

## LGBTQ workplace protection bill stalls on first round



Sen. Patty Pansing Brooks confers with supporters during debate on LB627.

After three hours of debate over two days, a bill that would protect employees from discrimination based on sexual orientation and gender identity stalled on general file March 5.

Introduced by Lincoln Sen. Patty Pansing Brooks, LB627 would prohibit employers, employment agencies and labor unions from discriminating against individuals based on their sexual orientation or gender identity.

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

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

political subdivisions.

Pansing Brooks said Nebraska is stifling its economy by not providing basic civil rights protections for all employees.

“There are many practical reasons to advance LB627, but the extension of love and kindness to a community that has been marginalized is equally important,” she said.

Sen. Megan Hunt of Omaha spoke in support of the bill, saying that it is shameful to talk about the state’s motto of equality before the law when members of the LGBTQ community do not have the same workplace protections as others.

“I want Nebraska to be a place where everybody feels welcome and can call this place home and have a future here,” Hunt said. “It’s sad, but

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## New business tax incentive program proposed

The Revenue Committee heard testimony March 6 on a bill that would create a new business tax incentive program to replace the Nebraska Advantage Act.

The application period for the current program, administered by the state Department of Revenue, is set to end next year. LB720, introduced by Sen. Mark Kolterman of Seward, would end the Nebraska Advantage Act and create the Imagine Nebraska Act.



Sen. Mark Kolterman

Under the new program, businesses would apply to the state Department of Economic Development and enter into an agreement with the department if they meet the program’s requirements.

Businesses would receive a varying combination of incentives—wage credits, investment tax credits, sales tax refunds, personal property tax exemptions or real property tax refunds—based on their level of capital investment and the number of employees they hire.

The incentives would be limited to certain businesses: manufacturing; certain testing laboratories; logistics facilities; certain types of research; data processing, insurance, transportation or financial services; telecommunications services; data center operations; production of electricity using renewable energy; and information technology services.

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a lot of [businesses] won't do the right thing until they're required to do the right thing."

Omaha Sen. Steve Lathrop also supported the bill. Many of the people who believe that life begins at conception oppose legal protections for those same lives when individuals are members of the LGBTQ community, he said.

"The fact that they are gay is not something that is a function of how they were raised or something that happened in their childhood. They're born this way," Lathrop said. "As far as I'm concerned, you're turning your back on an entire population of people who were created in God's image."

Opposing the bill was Sen. Robert Clements of Elmwood. Every person should be treated with dignity and respect, he said, but the bill improperly would restrict employers' free exercise of their religious beliefs.

"When the Nebraska constitution states that morality is essential to good government, it's referring to moral absolutes that do not change with time," he said. "[The bill] violates the

U.S. constitution by prohibiting free exercise of religion."

Lincoln Sen. Suzanne Geist also opposed the measure. The Legislature should not adopt laws that pick and choose who is afforded freedom and who is not, she said.

"In Nebraska, businesses are free to decide the values they'd like to adopt and the missions they seek to advance," Geist said. "The government and the Legislature should not

be dictating to business owners whom they should hire, but allow them to hire the best person for the job and for their business."

The Legislature adjourned for the day before voting on LB627. Per a practice implemented by Speaker Jim Scheer, the sponsor of a bill that is facing a potential filibuster must demonstrate sufficient support for a cloture motion before the measure will be scheduled for additional debate. ■

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## UNICAMERAL UPDATE

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## New business tax incentive program proposed

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Agriculture, mining, oil and gas extraction, construction, retail, health care and food services are among the industries that would not qualify.

The bill would require the director of economic development and the state tax commissioner to submit an annual report to the Legislature. The report would contain a list of agreements signed during the previous year, agreements that are still in effect, the identity of the taxpayer who is party to an agreement and the qualified location, among other information.

The state Department of Revenue estimates LB720 would reduce state tax revenue by approximately \$1 billion between fiscal year 2019-20 and FY2028-29. No new applications could be filed after Dec. 31, 2029.

Kolterman said a business incentive program is needed to help Nebraska compete with other states when trying to attract business investment. The Nebraska Advantage Act has succeeded in doing that, he said, but the new program would be simpler, more transparent and focused on generating higher-wage jobs.

"I believe the Nebraska Advantage [Act] is one of the reasons Nebraska has had a very stable economic climate the past 15 years, even in the face of national recession," Kolterman said. "Having said that, the time has come to create a new program that is responsive to a 2019 economy and beyond."

Kolterman brought an amendment to the hearing that he said would make several technical changes to the incentive program but would not change the basic concepts.

Dave Rippe, director of the state Department of Economic Development, testified in support of the bill.

He said companies that have received incentives under the Nebraska Advantage Act have generated more than \$8 billion in capital investment, nearly \$5 billion in wages and more than 16,000 jobs.

Rippe said companies participating in the ImagiNE Nebraska Act would receive about 20 percent less in incentives than they would under the Nebraska Advantage Act, but the new program would make those incentives available up to two years earlier.

"The ImagiNE Nebraska Act is a vital piece of our state's ability to competitively recruit, grow and expand opportunities in Nebraska," he said.

David Brown testified in support of the bill on behalf of the Greater Omaha Chamber of Commerce and the Lincoln Chamber of Commerce. Nebraska has been able to compete for economic development projects because its current business tax incentives counterbalance the state's relatively high tax rates, he said.

"If indeed incentives disappear, so does economic development in the state," Brown said.

David Arnold, vice president of corporate development for an Omaha-based software company, also testified in support. He said the company has hired more than 600 employees since it started receiving incentives under the Nebraska Advantage Act in 2015. It is unlikely the company would have hired as many people without those incentives, he said.

"The Advantage Act acted as an accelerant to our growth and will continue to do so," Arnold said.

Renee Fry, executive director at OpenSky Policy Institute, testified in opposition to the bill. She said

the Nebraska Advantage Act was estimated to reduce state tax revenue by approximately \$24 million to \$60 million each year, but the program has cost approximately \$150 million to \$160 million in the past two fiscal years, she said.

Additionally, Fry said, LB720 does not incorporate lessons learned and best practices recommended by the Legislative Performance Audit Committee and other groups that have studied tax incentive programs. Other states have capped total incentives and limited the time during which they can be earned to make it easier to budget for those expenditures, she said.

John Hansen, president of the Nebraska Farmers Union, also testified in opposition. The state's business tax incentives have not benefited rural Nebraska, he said, and the Legislature should consider whether a new incentive program is needed.

"Once the state rushes in and the state signs on the dotted line, there [are] years and years of obligations that may or may not provide ... a favorable cost-benefit ratio," he said.

Mark McHargue, vice president of the Nebraska Farm Bureau, gave neutral testimony on behalf of the Agriculture Leaders Working Group, comprising the leaders of seven agricultural organizations. Although it is not opposed to tax incentives, McHargue said, the group's priority is property tax relief for Nebraska farmers and ranchers.

"We cannot support moving business tax incentives without first addressing comprehensive and meaningful property tax relief and reform," he said.

The committee took no immediate action on the bill. ■

# MEET THE SENATOR

## Lathrop returns to legislative service

**W**hile the other members of the 2019 freshman class of state senators were learning the basics at new member orientation, Omaha Sen. Steve Lathrop was becoming reacquainted with the building where he spent eight years serving the people of District 12.

He becomes only the second person to return to service following the adoption of term limits in 2000. Omaha Sen. Ernie Chambers returned in 2013.

Lathrop first entered the Legislature as part of the initial class of senators sworn in following the implementation of term limits in 2006. He credits his development as a state senator to the mentorship of the more senior members.

“Those senators taught the younger people, mentored us. They taught us the importance of protecting the institution from partisanship,” he said. “They taught us the idea that no one bill is more important than the institution

and that no one constituency is more important than the institution.”

After serving eight years, Lathrop left the Legislature in 2015—a result of term limits. After sitting out the required four years, his appreciation of the institution and public service ultimately set him on the path back to Lincoln.

“I like being involved in public service at the level of creating policy,” he said. “I like the challenge of developing policy, getting people on board, finding middle ground and solving problems at the state level.”

As chairperson of the Legislature’s Judiciary Committee, Lathrop relies heavily on his almost 40 years of experience as a practicing attorney and law firm partner.

“I love being a lawyer. I really do,” he said. “It’s an opportunity to help people in difficult situations.”

Lathrop admits that balancing his public service with

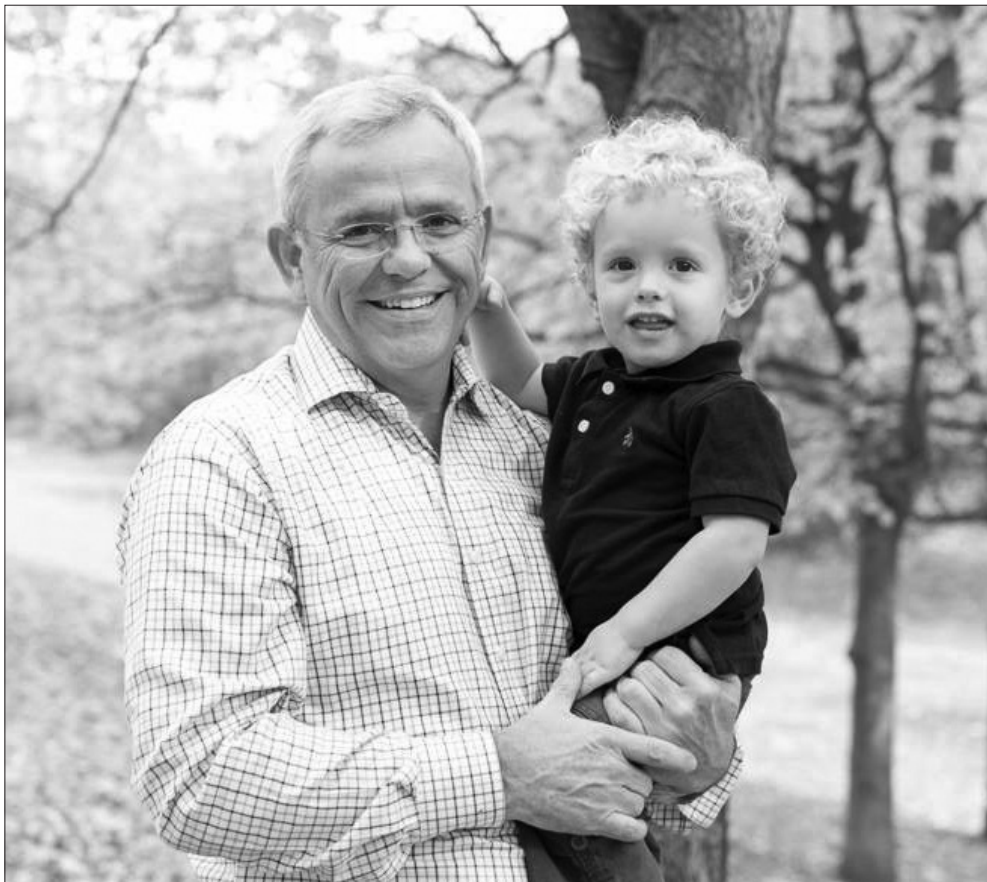
personal and family commitments is easier the second time around. When he first came to the Legislature in 2007, he still had daughters in elementary and high school.

