school for lawmaking

Peru Sen. Julie Slama should probably be in class right now. While most new state senators are learning to balance their public service with work responsibilities, Slama is figuring out how to serve the constituents of District 1 and finish her spring semester legal writing course.

“It’s really not the ideal time for me to be leaving law school, at all,” she laughed. “It’s actually the least convenient time for me, but the [school] administration has just been fantastic working with me.”

While being appointed one of the youngest senators in the history of the Unicameral in December 2018 was not exactly in her five-year plan, Slama has never backed down from taking on a challenge.

She grew up a mile and a half southeast of Peru, with her parents and two siblings: fraternal twin sister Emily, and younger sister Melanie. After graduating from Auburn High School, Slama decided to take the first of many big leaps—she applied to Yale University. What would drive a small-town high school student to attend one of the most prestigious universities in the country?

“They let me in—that was a key factor,” Slama joked. “I was from this small town and I just figured there’s no harm in applying. So, I put my name out there and I got in.”

While studying political science and government, she had the opportunity to travel the world. So far, Slama has visited 31 different countries, 22 of which were solo adventures. Visiting 10 southeast Asian countries to research her senior capstone project stands out as one of her favorite trips.

While there, she had the opportunity to study and compare Asian regional governance structures with those of the European Union. But one nonacademic memory that stands out is of a taxi driver in Myanmar.

“He didn’t speak any English beyond ‘hello’ and enough to just kind of get along,” she said. “But he knew enough to ask me if I liked rock music. So, we spent the entire trip in rush-hour traffic just singing along with Pink Floyd.”

When she wasn’t busy forging important diplomatic bonds through the power of rock music, Slama found time to conquer Wheel of Fortune.

She made it to the final puzzle during a 2016 appearance on the popular game show, but was one consonant short of winning it all.

“The phrase ‘bright glow’ will haunt me for the rest of my life,” she said.

Slama graduated from Yale one semester early, returning to her hometown to work as a paraprofessional and volunteer as a high school track coach. There was never a question that she would return, she said, because Nebraska is home.

“I can go back to my hometown in Auburn and if I have a flat [tire] or something goes wrong, I have 30 people in my phone that will drop everything to

come out and help me and I’d do the same for them,” Slama said. “There’s just such a sense of community and pride in that community. I knew I was going to come back. No place in the world can beat it.”

Growing up in such a tight-knit community will inform her work as a state senator, she said.

“I look forward to hearing from [my constituents] on the issues,” Slama said. “I look forward to reaching out and talking more with them because they really are the ‘second house’ of the Legislature and I’m excited to hear what they have to say.” ■



Sen. Julie Slama visited Sultan Omar Ali Saifuddin Mosque in Brunei during a 2017 trip through Southeast Asia.



**Medical synchronization bill advances**

Legislators advanced a bill to select file Feb. 8 that would allow Nebraskans with multiple medical prescriptions to coordinate and collect all of their medication on the same day.

Omaha Sen. John McCollister said he introduced LB442 to enable those needing medication to make one trip to the pharmacy each month.



Sen. John McCollister

The Banking, Commerce and Insurance Committee voted 8-0 to move the bill to the floor following a hearing Feb. 4.

LB442 would allow for medical synchronization if medication:

- is covered by the patient’s health benefit plan or has been approved by a formulary exception process;
- meets the prior authorization or utilization management criteria;
- treats a chronic illness;
- can be safely split into short-fill periods; and
- is not a Schedule II controlled substance.

“This synchronized approach would enhance pharmacy efficiency, improve health care outcomes and result in increased medication adherence,” McCollister said.

Senators voted 32-0 to advance the bill to select file.



**Paid family medical leave proposed**

Members of the Business and Labor Committee heard testimony Feb. 4 on a bill that would guarantee paid leave to Nebraskans.

LB305, introduced by Bellevue Sen. Sue Crawford, would require employers with four or more employees to provide paid sick and safe leave. Under the proposal, employees would accrue at least one hour of paid leave for every 30 hours worked. Employees could earn up to 40 hours of paid leave per year, based on hours worked.



Sen. Sue Crawford

Crawford said 70 percent of low-wage workers do not have access to a single day of paid leave to stay home when sick or care for an ill family member.

“As Nebraskans, we value hard work and we prioritize our family responsibilities,” she said. “[But] almost half of the workforce does not have a single sick day to care for a sick family member.”

Qualifying employers would be required to allow an employee to use his or her paid sick and safe leave for a mental or physical illness, injury or health condition, to care for an ill family member or for an absence due to domestic abuse, assault or stalking—including psychological treatment or legal services.

Employees would be eligible to use accrued leave 60 days after beginning employment. Any unused leave time would carry over at the end of the year, but an employee could use only 40 hours of paid leave annually.

An employer with a comparable paid sick time policy would be eligible for an

exemption from the bill’s provisions.

Karen Bell-Dancy, executive director of the YWCA of Lincoln, spoke in support of LB305. She said allowing paid time to be used in instances of domestic abuse or assault would allow victims to receive critical support from community resources.

“This will not only protect the individuals that we serve, but also allow them the proper time off to ensure their safety,” Bell-Dancy said. “It is crucial to require employers to support their employees during their time of need.”

AFL-CIO representative Susan Martin also spoke in support of the bill. Sick employees who are unable to take paid leave still handle food at restaurants, drive public transportation, care for children at daycare facilities and the elderly in nursing homes, she said.

“This is a simple but effective policy measure to help ensure Nebraska workers have paid leave for sickness or time off,” she said. “It is a fair means to help rectify otherwise unfair circumstances we have in the U.S.”

Erin Ebeler Rolf, representing the Lincoln Independent Business Association, opposed the measure. She said the bill’s provisions far exceed those accepted under federal law.

“This applies to small businesses that may not have full-time employees,” Ebeler Rolf said. “These are the businesses that are most impacted by an employee’s sudden leave and the least likely to be able to cover gaps with other workers.”

Also speaking in opposition to LB305 was Kathy Siefken, executive director of the Nebraska Grocery Industry Association. Many grocery stores employ high school students part time, she said, because tight profit margins make offering paid leave almost impossible.

“When you’re working on a 1.5 percent margin, there’s no money to pay time off to high school kids,” Siefken said. “This is a business killer. Rural stores or small independent stores cannot afford something like this.”

The committee took no immediate action on the bill.

### Unemployment for family caregivers clears first round

A bill that would expand eligibility for unemployment benefits advanced from general file Feb. 7.

Currently, a person who voluntarily leaves employment with “good cause” is eligible for unemployment benefits under employment security law. LB306, introduced by Bellevue Sen. Sue Crawford, would add leaving employment to care for a family member with a serious health condition to the existing list of good cause reasons.



Sen. Sue Crawford

A study conducted by AARP found that 65 million Americans act as caregivers for their family members, Crawford said, with 10 percent leaving employment to do so.

“While only a few caregivers will qualify for benefits each year, access to these benefits will make a big difference to their families,” she said.

A Business and Labor Committee amendment, adopted 33-2, would require that an employee has made all reasonable efforts to preserve his or her employment before voluntarily leaving.

Bellevue Sen. Carol Blood supported the bill, saying that many people who act as a family caregiver must do so with little to no advance notice.

“When our family member becomes ill and can’t take care of them-

selves, we don’t usually get a warning, which makes saving up for that unrealistic,” she said. “We’re not giving a handout. We’re helping people and showing compassion to them.”

Sen. Mark Kolterman of Seward also spoke in support of LB306. He could afford to take time off to care of his ailing wife, he said, but many people do not have that luxury.

“We’re just giving them a short reprieve and some time, in a compassionate way, to take care of their [family],” Kolterman said. “Typically, I would not support this, but my perspective has changed.”

Opposing the measure was Columbus Sen. Mike Moser, who said expanding eligibility for unemployment benefits would hurt small businesses.

“Businesses have to be profitable and stay in business to keep America moving,” he said. “We can’t be solving everybody’s problems and all be sharing the same pie.”

North Platte Sen. Mike Groene also opposed the bill. Many people have ill family members, he said, and have been able to provide care while relying on family and charitable organizations, rather than government assistance.

“All these incidents of compassion ... there are so many avenues to go through when you come up to this situation,” he said.

Senators advanced LB306 to select file on a 29-11 vote.



### Supermajority vote proposed for rural school bonds

School districts in rural areas would need supermajority voter approval before issuing bonds under a bill heard Feb. 4 by the Education Committee.

Under LB513, introduced by Albion Sen. Tom Briese, if a school district’s property tax valuation in the previous calendar year consists of at least 75 percent agricultural or horticultural land, a successful school district bond election would require at least 60 percent of those voting on the question to approve.



Sen. Tom Briese

In other districts, at least 50 percent of voters would have to approve before bonds could be issued, as currently is required in all districts.

The bill would apply the same requirements to elections to issue bonds used to pay for abatement projects, such as the removal of environmental hazards or accessibility barriers. School boards currently are not required to hold an election before issuing such bonds.

Briese said requiring a supermajority vote would make bond elections more fair to farmers and ranchers, who pay a disproportionate share for school building projects relative to other property taxpayers because of high agricultural and horticultural land valuations.

“In many districts, ag producers are outnumbered at the voting booth,” Briese said, “and the disparity in tax burdens can serve to encourage excessive investment in K-12 facilities by unnecessary bond votes.”

