

## Limitations on juvenile confinement proposed

Members of the Judiciary Committee heard testimony Feb. 14 on a bill that would restrict the use of room confinement for juveniles.

LB230, introduced by Lincoln Sen. Patty Pansing Brooks, would prohibit correctional facilities from placing juveniles in room confinement as a result of disciplinary sanctions, staff shortages or retaliation by staff members.

The average length of a restrictive confinement at both of the state's Youth Rehabilitative and Treatment Centers has decreased, she said, but the number of incidents at both facilities has increased.

"Far too often kids are being placed in restrictive confinement because facility administrators lose patience or because it may be more convenient," she said. "[The bill] helps ensure we're keeping children and staff safe in our facilities while helping children rehabilitate and become thriving members of our society."

The bill specifies that room confinement could be used only after all other less-restrictive alternatives have been exhausted and the juvenile poses a serious and immediate security threat to themselves or others. The length of confinement would be restricted to the minimum amount of time needed to resolve any such threat while not harming the mental or physical health of the juvenile.

Confined individuals would con-

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## Sales tax hike would fund property tax credits, schools



Sen. Tom Briese said a majority of the tax dollars generated by LB314 would go back to Nebraskans in the form of property tax credits.

The Revenue Committee heard testimony Feb. 14 on a bill that would raise the state sales tax rate, end several state sales and use tax exemptions and impose a surtax on high incomes to pay for additional property tax credits and state aid to public schools.

Albion Sen. Tom Briese, sponsor of LB314, said the bill would provide "immediate and substantial" property tax reductions and is more responsible than other proposals that do not generate additional tax revenue.

"As the naysayers and special interests try to pick this thing apart, you've got to ask yourself: How else are we going to deliver property tax relief Nebraskans are demanding in a responsible way?" Briese said. "The

only way to do it is to raise revenue."

LB314 would raise the state sales tax rate from 5.5 percent to 6 percent, repeal a personal property tax exemption and eliminate sales and use tax exemptions for a number of services including motor vehicle repair, personal care services and lawn care. It also would impose state sales tax on candy, soft drinks and bottled water.

The bill would apply a 7.84 percent surtax on the income tax liability of those with a federal adjusted gross income of \$500,000 or more for those filing as individuals and \$250,000 or more for other filers.

The bill also would raise the tax on a pack of cigarettes from 64 cents to \$2.14.

As introduced, LB314 would raise excise taxes on the manufacture or

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# Limitations on juvenile confinement proposed

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tinue to have regular access to medical and mental health treatment, meals, contact with parents and legal guardians, legal assistance and educational programming.

Notice of an offender's placement in room confinement to their parents or guardians and attorney would be required within one business day.

Dylan Murphy of Omaha spoke in support of the bill. As a young person, Murphy said he was repeatedly placed in solitary room confinement and continues to suffer from emotional issues as a result.

"We know that adolescents have not had the life experience to gain the emotional resources and skills to manage the distress caused by solitary confinement," he said. "It took almost 20 years for me to stop subconsciously waiting every moment of every day for someone to lock me in a room again for something they didn't like about me or something that I'd done."

Also supporting the bill was Juliet Summers, representing Voices for Children in Nebraska. She said LB230 would ensure that the state's youth do



Sen. Patty Pansing Brooks said there is overwhelming evidence showing the long-term negative impacts of solitary confinement on juveniles.

not experience the harmful effects of long-term restrictive confinement.

"All youth in the juvenile justice system should receive rehabilitative services for a second chance to succeed," Summers said. "[Outdated] and inhumane practices like the use of extended solitary confinement ... mars children's opportunity for rehabilitation and recovery."

Former Boys Town teacher Tom Miller also spoke in favor of the bill. Solitary confinement has devastating

long-term impacts on an adolescent's well-being, he said, especially considering many already have experienced trauma.

"Many are traumatized and they need to know that they're unconditionally loved," Miller said. "It is important juveniles have authentic relationships and that they can talk to someone nonjudgmental when they're having a hard time."

The committee took no immediate action on LB230. ■

## UNICAMERAL UPDATE

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# Sales tax hike would fund property tax credits, schools

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wholesale of beer, wine and alcohol and spirits. Briese said an amendment would scale back that increase to address concerns of the state's craft brewers. The amendment instead would impose a 3 percent sales surtax on alcohol.

The bill would direct additional revenue from these and other changes to the state's property tax credit cash fund. The state Department of Revenue estimates LB314 would direct an additional \$268 million to the fund in fiscal year 2019-20 and a further \$654 million in FY2020-21.

The additional revenue also would be used to increase state aid to public schools, Briese said. The Legislative Fiscal Office estimates the bill would direct an additional \$81 million in allocated income taxes and \$180 million in special education reimbursement funds to schools in FY2020-21.

John Hansen, president of the Nebraska Farmers Union, testified in support of the bill, saying it is meant to correct an imbalance in how the state funds public schools. An incremental reduction in state aid over the last 30 years has shifted more of that cost onto property taxpayers, he said.

"It's time to revisit our revenue streams," Hansen said. "We need a more fair and balanced tax system, we need to adequately fund K-12 education and we must reduce our overuse of property taxes."

Jack Moles testified in support of LB314 on behalf of the Nebraska Rural Community Schools Association and the Nebraska Council of School Administrators. Both groups understand that the bill is a "heavy lift," he said, but 175 out of 244 public school districts currently receive no state equalization aid.

"This means districts have had to put more and more revenue demands on the backs of local property owners, especially our ag landowners, and that in itself is a heavy lift, one that we need to lighten," Moles said.

Tiffany Friesen Milone, policy director at OpenSky Policy Institute, also testified in support. She said the proposal is a "fiscally responsible solution" to the state's high reliance on property taxes to fund public schools. The bill pays for investments in property tax credits and school aid by broadening the state's sales tax base and eliminating loopholes and tax breaks for the state's high earners, she said.

OpenSky is concerned that the proposed sales tax rate increase could disproportionately harm low- and moderate-income Nebraskans, Friesen Milone said, but the proposed increase in the state's earned income tax credit could offset it.

Testifying in opposition to the bill was Bryan Slone, president of the Nebraska Chamber of Commerce and Industry. He said increasing sales and income taxes to reduce the state's over-reliance on property taxes to fund public schools has not worked in the past.

To address the problem, Slone said, the Legislature first should reform the state's school aid formula, limit local government spending, diversify the state's economy and enforce the collection of state sales tax by remote sellers.

"The last source, from our point of view, should be raising new tax revenues that would have a detrimental economic effect and offset what we're trying to do here," he said.

Kathy Siefken, executive director of the Nebraska Grocery Industry Association, also testified in opposi-

tion. She said point-of-sale systems in Nebraska grocery stores are not set up to identify candy, bottled water and soda as taxable items. Upgrades would be prohibitively expensive for many small stores, Siefken said.

"Even the expensive databases that list taxable and nontaxable items only include 50 percent of taxable products, leading retailers to a guessing game of what to tax and what not to tax," she said.

Also testifying in opposition was Jim Engelbart, operations manager at Empyrean Brewing Co. and president of the Nebraska Craft Brewers Guild. Nebraska already has a higher excise tax on beer than any neighboring state, he said, and the proposed increase would make its beer tax the highest in the country.

"In 20 years in this business," Engelbart said, "it would be the single biggest price increase we've ever had to take as a manufacturer."

Sarah Curry, policy director at the Platte Institute, also testified in opposition. The Platte Institute supports expanding the state's sales tax base, she said, but the proposed tax increases would hurt the state's economic growth.

Additionally, Curry said, the bill does not include a mechanism to ensure that local property taxing entities would reduce their property tax rates if it passes.

"Increasing tax rates as a funding mechanism could be especially harmful without including the proper safeguards to assure lasting reforms," she said.

The committee took no immediate action on LB314. ■

# MEET THE SENATOR

## Brandt brings rural issues to the Capitol

Sen. Tom Brandt never envisioned being a politician. The fourth-generation farmer from Plymouth was content working his 1,100 acres, but the misconceptions that some Nebraskans had about rural life bothered him.

“People that aren’t farmers have this pastoral image in their mind,” Brandt said. “We have the same amount of poverty, we have the same amount of kids in need in our schools, but you just don’t see it. I came up here to give voice to those concerns.”

After filing his candidacy just before the deadline, Brandt took up the unfamiliar tasks of hiring a campaign

manager, knocking on doors and walking in parades. For a man who’s slapped bulls and stared down angry rams—“I had one knock me flat one time,” Brandt said—it was a learning experience.

“It was a hoot,” Brandt said. “I learned that if someone writes you a check for \$25, they’re going to tell you what to do.”

It wasn’t the first time he’d stepped out of his comfort zone. When Brandt graduated from the University of Nebraska in 1982, he’d hoped to work for a company that manufactured agricultural implements, but the prolonged farm crisis meant virtually nobody was

hiring, even his family.

“In 1982, my dad said ‘We got enough work for three people and not enough money for one, figure it out,’” Brandt said.

He took a job as an industrial engineer with Oscar Meyer-Louis Rich.

“I can build you a meatpacking plant,” Brandt said.

And he did so in places like Dakota City, West Liberty, Iowa and Amarillo, Texas. It was at that last stop where he met Sandra Rodriguez, a native of El Paso. The two eventually married and moved to Nebraska.