He returned to the Legislature as a grandfather with an empty nest at home.

“When I see people that are doing this with young kids at home, I marvel at the coordination that it must take for that to happen,” Lathrop said.

Like many senators, free time is something of an abstract concept to Lathrop now that he’s reentered public service. He’s not overly concerned with the potential decline of his golf game, however.

“I like to golf and I have friends who are, let’s say, at the same skill level as me,” he joked. ■



Sen. Steve Lathrop enjoys spending time with his grandchildren, including grandson Wyatt, in his free time.



## AGRICULTURE

### Prairie dog management act repeal proposed

The Agriculture Committee heard testimony March 5 on a bill that would repeal the Black-Tailed Prairie Dog Management Act.

The 2012 act authorizes county boards to adopt and carry out coordinated management programs to control black-tailed prairie dog colonies on property within the county.

The law requires a landowner to manage prairie dog colonies on his or her property to prevent them from expanding to adjacent property if the neighboring landowner objects to the expansion. If a landowner does not provide evidence that a colony is being managed within 60 days of a county board's notice, the county may enter upon the property to manage the prairie dogs.

A landowner is responsible for any management expenses. Unpaid assessments become a lien on the property and a part of the taxes on the land that bear interest at the same rate as delinquent taxes.

Landowners who do not comply with the law also could be subject to a criminal penalty and be fined up to \$1,500. The law allows counties to file suit to collect the debt beyond tax foreclosure proceedings.

LB45, introduced by Omaha Sen. Ernie Chambers, would repeal the act. He said it deprives property owners of due process by allowing counties to eradicate prairie dogs on a property owner's land in response



Sen. Ernie Chambers

to an unverified complaint from a neighboring landowner.

The law requires counties to provide both general and individual notice to landowners who are in violation, Chambers said, but it also states that failure to provide notice does not relieve any person from complying with its requirements.

"This is a bunglesome law which exemplifies government overreach and overkill without any judicial involvement until a spurious criminal charge is filed against [property owners] by the county attorney," he said.

Chambers said landowners can use non-lethal methods, such as planting hedges and installing artificial raptor perches, to control prairie dogs.

Robert Bernt, a central Nebraska organic farmer, testified in support of the bill. He said an inexpensive raptor perch he built near his fence line keeps prairie dogs on his property from spreading to his neighbor's.

Bernt said the poison generally used to control prairie dogs is short-lived, allowing the animals to repopulate quickly, and it kills birds and other wildlife. Most importantly, he said, if the county were to spread poison on his land based on a neighbor's complaint about unmanaged prairie dogs, he would lose his organic certification.

"This is an intrusion on personal property rights," Bernt said. "That's all there is to it."

Jocelyn Nickerson, Nebraska state director for the Humane Society of the United States, also testified in support. She said prairie dog colonies provide food and shelter for burrowing owls, foxes, eagles, badgers and the endangered black-footed ferret. Prairie dogs used to number in the hundreds of millions, she said, but their populations have decreased more than 95 percent due to eradication and human-animal conflicts.

"Moving forward together with common sense solutions for wildlife will keep Nebraska's prairie dogs and our landowners out of dramatic, dangerous and costly conflicts that are detrimental to our local ecosystem," Nickerson said.

Matt Gregory testified in support of LB45 on behalf of the Nebraska Farmers Union. He said the act is "unnecessarily heavy-handed" and strains relationships between neighbors. Landowners should be able to decide what to keep on their land, Gregory said, whether that's prairie dogs or wind turbines.

"We don't like the idea of a landowner encroaching upon a neighbor who wants to keep prairie dogs, just as we don't like a landowner encroaching upon a neighbor who wants to manage them," he said.

Michael O'Hara testified in support of the bill on behalf of the Nebraska chapter of the Sierra Club. He said the act is "an egregious use of the state's eminent domain power" and that due process is central to the protection of all rights, especially property rights.

"The existing statute has the most minimal due process that is constitutionally feasible in any context," O'Hara said.

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

### Expanded cottage food sales considered

The Agriculture Committee heard testimony March 5 on a bill that would allow Nebraskans to sell foods already authorized for sale at farmers' markets to customers from their homes and at certain other events.

Current law authorizes the sale of foods such as baked goods and uncut fruits and vegetables directly to a consumer at a farmers' market if

the consumer is informed by a sign at the sale location that the food was prepared in a kitchen that was not subject to regulation and inspection.

LB304, introduced by Bellevue Sen. Sue Crawford, would expand that provision to direct consumer sales at a fair, festival, craft show or other public event or for pickup or delivery at the seller's private home.

The bill would require the name and address of the producer to be included on the package or container label.

Crawford said LB304 would help cottage food producers supplement their incomes and start their own businesses.

State and national data show no outbreaks of foodborne illnesses related to farmers' markets or cottage foods, she said. Consumers should be allowed to buy those same foods made in the same conditions at any time of the year, Crawford said, not only when farmers' markets occur.

"Cottage foods are simply not risky foods," she said. "This bill is simply allowing another avenue through which local producers can sell their goods."

Nicole Fox, director of government relations for the Platte Institute, testified in support of the bill, saying it would reduce barriers for entrepreneurs. She said LB304 would benefit those who cannot work outside the home, such as stay-at-home parents, and those in rural Nebraska where it can be difficult to earn a second income, especially for women.

Matt Gregory testified in support of the bill on behalf of the Nebraska Farmers Union. He said farmers across the state are looking for ways to diversify their operations and earn



Sen. Sue Crawford

additional income to offset low commodity prices.

"We have a growing number of entrepreneurs who are trying to supplement their incomes with in-home business," Gregory said, "and this bill is a way to reduce some of those regulatory barriers and red tape that stands in the way."

Cindy Harper, a home baker who sells customized sugar cookies to earn extra income, also testified in support. She said she is busiest during graduation season and around holidays such as Valentine's Day and Easter.

"Without a farmers' market at that time of year, I'm limited in the capacity to fulfill orders," Harper said. "Having [the] ability to have an Etsy store online or something else really would expand my horizons."

Adi Pour, director of the Douglas County Health Department, testified in opposition to the bill on behalf of an association of local health directors in Nebraska. She said food prepared in an uninspected home kitchen by a person who has not received food handling training poses a risk to public health.

"The risk is not so much the ingredients in prepared food," Pour said, "but it is the environment of the home kitchen."

Kathy Siefken testified in opposition to LB304 on behalf of the Nebraska Grocery Industry Association, the Nebraska Restaurant Association and the Nebraska Retail Federation. She said the bill does not require cottage food producers to follow basic food safety procedures or complete food safety training.

"[Our opposition] is not about profits, and it is not about competition," Siefken said. "What it is about is food safety."

The committee took no immediate action on the bill.

## APPROPRIATIONS

### Additional violence prevention resources proposed

The state would increase funding for a statewide competitive grant program targeted at violence prevention under a bill considered March 6 by the Appropriations Committee.

Currently, the state appropriates \$525,000 annually to the Office of Violence Prevention. LB174, sponsored by Lincoln Sen. Kate Bolz, would increase that amount to \$1 million annually, beginning in fiscal year 2019-20.



Sen. Kate Bolz

The funds would be used to increase total grant awards, develop an annual statewide strategic plan, increase administrative capacity and develop a technical assistance partnership with the University of Nebraska.

Violent crime in the state increased by 8.6 percent in 2017, Bolz said, and homicide is the leading cause of death for Nebraskans in their 20s. In addition to those statistics, Bolz said she was inspired to focus on the work of violence prevention, in part, by a shooting in her neighborhood last spring that killed a young father of five.

"I didn't know him personally, but I run past his memorial on my morning runs and think about him and his family frequently," she said.

Bolz noted that the funds sought in LB174 would be similar to the cost of incarcerating one inmate for 10 years in a correctional facility.

"I think it's time for us to start thinking about preventing violence [and] not just funding the results of violent activities," she said.

Jeff Sorensen, supervisor of the Lincoln Police Department's gang unit, testified in support of the bill. He said LPD has used funds from the grant program to establish the city's gang prevention program and maintain a full-time civilian gang outreach prevention coordinator. The coordinator works directly with youth who have been referred to the program, he said, and is key to LPD's community policing efforts.

"The implementation of the gang outreach prevention coordinator has been instrumental in the overall effectiveness of the Lincoln Police Department's gang strategy, which includes the prevention of youth from joining gangs," Sorensen said.

Charity Evans, a trauma surgeon at the University of Nebraska Medical Center, testified in a personal capacity in favor of LB174.

Funds from the grant program provide cities and community-based organizations with essential support, she said, which includes developing, implementing and evaluating interventions to reduce risk factors and institutionalizing evidence-based violence prevention strategies.

"Violence is not inevitable," Evans said, "and much of it can be prevented through a comprehensive public health approach that keeps our families and communities safe."

No one testified in opposition to LB174 and the committee took no immediate action on the bill.

**Bill would increase justice reinvestment grant funds**

More money would be available for grants to counties to alleviate jail overcrowding under a bill heard March 6 by the Appropriations Committee.

Omaha Sen. Mike McDonnell said his proposal would help fulfill a commitment made by state senators in 2015

when they passed a comprehensive criminal justice reform bill. At the time, he said, county officials were concerned that the unintended consequence would be an increased strain on county jail resources.

The Legislature created the County Justice Reinvestment Grant Program in response to those concerns, McDonnell said, with the intention of funding it should there be a spike in county jail inmate numbers as a result of sentencing reform at the state level.

LB446 would appropriate \$1 million to the program to alleviate county jail populations through programming and services focused on mental health. McDonnell said the bill would incentivize and require counties to invest in community corrections or behavioral health programs.

"I fully understand the current state of our budget and the difficult decisions we are facing throughout the days ahead," McDonnell said. "[But] I don't view this appropriation request as a handout to the counties."

Vicki Maca, speaking on behalf of Region 6 Behavioral Healthcare, testified in support of the bill. Maca said she works with counties to implement a national program designed to help reduce the number of incarcerated individuals with a mental illness.

Approximately 60 percent of inmates in Douglas County have been diagnosed with a mental illness, she said, and of those approximately 30 percent have been diagnosed with a serious mental illness. Detaining individuals who are mentally ill—even for a few days—can have long-term negative impacts, she said.

"[Grants would] provide counties with the opportunity to accurately



Sen. Mike McDonnell

identify individuals with a mental illness, divert them from the criminal justice system and put them on a path of recovery," Maca said.

Don Kelly, chairperson of the Sarpy County Board, also testified in support. While criminal justice reform is a noble goal, he said, the impact at the county level has been substantial. Sarpy County currently is trying to build a mental health stabilization center to divert individuals from jail and into appropriate mental health services, he said.