Mick Mines testified in support of the bill on behalf of the Nebraska Corn Growers Association and six other agricultural groups. He said the bill could be part of a package of measures to reduce property taxes on Nebraska farmers and ranchers, who pay a disproportionate share of the property taxes used to fund local government.

Colby Coash testified in opposition to the bill on behalf of the Nebraska Association of School Boards, saying vot-

ers should have an equal say in whether bonds are issued. He said school boards consider all property taxpayers when deciding whether to hold a bond election.

“School boards are made up of elected officials from across districts that include both rural and urban constituents,” Coash said. “Those members take their responsibility to represent the entire district seriously.”

The committee took no immediate action on LB513.

### Scholarships proposed for students entering high-demand fields

Students who major in computer science, nursing, engineering and other in-demand fields at Nebraska’s public university and state colleges could receive state scholarships under a bill heard Feb. 5 by the Education Committee.

Introduced by Gering Sen. John Stinner, LB639 would provide scholarships to eligible students whose declared majors lead to a high-demand, high-wage, high-skill career as designated by the state Department of Labor.



Sen. John Stinner

The department projects more than 34,000 openings in those “H3” occupations in Nebraska every year through 2026, Stinner said, and the state’s colleges and university cannot produce enough graduates to keep up.

At the same time, he said, many high-performing high school students leave Nebraska to attend college. LB639 would encourage more of them to stay and contribute to the state’s economy after they graduate, Stinner said.

“Workforce and talent development is quickly becoming an arms race that Nebraska can’t afford to lose,” he said.

“States that get workforce and talent development right will outpace Nebraska in terms of growth, creation of good-paying jobs and economic prosperity.”

Nebraska residents who score at or above a certain cutoff score on a college admission test and agree to complete an internship at a Nebraska-based business before graduating would qualify for the scholarships.

Students would need to be enrolled in a postsecondary educational program leading to a first bachelor’s degree, associate degree, certificate or diploma. They also would need to maintain a 3.0 GPA on a 4.0 scale.

State funds would comprise up to 30 percent of any award. Postsecondary educational institutions would provide the remainder of funds awarded under the act.

Under LB639, the Legislature would appropriate \$10 million in fiscal year 2019-20 to the program, another \$20 million in FY2020-21 and \$30 million each fiscal year after that. Stinner said the proposal’s cost likely will prevent it from passing this session.

University of Nebraska President Hank Bounds testified in support of the bill. He said Nebraska is among the bottom 10 in the nation in state grant aid to students and, on a per-student basis, first in tuition remissions, in which a university waives tuition for high-achieving students. Many gifted high school graduates leave the state because other universities can offer them far more financial aid, Bounds said.

“A significant state investment in financial aid would put us in a more competitive position to recruit and retain Nebraska’s best and brightest young people,” he said.

James Blackledge, chairman and CEO of Mutual of Omaha, also testified in support. He said technology jobs comprise 20 percent of Mutual of Omaha’s workforce, and many of those

workers will retire in the coming years.

“Our demand for tech talent and that of other companies in our state cannot be met without strategic initiatives such as LB639 aimed at developing and retaining a talented workforce in Nebraska,” Blackledge said.

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



### Higher pay, lower age threshold considered for lawmakers

Member pay could increase and younger Nebraskans could serve in the Legislature under two proposals considered Feb. 6 by the Executive Board.

LR12CA, sponsored by Sen. Tony Vargas of Omaha, would place a proposed constitutional amendment on the 2020 general election ballot to set the salary for state senators at 50 percent of Nebraska’s median household income as defined by the most recent U.S. Census Bureau report.



Sen. Tony Vargas

The wage would be adjusted every two years.

The current \$12,000 annual salary has not increased since 1989, Vargas said, and the low level of compensation keeps a broad range of people from serving in the Legislature. The change would raise the annual salary in Nebraska to approximately \$27,000, he said, which still would be below the national average of around \$35,500.

“Higher pay [would enable] Nebraskans of all income levels and in all districts to consider elected office,” Vargas said.



Vargas said he would be willing to consider an amendment to ensure that the increase not apply to anyone currently serving in the Legislature.

Jennifer Creager, testifying on behalf of the Greater Omaha Chamber, Lincoln Chamber of Commerce and the Nebraska Chamber of Commerce and Industry, supported the measure.

“Serving in the Legislature takes a toll on income,” she said. “That limits the number of people who can undertake this opportunity.”

Also considered was LR11CA, sponsored by Lincoln Sen. Matt Hansen, which would place a proposed constitutional amendment on the same ballot to lower the age of eligibility to serve in the Legislature from 21 to 19.



Sen. Matt Hansen

Hansen said the change would harmonize the age requirement with Nebraska’s age of majority and could open up the Legislature to new ideas.

Several people younger than 21 were elected to serve in other state legislatures in 2018, he said, and are working on issues important to young people including voting accessibility and college affordability.

“I’m sure we all personally know at least one young person who would make an outstanding state senator regardless of age,” Hansen said.

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

## GENERAL AFFAIRS

### Additional money sought for gambling treatment fund

More money would be directed to

the Compulsive Gamblers Assistance Fund under a bill considered Feb. 4 by the General Affairs Committee.

Currently, about \$100,000 of the revenue collected from the state’s gaming operations is transferred annually to the fund. LB41, introduced by Sen. Robert Hilkemann of Omaha, would increase that transfer to approximately \$550,000.



Sen. Robert Hilkemann

Hilkemann said that much of the treatment offered through the fund is mandated by law.

“Without added revenue, the program will face cuts of about 20 percent,” Hilkemann said. “When one of our fellow Nebraskans summons the courage to call the [assistance fund’s] hotline, I want to make sure there’s someone there to answer.”

David Geier, director of the Nebraska Gamblers Assistance Program—the organization that oversees the assistance fund—testified in favor of the bill. Geier said that last year the program served between 200 and 250 gamblers in crisis and provided long-term counseling to another 200.

The NGAP also trains counselors on the unique elements of gambling addiction, he said.

“It is not the same as addiction to alcohol, or addiction to drugs,” Geier said.

Jeffrey Bomberger also spoke in favor of the bill. Bomberger said he is a recovering gambling addict who benefited from the counseling provided by the NGAP. Gambling, he said, damaged his relationships, exhausted his retirement savings and caused him lose his job after he stole from his employer to fund his addiction.

Bomberger hasn’t gambled since 2015, and said his recovery would

be “impossible” without counseling services.

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

## GOVERNMENT, MILITARY & VETERANS AFFAIRS

### Offutt land cession bill advanced

Lawmakers gave first-round approval Feb. 8 to a bill intended to clarify jurisdiction over five tracts of land inside the fence line of Offutt Air Force Base.

Gretna Sen. Andrew La Grone, sponsor of LB214, said the bill would provide the federal government with exclusive jurisdiction over the land,



Sen. Andrew La Grone

which is near two of the base’s gates and under a dormitory. Currently, he said, the federal government owns the land but only has propriety jurisdiction over it.

As a result, he said, Nebraska does not own the approximately 80 acres, but the state is responsible for law enforcement on the land. This can cause confusion in emergency response situations, he said, adding that clarifying the jurisdiction would alleviate an administrative issue for the base.

The bill would cede all criminal and civil jurisdiction over the land tracts to the federal government.

“There is no property tax impact since the federal government owns this land already,” La Grone said.

LB214 advanced to select file on a 37-0 vote.



**Bill would require voter approval of joint public agencies**

Voters could weigh in on the creation of a JPA under a bill heard Feb. 7 by the Government, Military and Veterans Affairs Committee.

LB412, introduced by Lincoln Sen. Suzanne Geist, would require that voters approve creation of a JPA with the authority to levy a tax or issue bonds during a statewide primary or general election.



Sen. Suzanne Geist

Construction of the Lancaster County Event Center was funded through a JPA between the Lancaster County Agricultural Society and Lancaster County, Geist said. She clarified that she was not opposed to that project, but said that it should have been approved by voters.

“Currently, a joint public agency can be formed and implement an occupational tax without giving taxpayers a say in how their tax dollars are spent,” Geist said. “I’m not here to say that JPAs are bad. I’m not even here to say they are not effective, because in many cases they are.”

Coby Mach testified in favor of the bill on behalf of the Lincoln Independent Business Association. Mach said a JPA can buy land, issue debt and enter into construction contracts. There are seven JPAs in Nebraska, he said, three of which are in Lincoln, including one that financed construction of Pinnacle Bank Arena.

“A typical Lincoln homeowner pays property taxes to a dozen government entities, a fourth of which are joint public agencies,” Mach said. “Yet they are unable to vote on whether they are created.”

Mach added that the owner of a \$165,000 home in Lincoln pays \$108 in property taxes each year to joint public agencies.

Charlotte Ralston of Lincoln also testified in favor of LB412. She said JPAs are not transparent and that their use has been abused in the past.

“It has its own rules, its own board and its own taxing power,” Ralston said. “Even though it is created by member agencies, it is legally independent.”

Lincoln Mayor Chris Beutler testified in opposition to the bill. Beutler said the Legislature created JPAs in the late 1990s to better take advantage of their component entities’ ability to raise money for construction projects. In some situations, he said, those entities might not be able to fund a project on their own.

“These agreements help governments to cooperate on broader solutions in complex situations,” Beutler said.