“The first few winters were quite a struggle,” Brandt said. “There’s not a lot of snow in El Paso.”

The couple has two kids—Evan, who ran the family farm while Brandt was campaigning, and Mariah, who is a captain in the U.S. Air Force. She’s had tours in Afghanistan and Kuwait, and is currently on her third tour overseas.

“She can’t tell me anything,” Brandt said. “If I can find where she is on Google, I can make all the assumptions I want but she won’t confirm anything.”

Brandt would love to provide opportunities for Evan and Mariah’s generation; improving rural internet access is a must.

“When you don’t have adequate broadband in rural areas, the young people are not going to move home. They need broadband to telecommute, to shop, to do their homework, to be entertained; it’s critical infrastructure,” he said. “I can buy a new combine that has NASA-type technology that we can’t use because we don’t have an adequate cloud.” ■



Sen. Tom Brandt on the family farm with wife Sandra and their children Mariah and Evan.

# AGRICULTURE



## Expanded right-to-farm protections considered

The Agriculture Committee heard testimony Feb. 12 on a bill that would expand legal protections for agricultural producers under the state's 1982 Right to Farm Act.

Under the act, a farm or public grain warehouse—a grain elevator or receptacle in which grain is held for longer than 10 days—cannot be found to be a public or private nuisance if it existed before a change in the land use or occupancy of land in its locality and would not have been a nuisance before the change.

LB227, sponsored by Venango Sen. Dan Hughes, would extend that protection to a farm or public grain warehouse if there is “no significant change” in the type of operation and if the farm or warehouse has been in operation for at least one year and was not a nuisance at the time it began.

A significant change would not include the conversion of one type of farm or public grain warehouse to another; a change in ownership or size of the operation; the enrollment, reduction or cessation of participation of the farm or public grain warehouse in a government program; or the operation's adoption of new technology.

Additionally, a farm or public grain warehouse could not be found to be a nuisance if “reasonable techniques” are used to keep dust, noise, insects and odors at a minimum and the farm or public grain warehouse complies

with applicable laws and regulations, including the zoning regulations of a local governing body.

As the state's population becomes farther removed from farm life, it grows less tolerant of the “dirty, smelly, sometimes not very pleasant” agriculture industry, Hughes said. LB227 would ensure that farmers would not be vulnerable to nuisance lawsuits as long as they operate within zoning laws and state environmental quality regulations, he said.

Jacob Mayer testified in support of the bill on behalf of a group of seven agriculture organizations. The Right to Farm Act protects producers against nuisance liability in instances when residential occupants come to a preexisting agricultural operation, he said, but courts have ruled that any change to an operation itself, no matter how minor, voids those protections.

“This gap in the law has had a deterring effect on Nebraska's agricultural industry, stagnating growth in rural communities and stoking resentment among neighbors,” Mayer said.

Kristi Block, executive vice president of the Nebraska Grain and Feed Association, also testified in support. She said grain elevators use an array of technologies and practices to mitigate noise and dust. Expanded legal protections under LB227 would encourage public grain warehouses and other agricultural businesses to adopt new technologies that increase safety and efficiency, Block said.

Jonathan Leo, an environmental lawyer and consultant in Lincoln, testified in opposition to the bill on behalf of Nebraska Interfaith Power and Light. He said LB227 would deprive a property owner of the right to sue when a farming operation undergoes a significant change affecting an owner's enjoyment of his or her property. The changes the bill would

deem not significant seem to be the opposite, Leo added.

“In fact, I can't imagine what could be more significant than a change in the ownership or size ... of a farm or public grain warehouse,” he said.

Anthony Schutz, a professor at the Nebraska College of Law, gave neutral testimony on the bill on his own behalf. He said nuisance lawsuits act as a “backdrop” that property owners can use to protect themselves in instances when a regulatory authority cannot consider or predict a farming operation's impact on neighbors.

Schutz said LB227 as written would make it impossible to make such a claim against an existing farming operation.

The committee took no immediate action on the bill.

## Hemp regulatory plan proposed

The Agriculture Committee heard testimony Feb. 12 on a bill that would regulate the growing and handling of industrial hemp in Nebraska.

Congress legalized the cultivation and sale of hemp—defined as cannabis with no more than 0.3 percent tetrahydrocannabinol, the plant's main psychoactive compound—with the 2018 Farm Bill by removing it from the federal Controlled Substances Act.

Under the federal bill, states that wish to regulate the production of hemp must first submit a plan to the U.S. Department of Agriculture. A plan must include a practice to maintain information on where hemp is produced and procedures for conducting annual inspections of hemp producers, testing the plants' THC levels and destroying plants grown in violation of the law.

Omaha Sen. Justin Wayne, sponsor of LB657, said the bill is intended to meet those requirements. Under



Sen. Dan Hughes

the bill, the state Department of Agriculture would establish, operate and administer a registration program for hemp growers and a licensing program for processor-handlers.



Sen. Justin Wayne

A coming amendment would change some aspects of the bill, Wayne said, but the proposed regulatory program would allow Nebraska farmers and manufacturers to grow and process a crop for which there is a surging market.

Andrew Bish of Bish Enterprises testified in support of the bill, saying it would give farmers an alternative commodity crop and create jobs. His company manufactures and sells equipment to hemp producers, Bish said, and other Nebraska businesses process hemp stalks and sell milling equipment to hemp growers.

“If Nebraska businesses are allowed to compete in a fair and open market,” he said, “Nebraska can and will be a leader in this industry.”

Allan Jenkins, an economics professor at the University of Nebraska at Kearney, also testified in support. He said hemp cultivars, or varieties, can be used for a number of products, including seeds and oil for human consumption. That includes cannabidiol, a non-psychoactive component of cannabis plants that is the subject of intense product development and several medical studies, Jenkins said.

One of the most attractive features of hemp, he added, is that it allows small-scale cultivation.

“Today an ordinary citizen has no reasonable chance of becoming a corn grower,” Jenkins said. “But even a few acres of high-CBD hemp cultivar can create a significant second income for a family.”

Also testifying in support was John Hansen, president of the Nebraska Farmers Union. He said the union would prefer that the state create its own plan to regulate hemp consistent with the 2018 Farm Bill rather than wait for the USDA to implement its own.

“There might be some additional costs,” Hansen said, “but I think that the benefits of assuming the responsibility here at the state level far outweigh those additional costs.”

Amelia Breinig, assistant director of the state Department of Agriculture, gave neutral testimony on the bill. She said the department supports the 2018 Farm Bill and hemp as a commercial product in Nebraska.

The department is waiting to see Wayne’s proposed changes to LB657, Breinig said. Any proposed regulatory program would need to comply with federal law and include enough funding for the department to carry it out, she said.

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



**Authorized restraint, removal of students considered**

The Education Committee heard testimony Feb. 11 on a bill that would give teachers legal protection for defending themselves and others against violent students.

LB147, introduced by North Platte Sen. Mike Groene, would authorize a teacher or administrator to



Sen. Mike Groene

“use the necessary physical contact or physical restraint”

to control a student who becomes physically violent toward himself or herself, a teacher, an administrator or another student. Physical contact or restraint also could be used to control a student who “exhibits destructive behavior toward school property.”

A teacher or administrator would not be subject to legal action or administrative discipline if he or she was acting in a reasonable manner.

The bill defines physical restraint as “holding the hands, wrists or torso of a student to control the movements of such student and shall not include the use of any mechanical device or binding a student to any object.”

Groene said case law suggests that teachers may use physical contact short of corporal punishment to preserve order and control the classroom. However, many teachers fear that they could face legal action for physically restraining a child, he said.

“We think that restraining a student by holding their hands, wrists or torso is a reasonable and sufficient way to handle a violent classroom situation,” Groene said, “and putting it into law protects those teachers for doing so.”

The bill also would authorize a teacher to have an administrator, administrator’s designee or school resource officer remove a disruptive student from the classroom under certain circumstances.

The principal could then suspend the student or place the student into another classroom or in-school suspension. The principal could not return the student to the teacher’s class without the teacher’s consent unless the return is required under the Special Education Act or Individuals with Disabilities Education Act.

If the teacher does not consent to the student’s return, the bill would require the teacher, the principal or the

principal's designee, the student and the student's parent or legal guardian to meet within two days of the removal to determine the causes of the problem and to develop a plan to improve the student's behavior. The principal then could readmit the student to the teacher's class.

Maddie Fennell, executive director of the Nebraska State Education Association, testified in support of the bill. She said it would clarify what teachers are allowed to do when students are in danger of harming themselves, others or school property.

"It is prudent to give school personnel the authority to deal with disruptive students while also having protections in place to ensure that those resources are being used prudently or not disproportionately impacting groups of students," Fennell said.

Kyle McGowan testified in opposition to LB147 on behalf of the Nebraska Council of School Administrators, the Nebraska Rural Community Schools Association and the Nebraska Association of School Boards.

"Ultimately, none of our three organizations want to be on the side of needing more physical restraint," he said. "We feel that's the wrong part of the equation."

McGowan said the bill would invert the current chain of command by allowing a teacher to decide on a student's removal from the classroom instead of an administrator, reducing a school's effectiveness.

Also testifying in opposition to the bill was Katie Bevins, president of the Nebraska School Psychologists Association. She said removal from the classroom is contrary to evidence-based discipline strategies and can lead to further behavior problems and low rates of engagement for both students and teachers.