Grant funds would help make that possible, he said, adding that the center would save the county millions in the long run.

"The Sarpy County jail [currently] is the largest mental health facility in the county," Kelly said.

No one testified in opposition and the committee took no immediate action on LB446.



**Hearing aid coverage for children sought**

The Banking, Commerce and Insurance Committee heard testimony March 4 on a bill that would require most health insurance plans to pay for hearing aids for young Nebraskans.

LB15, introduced by Bellevue Sen. Carol Blood, would adopt the Children of Nebraska Hearing Aid Act. It would require most health plans to cover expenses associated



Sen. Carol Blood

with hearing aids for Nebraskans younger than 19, including evalua-

tion, fitting, programming, repairs and auditory rehabilitation and training.

Small-business group health plans would be exempt. Insurance companies that could show that expenses associated with hearing aids would exceed one percent of premium dollars collected per year would be exempt for a plan year. LB15 also would cap covered expenses at \$3,000 over four years.

Many insurance companies view insertion of hearing aids as an elective procedure, Blood said, but for the on average 69 kids born each year in Nebraska with a hearing impairment, a hearing aid is a lifeline.

“Can you name a medical device that changes the lives of millions for the better, yet generally is not covered by insurance?” Blood said.

Cindy Johnson, a pediatric audiologist, testified in support of LB15. Medicaid currently will pay for children’s hearing aids, Johnson said, but no Nebraska-based insurance company covers the \$1,500 to \$3,000 expense.

“I’m the person who gets to tell the parents, ‘your child didn’t pass the hearing test,’” Johnson said, “and I’m the person who gets to tell the parents, ‘Oh, by the way, insurance doesn’t cover hearing aids.’”

Peter Seiler, executive director of the Nebraska Association of the Deaf, also spoke in favor of the bill through an American Sign Language interpreter. Seiler said he was born deaf and his parents were able to buy him a hearing aid. He said he may not have been able to earn a Ph.D. without his family making that investment.

“Parents have to give up other things if they choose to provide hearing aids for their children,” Seiler said.

Also testifying in support was Josh Sevier of the Nebraska Speech-Language-Hearing Association. Sevier, an audiologist, said hearing impairment has a detrimental effect on children’s

speech development and can limit their employment opportunities as adults.

“The first few years are especially crucial,” Sevier said. “If they are unable to hear the production of sound from friends and family, they will develop a pattern of speech filled with speech errors. These errors, if left untreated, will lead to detriments in education.”

Robert Bell, executive director of the Nebraska Insurance Federation, testified against LB15. Bell said hearing aids are beneficial, but the costs of coverage must be passed on to others.

“We’re opposed to all health insurance mandates no matter how noble,” Bell said.

The committee took no immediate action on the bill.

### **Bill would protect living organ donors**

The Banking, Commerce and Insurance Committee heard testimony March 5 on a bill that would prevent insurance companies from discriminating against living organ donors.

LB228, introduced by Sen. Dan Hughes of Venango, would adopt the Living Donor Protection Act. The bill would make it illegal for an insurance company to:

- decline or limit life, disability or long-term care coverage to a living organ donor;
- preclude someone from donating all or part of an organ as a condition for receiving life, disability or long-term care coverage;
- increase a donor’s premium because he or she is a donor; or
- discriminate against a donor who has life, disability or long-term care coverage.



Sen. Dan Hughes

Hughes said studies show that transplants from living donors are more effective than those from deceased donors.

“This bill will protect Nebraskans who are giving the gift of life,” Hughes said.

Gary Bodenheimer testified in support of the bill. Bodenheimer said he found out six years ago that he has kidney disease which is now in stage 4. He said that there are approximately 450 people like him who are on the state’s organ recipient list.

“The clock is ticking,” Bodenheimer said. “Anything we can do to make organ donation easier saves lives.”

Robert Bell, executive director of the Nebraska Insurance Federation, testified against LB228.

He said the language of the bill is too vague and could hinder an insurance company’s ability to charge appropriate premiums.

Bell said donors who have been denied coverage or charged higher rates should seek quotes from multiple insurers.

“Because one company is doing it doesn’t mean the other companies in the market are,” he said.

The committee took no immediate action on the bill.

### **Coverage sought for in vitro fertilization**

A bill to extend health insurance coverage to include in vitro fertilization was considered March 4 by the Banking, Commerce and Insurance Committee.

LB501, introduced by Sen. Megan Hunt of Omaha, would require insurers to cover in vitro fertilization procedures to



Sen. Megan Hunt



the same extent they that cover other pregnancy-related procedures.

To qualify for coverage, the insured must be unable to become pregnant through any less costly fertility treatment and the in vitro procedure must be performed at a facility that conforms to the minimal standards adopted by the American Society for Reproductive Medicine.

Hunt said 15 states provide some form of in vitro fertilization coverage. About 10 percent of American women suffer from infertility, Hunt said, which is a legitimate and recognized medical condition that should not be categorized as elective for treatment purposes.

“We would be doing a great disservice to middle- and lower-income Nebraskans if we don’t make sure they have access to these services,” Hunt said.

Sarah Marshall of Omaha testified in favor of the bill. She said she spent \$20,000 out of pocket for in vitro fertilization procedures and medication but now is covered by her employer’s health plan. She currently is receiving treatment from a facility in New York because no facility in Nebraska is covered under her insurance.

“Having a family should not be a privilege,” Marshall said.

Megan Morris, a registered nurse, also spoke in favor of LB501. Morris, who suffers from infertility, said there were women in her family in the same situation who kept it a secret because of the social stigma surrounding infertility.

“It is a medical problem and its effects way more people than I ever knew,” Morris said.

Jed Hansen, a nurse, also testified in support. He said the issue affects him personally and professionally. Hansen and his wife have been unable to have a child the past year and a half, and have spent \$14,000 on in vitro fertilization.

“Passage of this bill gives us hope that we’ll not have to sacrifice our financial future in order to have a complete family,” Hansen said.

Noah Tabor of Medica Health Plan testified against LB501. Tabor said his nonprofit health care company would be unable to keep premiums low if the bill passed.

“The cost of health care is high,” Tabor said. “We are absolutely committed to making sure we’re bringing forward options to our members with a nod toward affordability.”

Eric Dunning testified against the bill on behalf of Blue Cross Blue Shield Of Nebraska. Dunning said insurers might leave Nebraska to avoid mandates like the one contained in LB501. He added that the bill would not apply to Nebraskans covered by Medicare or the 33 percent covered by self-funded plans.

Also testifying in opposition was Robert Bell, executive director of the Nebraska Insurance Federation. He said the higher insurance premiums that would result from LB501 would be paid by individuals who are unable to benefit from the expanded coverage.

“You take an extremely expensive benefit for a small portion [of the population] and there is going to be some pushback from the people that have to pay that bill,” Bell said.

The committee took no immediate action on LB501.

### **Clarification of in-school behavioral health coverage sought**

Insurance companies in Nebraska would be required to pay for covered behavioral health services delivered in schools under a bill considered March 5 by the Banking, Commerce and Insurance Committee.

Omaha Sen. Rick Kolowski said he introduced LB619 because there

is confusion in current law about whether insurance companies will reimburse a provider who meets with a client at school. Behavioral health



Sen. Rick Kolowski

providers sometimes offer services at a school when transportation is difficult or impossible for a student, he said.

“LB619 is one small step to giving our students the mental health care they need,” Kolowski said.

He added that the bill is not a change in coverage nor an insurance mandate because it requires coverage for services delivered in a school setting only if a policy already provides coverage for behavioral health treatment.

Chadron Schools Superintendent Caroline Winchester testified in support of the bill. Winchester said there currently is one mental health provider willing to hold appointments in Chadron schools. Other providers no longer do because they aren’t being reimbursed for their services, she said.

“Many of our students needing services do not have transportation because both parents work,” Winchester said, adding that even those with reliable transportation can’t afford the classroom time lost driving to and from appointments.

Jason Hayes of the Nebraska State Education Association also testified in support of the bill. He said the fear of not being reimbursed has created a “chilling effect” on therapists’ willingness to provide services in a school setting.

Also testifying in favor of LB619 was Eric Dunning of Blue Cross Blue Shield of Nebraska. He said the bill would expand access to mental health care in the state.

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

## EDUCATION

### Behavioral and mental health training for school staff proposed

A requirement that school personnel receive suicide prevention and awareness training would be expanded to include other behavioral and mental health topics under a bill heard March 4 by the Education Committee.

Public school nurses, teachers, counselors, psychologists, administrators and social workers currently are required to receive at least one hour of suicide awareness and prevention training each year.

LB120, sponsored by Bellevue Sen. Sue Crawford, would require staff to receive instead one hour of behavioral and mental health training each year during contract hours.



Sen. Sue Crawford

The training would include suicide awareness and prevention training and also could include identification of early warning signs and symptoms of behavioral and mental health issues, effective responses for educators, trauma-informed care and procedures for making students and parents aware of services and supports.

By expanding on an existing training requirement, Crawford said, LB120 would help meet the mental health needs of Nebraska students without placing a new mandate on school districts.

“By allowing the training to cover a more holistic view of behavioral and mental health,” she said, “teachers and other school staff can be more prepared to respond to student needs

that may have not yet escalated to the level of suicide.”

David Miers testified in support of the bill on behalf of the Nebraska Association of Behavioral Health Organizations and the Nebraska State Suicide Prevention Coalition. He said suicide is the leading cause of death for Nebraska youth ages 10 to 14 and the second leading cause of death for youth ages 15 to 24. Ninety percent of youth who commit suicide had a diagnosable mental illness or could have been diagnosed, Miers said.

“Therefore, mandating training on suicide prevention and awareness—as well as mental health and behavioral health—to school personnel is vital and will be lifesaving for Nebraska’s youth,” he said.

Brian Halstead also testified in support of the bill on behalf of the state Department of Education and the state Board of Education. He said LB120 would add to the already heavy workload of the state school security director, who currently is required to oversee suicide prevention and awareness training in public schools. However, Halstead said, the department could meet the bill’s requirements without additional state funding.

Rita Bennett testified in support of LB120 on behalf of the Nebraska State Education Association, the Nebraska Association of School Boards, the Nebraska Council of School Administrators and the Nebraska Rural Community Schools Association.

Although she appreciates the current training, the content has become “stale, somewhat repetitive and redundant” over the years, Bennett said. She said expanded training on behavioral and mental health topics would give teachers knowledge about the underlying conditions that could lead to suicide.

“The more inclusive training called

for in LB120 is important because it does ensure that every teacher receives at least some training on these issues,” Bennett said.

Ann Hunter-Pirtle, executive director of Stand for Schools, also testified in support, saying teachers and administrators have identified student behavioral and mental health services as the top unmet need in schools across the state. She said school staff should be able to identify early indicators of mental distress in students and know who to contact about appropriate interventions and resources.