Lynn Rex of the League of Nebraska Municipalities also testified against the bill.

Rex said that in 1996 the Legislature reduced levy limits for cities and villages, leaving them less able to increase property taxes for infrastructure projects. She added that JPAs also encourage collaboration between entities.

“There are 272 school districts in Nebraska; there are 529 cities and villages; there are 93 counties; you have seven JPAs. This isn’t an abuse of anything,” Rex said.

The committee took no immediate action on the bill.



**Bill would waive occupational fees**

Young adults, low-income earners and those associated with the military would not have to pay certain occupational licensing fees under a bill considered Feb. 6 by the Health and

Human Services Committee.

LB112, introduced by Omaha Sen. Sara Howard, would waive initial licensing fees for a variety of health professions under the Uniform Credentialing Act. The bill would apply to Nebraskans who:



Sen. Sara Howard

- are 18 to 25;
- have a household income less than 130 percent of the federal poverty level or are enrolled in a state or federal assistance program; and
- are active duty services members or their spouses, honorably discharged veterans or their spouses and un-remarried surviving spouses of deceased service members.

Howard said she can empathize with young professionals who are beginning their careers while carrying burdensome college loan debt.

“When I graduated from law school in Chicago, my bar fees were \$1,000,” she said.

Howard said that Iowa and Missouri have offered reduced licensing fees for the groups covered under LB112, and she does not want higher licensing fees to cause people to move out of Nebraska in order to start their careers.

Nicole Fox of the Platte Institute spoke in favor of the bill. She said reducing fees would help those who’ve taken on significant debt while pursuing higher education.

“Keep in mind that workers applying for these licenses may have experienced loss of income while obtaining needed training, may have had significant tuition costs and, in many cases, may also have to pay for continuing education to maintain that license,” Fox said.

Also testifying in support was James

Goddard of Nebraska Appleseed. He said labor trends show that many low-wage jobs will be replaced by skilled jobs, and Nebraska is unprepared for that transition.

“We need to make the path to better-paying jobs as simple as possible,” Goddard said.

Ronald Banse, speaking on behalf of the Nebraska Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art, testified against LB112.

He said that last year 352 people applied for an initial license through the board, generating \$23,000 in revenue. The absence of those fees, Banse said, would make it harder for the state to balance its budget.

“These fees are a minimal investment,” he said. “Nebraskans must do their part to support our economic stability.”

In her closing statement, Howard clarified that money from license fees does not go into the state’s general fund, so the bill would not impact the state’s budget.

The committee took no immediate action on LB112.

**Treatment center licensure bill advanced**

A bill that would allow licensure of mental health substance use treatment facilities that use locked rooms advanced to select file Feb. 8.

Sen. Anna Wishart of Lincoln introduced LB200 after the state Department of Health and Human Services considered revoking the operating license of The Bridge Behavioral Health facility in Lincoln last year because it uses locked rooms for clients placed into civil protective custody.



Sen. Anna Wishart

Wishart said DHHS was using a new interpretation of established regulation.

The Bridge has provided civil protective custody services—when a severely intoxicated person is confined because he or she is deemed dangerous—since 1983, Wishart said. It currently is operating under a temporary license, she said.

LB200 would allow facilities that use locked rooms to maintain their license.

“This legislation, if enacted, would ensure that The Bridge and similar facilities would keep their licenses moving forward,” Wishart said.

Following adoption of a technical Health and Human Services Committee amendment 41-0, lawmakers voted 40-0 to advance the bill to select file.

**Food assistance eligibility changes proposed**

The Health and Human Services Committee heard testimony Feb. 7 on two proposed eligibility changes to the Supplemental Nutrition Assistance Program.

LB402, introduced by Omaha Sen. Robert Hilke-  
mann, would remove a ban on food assistance eligibility for individuals with past drug felonies.



Sen. Robert Hilke-  
mann

Under current state law, an individual is ineligible for SNAP benefits in Nebraska if he or she has three or more felony convictions for the possession or use of a controlled substance or has been convicted of a felony involving the sale, distribution—or intent to sell or distribute—a controlled substance.

A person with one or two felony convictions for possession or use of a controlled substance is eligible only if he or she is participating in or has

completed a state-licensed or nationally accredited substance abuse treatment program since the date of conviction.

LB402 would remove those restrictions.

Hilkemann said that 44 states have removed or modified the lifetime ban, which he called “arbitrary” and likely to increase recidivism among drug offenders.

“We need to do everything we can to keep people who have been in our system from ending up in the system again,” he said. “When an individual is rebuilding their life after exiting prison, the last thing we would want to do is to put them in a position of desperation just to feed themselves or their family.”

Matt Hill of the Center for People in Need testified in support of the bill. Hill said SNAP benefits are meant to help those who are facing difficult times. Having worked in corrections for many years, Hill said he knows that transitioning out of prison is one such difficult time.

“We have spent hard-earned tax money on helping them ... and then we release them out into the community with nothing and expect them not to fall back on the things that they know best,” Hill said.

Ken Smith, staff attorney at Nebraska Appleseed, also spoke in favor of the proposal. He cited a Florida study that concluded that removing access to SNAP benefits from formerly incarcerated people resulted in them being 9 percent more likely to reenter the prison system.

“[LB402] could potentially help us address a very pressing issue in Nebraska, which is overcrowding of our prison system,” Smith said.

Matt Wallen, director of the state Department of Health and Human Services Division of Children and Families, testified in opposition. He

said the existing law “strikes the right balance” by providing former felons with fewer than three convictions for drug possession or use the chance to qualify for SNAP benefits if they complete substance abuse treatment.

“Essentially, LB402 would eliminate helpful pathways from addiction to recovery by eliminating this provision in current law, Wallen said.

Also introduced was LB255, sponsored by Omaha Sen. John McCollister, which would increase the SNAP gross income eligibility limit from 130 percent of the federal income poverty level to 140 percent beginning Sept. 1, 2019.



Sen. John McCollister

The bill would not increase the net income eligibility limit for the program.

McCollister said the bill would address a phenomenon known as the “cliff effect,” in which a SNAP recipient loses eligibility due to a minimal increase in income. The unintended consequence of the system is that it either creates a disincentive to work toward economic mobility or a situation where a parent is working harder but is financially worse off, he said.

“Everyone agrees that when people work hard they should be able to get ahead,” McCollister said.

Kathy Siefken testified in support of the bill on behalf of the Nebraska Grocery Industry Association. She said many in the industry have seen the impact of the cliff effect firsthand.

“Employees are actually refusing to work additional hours and they’re refusing promotions because it would place them above the eligibility threshold and they would lose their SNAP benefits,” Siefken said.

Also speaking in favor of the bill

was Shelley Mann of the Food Bank for the Heartland and Food Bank of Lincoln. She said the bill would help families move toward food security while also reducing pressure on food pantries and other community support systems.

“SNAP provides critical food security with dignity,” Mann said. “SNAP allows our neighbors to choose their meals from a grocery store and not just rely on what is donated from cupboards across the state in a canned food drive.”

Wallen also testified against LB255, saying the bill could increase the number of potential eligible households in Nebraska by 35,000. Approximately 8,000 of those household likely would apply for SNAP, he said, increasing administrative expenses for the department.

The committee took no immediate action on either bill.

## JUDICIARY

### Study of issues facing Native American women advanced

Lawmakers gave first-round approval Feb. 7 to a bill that seeks to increase investigative resources dedicated to the state’s Native American community.

Native American women go missing at a higher rate nationally than any other demographic, according to Gordon Sen. Tom Brewer, who sponsored LB154.



Sen. Tom Brewer

As introduced, the bill would direct the Nebraska State Patrol to conduct a study focusing on the scope of the problem, identifying barriers and creating

partnerships to increase the reporting and investigation of missing Native American women.

Brewer said it is difficult to know just how many women have gone missing due to a lack of coordination between federal, state and local law enforcement agencies.

“The aim of this study is to learn how we can better use and increase state criminal justice resources,” he said.

The study would be conducted in conjunction with the state Commission on Indian Affairs, tribal and local law enforcement, federally-recognized tribes and urban Indian organizations. The Nebraska State Patrol would be required to submit a final report of its findings to the Executive Board of the Legislature by June 1, 2020.

Lincoln Sen. Patty Pansing Brooks introduced an amendment, adopted 41-0, to expand the study to include missing Native American children, whom she said are at high risk for human trafficking.

“The confluence of poverty, alcohol and indifference to suffering puts many Native American women and children at risk,” Pansing Brooks said. “It is time to stand up and say that we will no longer turn a blind eye to this suffering.”

Senators advanced LB154 to select file on a 40-0 vote.

### Additional district court judge requested

A bill that would increase the number of district court judges in Douglas County was discussed by the Judiciary Committee Feb. 8.

LB309, introduced by Omaha Sen. Steve Lathrop, would add one district court judge, increasing the number in Douglas County



Sen. Steve Lathrop



to 17. Lathrop said the bill is based on a recommendation by the Judicial Resources Commission to ease the judicial workload.

“Having an adequate number of judges is key to making sure the people in our most populous county have [comparable] access to their courts as the people in less populous parts of the state,” he said.

J. Scott Paul, president of the Nebraska Bar Association, spoke in support of the bill. At some point, he said, inadequate judicial resources creates a due process problem for people appearing before the court.