"Unrestricted removals from the

class and unsafe practices will not solve the behavioral and mental health crises many of our students experience," Bevins said.

Juliet Summers of Voices for Children in Nebraska also testified in opposition. She said the bill would disproportionately affect certain groups of students and give teachers "relatively unchecked discretion" for removing students from the classroom.

"Everything we know about disparate discipline suggests that LB147 would lead to more children with disabilities and more children of color removed unfairly from the learning environment without much recourse," Summers said.

Brad Meurrens, public policy director for Disability Rights Nebraska, also testified in opposition, saying teachers and school staff already have the authority to act as LB147 prescribes. He said the bill could result in more student and staff injuries and contradicts many school districts' existing restraint and exclusion policies.

"It could send a confusing signal to school personnel about what rules or protocol to follow," Meurrens said, "and LB147 could persuade schools to dilute their existing restraint policies to match the legislation."

The committee took no immediate action on the bill.



**Bill would designate corn as state vegetable**

Corn would become Nebraska's official state vegetable under a bill heard Feb. 11 by the Executive Committee.

Elkhorn Sen. Lou Ann Linehan said she introduced LB105 at the urging of fourth-grade students from

Millard Public Schools' Reagan Elementary.



Sen. Lou Ann Linehan

As part of learning about the legislative process, students had researched how a bill becomes a law, Linehan said, and were prepared with a suggestion when she visited their classroom late last year.

"Students were surprised to find that Nebraska does not have a designated state vegetable and believe the 'cornhusker state' should designate corn as our state vegetable," Linehan said, adding that she also would pursue having the governor do so through a declaration.

Testifying on behalf of the bill was the students' teacher, Thomas Whisinnand. He said elementary students often have difficulty understanding the abstract concept of how an idea from an engaged citizen can become a legislative bill and eventually a law.

Whisinnand said his students were inspired by a class that went through a similar process to have the orange designated as Florida's state fruit. His students were excited to learn of the success of their efforts to have a bill introduced in the Nebraska Legislature, he said.

"The response was priceless," Whisinnand said. "Students cheered and clapped and some couldn't believe that their idea was actually going to be introduced as a bill."

No one testified in opposition to LB105 and the committee took no immediate action on it.

**Redistricting bills considered**

The Executive Board considered four proposals regarding the Legislature's redistricting process Feb. 14.

Currently, the Legislature is respon-

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

Redistricting will be undertaken next in 2021.

LB466, introduced by Omaha Sen. Sara Howard, would adopt the Redistricting Act. She said the bill would codify in state law the legislative resolution that guided the last redistricting process in 2011 and provide consistency going forward.

“Nebraska has never redistricted the same way twice,” Howard said.

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

- equal population;
- contiguous districts;
- no political affiliation data;
- no previous voting data;
- deference to county and municipal lines when appropriate; and
- only data and demographic information obtained from the U.S. Bureau of the Census.

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

The director of the Office of Legislative Research would deliver initial versions of the maps to the Legislature, to be placed on general file no later than 15 calendar days after the

director receives the federal decennial census data from the U.S. Bureau of the Census.

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

Testifying in support of all four measures was Danielle Conrad, executive director of ACLU Nebraska. Taken together, she said the bills would increase citizen input, reduce partisanship and demonstrate respect for minority voting rights.

“We believe that each piece of legislation helps to ensure increased transparency,” Conrad said.

Also considered was LB253, sponsored by Omaha Sen. John McCollister, which would establish an Independent Redistricting Citizen’s Advisory Commission, to be established by Jan. 30 of each redistricting year.

McCollister said the proposal would address concerns about improperly delegating legislative authority, which caused a similar bill to be vetoed by the governor in 2016.

“It’s up to the Legislature to make the final decision about the six district maps,” he said.

Each of the three legislative caucuses would appoint two people to serve on the commission, with one member from the party receiving the most votes statewide in the last general election and one member from the party receiving the second highest number of votes. Those six members

would choose a chairperson who is not affiliated with any political party.

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

Residents registered as lobbyists within the previous 12 months, public officials, candidates for elective office and those holding a state or national political party office would not be eligible. Also ineligible would be an individual who is a relative of or employed by a member of Congress, a constitutional officer or an employee of the University of Nebraska.

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

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

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

Matt Maly, vice chairperson of the Libertarian Party of Nebraska, testified in opposition to LB253. He said the bill as written would exclude a large number of Nebraskans who are not affiliated with either the Republican or Democratic parties from participation in the commission.

“It goes against the whole idea of the bill, which is to make our democracy more strong and more fair,” he said.

Maly suggested simply changing the membership from each caucus to one person from the majority party



Sen. Sara Howard



Sen. John McCollister



and one who is not affiliated with that party. This would capture a broader range of Nebraskans while still fulfilling the goal of having a commission not dominated by the state's majority party, he said.

Two other bills also were considered.

LB261, sponsored by Omaha Sen. Wendy DeBoer, would require the use of state-issued computer software to create any map that is part of the redistricting process.



Sen. Wendy DeBoer

LB467, sponsored by Omaha Sen. Tony Vargas, would prohibit consideration of the political affiliation of registered voters, demographic information other than population figures and results of previous elections when drawing boundaries for legislative districts. Information required by federal law or the U.S. Constitution would be exempted under the bill.



Sen. Tony Vargas

Westin Miller of Civic Nebraska testified in support of both bills, saying they would improve the integrity of—and public trust in—the redistricting process.

No opposition testimony was offered on LB466, LB261 or LB467 and the committee took no immediate action on any of the proposals.

### Climate change study proposed

A bill that would require the state to develop a strategic action plan for adapting to and mitigating the impacts of climate change was considered Feb. 11 by the Executive Board.

LB283, introduced by Lincoln Sen.

Patty Pansing Brooks, would require the University of Nebraska to develop an evidence-based, data-driven, climate change strategic action plan.



Sen. Patty Pansing Brooks

Pansing Brooks said the measure would help Nebraska better prepare for the increasing effects of climate change, including pests, soil erosion and extreme weather patterns. Thirty-four states already have developed similar plans, she said.

“It is time for the state of Nebraska to create a climate action plan,” she said. “LB283 is the next step toward that goal.”

The study would be funded by a transfer from the Waste Reduction and Recycling Incentive Fund, not to exceed \$250,000. The bill also would require that the University of Nebraska submit the action plan to the governor and Legislature by Dec. 15, 2020.

Former Sen. Ken Haar testified in support of the proposal, calling climate change “global heart disease” that needs to be addressed in a timely way rather than ignored.

According to the National Oceanic and Atmospheric Administration, he said, the last five years are the warmest ever recorded in the 139 years that the organization has been tracking global temperatures.

Martha Shulski, state climatologist and professor of applied climate science at the University of Nebraska-Lincoln, also testified in support of the bill. She said the state should act before the full impact of climate change is felt in Nebraska.

“When is the best time to plan for a changing climate? That time is now,” Shulski said.

Testifying against the measure was

Jane Polson, president of Keep Nebraska Beautiful. Polson said her sole opposition was to the fund transfer to pay for the proposal. A climate action plan is not among the narrowly-defined authorized uses of the Waste Reduction and Recycling Incentive Fund, she said.

In her closing statement, Pansing Brooks said she was open to exploring other funding sources for the bill.

The committee took no immediate action on LB283.

## GENERAL AFFAIRS

### Home brewer bill advances

A bill that would allow non-licensed home alcohol brewers to participate in certain public events advanced from general file Feb. 12.

LB235, introduced by Sen. Sue Crawford of Bellevue, would allow home brewers to offer their product at exhibitions, festivals, tastings and competitions as long as the alcohol is not for sale.



Sen. Sue Crawford

Crawford said that Nebraska's 11,500 home brewers were allowed to participate in such public events until 2016, when the state's liquor control commission barred unlicensed alcohol brewers from public distribution.

Missouri and Minnesota have laws similar to LB235, Crawford said, and removing the prohibition would allow home brewers greater opportunity to start a business.

“Not only do these events provide an opportunity to provide feedback but also to bring credibility and exposure as they create an avenue for Nebraska home brewers to compete

on a national stage,” she said.

Sen. Carol Blood of Bellevue supported the bill, saying it was not about alcohol but about entrepreneurship.

“We have a very enthusiastic community of home brewers and we’d love to see them [turn] that hobby into a business,” she said.

Blood added that allowing home brewers to offer their product publicly would bring more events and tourism to Nebraska.

Sen. Curt Friesen of Henderson said his son is a home brewer who gave away his beer at festivals until the practice was deemed illegal.

“These festivals are well controlled; they don’t get out of hand,” Friesen said.

Senators voted 38-0 to advance LB235 to select file.



**Critical infrastructure public records bill clears first round**

Lawmakers gave first-round approval Feb. 14 to a bill intended to protect information related to critical infrastructure in Nebraska.

Current law allows for withholding certain information from disclosure under Nebraska’s public records law. LB16, sponsored by Albion Sen. Tom Briese, would incorporate terms and definitions from federal regulations in order to add physical and cyber assets of critical energy or electric infrastructure, if the disclosure would threaten national security, public health or safety.