“Educators are hungry for training in additional mental health topics with which a huge number of their students struggle daily—such as depression and anxiety—before students reach a crisis point of suicidal thinking,” Hunter-Pirtle said.

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

## GENERAL AFFAIRS

### Regulation sought for fantasy sports

The General Affairs Committee heard testimony March 4 on a bill that would regulate fantasy sports in Nebraska.

LB137, introduced by Bellevue Sen. Carol Blood, would require daily fantasy sports operators—like Fan Duel and Draft Kings—to register with the state Department of Revenue. Operators would pay a \$10,000 fee the first year and an annual renewal fee equal to six percent of the



Sen. Carol Blood

organization's annual revenue, not to exceed \$10,000.

The bill defines a fantasy sports contest as one in which:

- the value of all prizes and awards offered to winning players is known to all players in advance;
- winning outcomes reflect the knowledge and skill of the players and are determined by accumulated statistical results of the performance of individuals, including athletes in the case of sporting fantasy leagues; and
- no winning outcome is based on the score, point spread or performance of any single actual team or combination of teams or solely on the performance of a single athlete or player.

Blood said fantasy sports are not gambling because they are contests of skill and not chance.

"Managers of these games take into account a myriad of statistics, facts and game theory," she said. "There are thousands of websites and magazines and other publications designed to keep their readers informed and competitive."

Blood added that the bill would raise revenue for the state without increasing taxes.

Sean Ostrow testified in favor of the bill on behalf of Fan Duel and Draft Kings. Approximately 300,000 Nebraskans play fantasy sports and they deserve to know that what they are doing is legal, Ostrow said.

"Fantasy sports has been proven time and time again, whether through academic studies or in real life, to be a game of skill," Ostrow said.

He added that 20 states have passed similar legislation.

Pat Loontjer of Gambling with the Good Life testified against the bill. She said fantasy sports gaming has been declared illegal in many states,

and that passing LB137 would bring about lawsuits.

"Fantasy sports betting has the potential of putting a casino on every electronic device," she said. "You can sit at home and lose your home in the same evening."

Nate Grasz of the Nebraska Family Alliance also testified against the bill. Fantasy sports began in small groups with players focused more on building community than winning money, Grasz said, but now have developed into gambling.

"Skill and chance are not mutually exclusive," Grasz said. "The fact that an element of skill may be present does not negate the fact that users are still largely reliant on chance to win. Bettors have no control over how the athletes perform nor over other external factors that affect the outcome of player performance."

The committee took no immediate action on the bill.

### Bill would raise vaping age

The General Affairs Committee heard testimony March 4 on a bill that seeks to restrict young people's access to vapor products.

LB149, introduced by Grand Island Sen. Dan Quick, would raise the legal age from 18 to 21 for purchasing and possessing vapor products and flavored liquids containing nicotine. Under the bill, an individual who purchases or uses vapor products would be guilty of a Class V misdemeanor and an individual selling or providing vapor products to those under 21 would be guilty of a Class III misdemeanor.

The bill also would restrict indoor use of vapor products in the same man-

ner as cigarettes and require retailers that sell vapor products to be licensed.

Quick said he would file an amendment to LB149 that also would raise the legal age from 18 to 21 for purchasing and possessing tobacco products.

Quick said there has been a sharp rise in the number of teenagers using electronic cigarettes, which often contain nicotine. Ingestion of nicotine can hinder brain development, he said.

He added that there have been incidents of 18-year-olds legally purchasing vapor products and then selling them to fellow high school students, many of whom are younger than 18, at school.

"By restricting the availability of these products to young people who are in high school or just out of high school we can reduce the [number of] kids in middle and high school who have access to both e-cigarettes and harmful tobacco products," Quick said.

Lisa Albers of the Grand Island School Board testified in support of the bill. She said vapor products appeal to teenagers because of their "kid-friendly flavors" like mango.

"Vaping products are flying under the radar, with no licensing required to sell the products, no taxation on the products and they are not part of the Clean [Indoor] Air Act," Albers said. "I've had students tell me stories of kids coming to lunch, visibly shaking, because they had a few minutes between class to take hits off their [e-cigarette]."

Omaha Burke High School principal Gaye Lannan also testified in support of the bill. She said there have been 65 vaping-related violations of the school's code of conduct so far this year compared to 37 such violations for all of last year.

"We believe this could be just a fraction of the overall number of students vaping because the devices and products are so easily concealed,"



Sen. Dan Quick

Lannan said. "Vape products are virtually odorless."

Rich Otto of the Nebraska Retail Federation testified in support of the bill. Otto said he supports the licensing portion of the bill but that his organization opposes raising the legal age to use vaping products.

"We prefer that be handled at a national level," Otto said.

Eric Johnson, owner of multiple vape stores in Omaha testified against LB149. He said vaping is safer than smoking tobacco and that most teenagers use vapor products infrequently.

"The latest published data from 2018 shows that less than three percent of [teens] aged 15-to-17 use e-cigarettes on 10 or more days a month," Johnson said.

Tim Bowen of the Nebraska Vape Vendors Alliance also testified against the bill. He said Alohma—a vapor product retail chain—has a system in place to scan identification cards to verify a customer's age.

"The word is out that [minors] can't go into a vape store and buy the product," Bowen said.

Also testifying against LB149 was Tanner Whitaker, who said vapor products offer a way for people to quit smoking. Whitaker, now 21, said he started smoking tobacco when he was 15. At age 18, he switched to vapor products, and said he hasn't smoked a cigarette in more than two years.

Whitaker said he reduced his nicotine consumption dramatically by using vapor products.

The committee took no immediate action on the bill.

### Home brewer bill passed

Non-licensed home alcohol brewers can participate in certain public events under a bill passed March 7.

LB235, introduced by Sen. Sue

Crawford of Bellevue, allows home brewers to offer their product without a permit at exhibitions, festivals, tastings and competitions as long as the alcohol is not for sale.

The bill passed on a 45-0 vote.



Sen. Sue Crawford



### Critical infrastructure public records bill amended, advanced

Lawmakers amended and advanced a bill March 7 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. As introduced, 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.

Briese offered an amendment during select file debate to specify language related to personnel exceptions.

The amendment would prohibit disclosure of the identity of personnel whose primary job makes them responsible for providing or granting access to physical or cyber assets or operating and maintaining those assets, if a reasonable person would conclude that such a public disclosure would



Sen. Tom Briese

create a substantial likelihood of risk to those assets.

"I believe that in light of the risks posed to critical energy infrastructure, this expansion beyond what is found in the federal rules is necessary," Briese said.

The identity of a CEO, general manager, vice president or board member of a public entity could not be withheld under the new exception.

Lincoln Sen. Mike Hilgers, who had expressed concern during general file debate regarding the breadth of the personnel exception, supported the amendment.

"When we're talking about public records and transparency it's important to ensure that if we are going to have an exception to the disclosure rules ... it's for a very, very good reason that we can justify and that it's narrowly tailored to that particular reason and to that purpose," Hilgers said.

Following adoption of the Briese amendment 32-0 the bill was advanced to final reading by voice vote.

### Bill would eliminate waiting period for voting rights

The Government, Military and Veterans Affairs Committee heard testimony March 6 on a bill that would allow Nebraskans convicted of a felony to have their voting rights restored sooner.

LB83, introduced by Sen. Justin Wayne of Omaha, would restore voting rights upon completion of a felony prison sentence or probation. Currently, ex-felons must wait two years



Sen. Justin Wayne

before being able to register to vote.

Wayne said the original purpose of barring ex-felons from voting was



to reduce the number of black voters. Voting increases engagement with a community and engaged ex-felons are much less likely to commit another crime, he said.

“This is a fundamental right that most conservatives agree with,” Wayne said. “When people make their mistakes there shouldn’t be an arbitrary two-year waiting period.”

Shakur Abdullah of Omaha testified in support. He said he cast the first vote of his life last November after serving a lengthy prison sentence.

“It was the most uplifting, cathartic thing I’ve participated in since my release,” Abdullah said.

The two-year waiting period, Abdullah said, made him feel like he was still serving his sentence long after leaving prison.

Dewayne Mays of the Lincoln Branch NAACP testified in favor of LB83. He called the current law “double jeopardy” that disproportionately disenfranchises non-white people and the poor. He said about four million Americans are unable to vote because of a felony conviction.

“Providing a citizen with the right to vote is the most effective tool for rehabilitation and integration into society,” Mays said.

Jason Ables of Lincoln also spoke in favor of the bill. Ables said he watched the 2016 election results while in prison, unable to vote. He also was unable to vote in 2018, despite being out of prison. His voting rights will not be restored until later this year.

“Is a felony a legitimate threshold to disenfranchise people from the right to participate in our community at the most fundamental level? I don’t think so,” Ables said.

No one spoke in opposition to LB83 and the committee took no immediate action on it.

### Bill would expand voting by mail

All Nebraska voting precincts could allow voting by mail under a bill considered by the Government, Military and Veterans Affairs Committee March 6.

LB163, introduced by Omaha Sen. Megan Hunt, would allow precincts in counties with more than 10,000 residents to vote by mail with approval from the Nebraska secretary of state. Currently, precincts in counties with fewer than 10,000 residents can vote by mail with state approval.



Sen. Megan Hunt

There are 27 Nebraska counties with populations greater than 10,000.

Hunt said 127 Nebraska precincts used vote-by-mail ballots in 2018 and most saw an increase in voter turnout. In-person turnout can be decreased by bad weather or a voter’s lack of time or transportation, Hunt said, but voting by mail alleviates those concerns.

“This is a simple, permissive bill supported by the counties that removes an unnecessary bureaucratic barrier,” Hunt said.

Westin Miller of Civic Nebraska testified in favor of the bill. He said the change would enhance local control of elections, reduce costs and increase turnout.

“LB163 doesn’t make anyone do anything,” Miller said. “It just gives all counties equal permission to engage in a conversation with the secretary of state.”

Beth Bazyn Ferrell of the Nebraska Association of County Officials also testified in support. She said some election commissioners in larger counties have expressed support for voting by mail. Even in larger counties, she said, some precincts may struggle to find poll workers or disability-accessi-

ble polling locations.

“[In the past], sometimes you could have a polling place in someone’s shed or garage,” Bazyn Ferrell said. “Now there are [facility] requirements.”

Also testifying in favor of LB163 was Caryl Guisinger. She said overall voter turnout in the 2014 midterm election was 55 percent in Nebraska. Garden County, which switched to vote by mail in 2018, saw a 76 percent turnout in last year’s midterm, she said, while Morrill and Merrick counties each reported 70 percent turnout.

“Every Nebraskan should have the option to vote by mail,” Guisinger said. “The population cap at 10,000 is an arbitrary number.”

No one spoke against LB163 and the committee took no immediate action on it.

### Offutt land cession bill approved

Lawmakers gave final approval March 7 to a bill intended to clarify jurisdiction over five tracts of land inside the fence line of Offutt Air Force Base.