“In terms of fairness to litigants—not to mention the judges who are trying to do their best—we think that [the situation] could be helped in some small part with one more judge,” Paul said.

Douglas County District Court Judge J. Russell Derr also supported LB309. Douglas County conducted 67 first- and second-degree murder trials between 2011 and 2018, he said, while Lancaster County conducted only four.

“We understand the budget constraints, but we [need] an additional judge in Douglas County,” Derr said.

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

**Bill would authorize transfer of county jail inmates**

Certain misdemeanor offenders housed in county jails could be transferred to state correctional facilities under a bill heard by the Judiciary Committee Feb. 6.

Historically, county jail inmates being held on misdemeanor charges or sentences could be transferred to a Nebraska Department of Correctional Services facility if the inmate needed a higher level of care or security.

This arrangement was nullified by

an August 2017 decision that found that only post-adjudicated inmates serving misdemeanor sentences could be transferred to a state facility.

LB376, introduced by Henderson Sen. Curt Friesen, would authorize the transfer of pre-adjudicated inmates for safe-keeping if a county jail is unable to house an inmate for any reason.



Sen. Curt Friesen

The county still would be responsible for the cost of keeping and maintaining the inmate.

Friesen said jails in smaller counties do not have the appropriately trained staff to safely manage prisoners with severe mental illness or who engage in violent behaviors.

“Many of these small jails are not equipped to handle some of the mental health issues [inmates have] ... sometimes putting the safety of the prisoner and the jail staff at risk,” he said.

Hamilton County Sheriff Kirk Handrup supported the bill, saying that the state has the medical and mental health professionals, staffing levels and equipment to safely handle violent inmates.

“I’ve had inmates who have expressed concerns for their own safety because of the violent inmate that is in their cell,” he said. “By using state facilities, the inmate can get professional care that smaller jails aren’t able to offer.”

Dan Schleusener, Buffalo County chief deputy sheriff, also spoke in support of LB376. Recently, an inmate who was charged with a felony and suffering a severe mental health crisis refused medication, he said, which made it impossible for the inmate to communicate with his defense attorney and proceed with his trial.

“Had that inmate been a misde-

meanor offender, I don’t know what would have happened,” Schleusener said. “This would remedy that disparity between the felony and misdemeanor offenders.”

Opposing the bill was Scott Frakes, director of NDCS. The bill would give all discretion regarding inmate transfers to county officials, Frakes said, hampering his ability to make decisions about managing NDCS facilities.

“The Nebraska Department of Correctional Services recognizes the importance of continuing to work with counties ... when the department can safely do so,” Frakes said. “[However], not only would this continue to feed people into an already crowded state prison system, but it would certainly tax our resources.”

The committee took no immediate action on the bill.

**Adoption rule change proposed**

The Judiciary Committee considered a bill Feb. 7 that would permit adoption by two people regardless of marital status.

LB426, introduced by Bennington Sen. Wendy DeBoer, would allow two persons jointly, regardless of marital status, to adopt a child without requiring the child’s first parent to relinquish his or her parental rights.



Sen. Wendy DeBoer

DeBoer said the best interests of the child always should be the primary concern in adoption cases.

“In situations where there is a second person who already occupies the parental role in all but legality, it’s important to provide a method for legal recognition,” she said.

Representing Voices for Children in Nebraska, Taylor Givens-Dunn

spoke in support of the bill. She said it would help bring more children out of the state foster care system and into loving homes.

“All children deserve to know that their relationships with both of their parents is stable and legally recognized, regardless of their marital status or sexual orientation,” Givens-Dunn said. “This will both protect children and grant families important protections under the law.”

Kristin Williams also supported the bill. She and her partner chose to raise a family in 2000 before same-sex marriage was legalized. The romantic relationship ultimately ended, she said, but their parenting relationship did not.

“Like any loving parent, we want long-term, failproof legal rights for our children,” Williams said. “Neither my gender, nor the [legal status] of my same-sex relationship in 2000 has any bearing on the unquestionable reality that my son is my son.”

Susan Sapp, representing the Nebraska Bar Association, opposed the bill. The association supports the concept behind LB426, she said, but loopholes remain in the bill that could allow for adoptions to be completed without home studies, as is current practice.

The committee took no immediate action on the bill.

### **Workplace LGBTQ protections considered**

Employees would be protected from discrimination based on sexual orientation and gender identity under a bill heard by the Judiciary Committee Feb. 7.

Introduced by Lincoln Sen. Patty Pansing Brooks, LB627 would prohibit employers, employment agencies and labor unions from discriminat-

ing against individuals based on their sexual orientation or gender identity.

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

LB627 would apply to employers with 15 or more employees or with state contracts regardless of the number of employees, the state of Nebraska, governmental agencies and political subdivisions.

There has been significant progress in acceptance of the lesbian, gay, bisexual, transgender and queer/questioning community, Pansing Brooks said, but LGBTQ Nebraskans still can face employment discrimination based on their sexual orientation or gender identity.

“This [bill] protects Nebraskans against being fired for simply being who they are and who they love,” she said. “Times have changed and it’s making Nebraska’s lack of movement on employment discrimination look absurd and archaic.”

Representing the Greater Omaha Chamber of Commerce, Jennifer Creager supported LB627. Omaha passed an anti-discrimination ordinance in 2012, she said, which has resulted in few claims or costs to businesses.

“Applicants should have the expectation that they won’t be discriminated against by their employer just because of who they are,” Creager said. “We hear from talented people who do not want to work in Nebraska because we don’t protect against discrimination.”

Morgann Freeman, testifying on behalf of the Greater Omaha Young Professionals Council, said the lack of workplace protections for members of the LGBTQ community is a deciding



Sen. Patty Pansing Brooks

factor in where to work—both for her as a queer black woman, and for many other young professionals.

“We should be able to contribute our expertise and skill to their jobs and careers as their full, authentic selves without fear of discrimination by their employers,” Freeman said.

Eli Rigatuso also supported LB627. He said he considered leaving Nebraska because of discrimination he faced in the workplace as a transgender man.

“I’m not asking for anyone to be transgender; I wouldn’t wish that on anyone,” Rigatuso said. “What I’m asking for is to be met and treated how I wish to be treated. To be seen, valued and affirmed as a citizen of Nebraska, as a human being, as a life.”

Opposing the measure was Tom Venzor, executive director of the Nebraska Catholic Conference. The bill does not protect against reverse discrimination, he said, and could prevent a Christian bookstore owner from running his business as he chooses, for example.

“LB627 uses government coercion and punishment ... to affirm conduct and messages that conflict with [some employers’] sincerely held beliefs,” Venzor said. “This undermines the ability of an employer to carry out a business in accord with their mission.”

Karen Bowling, executive director of the Nebraska Family Alliance, also opposed the bill.

“Government should not have the power to punish citizens for simply declining to express ideas that violate their beliefs,” Bowling said.

The committee took no immediate action on the bill.

### **Constitutional amendment to ban convict slavery advanced**

The removal of an obsolete provision in the state constitution would

be placed on the ballot for voters' consideration under a measure advanced from general file Feb. 7.

Currently, the constitution prohibits slavery and indentured servitude except as punishment for people convicted of a crime. LR1CA, introduced by Omaha Sen. Justin Wayne, would place a proposed constitutional amendment on the November 2020 general election ballot to remove the exemption.



Sen. Justin Wayne

Wayne said that after the Civil War, Nebraska implemented a "convict leasing" program that allowed private companies to pay prisons for unpaid convict labor. The practice was used to build the state's second Capitol building, he said, but ultimately ended in 1940.

Lawmakers need to continue to examine the state constitution and ensure that it reflects modern values and belief systems, Wayne said, which includes removing the obsolete language that still authorizes certain forms of slavery.

"We have to send a message ... that all members of this body believe that slavery is not a Nebraska value and has no place in our constitution," he said.

Senators advanced the measure to select file on a 44-0 vote.



**Eminent domain restriction considered**

Certain eminent domain authority would be curtailed under a bill considered by the Natural Resources Committee Feb. 7.

Under LB155, introduced by Sen.

Tom Brewer of Gordon, use of eminent domain no longer would be authorized in order to provide access to build transmission lines or other infrastructure related to a privately developed renewable energy project.



Sen. Tom Brewer

Current Nebraska law allows a landowner, who has contracted with a wind energy company to host turbines on his or her land, to use eminent domain to access neighboring land to connect the turbine to the electrical grid, Brewer said.

Brewer said he was "baffled" that a private transaction could be considered a public use, and that it was wrong for a private citizen to use eminent domain for financial gain to the detriment of his or her neighbor.

"Next to property taxes, there is nothing more important to my district than the ongoing, adverse effects wind energy is having on my constituents," Brewer said.

Brent Steffen of Kearney testified in favor of the bill. He said the central issue of LB155 is not wind energy, but property rights.

"Eminent domain is the domination of the individual by the government," Steffen said. "To take this action to benefit an individual or a private entity should be morally repugnant to each and every one of us."

Barbara Welch of Thedford also testified in favor of the bill. Welch said she and other residents of the Sandhills are deeply connected to their land, and she takes personal offense at the use of eminent domain to gain access to her property.

Richard Lombardi, representing the Advanced Power Alliance, testified against LB155. All wind projects involve multiple landowners, Lombardi

said, leaving a project vulnerable to one landowner who is unwilling to grant access.