Under this provision, disclosure of



Sen. Tom Briese

the identity of personnel responsible for granting access to physical or cyber assets could be withheld. General infrastructure location and the identity of a CEO, general manager, vice president or board member of a public entity could not be withheld under the new exception.

There currently are 21 items that can be withheld from disclosure under the state’s public records law, Briese said, and critical infrastructure should be added to the list.

“We live in a world of bad actors, some of whom are intent on disrupting our way of life,” he said. “One avenue for someone so inclined is to target our energy infrastructure, whether it’s our power grid, fossil fuel infrastructure or [other assets].”

Lincoln Sen. Mike Hilgers said he understood the bill’s intentions, but questioned both the need to duplicate federal exceptions in state law and the broad nature of the personnel exemptions. Hilgers said he would be willing to work on altering the language before the next round of debate.

“I’m not supportive of that language as it’s currently drafted,” he said.

Sen. Mike Groene of North Platte echoed those concerns, saying information regarding the workings of government should be available to members of the public who pay for government to operate.

“I’m a huge supporter of transparency,” Groene said. “I own that [information]. I am a citizen.”

Briese agreed to take senators’ concerns into consideration before select file and lawmakers voted 38-0 to advance LB16.

**Bill would end recall petitions**

The Government, Military and Veterans Affairs Committee heard testimony Feb. 13 on a bill to end the petition process to recall elected public

officials in Nebraska.

State senators and other statewide constitutional officers cannot be recalled, but members of city councils, county boards, Natural Resources Districts and other local political subdivisions can be.

LB415, introduced by Sen. Curt Friesen of Henderson, would end that practice. Friesen said he introduced the bill because recall attempts are being made when constituents disagree with votes cast by a particular



Sen. Curt Friesen

government official. He said recalls should be attempted only when an office holder is incompetent, has broken the law or otherwise failed to carry out his or her duties.

Not all recalls are successful, Friesen said, but he noted that the mayor of York and a Hamilton County commissioner recently were removed from office via recall petition. In both cases, he said, the elected official was ousted for decisions they had made that were difficult or unpopular.

Friesen said he worries that the increasing number of recalls could scare away candidates or cause board members not to compromise.

“Why would I work with you when I can just get rid of you with a recall?” Friesen said.

No one testified in favor of LB415.

Kent Bernbeck of Elkhorn testified against the bill. Bernbeck said he has been involved in recall efforts and that they keep elected officials accountable.

“Nobody likes a recall. Especially in a small town; it makes neighbors uncomfortable around other neighbors at the coffee shop,” Bernbeck said. “But I think they are important because, from time to time, someone steps out of line or [an office holder’s]

polices are just so far off of what the voters thought they'd be."

The committee took no immediate action on the bill.



**Patient safety fund bill advances**

Legislators advanced a bill Feb. 12 that would fund enhanced safety training for medical professionals.

LB25, introduced by Sen. Mark Kolterman of Seward, would impose biennial fees of \$50 for physicians and osteopathic physicians and \$20 for physician assistants. Those fees would be imposed through 2025, and would generate an estimated \$566,820 every two years, Kolterman said.



Sen. Mark Kolterman

The bill would create the Patient Safety Cash Fund to receive the credentialing fees, which would be used solely to support patient safety activities conducted by the Nebraska Coalition of Patient Safety.

Kolterman said that the coalition has received no state money since it was formed in 2005. That lack of funding has limited the coalition's effectiveness, he said.

The Heartland Health Research Institute estimated in 2016 that between 590 and 2,620 Nebraskans die each year from medical malpractice, Kolterman said.

"With greater funding, the NCPS will be able to work more diligently to make preventable deaths much rarer," he said.

Senators voted 33-0 to advance LB25 to select file.

**Changes to dental hygienist licensure sought**

The Health and Human Services Committee heard testimony on a bill Feb. 14 meant to address a shortage of dental care providers in rural areas.

LB312, introduced by Blair Sen. Ben Hansen, would allow licensed dental hygienists to perform residential care through a home-health agency or hospice service. The bill also would eliminate a requirement that a dental hygienist have 3,000 hours of clinical experience to treat adults unsupervised in a public health setting. There currently is no clinical-hour requirement to treat children.



Sen. Ben Hansen

Hansen said 53 Nebraska counties, mostly rural, are federally designated as service-shortage areas, with 22 having no practicing dental hygienists.

"There is a need for expanded care across Nebraska," Hansen said. "Authorizing dental hygienists to do what they're trained to do is good public policy."

Heather Hessheimer of the Nebraska Dental Hygienists Association testified in favor of the bill. She said the number of dentists per capita in Nebraska has declined in the past 10 years, and many nursing homes and assisted living centers do not have a dentist on staff. Those factors contribute to gaps in coverage, Hessheimer said.

"Oral health is integral to overall health, yet those who need dental care the most are often the least likely to receive it," she said.

Jeremy Eschliman of the Two Rivers Public Health Department also testified in favor of the bill. He said that in some areas of the state, patients must drive up to an hour-and-a-half to

see a dentist. Dental hygienists could help to fill that need, he said.

Testifying against the bill was Mark Hinrichs, President of the Nebraska Dental Association. He said dental work performed outside of a dentist's office, without proper equipment, is risky.

"You can't treat [gum] disease in someone's home," he said.

Hinrichs added that the 3,000-hour requirement is proper for adult dental care and should not be removed.

The committee took no immediate action on LB312.

**Changes sought for prescription drug monitoring program**

The Health and Human Services Committee considered a bill Feb. 13 that would make several changes to a state program designed to combat opioid addiction.

LB556, introduced by Sen. Sara Howard of Omaha, would amend the Prescription Drug Monitoring Program to do the following:



Sen. Sara Howard

- allow for interstate data sharing with other state prescription drug monitoring programs;
- allow for highly regulated sharing of de-identified prescription data for research purposes;
- add requirements for prescription and identifying data to be collected to aid in patient matching and medication reconciliation;
- give non-statutory flexibility to the state Department of Health and Human Services in collaboration with the PDMP in altering data collection provisions; and
- allow Medicaid managed care organizations and Nebraska Medicaid officials access to the PDMP.

The bill contains an emergency clause and would take effect immediately upon passage.

Howard said every state except Missouri has a prescription drug monitoring program, but Nebraska's is one of the few that does not communicate with programs elsewhere.

"They're most effective when they're talking to each other," Howard said.

Kevin Borchert, director of the state PDMP, spoke in support of the bill. In 2018, the program collected 31 million prescription records, Borchert said, making it the most comprehensive database in the country. Although successful, he said, the program needs improvement.

"LB556 helps to align the Nebraska PDMP with federal policy and increases the capabilities of the PDMP," Borchert said.

Alex Dworak testified in favor of the bill on behalf of the Nebraska Medical Association. He said it would improve patient outcomes and cut down on time spent searching records. Dworak, who practices in Omaha, said he has access to Iowa's PDMP but accessing it requires time that could be better spent with patients.

"Patients are mobile, and for those of us practicing along the borders of our state, it can be very difficult to know what our patients are getting [in other states]," Dworak said.

No one testified against the bill and the committee took no immediate action on it.

**Changes sought for nail technology, body art**

The Health and Human Services Committee heard testimony Feb. 14 on a bill that would make several changes to state law regulating nail technology and tattoo artists.

Among other provisions, LB607, introduced by Sen. Mark Kolterman

of Seward, would:

- create a three-day license for a "guest body artist" enabling him or her to work at a licensed tattoo establishment or under a licensed body artist;
- create the position of nail technology apprentice and allow an apprentice to work under a licensed nail technologist;
- update the definition of cosmetic tattooing;
- add "natural nail" treatment—work done on a person's nails without adding to the nail—to the definition of manicuring; and
- allow the Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art to administer licensing exams in multiple languages.

Kolterman said the bill was intended to update state law at the request of the Board of Cosmetology, Electrology, Esthetics, Nail Technology and Body Art. The guest body artist designation would allow for out-of-state tattoo artists to come to Nebraska, he said.

"This is important as it will allow our state to host body art conventions," Kolterman said.

Testifying in favor of the bill was Pam Rowland, a licensed nail technician. She said nail technology has the highest risk to public safety in cosmetology and that Nebraska is the only state that does not license natural nail manicures and pedicures.

Rowland said she's been called as an expert witness in two lawsuits in which the plaintiffs suffered serious infections at a nail salon.

"I don't want to be called again," Rowland said.

Lincoln attorney Tony Brock also testified in favor of the bill. He said cases of injury and infection at nail salons are rising.

"They walk in as customers and

walk out as patients," Brock said.

Laura Ebke of the Platte Institute testified against LB607. She said that adding a license requirement for natural nail manicures could create a barrier to entry into a low-wage profession. She asked if there weren't better solutions to unsanitary salons.

"Can some of these concerns be addressed through inspections of places of business rather than through the licensing of those who may be working there?" Ebke said.

The committee took no immediate action on LB607.



**Diversion, ignition interlock suggested for DUI offenses**

Members of the Judiciary Committee heard testimony Feb. 13 on two bills proposing alternative penalties for certain driving under the influence offenses.

Under LB500, introduced by Lincoln Sen. Adam Morfeld, a person convicted of a first DUI offense would be eligible to participate in a pretrial diversion program.



Sen. Adam Morfeld

Not every person charged with a DUI will be offered diversion, Morfeld said, but the bill would give prosecutors the discretion to implement such a program.