LB214, sponsored by Gretna Sen. Andrew La Grone, cedes all criminal and civil jurisdiction over the land tracts to the federal government.



Sen. Andrew La Grone

The bill passed on a 46-0 vote.



### Lawmakers approve patient safety fund

The Legislature passed a bill March 7 that funds enhanced safety training for medical professionals.

LB25, introduced by Sen. Mark Kolterman of Seward, creates the Patient Safety Cash Fund to receive credentialing fees that will be used solely to support patient safety activities conducted by the Nebraska Coalition of Patient Safety.



Sen. Mark Kolterman

The bill imposes biennial fees of \$50 for physicians and osteopathic physicians and \$20 for physician assistants through 2025.

Senators approved LB25 on a 47-0 vote.

**Treatment center licensure bill approved**

Lawmakers approved a bill March 7 that allows mental health substance use treatment facilities that use locked rooms to retain licensure.

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



Sen. Anna Wishart

Senators approved the bill on a 44-0 vote.

**Bill would change transitional foster care program**

More Nebraska youth would be eligible for benefits from a transitional care program under a bill considered March 7 by the Health and Human Services Committee.

LB332, introduced by Lincoln Sen.

Kate Bolz, would revise the Youth Bridge to Independence Program—a system of supports for older teenagers and young adults who are at or near the end of their time in foster care.



Sen. Kate Bolz

The bill would expand the program to include young adults who were adopted or entered into a guardianship from the juvenile justice system at age 16 or older. Bolz said that group always was intended to be part of the program but were not included when it was created.

LB332 also would limit participation in the Youth Bridge to Independence program to Nebraska residents and would eliminate benefits to recipients who already are receiving residential funding through the home and community-based waiver program.

The bill also would continue the Bridge to Independence advisory committee if the Nebraska Children’s Commission is terminated.

Bolz spoke about a girl with intellectual disabilities who was placed with her grandparents after she was released from the juvenile justice system. The grandparents’ age and infirmity left them unable to tend to the girl’s needs, Bolz said. She eventually found another home but “not without a lot of tension and anxiety.”

“I always think about her when I talk about the juvenile justice program and why [those youth] should be included in the Bridge to Independence,” Bolz said.

Rodney Edwards Jr. testified in support of the bill. Edwards, currently a student at the University of Nebraska, said the program helped him cover expenses that scholarships didn’t, like the \$400 he paid to apply for housing

at the university or the \$100 he spent to replace his winter coat.

Expanding the program would help more people, he said.

“Without the Bridge to Independence program there’s not a lot of kids that would make it,” Edwards said.

Juliet Summers, a member of the Bridge to Independence advisory committee, also spoke in support. She said the transition from foster care to independent adulthood can be jarring. Expanding the program would help more at-risk young adults, she said, and the bill’s other changes would reduce costs.

No one testified against LB332 and the committee took no immediate action on it.

**Medical synchronization bill approved**

Legislators approved a bill March 7 that allows Nebraskans with multiple medical prescriptions to coordinate and collect all of their medication on the same day.

LB442, introduced by Sen. John McCollister of Omaha, allows for medical synchronization if medication:



Sen. John McCollister

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

The bill was approved on a 46-0 vote.

## Bill would increase resources to combat human trafficking

Nebraska would develop a state-wide network of supports and services related to human trafficking under a bill heard March 6 by the Health and Human Services Committee.

Elkhorn Sen. Lou Ann Linehan, sponsor of LB518, said 900 individuals on average are advertised for sex in Nebraska each year and that the majority show signs of trafficking. Federal funding for the existing Nebraska Human Trafficking Task Force will end in the fall of 2019, she said, and the state must invest in services to continue its work.



Sen. Lou Ann Linehan

LB518 would adopt the Support for Trafficking Survivors Act and create the Support for Trafficking Survivors advisory board.

The new board would develop, oversee and coordinate the statewide response to trafficking through creation of a state plan. Membership would include trafficking survivors, service providers and representatives of law enforcement and the criminal justice system.

LB518 also would establish the Office of Support for Trafficking Survivors within the state Department of Health and Human Services to coordinate and implement the state plan developed by the advisory board.

The bill would create the Support for Trafficking Survivors Fund to fund competitive grants for services to trafficking victims across the state. Finally, it would create a program to reimburse state and local law enforcement for costs associated with victim-centered, trauma-informed sex trafficking investigations, operations or prosecutions.

“Sex trafficking is a violent crime

and a form of exploitation that occurs within our Nebraska communities,” Linehan said. “The immense trauma experienced by these victims causes physical and emotional harm long after the abuse ends and often requires supportive services.”

Rachel Pointer, a trafficking survivor and advocate, testified in support of the bill. She said a lack of statewide coordination has hindered the fight against human trafficking.

“With all the amazing progress we have made as a state, services for victims and survivors remain limited,” Pointer said. “LB518 will help open pathways to funding and services.”

Marty Fattig, testifying on behalf of the Nebraska Hospital Association, also supported LB518. Health care providers need to be part of the solution to human trafficking, he said, and the bill would help to increase awareness and expand services to survivors.

“Admittedly, and unfortunately, our hospitals have been late to react to the human trafficking epidemic,” Fattig said. “Eighty-eight percent of human trafficking victims saw a health care provider while they were being trafficked—so why didn’t we recognize it?”

Douglas County Sheriff Timothy Dunning also testified in favor, saying that an increased commitment on the part of the state would help law enforcement efforts to combat human trafficking.

“We find that connection to services not only better serves victims but also better serves law enforcement, our investigations and the prosecution of sex buyers and traffickers,” Dunning said. “When a victim is connected to services their trust in our system increases and their likelihood of cooperation with law enforcement increases.”

No one testified in opposition to LB518 and the committee took no immediate action on it.

## JUDICIARY

### Repeal of death penalty discussed

The Judiciary Committee heard a bill March 7 that would repeal Nebraska’s death penalty.

Introduced by Omaha Sen. Ernie Chambers, LB44 would replace death penalty provisions with a sentence of life without the possibility of parole. The bill would apply retroactively to inmates currently serving capital punishment sentences.



Sen. Ernie Chambers

The bill would not prevent a sentencing court from ordering restitution, or alter the authority of the state Department of Correctional Services to determine appropriate measures for incarceration of an offender.

Chambers said that there was so much publicity in the months leading up to the Aug. 1, 2018, execution of Carey Dean Moore that no one in Nebraska could have been unaware of the state’s death penalty, yet the crime rate held steady.

“No indication in any state has shown that murders went down as a result of the death penalty being imposed,” Chambers said. “With people having that knowledge—that an execution had been carried out—there still have been murders unabated.”

Amy Miller, legal director of the ACLU of Nebraska, spoke in support of the bill. The Eighth Amendment prohibits cruel and unusual punishment, she said, and there is nothing more cruel and unusual than for the state to use its power to kill one of its own citizens.

“Between the cases brought by the individual death row inmates, cases brought by the ACLU and future challenges that may be brought, it’s clear that the death penalty is broken,” Miller said. “The Nebraska Legislature demonstrated amazing leadership ... in repealing the death penalty in 2015. We urge you to demonstrate that same leadership [again].”

Matt Maly, an anti-death penalty advocate, also testified in support of LB44. The state completely abandoned its commitment to open and transparent government in Nebraska, he said, all to carry out one secret execution, which failed at all of its objectives.

“It didn’t make our communities any safer, it didn’t improve the work environment of our correctional officers and there isn’t any evidence it provided any closure to the victims’ families who said publicly before the execution that they didn’t care what happened to the guy and that they just wanted his name out of the headlines,” Maly said.

Opposing the bill was Dave Lopez, speaking on behalf of the state attorney general’s office. The Legislature should defer to the clearly stated will of the people on this issue, he said, which was the 2016 reinstatement of the death penalty through a ballot initiative.

“[Voters] were educated, informed, engaged and aware of the history of capital punishment in Nebraska and of the nature of the vicious crimes that the men on death row had committed in their communities,” Lopez said. “After listening to that debate, a commanding majority of voters in this state ... chose to keep the death penalty, notwithstanding this legislature’s earlier vote to the contrary.”

The committee took no immediate action on the bill.

### **Guaranteed legal representation for juveniles considered**

Members of the Judiciary Committee heard testimony March 6 on a bill that would ensure that juveniles who appear before the court have legal representation.

Under LB231, introduced by Lincoln Sen. Patty Pansing Brooks, legal counsel would be appointed each time a juvenile court petition is filed. The juvenile and his or her parent or guardian would be informed of the right to retain such counsel as needed.



Sen. Patty Pansing Brooks

The bill also would require any legal counsel representing a juvenile to continue representation through post-dispositional proceedings unless the juvenile requests new counsel.

The constitutional right to an attorney is one of the most basic rights of the legal system, Pansing Brooks said. Unfortunately, she said, Nebraska is currently not fulfilling its constitutional responsibility to ensure this right for those in the juvenile justice system.

“That a child’s access to representation is dependent upon where they live just isn’t acceptable,” Pansing Brooks said. “Why should one child have their constitutional rights guaranteed while a child in another part of the state does not?”

A juvenile who waives right to counsel could rescind the waiver at any time. Counsel would not be appointed for a juvenile who participates in a pre-trial diversion program.

The bill would authorize grants to counties to cover the cost of providing legal counsel to indigent juveniles. The Juvenile Indigent Defense Fund

would be funded by a \$1 fee assessed on all cases filed in county court.

Juliet Summers, representing Voices for Children in Nebraska, spoke in support of LB231. The bill would ensure youth across the entire state have meaningful access to counsel, she said.

“This constitutional imperative is especially important for children who may, by their age and developmental ability, fail to understand the grave nature of their actions, the complicated legal proceedings against them and the potentially life-altering outcomes,” Summers said.

Also supporting the bill was Scott Paul, representing the Nebraska State Bar Association. He said

there are significant equal protection and due process concerns if the right to counsel for juveniles is not provided consistently throughout the state.

“According to the National Defense Center, juveniles who waive counsel are more likely to enter guilty pleas without offering arguments or mitigating circumstances to the court and are more likely to be sent to detention facilities,” Paul said. “So if there has been a waiver [of counsel], it’s imperative the juvenile be reminded of their right to rescind that waiver, which this [bill would do].”

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

### **Changes proposed to execution protocol**

Members of the Judiciary Committee heard testimony March 7 on a bill that would increase transparency in death penalty executions.

LB238, introduced by Lincoln Sen. Patty Pansing Brooks, would require that witnesses present for an execution be allowed to view the proceeding con-



tinuously from the time the convicted person enters the execution chamber to the time he or she is declared dead or the execution is halted.

The Aug. 14, 2018, execution of Carey Dean Moore has raised numerous questions about the state's execution protocol, Pansing Brooks said, including a span of 14 minutes during which Nebraska Department of Correctional Services officials prohibited legally required observers from viewing the procedure.

"LB238 is not about whether the death penalty is right or wrong, it is about whether we have proper government accountability and transparency in carrying out this grave and somber event as required by law," she said. "It's clear as day to me that we didn't have transparency in the last execution and we failed to live up to national and international transparency standards."