"Our concern is that transmission capabilities would be denied," Lombardi said.

Lucas Nelsen of the Center for Rural Affairs also testified against the bill. Nelsen said his organization advocates for green energy projects and that LB155 would make those projects more difficult.

The committee took no immediate action on the bill.

**Merger of energy, environmental quality agencies advanced**

Lawmakers gave first-round approval Feb. 7 to a proposal to merge the state agencies responsible for recommending state energy policies and administering Nebraska's environmental regulations.

LB302, introduced by Venango Sen. Dan Hughes on behalf of Gov. Pete Ricketts, would authorize the transfer



Sen. Dan Hughes

of statutory powers, employees and assets of the State Energy Office into the state Department of Environmental Quality on July 1, 2019. The new agency would be named the Department of Environment and Energy, and the current director of environmental quality would lead it.

The Nebraska Energy Office serves as the central repository for energy data relevant to Nebraska and provides the public with information on energy sources, use and conservation, in addition to other duties. The state Department of Environmental Quality administers the rules, regulations and standards adopted to protect and improve water, air and land quality in Nebraska.



LB302 would authorize the newly created department to assume responsibility for a permit program related to the discharge of dredged or fill material consistent with section 404 of the federal Clean Water Act. The permits are required for any project that encounters “waters of the U.S.” as defined under the act. Federal law allows the program, which is administered by the U.S. Army Corps of Engineers and the Environmental Protection Agency, to be delegated to states with approved programs.

Hughes said two other states, Michigan and New Jersey, have completed the delegation process.

Senators voted 41-0 to advance the bill to select file.

**Natural resources department rulemaking changes considered**

The Natural Resources Committee heard testimony Feb. 6 on a bill that would change rulemaking requirements for the state Department of Natural Resources.

LB319, sponsored by Columbus Sen. Mike Moser, would repeal a requirement that the department send county, city and village clerks notice of hearings regarding floodplain management rules and regulations via mail. Moser said the change would save the state approximately \$900 each year.



Sen. Mike Moser

“Email would be less expensive and at least as reliable as the U.S. mail,” he said.

The bill also would make two changes to department rulemaking requirements.

The department currently is required to adopt and promulgate rules and regulations regarding the allocation and expenditure of money from the Water Resources Trust Fund, which holds state and federal funds used to pay for the management and protection of the state’s groundwater.

Director of Natural Resources Jeff Fassett, who testified in support of the bill, said state law authorizing the fund allows for a broader range of uses than the department’s current rules allow. LB319 would allow the department to repeal those rules and use the money on current programs to manage water use in fully and overappropriated areas, he said.

Fassett said the second change would eliminate a conflict in state law created in 2000 by the merger of the Nebraska Natural Resources Commission and the state Department of Water Resources.

One section of state statute grants the department jurisdiction over matters pertaining to water rights for irrigation, power or other useful purposes except as limited by law. LB319 would make the department’s adoption and promulgation of rules and regulations governing those matters optional rather than mandatory.

Fassett said the change would make that section of statute consistent with another that provides the department with “permissive rulemaking” authority.

No one testified in opposition to LB319 and the committee took no immediate action on it.



**Enhanced tax sale certificate notification requirements proposed**

The Revenue Committee heard testimony Feb. 8 on a bill meant to ensure that homeowners receive sufficient notice that they may lose their

property due to unpaid taxes.

Counties may sell real property at auction for delinquent taxes. Purchasers pay the delinquent taxes in exchange for a tax sale certificate. After three years, if the property owner has not paid the taxes and any accrued interest, the certificate purchaser may apply for a treasurer’s tax deed to acquire the property.

The purchaser must serve notice to the property owner at least three months before applying for the deed. Among other information, the notice is required to include the amount of taxes represented by the tax sale certificate and a statement that the right of redemption requires payment to the county treasurer.

Gothenburg Sen. Matt Williams, sponsor of LB463, said the tax sale certificate process is important for counties because it creates a “significant incentive” for people to pay their property taxes.



Sen. Matt Williams

“This [process] only happens when people don’t pay their taxes,” he said. “There is some culpability on the part of the property owner.”

In some cases, however, property owners do not receive adequate notice that they could lose their property if they do not act, Williams said. LB463 would strengthen notice requirements by ensuring that tax sale certificate purchasers make multiple attempts to notify those who occupy the property as well as those listed on the property’s title, he said.

Finally, Williams said, LB463 would require a “checklist” of documents that a tax sale certificate purchaser must provide before a county treasurer issues a tax deed, including the tax sale certificate, the applicable

affidavit proving notice and a copy of the title search.

Jean Sidwell, Buffalo County treasurer, testified in support of the bill, saying that it would help county treasurers navigate the tax sale certificate and tax deed process. The enhanced notice requirements would allow treasurers to determine whether an owner received proper notice, she said, and the checklist would help them verify that a tax sale certificate purchaser has met all legal requirements before issuing a tax deed.

“None of us are practicing attorneys,” Sidwell said. “Currently, some of the language that’s in statute is difficult for treasurers to understand.”

Lindsay Brinson of Eagle also testified in support of the bill, saying investment companies are reaping large profits by taking advantage of unclear notice requirements in the current law. Without her knowledge, Brinson said, an investment company purchased a tax sale certificate on her property in 2014 and paid the property taxes on it for the next three years before foreclosing without her receiving proper notice.

Brinson said she eventually reached an agreement with the company to buy back her home for approximately \$100,000. The company paid only \$16,000 in back taxes, she said.

Caitlin Cedfeldt of Legal Aid of Nebraska gave neutral testimony on the bill. LB463 would not change the current requirement that a homeowner be notified of his or her right to redeem a tax sale certificate until three years after the sale, she said. During that time, Cedfeldt said, the investor is paying subsequent taxes on the property and accruing interest at a rate of 14 percent.

“Notice ought to be given much earlier in the process, more often, and it should be in plain English,” she said.

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

**Expanded tax incentive considered for college savings plan accounts**

Grandparents and other extended family members would be eligible for a tax incentive on contributions they make to a beneficiary’s college savings plan account under a bill heard Feb. 6 by the Revenue Committee.

The Nebraska Education Savings Trust Plan provides tax-advantaged 529 accounts meant to encourage saving for postsecondary education costs. Contributions grow tax-deferred, and withdrawals are exempt from state and federal taxes as long as they are used for a beneficiary’s qualified higher education expenses such as tuition, books, supplies and room and board.

Currently, individuals other than the plan’s participant, or registered owner, are ineligible for the state income tax deduction on contributions they make to NEST accounts or accounts created under the state’s Achieving a Better Life Experience program, which may be used to pay for qualified disability-related expenses. Annual deductions are limited to \$5,000 for those married filing separately and \$10,000 for other filers.

LB470, introduced by Gretna Sen. Andrew La Grone, would allow “non-participants” to claim the state income tax deduction on the contributions they make to a beneficiary’s NEST account, and it would eliminate the cap on deductions for contributions to NEST accounts and ABLE accounts.

“With the high and rising cost of tuition and the student loan crisis,” La Grone said, “lifting the tax burden on college savings accounts is an investment in the future of our students, an invest-

ment in the future of our state and an investment in the American dream.”

The state Department of Revenue estimates LB470 would reduce state income tax revenue by \$25.9 million in fiscal year 2020-21, an additional \$27.7 million in FY2021-22 and \$29.7 million in FY2022-23.

LB470 is one of several bills introduced this session intended to increase awareness and use of the state’s 529 plans:

LB544, introduced by Elkhorn Sen. Lou Ann Linehan, would provide college scholarships to Nebraska resident children from a fund administered by the state treasurer. The state would add \$100 to the fund for each child enrolled in the program during the previous fiscal year.



Sen. Lou Ann Linehan

LB545, introduced by Omaha Sen. Justin Wayne, would allow individuals to claim an income tax deduction against contributions an employer makes to their account.



Sen. Justin Wayne

LB547, introduced by Lincoln Sen. Anna Wishart, would provide low-income Nebraskans with state grants equal to contributions they make to their accounts.



Sen. Anna Wishart

LB610, introduced by Omaha Sen. Brett Lindstrom, would provide employers with an income tax credit of up to



Sen. Brett Lindstrom

\$2,000 on matching contributions they make to an employee's account.

LB688, introduced by Omaha Sen. Machaela Cavanaugh, would allow individuals to designate a portion of their state income tax refund as a contribution to their account.



Sen. Machaela Cavanaugh

State Treasurer John Murante, the NEST program's trustee and administrator, testified in support of each proposal. He said a common complaint is that extended family members cannot claim the tax deduction on contributions without opening a separate account for the beneficiary. Changes in LB470 would make the program "as user friendly as possible," Murante said.

Deborah Goodkin, NEST program manager at First National Bank of Omaha, also testified in support of the proposals, which she said are intended to increase the number of Nebraskans who save for college.

In her testimony on LB470, Goodkin said 94 percent of respondents to new account owner surveys indicated that the plan's tax-advantaged savings were "extremely important" in the decision to open an account.

"With these changes," she said, "Nebraskans will have a greater impetus to open up accounts and to actively contribute rather than taking out loans."

Renee Fry, executive director at OpenSky Policy Institute, testified in opposition to LB470, saying it would reduce state tax revenue at a time when Nebraskans are asking for property tax reductions. Of the 31 states that offer tax deductions on contributions to college savings plans, Fry said, only 10 allow for more generous deductions than Nebraska's and only four have no limit.