"The decision of whether or not to have a diversion program would be up to [county] prosecutors," he said. "This just removes the blanket statutory ban to allow them to do so, if they wish."

Lancaster County Public Defender Joe Nigro testified in support of the bill. Traditional sentencing guidelines

for a first offense do not alleviate the underlying cause of the crime, he said.

“Those with a drinking problem receive nothing to address it,” Nigro said. “They could receive treatment in a diversion program that would lessen the chance that they get arrested for DUI again.”

Jennifer Thomas, assistant director of Sarpy County Diversion Services, also supported the bill. The program has been serving residents since 1976, she said, and was grandfathered in when the Legislature instituted a ban on diversion for first offenses.

The Sarpy County diversion program has served over 1,400 people charged with a first offense DUI since 2014, Thomas said, the majority of whom were under 30.

“Diversion can play a critical role in achieving better public safety and halt such dangerous behavior,” she said. “We believe with people being this young, we have a chance to change their behaviors with education, guidance and support.”

Opposing the measure was Jessica Kerkhofs, representing the Lincoln city attorney’s office. The national trend has been to enhance DUI penalties, not relax them, she said.

“DUI is a 100 percent preventable offense,” Kerkhofs said. “Just because the worst possible result doesn’t occur, does not make the offense any less contemptable.”

Members also heard testimony on LB579, introduced by Grand Island Sen. Dan Quick, which would allow a person convicted of a DUI that caused serious bodily injury to continue driving with the use of an ignition interlock device.

Ignition interlock devices prevent a



Sen. Dan Quick

vehicle from starting if the driver has a blood-alcohol level of .03 or higher.

Quick said ignition interlocks are an important tool to help those who have committed DUI offenses to receive treatment and turn their lives around.

“These devices provide a control on offenders as a way to ensure that if they drive, they’re not drinking,” he said. “It allows people to be employed and live a productive, lawful life after conviction so that they do not reoffend.”

Justin Kalemkiarian, representing the Nebraska Criminal Defense Attorneys Association, spoke in favor of LB579. Currently, a person with a fifth offense DUI without injuries could be eligible for an ignition interlock, he said, but someone convicted of a first DUI that causes serious bodily injury would not be eligible.

“This would allow people, once released from incarceration, to reintegrate themselves to go back to being good, productive citizens,” Kalemkiarian said.

Michelle Weber, representing the Nebraska County Attorneys Association, also supported the bill. The Centers for Disease Control and Prevention found that use of an ignition interlock device reduces recidivism by 70 percent, she said.

“This bill would simply allow for more instances of ignition interlock use and allow options for DUI with serious bodily injuries, making it consistent with other DUI offenses,” Weber said.

No one testified in opposition to LB579 and the committee took no immediate action on either bill.

**Bill would ban police as school resource officers**

Police officers no longer would have a regular presence in Nebraska schools under a bill considered by the Judiciary Committee Feb. 14.

LB589, introduced by Omaha Sen.

Ernie Chambers, would prohibit a peace officer who is actively employed by a law enforcement agency from serving as a school resource officer.



Sen. Ernie Chambers

School resource officer programs disproportionately impact students of color and those with disabilities, Chambers said, creating the same “toxic, discriminatory impact” found in society at large.

“It is counterproductive to the purpose and goals of education and its processes, to convert conduct that in the past was handled within the school context, into a basis for arrest and entanglement in the court system with the possibility of being locked up,” he said.

The bill’s provisions would not apply to a peace officer responding to a safety threat at a school or providing security for an extracurricular event.

Rose Godinez, representing the ACLU of Nebraska, spoke in favor of the bill. Diverse communities tend to have more school resources officers, she said, which leads to a disproportionate impact on students of color.

“While adding police officers in schools may be well intentioned, educators and policymakers are overlooking the harmful and disparate educational impacts that harsh discipline ... can have [on students],” Godinez said. “LB589 ends the routine policing of school which criminalizes everyday behaviors.”

Hastings Chief of Police Adam Story opposed the bill. LB589 would have a significant and negative impact on the safety and education of students in Nebraska schools, he said.

“Within our nation there has been a dramatic increase in recent years with tragic events in schools,” Story said. “Being present within our schools helps

us to prevent [these events] and take immediate action to ensure the safety of our students and staff.”

The committee took no immediate action on the bill.

## NATURAL RESOURCES

### Natural resources rulemaking changes advance

A bill that would change rulemaking requirements for the state Department of Natural Resources advanced from general file Feb. 13.

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.



Sen. Mike Moser

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.

Moser said current rules and regulations limit use of the fund to a federal program in which the department no longer participates. LB319 would allow the department to determine whether it will use the residual balance in the fund through statute or through a new rule or regulation.

LB319 also would make the department’s adoption of rules and regulations governing the matters

over which it has jurisdiction—water rights for irrigation, power or other useful purposes—optional rather than mandatory.

“This change is offered as a prospective measure to avoid unnecessary rules and regulations that simply repeat the language of any statutes that may already prescribe how the provisions are to be implemented,” Moser said.

Senators voted 42-0 to advance the bill to select file.

## NEBRASKA RETIREMENT SYSTEMS

### Spouse would be default retirement beneficiary

The surviving spouse of a deceased Nebraska retirement system member would be considered the default beneficiary under a bill considered Feb. 12 by the Nebraska Retirement Systems Committee.

Lincoln Sen. Kate Bolz said she introduced LB565 after learning of a woman in her district who struggled to collect her deceased husband’s retirement benefits.



Sen. Kate Bolz

“Her experience illustrated a small gap in our retirement policy,” she said. “If a beneficiary is not designated [for whatever reason] there can be consequences for surviving family members.”

Bolz said the bill would clarify that when a beneficiary is not designated in the state, county or school retirement plans, benefits would go to the surviving spouse. This already is the case in other Nebraska retirement system plans, she said.

Under the bill, if a member of the retirement system is married at the

time of his or her death and there is no designated beneficiary on file, the spouse married to the member on the date of the member’s death would be the beneficiary.

If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file, the benefit would be paid to the member’s estate.

Jason Hayes, representing the Nebraska State Education Association, testified in support of the bill. Failing to designate a beneficiary can negatively impact families, he said.

“This can result in delayed benefit payments or higher levels of taxation for the deceased member’s family,” Hayes said.

Also testifying in support was John Antonich, executive director of the Nebraska Association of Public Employees. He said the clarification would benefit all state employees.

“LB565 will not only make things more clear,” he said, “but also will help the stability of the surviving spouse.”

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

## REVENUE

### Special public hearing on property tax hikes advanced

Lawmakers gave first-round approval Feb. 11 to a bill that would require political subdivisions such as counties and school districts to hold a public hearing before collecting additional property taxes generated by valuation increases.

Under LB103, as introduced by Elkhorn Sen. Lou Ann Linehan, if the annual assessment of property within a political subdivision would result in

an increase in the total amount of taxes levied using the previous year's tax levy, the levy would decrease so that the political subdivision's property tax request is no more than in the previous year.



Sen. Lou Ann Linehan

If the governing body wishes to increase its property tax request, it could do so only after holding a public hearing called for that purpose and by passing a resolution or ordinance.

Linehan said she has heard from many Nebraskans who are confused and angry when they see their property taxes increase after a tax rate cut.

"It's very confusing," she said, "and I think this just makes [the process] much clearer."

A Revenue Committee amendment, adopted 35-1, would replace the bill. The amendment still would require a community college, county, educational service unit, learning community, municipality, natural resources district, sanitary and improvement district or school district to adjust its levy in response to valuation changes so that the current year's property tax request does not exceed the prior year's.

The amendment would require notice to be published in a newspaper of general circulation at least five days before the hearing. A political subdivision with a budget of no more than \$10,000 per year or \$20,000 every two years could instead post the notice at the governing body's headquarters.

The hearing notice would include the percentage increase or decrease in valuation, property tax rate and total operating budget from the prior year to the current year.

Sen. Curt Friesen of Henderson supported the amendment and the bill. LB103 would not reduce prop-

erty taxes, he said, but it would make the process of setting a property tax request more transparent.

"A good board member who has done their job is going to justify that they have to raise taxes," he said.

Bayard Sen. Steve Erdman also supported the bill. A board's annual budget hearing might draw little public interest, he said, but a hearing notice that specifies a proposed tax increase would get more attention.

"That will stir people's curiosity to show up and share their opinions," Erdman said.

Sen. Mark Kolterman of Seward supported the committee amendment but opposed the bill. He said every public board member understands that if property valuations increase but the levy stays the same, the amount of taxes collected will increase. Another hearing would be redundant, Kolterman said.

"We're supposed to be cutting back on what we do as government," he said, "and now we're forcing people to have one more hearing."

Senators voted 35-2 to advance the bill to select file.

### Repeal of tax exclusion for non-Nebraska income proposed

The Revenue Committee heard testimony Feb. 13 on a bill that would end an exclusion allowing owners of passthrough companies to avoid paying Nebraska income tax on business income derived from sources outside the state.

The provision applies to corporations formed under subchapter S of the Internal Revenue Code, also called S corporations, and limited liability companies. Income from these companies is passed through to the owner and is taxed on the owner's individual income tax filings.

Under the current state tax code,

Nebraska residents may exclude the portion of their S corporation or LLC income not derived from or connected to Nebraska sources.