The bill would prohibit any attempt to obstruct, shield or impede the witnesses' view of the execution proceedings. The persons administering the execution protocol could, upon request, wear masks or otherwise conceal their personal identity from the witnesses.

Finally, LB238 would require the Executive Board of the Legislative Council to appoint two members of the Legislature to witness the execution process.

Robert Dunham, executive director of the Death Penalty Information Center, spoke in support of the bill. Of the 17 states that carried out 246 lethal injection executions between Jan. 1, 2011, and Aug. 31, 2018, all withheld at least some information about the execution process, he said.

This "retreat into secrecy" has occurred at the same time that states have conducted some of the most problematic executions in American history, Dunham said.

"States have moved to lethal injection and away from more overtly violent methods of execution in an effort to make the process seem more humane, but as the drugs of choice became less available and states became more desperate in seeking other execution drugs, they chose drugs that were inappropriate," he said. "As a result of that, there have been a number of executions that have not gone according to plan or, to the extent that they did go according to plan, the plan itself was highly problematic."

Also supporting the bill was Amy Miller, legal director of the ACLU of Nebraska. Not only does the public have a right to know [about executions] via the news media and the other witnesses in the room, she said, but the Legislature as a separate branch of government also should have significant oversight of the execution process.

"We're looking at a department of corrections that has been riddled with scandal after scandal, both in our prison conditions and in the execution question, and they're asking you to trust them and to not ask more questions," Miller said. "That is the exact opposite of where we should be."

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

### **Regulations considered for use of jailhouse informants**

A bill that would require increased transparency in the use of jailhouse informants was considered by the Judiciary Committee March 6.

LB352, sponsored by Lincoln Sen. Adam Morfeld, would require



Sen. Adam Morfeld

each county attorney's office to maintain a record of each case in which testimony is provided by a jailhouse informant and any benefit or plea deal offered to the informant.

Morfeld said the bill is an important measure that is needed to protect the innocent, crime victims, taxpayers and public safety.

"As you can imagine, the expectation for a reduced sentence or other benefits creates a strong incentive to lie, which can cause a tragic ripple effect in the criminal justice system," he said. "Jailhouse witness testimony played a role in 159 wrongful convictions in the United States since 1989, harming innocent persons and allowing actual perpetrators to escape justice."

If a prosecutor intends to use the testimony of a jailhouse informant, he or she would be required to provide certain information to the defense, including:

- the informant's known criminal history;
- any benefit requested, offered or provided to the informant in exchange for testimony;
- the specific statements the defendant allegedly made to the informant that would be used against the defendant;
- other cases in which the informant testified or intended to testify; and
- any case in which the informant recanted testimony against a defendant.

If the court finds by clear and convincing evidence that disclosing such information to the defense would result in bodily harm to or coercion of the informant, the court could allow the prosecutor to redact some or all of the information.

Before testimony of a jailhouse informant would be used, the court would conduct a pre-trial hearing to determine the credibility of such tes-

timony. If a prosecutor fails to show that the testimony is reliable, the court would not allow the testimony at trial.

Michelle Feldman, representing the Innocence Project, spoke in favor of the bill. She said jailhouse witnesses know how to game the system to get reduced sentences and other benefits.

“This bill would make sure that witnesses are telling the truth,” Feldman said. “It’s all about getting it right at trial, otherwise we can have an innocent person being convicted, a guilty person could go free and the victims and their families could be dragged through endless appeals.”

Also speaking in support of LB352 was Rebecca Murray, an associate professor of criminal justice. She said a number of studies suggest—and a number of exoneration cases confirm—that jailhouse testimony often is unreliable.

“This victimizes the person who is wrongly accused and has the potential to re-victimize individuals whose cases might depend on that testimony,” Murray said.

Opposing the measure was Corey O’Brien, speaking on behalf of the state attorney general’s office. The process for using jailhouse informant testimony was reformed in 2009, O’Brien said, with input from the Legislature and criminal defense attorneys.

“It is unclear ... what has happened in Nebraska since 2009 that necessitates the changes sought in LB352,” he said. “There have not been cited any cases since 2009 where the use of jailhouse informant testimony resulted in an injustice or wrongful conviction.”

The committee took no immediate action on the bill.

### **Automatic sealing of juvenile records advanced**

A bill meant to tighten the process of sealing juvenile adjudication

records in Nebraska advanced from general file March 6.

LB354, introduced by Lincoln Sen.

Patty Pansing Brooks, would require that any juvenile’s record be sealed automatically upon satisfactory completion



Sen. Patty Pansing Brooks

of diversion, mediation, probation, supervision or other treatment program.

Youth are more prone to risky, antisocial behavior, susceptible to peer pressure, more impulsive and less capable of thinking through the long-term consequences of their actions, Pansing Brooks said.

“Many children are not able to move on from those mistakes after they’ve paid their debts, endured their punishments and been rehabilitated,” she said. “That’s because of serious loopholes in our juvenile sealing statutes that leave children vulnerable and subject to ongoing negative ramifications.”

Under the bill, a juvenile’s record would be sealed automatically if no charges are filed or if the charges are dismissed.

If a record is not automatically sealed, the juvenile or his or her parent could file a motion to have it sealed six months after the case has been closed or when the juvenile has reached the age of majority, whichever is sooner.

The bill would allow the state court administrator to permit viewing of a sealed record for bona fide research.

Following adoption of a technical committee amendment, senators advanced LB354 to select file on a 33-0 vote.

### **Bill would guarantee free communication for inmates, attorneys**

An inmate would be guaranteed access to his or her attorney under a bill advanced from general file March 4.

LB443, introduced by Omaha Sen.

John McCollister, would require that any communication between an inmate and attorney through telephone or videoconferencing be provided without charge to the inmate.



Sen. John McCollister

The bill also would prohibit recording of the communication by the correctional institution or a law enforcement agency.

Paying for phone calls can be a financial hardship for inmates in state correctional facilities, McCollister said, many of whom are indigent.

“This would allow for meaningful telephone access between inmates and their attorneys,” he said. “Additionally, it would reduce attorney travel time and in-person meeting time with clients, which saves money.”

Omaha Sen. Ernie Chambers supported the bill. Conversations between attorneys and their clients already are protected, he said.

“An attorney should not have to travel long distances to talk to the client when a telephone call would [suffice],” Chambers said.

Sen. Tom Brewer of Gordon opposed the bill, saying it would add unnecessary pressure to an already overburdened state agency.

“Right now, the state [penitentiary] and the Department of Correctional Services is struggling to meet their requirements,” he said. “I’m not sure we’re helping them by putting an additional task on them.”

Senators advanced the bill to select file on a 28-11 vote.

**Bill would prohibit restraints for pregnant prisoners, detainees**

The Judiciary Committee considered a bill March 6 that would offer protections for pregnant incarcerated women.

LB690, introduced by Omaha Sen. Machaela Cavanaugh, would prohibit the use of restraints on a pregnant prisoner or detainee unless she poses an extraordinary flight or security risk.



Sen. Machaela Cavanaugh

The majority of incarcerated women are nonviolent offenders, Cavanaugh said, and there has been no recorded instance of an unshackled inmate attempting to escape during labor and delivery.

“The shackling of a pregnant inmate is incredibly harmful to the inmate and to the baby,” she said. “Leg and wrist restraints increase the likelihood that the inmate could trip and it compromises their ability to brace against a fall, risking miscarriage and injury.”

Under LB690, restraints would be removed immediately if a health care professional treating a pregnant woman requests it.

If restraints are used on a pregnant prisoner or detainee, it must be in the least restrictive manner necessary. LB690 would require that the detention center administrator document the extraordinary circumstances that necessitated the use of restraints within 10 days of the incident.

The bill also would prohibit the use of restraints without exception during active labor or childbirth. A

prisoner or detainee who is improperly restrained could bring a civil action to recover damages.

Representing the ACLU of Nebraska, Scout Richters spoke in support of LB690. Nebraska is one of only eight states without a law banning the use of restraints on pregnant inmates, she said, a practice that some argue violates an inmate’s Eighth Amendment rights.

“Nebraska women who are pregnant while incarcerated deserve to be free from unnecessary restraints that are increasingly recognized as harmful,” Richters said. “Courts, including the 8th Circuit, have determined that cases of shackling female prisoners during childbirth can amount to cruel and unusual punishment.”

Marion Miner, representing the Nebraska Catholic Conference, also spoke in support of the bill. The state should take steps that prevent injuries to pregnant women and their unborn children while also maintaining public safety, he said.

“[It would] codify this good practice, which is consistent with what we believe to be in the best interests of incarcerated mothers, whose dignity and worth remain inviolate, despite their crimes, and in the best interests of their unborn children who are themselves innocent,” Miner said.

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

**Constitutional amendment to ban convict slavery passed**

The removal of an obsolete provision in the state constitution will be placed on the ballot for voters’ consideration under a measure passed by the Legislature March 7.

LRICA, introduced by Omaha Sen. Justin Wayne, will place a pro-

posed constitutional amendment on the November 2020 general election ballot to remove an exemption that prohibits slavery and indentured servitude except as punishment for people convicted of a crime.

The bill passed on a 44-0 vote.



Sen. Justin Wayne



**Wind turbine decommissioning requirement proposed**

Wind turbine owners and operators would be required to pay decommissioning and reclamation costs under a bill heard March 6 by the Natural Resources Committee.

LB700, introduced by Brainard Sen. Bruce Bostelman, would make any person owning, operating or managing a wind energy conversion system responsible for decommissioning or reclamation costs necessary for removal of the system. This would include removal of any above-ground or below-ground equipment and restoration of the land to its natural state, which Bostelman referred to as a “greenfield” restoration.



Sen. Bruce Bostelman

Bostelman said state law should require wind energy facilities to decommission their equipment in the same way that existing power generation facilities, such as coal-fired and nuclear power plants, are required to do.

He said most wind energy development contracts provide that the company is responsible for removing

only a portion of a wind turbine's concrete and steel support structure. The remaining part of the foundation that lies below ground is left in place and covered with a few feet of dirt, Bostelman said.

"This bill, following the greenfield practices, would ensure that the land truly gets back to its natural state prior to when the facilities were installed where it is serviceable for planting, building construction or other common uses," he said.

Kristen Gottschalk testified in support of LB700 on behalf of the Nebraska Rural Electric Association. She said it would clarify what is required of wind energy companies when they decommission a wind turbine and ensure that agricultural practices can continue uninhibited after a turbine is removed.

Terry Madson, a resident of Nuckolls County, also testified in support. He said wind energy development, while well intentioned, could have the unintended consequence of degrading the state's farm and ranch land for future generations if wind turbines are not decommissioned properly.

David Levy testified in opposition to the bill on behalf of BHE Renewables. State law already requires wind energy lease agreements to describe wind turbine decommissioning requirements, he said, and most counties include decommissioning requirements in their zoning regulations. Levy said developers also are required to post a bond to cover decommissioning costs after a project's first 10 years of operation.