Additionally, Fry said, the bill mostly would benefit the state's high earners. Only 1.95 percent of Nebraska residents claimed the college savings plan deduction on their 2016 returns, she said, and 72 percent of those who received a deduction that year had income of more than \$100,000.

"If the goal of LB470 is to help families invest in the American dream," Fry said, "our concern is that it will only help those who are already in the best position to achieve it."

The committee took no immediate action on any of the proposals.

### Income tax credit on property taxes considered

Nebraskans would receive a state income tax credit to offset part of their property tax bill under a proposed constitutional amendment heard Feb. 7 by the Revenue Committee.

Introduced by Bayard Sen. Steve Erdman, LR3CA would place the amendment on the November 2020 general election ballot. If voters approve it, the Legislature would provide a refundable state income tax credit equal to 35 percent of the property taxes levied on real property in the state and paid by the taxpayer during the taxable year.



Sen. Steve Erdman

Erdman said property taxes in Nebraska have outpaced the average property owner's income and that reducing property taxes is the No. 1 issue for Nebraskans.

"It's not working for agriculture, it's not working for the homeowner, it's not working for the commercial property," he said. "Property tax is a problem."

Erdman said the proposed amend-

ment would generate approximately \$1.3 billion in income tax credits each year. If voters were to approve the measure, he added, it then would be up to the Legislature to decide how to fund it.

Paul Von Behren of Fremont, who testified in support of LR3CA, said the open-ended nature of the proposal is its main virtue. The measure would set property taxes roughly equal to income and sales taxes, he said, leaving the Legislature to hammer out the details of funding local governments, the entities that levy property taxes.

"The beauty, I believe, of Sen. Erdman's [resolution] is that it doesn't provide the solution," he said. "It simply turns the problem upside down in a way we've never thought about it."

Ed Truemper of Ashland also testified in support, calling the proposal a "dramatic change" that nevertheless can be paid for.

"I realize that this is a very tough pill to swallow," Truemper said, "but let me just add that people in the state of Nebraska have been swallowing this property tax issue for a long, long time."

Testifying in opposition to the resolution was Nicole Fox, director of government relations at the Platte Institute. She said the best way to reduce property taxes is to limit the property taxing authority of local governments, something the proposed amendment would not do.

The measure instead could lead to higher income and sales taxes, hurting the state's economic growth, Fox said.

"Unfortunately, we can't just pay people 35 percent of what they pay in property taxes without either making major cuts to the budget or enacting very large state tax increases," she said.

Larry Grosshans testified in opposition on behalf of the Nebraska Association of School Boards and the Nebraska Council of School Administrators. He said the proposal would not reduce the



state's overreliance on property taxes to fund schools and local governments or address the disparity between property taxes and state sales taxes.

"What it does is significantly reduce the state's revenue from income tax at a time when the state is already facing revenue challenges," Grosshans said. "This could be disastrous to those entities that depend upon funding assistance from the state."

The committee took no immediate action on the proposal.

## TRANSPORTATION & TELECOMMUNICATIONS

### Specialty license plates considered

The Transportation and Telecommunications Committee heard testimony Feb. 5 on several bills proposing changes to regular and specialty license plates.

Under LB128, introduced by Venango Sen. Dan Hughes, wildlife conservation license plates would be available in alphanumeric or personalized versions with designs supportive of Nebraska wildlife, including sandhill cranes, bighorn sheep and cutthroat trout.



Sen. Dan Hughes

Hughes said that since the creation of mountain lion license plates in 2016, the state Game and Parks Commission has received over \$225,000 to fund youth educational programs.

"This is another way for the public, through voluntary choice, to help and provide those expanded educational efforts," he said.

The fee for the alphanumeric plates would be \$5, credited to the Nebraska Game and Parks Commission Educational Fund. Personalized plates would

cost \$40, with \$10 credited to the state Department of Motor Vehicles Cash Fund and \$30 credited to the Nebraska Game and Parks Commission Educational Fund.

Timothy McCoy, deputy director of the state Game and Parks Commission, spoke in support of the bill. He said the commission leverages the funds received from specialty license plates to administer extensive youth education programs throughout the state.

"We continue to expand this programming and it's amazing to see the general public's interest in it," McCoy said. "It's important [for students] to learn about the wildlife in their backyard so that they value these resources."

Jim Johnson, representing the Nebraska Wildlife Federation, also supported the bill. The general concept of the bill is good, Johnson said, but he suggested that the fees instead go to the commission's Wildlife Conservation Fund.

"It offers a chance for Nebraska to dedicate funding to the program that's most concerned with preserving Nebraska's ecological diversity," Johnson said.

No one testified in opposition to LB128.

Other measures considered by the committee include:

- LB38, introduced by Omaha Sen. Robert Hilkemann, which would provide for one license plate and in-transit decal per vehicle;
- LB138, introduced by Bellevue Sen. Carol Blood, which would provide for



Sen. Robert Hilkemann



Sen. Carol Blood

additional military honor plates and support our troops plates;

- LB215, introduced by Elkhorn Sen. Lou Ann Linehan, which would provide for prostate cancer awareness plates;



Sen. Lou Ann Linehan

- LB356, introduced by Norfolk Sen. Jim Scheer, which would change fee distribution for certain specialty license plates;



Sen. Jim Scheer

- LB546, introduced by Lincoln Sen. Anna Wishart, which would create spay and neuter awareness license plates and a low-income spay and neuter grant program; and



Sen. Anna Wishart

- LB691, introduced by Omaha Sen. Machaela Cavanaugh, which would provide for ornate box turtle conservation license plates.



Sen. Machaela Cavanaugh

Brainard Sen. Bruce Bostelman introduced three proposals, including:

- LB696, which would



Sen. Bruce Bostelman

change provisions relating to military honor plates;

- LB697, which would eliminate a fee for issuance of military related license plates; and
- LB699, which would change provisions relating to transporter plates.

The committee took no immediate action on the bills.

**Statewide regulations proposed for small wireless facilities**

The Transportation and Telecommunications Committee heard testimony Feb. 4 on a bill that would give wireless companies the right to place small cell wireless facilities in public rights of way.

Henderson Sen. Curt Friesen, sponsor of LB184, said the bill is intended to create uniform, statewide standards for the permitting and deployment of small wireless facilities in public rights of way and on public infrastructure such as utility poles. Also called small cells, the facilities are short-range cellular nodes needed to support fifth-generation wireless technology, or 5G, in high-traffic areas.



Sen. Curt Friesen

“This issue is too important for us to fall further behind other states in deployment of small cell technology,” Friesen said.

A political subdivision, or authority, could require wireless providers to apply for permits to collocate, or attach, small wireless facilities to wireless structures and utility poles and to install, maintain, modify, operate and replace utility poles in the public right of way.

The bill would give wireless providers the right—as a permitted use not subject to zoning review or approval—to collocate small wireless facilities and install

utility poles within the right of way as long as they do not obstruct or hinder usual travel or public safety on the right of way or obstruct its legal use by utilities.

The application fee to collocate small wireless facilities on an existing or replacement authority pole could not exceed \$100 each for the first five facilities on the same application and \$50 for each additional facility on the same application. The rate to collocate a small wireless facility on an authority pole could be no more than \$20 per pole per year.

The application fee for the installation, modification or replacement of a utility pole and the collocation of an associated small wireless facility could not exceed \$250 per pole.

An application would be deemed approved if the authority fails to approve or deny it within 90 days of its receipt.

David Tate, vice president and associate general counsel at AT&T, testified in support of the bill. He said a recent FCC order addressing the deployment of small cells allows a city to exceed the order’s “presumptively reasonable rate” of \$270 per attachment if the city’s reasonable approximation of the cost is higher. Tate called that “a recipe for litigation.”

“We need consistent and clear rates, terms and conditions that will apply across the state to all the municipalities rather than ... having to go city, by city, by city to deal with interpretations of the FCC order that will just slow down the deployment,” he said.

David Young testified in opposition to the bill on behalf of the city of Lincoln. He said LB184 would limit a city’s ability to manage the public right of way and would place other users of the right of way, such as cable companies and utilities, at a disadvantage to wireless companies.

“We have a responsibility to manage the public right of way for everybody,” Young said, “and creating a special

class of user that has special permitting processes and sub-market rates is basically the public subsidizing and picking winners and losers in the technology battle that we have here in Nebraska.”

The committee took no immediate action on the bill.

**New mapping system for rural telecom capacity proposed**

The Transportation and Telecommunications Committee heard a proposal Feb. 4 aimed at providing a better understanding of rural access to telecommunication technology.

Plymouth Sen. Tom Brandt, sponsor of LB549, said the bill would provide a more accurate picture of who is being served in rural areas of the state. Currently, he said, mapping of high-speed internet access is done at the census block level, while his bill would require mapping of every street address or land parcel in a first- or second-class city, village or unincorporated area of a county.



Sen. Tom Brandt

“Gathering accurate data is the first step in developing a strategy to close the widening digital divide in our state,” Brandt said.

As an example of the current disparity, Brandt said there is fiber optic cable buried on the highway right of way very near his home, but he is unable to access it and still must use a DSL connection for cable service.

“It is like having a Ferrari in your garage but you don’t have the keys,” Brandt said.