LB276, introduced by Omaha Sen. John McCollister, would end the exclusion in 2020. It also would require Nebraska residents who are shareholders of an S corporation or members of an LLC to include their share of the business' federal income in their Nebraska taxable income.



Sen. John McCollister

McCollister said Nebraska's tax system is "out of balance." He said it would be appropriate to review the exclusion, which was passed into law in 1987, along with several bills introduced this session that are designed to reduce property taxes.

The state Department of Revenue estimates LB276 would increase state income tax revenue by \$85.6 million in fiscal year 2020-21 and \$87.3 million in FY2021-22.

Renee Fry, executive director of the OpenSky Policy Institute, testified in support of the bill. She said the exclusion is a "significant deviation" from neutral tax policy that primarily benefits high-income Nebraskans and has not been shown to attract or retain businesses.

"I know that you have all privately been told that people will leave Nebraska if the provision goes away," Fry said, "but if their primary objective was tax avoidance, they would have already moved to a no-income-tax state."

Stacy Watson testified in opposition to the bill on behalf of the Omaha and Lincoln chambers of commerce. She said Nebraska's exclusion, which is meant to ensure that the state taxes business entities such as passthroughs and C corporations in the same way, may be unique. However, Watson said, seven or

eight other states use different methods to achieve the same result of only taxing their share of business income.

Also testifying in opposition was Michael Cassling, CEO of an Omaha-based medical imaging company. He said eliminating the exclusion not only would encourage his business and others to move to other states but would discourage startups from locating in Nebraska.

“LB276 would be a loss of people, it would be a loss of jobs and it would be a loss of revenue for the state of Nebraska,” Cassling said.

Bryan Slone, president of the Nebraska Chamber of Commerce and Industry, also testified in opposition. He agreed that LB276 would deter the small businesses and startups Nebraska needs to grow its economy.

“We need to be in the business of attracting these businesses,” he said. “This legislation goes the other direction.”

Adam Thimmesch, a professor at the Nebraska College of Law, gave neutral testimony on the bill on his own behalf. He said Nebraska’s exclusion is “highly, highly unusual among states.” The vast majority of states tax residents on income derived from outside sources and then give them credits on taxes they pay to other states, Thimmesch said.

The committee took no immediate action on the bill.

## TRANSPORTATION & TELECOMMUNICATIONS

### Repeal of helmet law considered

A proposal to repeal the state’s motorcycle helmet requirement was considered by the Transportation and Telecommunications Committee Feb. 12.

Current state law requires all mo-

torcycle or moped riders to wear a protective helmet. LB378, introduced by Blair Sen. Ben Hansen, instead would give riders 21 and older the option to wear no helmet, but would require that eye protection be used.



Sen. Ben Hansen

Many out-of-state motorcycle riders avoid Nebraska because of the helmet requirement, Hansen said. Lawmakers should lift the [requirement], Hansen said, and open up the state to the economic boom that would result from increased motorcycle traffic.

“The core issue is whether riding without a helmet creates danger on the road,” he said. “It is about whether or not forcing riders to ride with a helmet infringes on their personal freedom and individual liberty.”

Former senator Dave Bloomfield, who offered similar proposals during his time in the Legislature, spoke in support of the bill. Freedom is a precious commodity, he said, that, once lost, is nearly impossible to regain.

“We could gain revenue, tourism and respect from other states,” Bloomfield said. “The most important thing we can gain is the restoration of one freedom that the government has removed from a small minority [who] not many people care or think about.”

John Ross of Bancroft also supported LB378. The bill protects young riders, he said, many of whom do not completely understand the risks of riding motorcycles on the highway.

“With this law—no matter whose fault the accident was—our youth would have the protection of approved protective helmets,” Ross said. “Adults, however, should have a choice in how much risk they want to take in their lives.”

Dr. Nicholas Bruggeman, repre-

senting the Nebraska Medical Association, opposed the bill. One of his patients broke both legs and arms in a motorcycle accident, he said, but did not suffer a traumatic brain injury because he was wearing a helmet.

“I remember distinctly his dad holding the helmet, which was caved in on the left side,” Bruggeman said. “That indicates to me what would have happened to his skull, had he not been wearing his helmet.”

Patrick Lange of Cozad also testified in opposition. Lange said his wife was killed and he suffered permanent neurological damage when the couple was involved in a motorcycle accident while not wearing helmets.

Lange said that while he cannot know whether choosing to wear a helmet would have saved his wife’s life, he is happy that his sons will not have to make that choice.

“I’m grateful I live in Nebraska because my sons ride motorcycles and I know they have no choice but to have a helmet on,” Lange said.

The committee took no immediate action on the bill.

### One-call licensing requirements, dispute resolution board proposed

A bill that would make changes to the One-Call Notification System Act was considered by members of the Transportation and Telecommunications Committee Feb. 11.

Great Plains One-Call Service is a system used by excavators to identify and locate underground facilities prior to excavation to protect the facilities from damage. A notice to the service center is required prior to performing an excavation.

Among other provisions, LB462, introduced by Henderson Sen. Curt Friesen, would create a dispute reso-



lution board to hear disputes between excavators and operators regarding damage to underground facilities caused by excavation.



Sen. Curt Friesen

Friesen said the proposed process would be more efficient and cost effective than the current practice of filing complaints with the state attorney general.

“We feel those disputes could have been solved at the lower level,” he said. “Most times, it was just a matter of being able to document what happened.”

Upon completion of a hearing, the board would send its recommendation to the state fire marshal, who would issue a liability determination.

Brad Wegner, representing the National Utility Contractors Association of Nebraska, spoke in support of the bill. He said resolving disputes currently can take as long as 18 months.

“LB462 is going to improve the system,” Wegner said. “This is an effective way for us to improve our enforcement and get a ruling in a quick manner.”

The bill also would require all persons locating underground facilities to be licensed by the state fire marshal, who would be tasked with developing minimum training standards and issuing licenses. A locator license could be suspended or revoked for wrongdoing or a failure to act.

Opposing the bill was Steve Preister, representing the United States Infrastructure Corporation. Most private companies already train their locators, he said, making state licensing unnecessary and an impediment to business.

“We believe the licensing requirement not only will impose an added

financial burden on us and companies like us who already train their locators,” Preister said. “It also would eliminate the flexibility to move our workforce across state lines [as needed].”

Kristen Gottschalk, representing the Nebraska Rural Electric Association, also opposed LB462. She suggested that companies with proprietary training programs be able to be certified with the state and avoid the additional level of licensure.

“Electric utilities who own, operate and maintain their distribution and transmission lines are well trained in using the equipment to locate and identify where our facilities are,” Gottschalk said. “The training process we have in place would probably meet or exceed anything set by the bill.”

The committee took no immediate action on the LB462.

### Transporter plate change advanced

Lawmakers gave first-round approval Feb. 13 to a bill that would change a record retention law for transporter plates.

Currently, an applicant for a transporter plate must keep records associated with the transport of a motor vehicle or trailer for six years. LB699, introduced by Brainard Sen. Bruce Bostelman, would decrease this time period to three years.



Sen. Bruce Bostelman

Bostelman said the original law was written to mirror the six-year retention requirement of the state Department of Motor Vehicles. That requirement has since changed, he said.

“This is a simple bill that harmonizes requirements for record keeping

between the DMV, county treasurers and owners of transporter plates,” Bostelman said.

The bill advanced to select file on a 38-0 vote.



### Bill would mandate statewide building code

A bill heard Feb. 12 by the Urban Affairs Committee would make the state’s building code the default code for municipalities.

Currently, the state building code only applies to state-owned buildings and buildings in political subdivisions that have adopted the state code.

LB96, introduced by Omaha Sen. Justin Wayne, would make the state building code applicable in any county, city or village that does not adopt a building code within two years of an update to the state building code.



Sen. Justin Wayne

“Large portions of the state literally have no building code,” Wayne said.

Steve Nordhues, a building official with the city of Norfolk, testified in favor of the bill. He said the bill didn’t go far enough regarding enforcement of codes, but that it was a good first step.

“It gives a homeowner a legal document that they can take to an attorney and say, ‘Look, the [construction company] didn’t build it right,’” Nordhues said. “We have citizens that aren’t getting that minimum standard.”

Jennifer Taylor, an Omaha assistant city attorney, also spoke in favor of the bill. She said that municipalities that adopt the state code currently are required to update their building code

within two years of state adoption. LB96 would make sure cities address that requirement, she said.

“We have been somewhat remiss in complying with this requirement,” Taylor said, adding that the city has formed a committee to develop its own building codes.

No one testified against LB96 and the committee took no immediate action on it.

### Radon mitigation standard proposed

The state’s building code would adopt standards for radon resistant construction for new houses under a bill considered Feb. 12 by the Urban Affairs Committee.

LB130, introduced by Omaha Sen. Wendy DeBoer, would adopt standards recommended by the Radon Resistant New Construction Task Force.



Sen. Wendy DeBoer

The bill would incorporate those standards into the state building code and require local building codes to adopt minimum standards.

“Radon is the leading cause of lung cancer among nonsmokers,” DeBoer said. “According to the World Health Organization, there is no known threshold concentration below which radon exposure presents no risk.”

Jenny Steventon of the Sarpy/Cass Health Department testified in favor of the bill. Sixty percent of the 90,000 homes tested in Nebraska had levels of radon suggesting mitigation, she said.