Levy said removing a wind turbine's entire base is unnecessary and expensive.

"On a 200-megawatt wind energy project, which is kind of the average these days in Nebraska, this would add approximately \$5 million of decom-

missioning expense," he said.

John Hansen, president of the Nebraska Farmers Union, also testified in opposition. He said most landowners who sign contracts with wind energy developers understand that removing the base to a depth of four feet, which is common practice, is a reasonable tradeoff to ensure a project's financial viability.

"I'm not aware of landowners that are unhappy with those provisions," Hansen said.

The committee took no immediate action on LB700.



### Special public hearing on property tax hikes approved

Lawmakers passed a bill March 7 that requires political subdivisions such as counties and school districts to hold a public hearing before collecting additional property taxes generated by valuation increases.

Under LB103, 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 will decrease so that the political subdivision's property tax request is no more than in the previous year.

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

The requirement applies to com-

munity colleges, counties, educational service units, learning communities, municipalities, natural resources districts, sanitary and improvement districts and school districts.

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

LB103 passed on a vote of 47-0.

### Remote seller sales tax requirements advanced

Lawmakers gave first-round approval March 4 to a bill that would require internet retailers without a physical presence in Nebraska to collect and remit state sales tax on purchases made by Nebraska residents.

The U.S. Supreme Court ruled last June in *South Dakota v. Wayfair* that a state may require online retailers without a physical presence in the state to collect and remit state sales tax.

Omaha Sen. John McCollister, sponsor of LB284, said the ruling allows the Legislature finally to "level the playing field" for brick-and-mortar Nebraska businesses and online retailers that currently are not required to collect and remit state sales tax.

McCollister said the South Dakota law at question in the *Wayfair* case includes an exception for small retailers with sales of \$100,000 or less or 200 or fewer annual transactions. LB284 would include this legal standard, which the Supreme Court found reasonable, he said.

As introduced, LB284 would require remote sellers exceeding either of those thresholds to collect and remit state sales tax. The bill also would



Sen. Lou Ann Linehan



Sen. John McCollister



require “multivendor marketplace platforms”—online marketplaces such as Amazon or Ebay—to collect and remit state sales tax for the smaller sellers they serve if the marketplaces exceed the thresholds.

The Legislative Fiscal Office has estimated that requiring remote sellers to collect and remit state sales tax would generate an additional \$30 million to \$40 million in revenue each year.

A Revenue Committee amendment, adopted 43-0, would replace the bill. McCollister said the amendment still would require remote sellers and multivendor marketplace platforms to collect and remit state sales tax if they exceed the thresholds in the previous or current calendar year. It also would address several technical issues, he said.

The amendment would require a retailer to obtain a permit from the state Department of Revenue and begin collecting sales tax on or before the first day of the second calendar month after it exceeds the threshold for the first time.

It also would change the bill’s effective date to April 1.

Sen. Tom Briese of Albion supported the committee amendment and the bill, saying it would expand Nebraska’s sales tax base and allow the state to more effectively enforce the collection of taxes that already are owed.

Briese said he would prefer that the bill direct any additional revenue to property tax relief.

“I will do everything possible going forward to ensure that the new revenue generated by post-Wayfair online sales tax collection ends up in the hands of our property taxpayers,” Briese said.

Sen. Lou Ann Linehan of Elkhorn also supported LB284, saying it is

“critically important for the state.” She also would like to direct any new revenue to the property tax credit fund, but said the department has stated that it cannot precisely track tax revenue from internet sales.

Kearney Sen. John Lowe also supported the bill as amended, saying it would protect small retailers from the collection requirement. He said LB284 would not help brick-and-mortar businesses as much as suggested, however, because many Nebraskans shop online for convenience, not to avoid sales tax.

“I think that we’re barking at a tree that doesn’t have much fruit,” he said.

After adopting a technical amendment, senators voted 44-0 to advance the bill to select file.

### **Tax credit for private school scholarship donations considered**

The Revenue Committee heard testimony March 7 on a bill that would create an income tax credit for those who donate money to nonprofits that grant scholarships to students to attend a private elementary or secondary school.

Under LB670, introduced by Elkhorn Sen. Lou Ann Linehan, individuals, passthrough entities, estates, trusts and corporations could receive a nonrefundable income tax credit in an amount up to 50 percent their income tax liability for the year. The scholarships could be used to pay tuition and fees at a qualifying non-governmental, privately operated elementary or secondary school in Nebraska.

Students who are Nebraska residents and whose household income does not exceed twice the eligible income for the federal reduced-price lunch program could qualify for the scholarships.

Linehan said LB670 would ensure that all children have access to high-quality education. The proposal would result in fewer students attending public schools, she said, which would save the state money. Linehan cited a report on a similar tax credit scholarship program in Florida, which found that the program saves the state \$1.49 for every \$1 it foregoes in tax revenue.

“This bill will not hurt children attending public school,” she said. “I am confident it will deliver long-term significant savings to the state and local taxpayers, and, most importantly, it can help lower-income families struggling to find a school that works for their children.”

LB670 would limit the amount of tax credits available for calendar year 2020 to \$10 million. After that, the annual limit would increase by 25 percent if the intended tax credit amounts in the prior calendar year exceeded 90 percent of that year’s cap.

Jacob Idra, a Creighton University student, testified in support of the bill. He said his parents worked long hours to ensure he could attend Catholic schools during his grade school and high school years. A private education can be a “one-way ticket” to a better life, Idra said.

“I know this bill will allow for more students with similar stories to mine to have a choice in their education, a choice that could change their lives forever,” he said.

Sarah Schinstock of Lincoln also testified in support, saying the bill would benefit her family. Several of her children attend a Catholic elementary school, she said, which recently announced a tuition increase from \$50 to \$1,600 per year per student.

Patrick Wolf, a University of Arkansas professor who studies private school choice programs across the country, testified in support of LB670

on his own behalf. He said several studies have found a positive effect on participating students' test scores and others have found a positive effect on the highest level of education a participating student attains.

Adam Weinberg, communications and outreach director at the Platte Institute, also testified in support, saying the proposed tax credit would help students who otherwise would be supported by state and local property taxpayers. That would be a clearer benefit than other tax expenditures the Legislature has approved, he said.

"Providing tax-free admission to the zoo, giving a tax break to renovate a hotel or paying turnback taxes to the Ralston arena do not have as clear of an impact ... on the well-being of Nebraskans as providing educational options for children who do not have them right now," Weinberg said.

Maddie Fennell testified in opposition to the bill on behalf of the Nebraska State Education Association. She said Nebraska ranks 48th in the nation in state support for K-12 public education and that the Legislature has met its full obligation under the state's school aid formula in only three of the past 14 years. That has contributed to the state's overreliance on property taxes to fund public schools, Fennell said.

"We need to be investing in public schools," she said, "not diverting public dollars into private schools."

Ann Hunter-Pirtle, executive director of Stand for Schools, also testified in opposition, saying the scholarships mainly would benefit students who already can afford to attend private schools. Under the bill, she said, a family of four earning approximately \$90,000 per year would qualify.

Hunter-Pirtle said the bill would prohibit private schools from discriminating against students based on their race but not religion, national origin,

special education needs, sexual orientation, disability or other factors.

Don Mayhew, a Lincoln Public Schools board member, testified in opposition to LB670 on behalf of the Greater Nebraska Schools Association. He said the proposal would cost the state money at a time when budget shortfalls have constrained K-12 funding.

The program would direct state funding to private schools, which are not subject to the same testing and budget transparency requirements as public schools, Mayhew said.

Renee Fry, executive director at OpenSky Policy Institute, also testified in opposition. She said the authors of the report Linehan cited have acknowledged that such a program would only save money if more than 50 percent of transfer students switched from public to private schools because of scholarships.

"This is important because if the scholarships are going to kids that would have gone to private schools anyway, it just costs the state money," Fry said. "The credit can only result in savings if a significant number of public school kids transfer to private schools in a way that would reduce public school expenses."

The committee took no immediate action on the bill.



### Autonomous vehicle restrictions considered

Members of the Transportation and Telecommunications Committee heard testimony March 5 on a bill that would impose certain restrictions on autonomous vehicles operating in the state.

The Legislature passed legislation in 2018 to authorize and regulate autonomous vehicles in Nebraska.

LB521, sponsored by Omaha Sen. Mike McDonnell, would reverse a provision in the initial legislation that prohibited local subdivisions from imposing taxes on autonomous vehicles to pay for necessary infrastructure changes.



Sen. Mike McDonnell

McDonnell said the bill would insert common sense and focused safety requirements into state law.

"The public policy balance that the state of Nebraska needs to create to accept innovation must not compromise public safety," he said. "Last year's legislation went beyond promoting innovation and compromises local control and public safety."

LB521 would require that a human driver be present in all autonomous vehicles and be able to take control of the vehicle, if needed. It also would add school-zone crossings as an area to be anticipated in the regulation of autonomous vehicle technology.

Kim Quick, president of Teamsters Local 554, spoke in support of the bill. There still are many unknowns about the deployment of autonomous vehicles, he said, and the state needs to make sure the roadways are safe.

"The bill addresses our concerns regarding public safety and the ability of a local community to have the needed flexibility to adapt to new technologies on our roadways and the very real balance we need to find between innovation and any public policy that would serve as a disincentive to it being deployed," Quick said.

Also testifying in support of LB521 was Chad Olson, vice president of the Transport Workers Union Local 223.

Bus operators often aid tourists, the elderly and patrons with disabilities, he said, assistance that would be extremely difficult to fully automate.

"[Bus operators] do more than just open and close the doors on a bus," Olson said. "An operator must be required to serve as a resource to users of public transportation and to monitor the autonomous vehicles."

Opposing the bill was Leighton Yates, representing the Alliance of Automobile Manufacturers. LB521 would create significant barriers to implementing autonomous vehicles in Nebraska, he said.

"This bill attempts to neuter Nebraska's current innovative law by requiring the presence of a human in any instance," Yates said. "This is a step in the wrong direction for the Silicon Prairie leader."

The committee took no immediate action on the bill.

### Two-person crews requested for freight trains

A bill intended to improve safety for freight train crews was considered March 5 by the Transportation and Telecommunications Committee.

LB611, introduced by Plymouth Sen. Tom Brandt, would require a crew of at least two people on each train or light engine used in the movement of freight. If a train is stopped for any reason, a two-person crew would be able to get it running again more quickly, Brandt said, which would improve public safety.



Sen. Tom Brandt

"In our rural and small communities, there's usually only one crossing for EMTs, fire and police to use," he said. "A stoppage for any reason near

that location could result in a train blocking that crossing for a lengthy period of time."

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

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

Bob Borgeson, representing the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART), testified in support of the bill. LB611 would maintain the status quo of using two-person crews, he said, and prevent attempts by the rail industry to bargain on important safety measures.