The bill would require the state Public Service Commission to create and maintain a geographic information system that details:

- where telecommunication companies provide advanced services;

- the location of towers used to transmit and receive advanced telecommunications services; and
- connection speed and type of technology available at each street address or parcel of land.

Brandt said he would bring an amendment to use the Nebraska Universal Service Fund rather than state general funds to pay the estimated \$862,000 annual cost for the next two years to develop and manage the system.

PSC Commissioner Crystal Rhoades testified in support of the bill, saying there have been major delays in the routing of 911 calls in her county—including three that resulted in deaths—because operators could not identify where a call was coming from.

“This is obviously an issue of public safety and of great importance,” Rhoades said. “If they can’t find you, they can’t help you.”

Kristen Gottschalk, representing the Nebraska Rural Electric Association, also spoke in favor of LB549. She said much of the current information regarding telecommunications coverage is self-reported by companies and overrepresents high-speed internet service in rural areas of the state.

“I live in one of those census blocks that’s considered to be 100 percent served,” Gottschalk said. “I am not served.”

Speaking on behalf of the Nebraska Cable Communications Association, Julia Plucker testified in opposition. Telecommunications companies already provide substantial data through reports to the Federal Communications Commission, she said, which could be used to achieve the bill’s purposes.

“The granular information required in LB549 is not practical or efficient for the companies and would be challenging to provide,” Plucker said.

The committee took no immediate action on the bill.

## URBAN AFFAIRS

### Early childhood education bill fails to advance

A bill that would require cities to incorporate early childhood development in their comprehensive development plans failed to advance from general file Feb. 4.

LB66, introduced by Lincoln Sen. Matt Hansen, would require that early childhood development be included in a city’s



Sen. Matt Hansen

comprehensive development plan by 2022. Under the bill, all municipalities except villages would be required to:

- assess the number and quality of childhood education programs for children younger than six;
- evaluate the availability of child care capacity and the utilization of child care for children younger than six; and
- promote early childhood education.

A comprehensive plan, Hansen said, is an aspirational vision for a city, and that vision should include child care. Twenty-eight percent of Nebraskans live in “child-care deserts,” he said, defined as an area with three times as many children as licensed child care slots available to them.

Hansen said that implementation of the bill would not have to have a fiscal impact for cities.

“In my mind, this is about: where are the daycare centers in the city? Do the bus lines go near them? Do the bike trails go near them? Do the essential city services that people rely on in their day-to-day lives, how [do they] interact with early childhood

education?” Hansen said.

Sen. Jim Scheer of Norfolk spoke in opposition, saying the bill was unnecessary.

“Until someone can show there is a lack of involvement on the part of communities [in early childhood education planning] I will not be supporting the bill,” Scheer said.

Also speaking against the bill was Sen. Mike Groene of North Platte. He questioned how city staff would evaluate the quality of child care facilities.

“[This requirement] doesn’t belong in city government,” Groene said “It belongs in the education statutes; it belongs in the social services statutes.”

Sen. Rick Kolowski of Omaha said he was “in disbelief” that anyone would oppose the bill.

“It’s embarrassing. How long are we going to put something like early childhood education continually on the back burner or completely off the stove?” Kolowski said. “It’s about services that could be available, and should be available, to cities when they’re doing their planning.”

Sen. Dan Quick of Grand Island also spoke in support of the bill, and said a “no” vote was, in essence, an unfunded mandate. Every child that is helped by early childhood education is a child less likely to need assistance later in life, he said.

“It’s an unfunded mandate to our child welfare systems. It’s an unfunded mandate to our public school systems, to our juvenile courts and maybe our corrections system,” Quick said.

A clarifying amendment offered by the Urban Affairs Committee failed on a vote of 19-10. Twenty-five votes were required.

Following the rejection of a Hansen amendment on a 18-16 vote, senators voted 19-23 not to advance LB66 to select file. ■



# COMMITTEE HEARINGS

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

## **Monday, Feb. 11**

### **Banking, Commerce & Insurance Room 1507 - 1:30 PM**

LB224 (Albrecht) Rename the Nebraska Educational, Health, and Social Services Finance Authority Act and provide for applicability

LB384 (Walz) Change certain education requirements under the Nebraska Real Estate License Act

LB454 (Clements) Eliminate a high school diploma or equivalent requirement for real estate license

### **Business & Labor**

#### **Room 1524 - 1:00 PM**

LB644 (McDonnell) Adopt the Nebraska Workforce Diploma Act

### **Business & Labor**

#### **Room 1524 - 1:30 PM**

LB345 (Wishart) Prohibit mandatory overtime for certain state employees

LB217 (Pansing Brooks) Prohibit retaliation against employees for communicating about wages

LB383 (Quick) Provide for an annual adjustment to the minimum wage

LB400 (Hunt) Change the minimum wage for persons compensated by way of gratuities

LB361 (M. Hansen) Prohibit retaliation under the Nebraska Wage Payment and Collection Act and the Wage and Hour Act

LB362 (M. Hansen) Require payment of unpaid wages for violations of the Nebraska Wage Payment and Collection Act

### **Education**

#### **Room 1525 - 1:30 PM**

LB147 (Groene) Change the Student Discipline Act to provide for use by a teacher or administrator of necessary physical contact or physical restraint and provide procedures and grounds for removal from a class in response to student behavior

LB515 (Vargas) Change provisions relating to the Student Discipline Act

LB495 (Wayne) Provide for collection of data on student disciplinary actions

### **Executive Board**

#### **Room 1525 - 12:00 PM**

LB105 (Linehan) Designate corn as the state vegetable

LB283 (Pansing Brooks) Provide for a climate change study

### **General Affairs**

#### **Room 1510 - 1:30 PM**

*Appointment:* Todd Zohner - Neb. Commission on Problem Gambling

LB635 (Hilkemann) Change membership of the Nebraska Liquor Control Commission

LB538 (Lathrop) Change provisions relating to possession of a gambling device and provide for approval of certain mechanical amusement devices by the Department of Revenue

LB584 (Hilgers) Change farm winery provisions and provide for a promotional special designated license

### **Transportation & Telecommunications**

#### **Warner Chamber - 1:30 PM**

LB462 (Friesen) Change provisions of the One-Call Notification System Act

LB616 (Hilgers) Provide for build-finance projects under the Build Nebraska Act and the Transportation Innovation Act

LB269 (Friesen) Change provisions relating to school permits

LB278 (Bostelman) Provide a veteran notation on an operator's license or a state identification card for certain commissioned officers as prescribed

## **Tuesday, Feb. 12**

### **Agriculture**

#### **Room 1524 - 1:30 PM**

LB657 (Wayne) Adopt the Nebraska Hemp Act

LB227 (Hughes) Redefine terms and change determination of a public or private nuisance under the Nebraska Right to Farm Act

### **Banking, Commerce & Insurance**

#### **Room 1507 - 1:30 PM**

LB145 (M. Hansen) Change power of attorney provisions relating to banks and other financial institutions

LB116 (Kolterman) Authorize electronic delivery of insurance policies and billing information to insureds

LB257 (Kolterman) Change provisions relating to loss payouts by insurers

### **Education**

#### **Room 1525 - 1:30 PM**

LB695 (Groene) Change provisions

relating to the Tax Equity and Educational Opportunities Support Act, the Property Tax Credit Act, levy limits, and the base limitation

LB662 (Friesen) Terminate the Tax Equity and Educational Opportunities Support Act

LR5CA (Brewer) Constitutional amendment to limit the percentage of funding for schools that comes from property taxes

LB430 (Groene) Change dates related to certifications and distributions of state aid to schools

### **Nebraska Retirement Systems**

#### **Room 1507 - 12:00 PM**

LB36 (Kolterman) Redefine creditable service, change a payment deadline for restoration of relinquished creditable service, and change payment requirements and service credit computation provisions under the School Employees Retirement Act

LB565 (Bolz) State legislative intent relating to a designated beneficiary determination under certain retirement systems

### **Transportation & Telecommunications**

#### **Warner Chamber - 1:30 PM**

LB378 (B. Hansen) Change helmet provisions for autocycles, motorcycles, and mopeds

LB371 (Erdman) Change provisions relating to requirements for all-terrain vehicles and utility-type vehicles

LB612 (Erdman) Authorize the display of roadside memorials

LB665 (Friesen) Authorize the use of electric foot scooters

LB719 (Hughes) Provide for reporting to the National Motor Vehicle Title Information system for wreckers and salvage dealers

### **Urban Affairs**

#### **Room 1510 - 1:30 PM**

LB348 (Quick) Adopt changes to the state building code

LB405 (Hunt) Adopt updates to building and energy codes

LB96 (Wayne) Change local building code provisions

LB95 (Wayne) Change applicability provisions for building codes

LB130 (DeBoer) Adopt radon resistant new construction requirements



# COMMITTEE HEARINGS

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LB409 (Kolowski) Adopt design standards for health care facilities

## **Wednesday, Feb. 13**

### **Government, Military & Veterans Affairs**

#### **Room 1507 - 1:30 PM**

LB415 (Friesen) Repeal recall provisions for political subdivisions  
LB375 (Brewer) Allow certain library, archive, and museum materials to be withheld from the public  
LB385 (Erdman) Change election provisions for the board of trustees of the Nebraska State Historical Society  
LB447 (McDonnell) Provide for an exception to the State Personnel System for certain employees of the Nebraska State Historical Society