“Nebraska’s fertile soils emit radon, resulting in Nebraska having one of the highest average level of radon homes in the United States,” Steventon said.

Also testifying in favor of the bill

was Mark Versch, a retired environmental health analyst. He said radon often enters a home’s basement as water vapor is released from the ground.

“If you have a humidity problem, inadvertently, you have a radon problem,” he said.

No one testified against LB130 and the committee took no immediate action on it.

### Early childhood development bill advances

Local tax revenue could be used for early childhood development infrastructure under a bill advanced to select file Feb. 13.

LB160, introduced by Sen. Dan Quick of Grand Island, would expand the Local Option Municipal Economic Development Act, which was passed in 1991. The act allows first- and second-class cities and villages to use local tax dollars for economic development projects through voter-approved grants and loans.



Sen. Dan Quick

LB160 would add early childhood development infrastructure to the law’s scope. Current approved uses include low-income housing and workforce relocation incentives.

Quick called LB160 a logical extension of the existing law, and said it would help businesses recruit workers whose children need access to child care.

“I think this bill is a great example of local control, and another option for our communities to provide quality early child care,” he said.

Sen. Mike Groene of North Platte said the bill is unnecessary for towns of fewer than 2,500 residents, which he said already have the authority to achieve the bill’s aims.

“If you’re a town of under 2,500, you have a blank check. You can use [Local Option Municipal Economic Development Act] funds for any business you deem proper,” Groene said.

As introduced, LB160 would require a qualifying early childhood education program to meet at least the step three level of quality as defined by the Step Up to Quality Child Care Act. Groene, along with Sens. Joni Albrecht of Thurston and Steve Erdman of Bayard, raised concerns about the provision as overly restrictive.

An amendment introduced by Sen. Justin Wayne of Omaha eliminated the requirement on a 33-0 vote. Senators then advanced the amended bill 31-0.

### Building code update considered

The Urban Affairs Committee heard testimony Feb. 12 on a bill that would update Nebraska’s building code.

Sen. Dan Quick of Grand Island introduced LB348, which would adopt the 2018 version of the International Building Code, International Residential Code and the International Existing Building Code as published by the International Code Council. Currently, Nebraska is using the 2012 edition of the ICC codes.

“It will make things safer for people who live in homes and in apartments,” Quick said.

Quick said that the state building code only applies to state-owned buildings and buildings in political subdivisions that have adopted the state building code. Other cities and counties are required to “conform generally,” he said.

The bill retains an exemption from a mandate that one- and two-family houses have fire sprinklers, Quick said.

Steve Nordhues, a building official with the city of Norfolk, testified in favor of the bill. He said the current code is “obsolete,” and added that a number of construction organizations are in favor of updating the code.

“Senators, this is the bill you’ve been waiting for,” he said. “It is the easiest ‘yes’ you’ll get.”

Dave Johnson, representing the

American Institute of Architects, also testified in favor of LB348. He said updating the code periodically makes any changes less dramatic.

“It is important to keep the codes current. They are updated for good reasons,” he said.

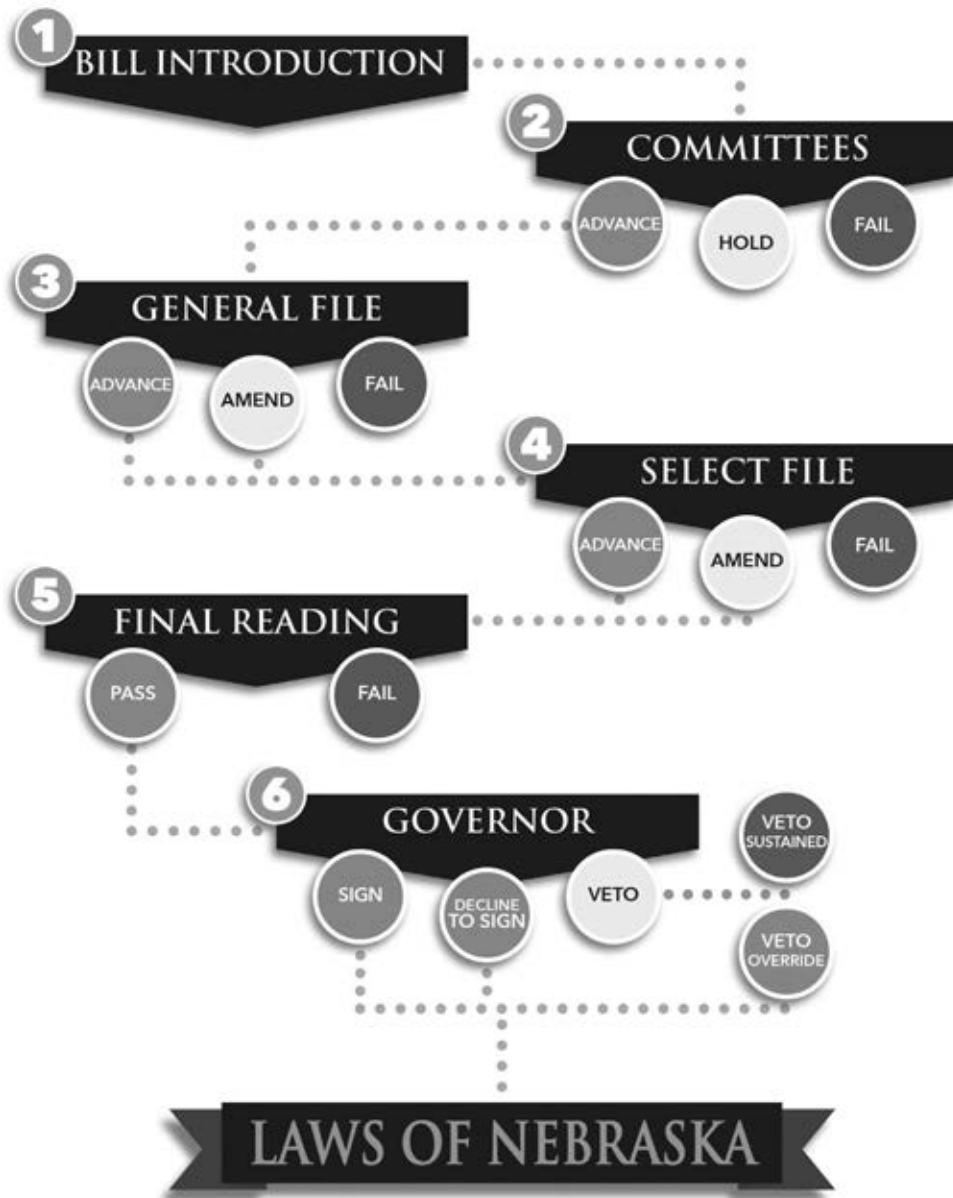
Also testifying in favor of the bill was engineer David Holtzclaw. He said new guidelines on mitigating the

effects of natural disasters are a critical component of the 2018 codes.

“It reduces the need for public disaster aid,” Holtzclaw said. “Across the country, for every dollar spent in upgrading to the 2018 code resulted in an \$11 cost mitigation.”

No one testified against LB348 and the committee took no immediate action on it. ■

# HOW A BILL BECOMES LAW



# 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

### **Education**

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

LB161 (Erdman) Eliminate learning communities  
LB398 (DeBoer) Change learning community levy and diversity plan requirements  
LB728 (Walz) Provide duties relating to school meals  
LB727 (Walz) Provide duties for school districts, the State Department of Education, and the Department of Health & Human Services with respect to mental health services

### **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**

### **Executive Board**

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

LB313 (Bolz) Provide the office of Inspector General of the Nebraska Correctional System with oversight authority over regional centers  
LB330 (Bolz) Change the administration, duties, membership, purpose, and reports of the Nebraska Children's Commission  
LB596 (Quick) Adopt the Office of Inspector General of Nebraska Public Health

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

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

LB151 (Brewer) Adopt the Government Neutrality in Contracting Act  
LB99 (Wayne) Change requirements of the Prompt Payment Act  
LB452 (Clements) Change boundaries of Nebraska planning and development regions and provide a procedure for a county to move to an adjacent region  
LB21 (Kolterman) Provide formal

protest procedures for certain state contracts for services

### **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

### **Natural Resources**

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

*Appointment: Lana S. Arrowsmith - Niobrara Council*  
LB368 (Hughes) Eliminate overappropriated river basins, subbasins, and reaches

### **Revenue**

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

LB615 (Hilgers) Reduce income tax rates and provide for certain transfers from the Cash Reserve Fund  
LB661 (Friesen) Change income tax provisions and the distribution of certain income tax revenue  
LB664 (Friesen) Provide for certain income tax deductions  
*Amendment: AM268 to LB288*

# COMMITTEE HEARINGS

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

## Thursday, Feb. 21

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 PM

LB9 (Blood) Prohibit cities, counties, and villages from taxing or regulating distributed ledger technology

LB337 (Stinner) Require report of federal receipts with the annual state budget report

LB386 (Erdman) Change provisions relating to cash reserves under the Nebraska Budget Act

LB609 (La Grone) Provide for reimbursement of actual costs of a rental vehicle by county and local governments

LB273 (M. Hansen) Provide a restricted funds budget limitation as prescribed for certain political subdivisions

### 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

### Natural Resources

#### Room 1525 - 1:30 PM

*Appointments:* Dallas D. Dodson; Jason D. Appelt - Niobrara Council

LB46 (Chambers) Eliminate provisions relating to the hunting of mountain lions

### Revenue

#### Room 1524 - 1:30 PM

LB444 (McDonnell) Provide a homestead exemption for certain dwelling complexes

LB420 (Bolz) Adopt the Property Tax Circuit Breaker Act

LB530 (Groene) Change the valuation of agricultural land and horticultural land for property tax purposes

LB663 (Friesen) Change provisions relating to Nebraska adjusted basis

LB483 (Erdman) Change the valuation of agricultural land and horticultural land

## Friday, Feb. 22

### Executive Board

#### Room 1525 - 12:00 PM

LB631 (Morfeld) Create the Medicaid Expansion Implementation Task Force

LR15 (Pansing Brooks) Provide the Executive Board of the Legislative Council appoint a special committee to be known as the Workforce Development Committee of the Legislature

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 PM

LB342 (La Grone) Change election provisions for the board of metropolitan utilities districts

LB101 (Wayne) Change provisions of the Nebraska Political Accountability and Disclosure Act relating to a potential conflict of interest by an elected office holder of certain cities or villages or a school district

LB175 (Chambers) Change provisions regarding candidate committee funds

LB618 (Hilgers) Change provisions relating to electioneering

### Health & Human Services

#### Room 1510 - 1:30 PM

*Appointment:* Michael Allen Sitorius - Neb. Rural Health Advisory Commission

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

*Appointment:* Robert W. Twiss - Board of Parole

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

### Revenue

#### Room 1524 - 1:30 PM

LB187 (Lindstrom) Change the Sports Arena Facility Financing Assistance Act

LB242 (Lindstrom) Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue

LB218 (Lindstrom) Redefine tangible personal property and gross receipts for tax purposes

LB236 (Crawford) Change access to sales and use tax information with respect to the Nebraska Advantage Transformational Tourism and Redevelopment Act

LB237 (Crawford) Change provisions relating to sales and use tax collection fees

## Tuesday, Feb. 26

### Agriculture

#### Room 1524 - 1:30 PM

LB201 (McCollister) Prohibit certain unlawful acts as prescribed relating to the Weights and Measures Act

LB229 (Groene) Prohibit certain

# COMMITTEE HEARINGS

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

unlawful acts as prescribed under the Weights and Measures Act  
LB157 (Brewer) Provide for voluntary registration, duties for the Department of Agriculture, and a cause of action under the Nebraska Apiary Act  
LB382 (Geist) Change the Dog and Cat Purchase Protection Act

## Appropriations

### Room 1003 - 1:30 PM

LB293 (Speaker Scheer) Provide, change, and eliminate provisions relating to appropriations  
LB294 (Speaker Scheer) Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2021  
LB295 (Speaker Scheer) Appropriate funds for salaries of members of the Legislature  
LB296 (Speaker Scheer) Appropriate funds for salaries of constitutional officers  
LB297 (Speaker Scheer) Appropriate funds for capital construction and property acquisition  
LB298 (Speaker Scheer) Repeal funds and authorize, provide, change, and eliminate fund transfer provisions  
LB299 (Speaker Scheer) Change Cash Reserve Fund provisions

## Banking, Commerce & Insurance

### Room 1507 - 1:30 PM

LB603 (Lindstrom) Change automatic teller machine fees  
LB407 (Lindstrom) Grant in-state credit unions powers of out-of-state credit unions as prescribed  
LB453 (Clements) Provide for hearings on credit union membership expansion applications

## Education

### Room 1525 - 1:30 PM

LB675 (Groene) Change provisions relating to education  
LB346 (Wishart) Change special education reimbursements  
LB165 (Hunt) Adopt the Too Young to Suspend Act

## Transportation & Telecommunications

### Warner Chamber - 1:30 PM

LB461 (Friesen) Eliminate certificates of public convenience and necessity

and permits for common and contract motor carriers and provide a permit process for regulated motor carriers  
LB51 (Vargas) Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act  
LB366 (Bostelman) Change registration fee for alternative fuel-powered motor vehicles  
LB698 (Bostelman) Change load provisions and penalties for commercial motor vehicles and commercial trailers  
LB325 (Bostelman) Provide for motor vehicle tax exemptions for one hundred percent service-connected disability compensation rated veterans and dependency and indemnity compensation recipients

## Urban Affairs

### Room 1510 - 1:30 PM

LB492 (Wayne) Adopt the Regional Metropolitan Transit Authority Act  
LB476 (McCollister) Eliminate a sunset provision relating to certain retail sales of natural gas by a metropolitan utilities district  
LB574 (Brewer) Change a provision relating to regular meetings of a metropolitan utilities district  
LB445 (McDonnell) Require a city of the metropolitan class to provide an annual budget report relating to use of any occupation tax levied and collected

## Wednesday, Feb. 27

### Health & Human Services

#### Room 1510 - 1:30 PM

LB220 (Wishart) Change provisions regarding vending facility programs in state buildings for blind vendors  
LB248 (Howard) Change terminology relating to hearing-impaired persons

### Judiciary

#### Warner Chamber - 1:30 PM

LB133 (Pansing Brooks) Change provisions relating to structured programming and deferral of parole  
LB262 (DeBoer) Change membership and duties of long-term restrictive housing work group  
LB286 (McCollister) Create the Coordinated Reentry Council

LB331 (Bolz) Change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration  
LB365 (Crawford) Adopt the Health Care Directives Registry Act  
LB739 (Vargas) Change procedures and requirements for use of restrictive housing of inmates

## Thursday Feb. 28

### Health & Human Services

#### Room 1510 - 1:00 PM

*Division of Developmental Disabilities Briefing*

### Health & Human Services

#### Room 1510 - 1:30 PM

LB323 (Crawford) Change eligibility provisions under the Medical Assistance Act for certain disabled persons  
LB570 (Walz) Change provisions relating to an advisory committee and a strategic plan for services for persons with disabilities  
LB540 (Walz) Eliminate the termination date of a developmental disability service

### Judiciary

#### Warner Chamber - 1:30 PM

LB54 (Lowe) Change provisions relating to carrying a concealed weapon  
LB58 (Morfeld) Adopt the Extreme Risk Protection Order Act  
LB198 (Halloran) Change provisions relating to use of a deadly weapon to commit a felony and prohibit use of a facsimile firearm to commit a felony  
LB343 (Halloran) Adopt the School Safety Rapid Response Option Act and authorize schools to allow employees to carry concealed handguns  
LB275 (M. Hansen) Require notification when persons prohibited by state or federal law attempt to obtain a handgun purchase permit or concealed handgun permit  
LB582 (Brewer) Change provisions relating to possession of a stolen firearm

## Friday, March 1

### Health & Human Services

#### Room 1510 - 1:30 PM

LB468 (Walz) Prohibit additional services and populations under the

# COMMITTEE HEARINGS

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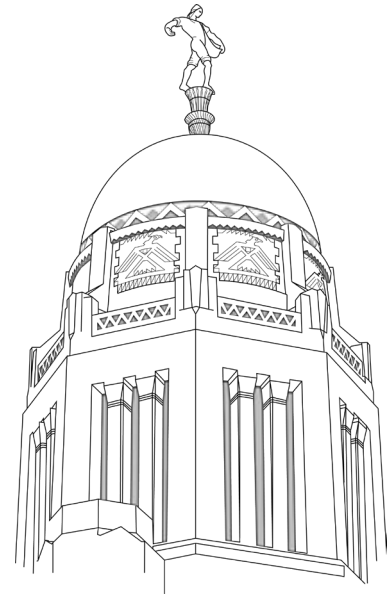
medicaid managed care program  
 LB571 (Walz) Provide for a data base of grievance procedures from assisted-living facilities  
 LB597 (Walz) Require reporting of incidents and development of policies for assistedliving facilities

**Judiciary**

**Warner Chamber - 1:30 PM**

*Appointments:* Michelle Schindler; Shawn Eatherton; Thomas Parker - Crime Victims Reparations Committee  
 LB395 (M. Hansen) Change landlord's power of possession provisions in cases of domestic violence  
 LB396 (M. Hansen) Change landlord

and tenant provisions relating to continuances and rental deposits  
 LB433 (M. Hansen) Change provisions relating to return of tenant's deposits and damages  
 LB434 (M. Hansen) Change landlord and tenant provisions relating to three-day notice to quit and to create a right of redemption for tenants  
 LB435 (M. Hansen) Change provisions relating to retaliatory conduct by a landlord  
 LB689 (Cavanaugh) Prohibit discrimination by a seller or landlord on the basis of sexual orientation, gender identity, or citizenship status in any real estate transaction or lease ■

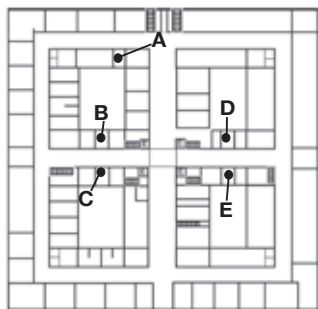


# PUBLIC HEARINGS

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

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

**FIRST FLOOR**



**SECOND FLOOR**



\* Hearing rooms labeled by letter – see chart at right

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

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