### **Health & Human Services**

#### **Room 1510 - 1:00 PM**

*Division of Behavioral Health Briefing*

### **Health & Human Services**

#### **Room 1510 - 1:30 PM**

LB556 (Howard) Change provisions relating to the prescription drug monitoring program  
LB557 (Lindstrom) Change provisions relating to prescriptions for controlled substances  
LB567 (Morfeld) Adopt the Prescription Drug Cost Transparency Act

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB282 (M. Hansen) Change provisions relating to bail  
LB335 (M. Hansen) Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail  
LB457 (Lathrop) Define and redefine terms relating to industrial hemp under the Uniform Controlled Substances Act  
LB500 (Morfeld) Prohibit participation in pretrial diversion programs for certain driving under the influence and driver's license offenses  
LB579 (Quick) Authorize issuance of ignition interlock permits to persons who caused serious bodily injury while driving under the influence  
LB646 (Chambers) Eliminate cash bail bonds, appearance bonds, and related provisions

### **Natural Resources**

#### **Room 1525 - 1:30 PM**

*Appointments:* Bradley B. Bird, Michael S. Thede - Neb. Ethanol Board; Walter Dennis Strauch, John Heaston - Natural Resources Commission  
LB48 (Stinner) Change provisions relating to sufficient cause for nonuse of a water appropriation

### **Revenue**

#### **Room 1524 - 1:30 PM**

LB276 (McCollister) Change provisions relating to the taxation of income from certain small business corporations and limited liability companies  
LB182 (Bolz) Adopt the School District Local Option Income Surtax Act  
LB310 (Vargas) Change procedures for tax credits under the Nebraska Job Creation and Mainstreet Revitalization Act  
LB477 (Vargas) Provide an income tax exemption for Segal AmeriCorps Education Awards  
LB357 (Walz) Adopt the Direct Support Professional Tax Credit Act

## **Thursday, Feb. 14**

### **Executive Board**

#### **Room 1525 - 12:00 PM**

LB253 (McCollister) Adopt the Redistricting Act  
LB261 (DeBoer) Require use of redistricting maps drawn using state-issued computer software  
LB466 (Howard) Adopt the Redistricting Act  
LB467 (Vargas) Prohibit consideration of certain factors in redistricting

### **Government, Military & Veterans Affairs**

#### **Room 1507 - 1:30 PM**

LB381 (B. Hansen) Change expense reimbursement provisions for state officers and agencies  
LB411 (Scheer) Provide an additional method of changing the number of county commissioners  
LB511 (Brewer) Authorize adjustments to state employee work schedules to participate in approved youth mentoring programs  
LB109 (Bolz) Require the position classification plan and salary or pay plan for state employees to include certain positions

### **Health & Human Services**

#### **Room 1510 - 1:30 PM**

LB422 (Howard) Adopt the Art Therapy Practice Act  
LB449 (Walz) Prohibit scleral tattooing  
LB607 (Kolterman) Change provisions relating to nail technology and body art  
LB312 (B. Hansen) Change and eliminate provisions relating to dental hygienists

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB132 (Pansing Brooks) Change penalties for certain felonies committed by persons under nineteen years of age  
LB230 (Pansing Brooks) Provide for room confinement of juveniles as prescribed  
LB390 (Pansing Brooks) Provide duties regarding school resource officers and security guards  
LB391 (M. Hansen) Change duties of peace officers taking juveniles into custody or interrogating juveniles and prohibit use of statements taken in violation of the rights of a juvenile  
LB589 (Chambers) Prohibit peace officers from serving as school resource officers  
LB651 (Wayne) Change funding provisions for the Community-based Juvenile Services Aid Program

### **Natural Resources**

#### **Room 1525 - 1:30 PM**

*Appointments:* Bradley A. Arrowsmith - Niobrara Council; Don Kraus - Natural Resources Commission  
LB53 (Scheer) Change and provide duties for landowners or their tenants relating to removal of a blockage or obstruction in a watercourse and provide for court costs and attorney's fees  
LB177 (Lindstrom) Change a termination date for bonding authority of natural resources districts

### **Revenue**

#### **Room 1524 - 12:30 PM**

LB314 (Briese) Adopt the Remote Seller Sales Tax Collection Act and change revenue and taxation provisions  
LB497 (Friesen) Adopt the School District Property Tax Authority Act and change revenue and taxation provisions  
LB677 (Groene) Change provisions of the Property Tax Credit Act and provide school district property tax relief aid

# COMMITTEE HEARINGS

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

## **Tuesday, Feb. 19**

### **Agriculture**

#### **Room 1524 - 1:30 PM**

LB594 (Blood) Provide for a deceptive trade practice relating to meat under the Uniform Deceptive Trade Practices Act  
LR13 (Murman) Urge federal agencies of the U.S. Government responsible for food labeling to establish and enforce standards for nomenclature of plant-based imitation milk and dairy food products  
LB729 (Walz) Adopt the Soil Health and Productivity Incentive Act

### **Banking, Commerce & Insurance**

#### **Room 1507 - 1:30 PM**

LB274 (M. Hansen) Change provisions relating to stacking of coverage under the Uninsured and Underinsured Motorist Insurance Coverage Act  
LB370 (McCollister) Change motor vehicle liability insurance and financial responsibility requirements  
LB672 (Clements) Change provisions of the Motor Vehicle Registration Act relating to a named driver insurance policy

### **Transportation & Telecommunications**

#### **Warner Chamber - 1:30 PM**

LB550 (Vargas) Require voter approval of fees and taxes on wireless services and eliminate the Prepaid Wireless Surcharge Act  
LB641 (McDonnell) Provide for grants under the Telecommunication Relay System Act for a 211 Information and Referral Network  
LB268 (Friesen) Change provisions relating to a certificate of convenience and necessity for a telecommunications company  
LB617 (Hilgers) Change provisions of the Nebraska Telecommunications Regulation Act  
LB693 (Halloran) Prohibit the selling, renting, or conveying of telephone numbers

### **Urban Affairs**

#### **Room 1510 - 1:30 PM**

LB424 (Quick) Change the Nebraska Municipal Land Bank Act  
LB136 (Wayne) Adopt the Density Bonus and Inclusionary Housing Act  
LB87 (Wayne) Provide funding in opportunity zones designated pursuant to federal law  
LB234 (Wayne) Provide requirements for

payment of claims by cities and villages  
LB68 (M. Hansen) Change provisions of the Business Improvement District Act as prescribed  
LB197 (Urban Affairs) Provide a procedure for detachment of real property from the corporate limits of a city or village and eliminate existing detachment provisions

## **Wednesday, Feb. 20**

### **Health & Human Services**

#### **Room 1510 - 1:00 PM**

*Division of Medicaid and Long Term Care Briefing*

### **Health & Human Services**

#### **Room 1510 - 1:30 PM**

LB716 (Hilkemann) Create the Medicaid Cost and Quality Data and Analysis Center of Nebraska  
LB726 (Walz) Require a protocol for individuals eligible for medical parole to apply for medical assistance

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB240 (M. Hansen) Change procedures for determining competency to stand trial  
LB510 (McCollister) Change applicability of Sex Offender Registration Act to certain out-of-state juvenile adjudications  
LB548 (Howard) Prohibit restraining animals during certain disasters or weather events  
LB553 (Clements) Require reasonable accommodation for a person with a disability to have an assistance animal in a dwelling as prescribed  
LB649 (Wayne) Eliminate a termination date relating to the Medical Cannabidiol Pilot Study  
LB659 (Wayne) Remove cannabidiol from list of controlled substances

## **Thursday, Feb. 21**

### **Health & Human Services**

#### **Room 1510 - 1:30 PM**

LB260 (B. Hansen) Change provisions relating to medicaid recovery audit contractors  
LB423 (Howard) Change and eliminate provisions relating to school-based health centers under the Medical Assistance Act  
LB439 (Crawford) Require coverage for

chiropractic services under the Medical Assistance Act

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB421 (Hilgers) Adopt the Asbestos Trust Claims Transparency Act  
LB474 (Dorn) Change provisions relating to claims against the state for wrongful incarceration and conviction  
LB514 (Morfeld) Change bad check provisions to include obtaining child support credit and spousal support credit  
LB533 (Cavanaugh) Change terminology related to marriage  
LB593 (Briese) Change and eliminate provisions relating to medical assistance reimbursement claims and liens and provide for retroactivity  
LB621 (Kolowski) Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action

## **Friday, Feb. 22**

### **Health & Human Services**

#### **Room 1510 - 1:30 PM**

LB554 (Wishart) Change provisions relating to prescription drugs not on the preferred drug list under the Medical Assistance Act  
LB498 (Wishart) Provide for medical assistance coverage of family planning services as prescribed

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB43 (Bolz) Adopt the Sexual Assault Survivors' Bill of Rights Act  
LB249 (Howard) Change the statute of limitations for civil actions arising from a sexual assault  
LB516 (Pansing Brooks) Change provisions relating to child abuse, the Child Protection and Family Safety Act, human trafficking, and child welfare services  
LB532 (Cavanaugh) Change provisions relating to harassment protection orders, sexual assault protection orders, and domestic abuse protection orders  
LB680 (DeBoer) Adopt the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act ■

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