"This bill is needed because the rail industry is attempting to automate the cabin of the trains we run," Borgeson said. "This is demonstrated by a failed collective bargaining agreement a few years ago with BNSF [Railway] that our members turned down with 80 percent voting against it."

Adam Hausman, a BNSF Railway employee, also spoke in support of the bill. Hausman suffered a medical emergency while on duty and might not have received medical care in time had there not been a second person to call in to dispatch, he said.

"I often think about what would have happened if my issue had been more serious," Hausman said. "I likely would not have been able to control my train in that situation and, worse, [could have] harmed more people."

Opposing the bill was Rod Doerr, vice president and chief safety officer of Union Pacific. There is no correlation between crew size and safety improvement, he said.

"Since the 1980s, key safety indicators have improved across the board, even as crew size has decreased from five persons to two," Doerr said. "There is no objective data supporting the idea that two-person crews are safer than a one-person crew."

The committee took no immediate action on the bill.

### Texting while driving would become primary offense

Members of the Transportation and Telecommunications Committee heard testimony March 4 on a bill that would make texting while driving a more serious offense.

LB620, introduced by Omaha Sen. Rick Kolowski, would change the offense of operating a handheld wireless device from a secondary to a primary offense, meaning a driver could be stopped by law enforcement for using a phone while driving.



Sen. Rick Kolowski

After Iowa changed texting while driving to a primary offense, citations increased from 182 to 1,131 in one year, Kolowski said.

"We've all experienced someone trying to pay attention to their cell phone while driving, which can be frustrating and very dangerous," he said. "Making texting while driving a primary offense will increase enforcement and save lives."

Under the bill, a law enforcement officer, firefighter, ambulance driver or an emergency medical technician performing in his or her official capacity would be exempt from the prohibition on wireless devices. Similarly, a person operating a motor vehicle in an emergency would be exempt.

Eric Koeppel, president of the

National Safety Council of Nebraska, testified in support of the bill. The National Safety Council ranked Nebraska 36th in roadway safety in 2017, he said, with 4,699 reported distracted-driving crashes.

“There is an increasing body of evidence that shows use of electronic devices while driving can lead to severe visual, manual and cognitive distractions, thus impairing that driver’s ability to process and respond to an immediate driving situation,” Koeppe said. “These distractions place a driver at 23 times greater risk of being involved in a serious or fatal injury crash.”

Retired Nebraska Highway Safety Administrator Fred Zwonechek also supported LB620. Nebraska is one of only four states that does not make texting while driving a primary offense, he said.

“One of the most effective laws at reducing traffic crashes today is trying to prevent people from using their cell phones while driving,” Zwonechek said. “There’s no question in my mind, based on all the studies I’ve seen ... that enforcement is the most critical issue in reducing use.”

Opposing the bill was Spike Eickholt, representing the Nebraska Criminal Defense Attorneys Association. Nebraskans have the right to travel throughout the state without being arbitrarily stopped by law enforcement, Eickholt said.

“Nebraska has the right balance that has texting while driving ... as a secondary offense,” he said. “We already have [laws] that criminalize negligent, careless and reckless driving.”

The committee took no immediate action on LB620.

### Seat belts would be required for school vehicles

All newly purchased school vehicles in Nebraska would be equipped

with seat belts under a bill heard by the Transportation and Telecommunications Committee March 4.

LB634, introduced by Omaha Sen. Robert Hilkemann, would require that vehicles purchased after the bill’s effective date be equipped with three-point safety belts if they would be used to transport public school students.



Sen. Robert Hilkemann

Hilkemann said it is not a matter of if there will be another school bus accident, but when.

“Every child on a bus seat without a seat belt means more risk of serious injury to precious cargo,” he said. “It’s time for us to take the next step forward so that our districts can begin to prepare for when it’s time to buy a new bus or enter into a new contract.”

The measure would not hold school districts liable for injuries sustained from the misuse of or failure to use seat belts. School districts still would be permitted to use vehicles purchased prior to the enactment of the measure that are not equipped with seat belts.

If a school district cannot afford the upgraded vehicles due to budget constraints, the school board could opt out of the bill’s provisions following an open meeting and majority vote of its members.

Dawn Prescott of Fremont, whose son died in a 2001 school bus accident, testified in support of the bill. As a passenger on the bus in which her son died, she recounted that while children were flung throughout the vehicle, only the seat-belted driver remained in his seat.

“Our children need and desire consistency as they grow up, especially when forming health habits,” Prescott

said. “We send an inconsistent message to our children when law requires us to make sure they wear seat belts in the car and even on an airplane, but we put them on a school bus with no safety belts.”

Opposing the bill was Brad Wilkins, representing the Nebraska Association of School Boards. Children are much safer traveling in a school bus than in a passenger vehicle, he said, but in the event of an accident he expressed concerns about making sure everyone could get out of their seat belts.

“I wouldn’t want to worry about removing children from restraints before pulling them out of the bus,” he said. “The additional time to remove the restraints might create more danger and loss of life.”

The committee took no immediate action on the bill.

## URBAN AFFAIRS

### TIF repayment extension proposed

Communities could extend the maximum length of time to repay tax-increment financing indebtedness in certain cases under a proposal heard March 5 by the Urban Affairs Committee.

LR14CA, introduced by Sen. Justin Wayne of Omaha, would place a proposed constitutional amendment on the November 2020 general election ballot. The amendment would authorize the Legislature to extend



Sen. Justin Wayne

the maximum repayment period for TIF indebtedness from 15 to 20 years if more than half of the property in



a project area was designated as extremely blighted.

The committee held a joint hearing on LR14CA and LB648—a bill introduced by Wayne that would implement the provisions of LR14CA if the proposed constitutional amendment is approved by voters.

Wayne said that many Nebraska cities struggle to attract developers to revitalize neighborhoods that are designated substandard and blighted, a challenge that becomes even more difficult in areas that are extremely blighted—those with high poverty levels and high unemployment rates.

“LR14CA will help incentivize the use of TIF where it is sorely needed,” Wayne said. “This is a targeted approach.”

Only Nebraska and Montana currently have a 15-year maximum length of time for TIF bonds to be repaid, he said, however Montana allows for projects to be extended up to 25 years, making Nebraska’s repayment period

the most restrictive in the country.

David Landis, urban affairs director for the city of Lincoln, testified in support of the proposal. Developers always will choose a project that is easier if given the choice, he said, so cities need to incentivize them in order to bring development to areas with extreme poverty and unemployment.

“You get the behavior you reward,” Landis said.

Jennifer Taylor, assistant city attorney for the city of Omaha, also testified in favor. She said that in some areas of north Omaha developers have to put in streets, sewers and sidewalks along with physical structures.

“Those are all significant infrastructure costs,” she said, adding that allowing a developer additional time to amortize their debt service could make the difference in development decisions.

Lynn Rex of the League of Nebraska Municipalities also supported the measure, saying it’s important

for Nebraska to provide the kind of assistance to cities that neighboring states do.

“It’s an investment in your community,” Rex said. “These are projects that wouldn’t happen but for tax-increment financing.”

Jon Cannon, deputy director of the Nebraska Association of County Officials, testified in opposition to LB648.

Cannon said that expanding the repayment period could encourage developers to try to get more areas designated as extremely blighted in order to qualify for the longer repayment period. This would keep property off the tax rolls for an additional five years, he said, requiring taxpayers in surrounding areas to pay for increased services.

“If you paint the bullseye, don’t be surprised when someone is going to aim at the target,” Cannon said.

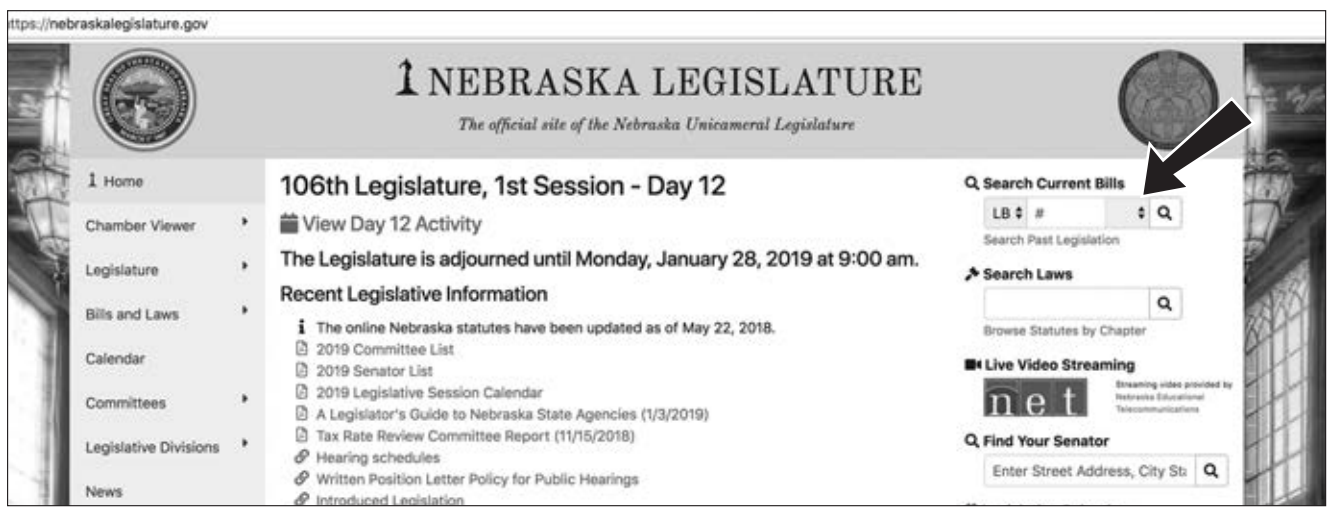
The committee took no immediate action on the proposal. ■

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You also can search current laws using the keyword search found below the bill search.



# COMMITTEE HEARINGS

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

## **Tuesday, March 12**

### **Agriculture**

#### **Room 1003 - 1:30 PM**

*Appointments:* Chris Kircher, Dawn Caldwell, Jeremy Jensen - Neb. State Fair Board  
LB655 (Wayne) Change division fence provisions

### **Appropriations**

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

LB642 (McDonnell) Create the Brain Injury Trust Fund  
LB666 (Dorn) Change Nebraska Health Care Cash Fund provisions and provide for a transfer to the Board of Regents of the University of Nebraska for a program to train first responders and emergency medical technicians in rural areas  
LB669 (Kolterman) Change Nebraska Health Care Cash Fund provisions and state intent relating to an appropriation for pancreatic cancer research  
LB673 (Hilkemann) Change Nebraska Health Care Cash Fund provisions and state intent relating to an appropriation for data collection and analysis on antimicrobial resistant bacteria  
LB481 (Bolz) State intent relating to an appropriation to the Department of Health and Human Services

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

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

LB265 (La Grone) Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act  
LB379 (Kolterman) Change provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act  
LB602 (Lindstrom) Adopt the Domestic Stock Insurance Company Division Act

### **Education**

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

LB431 (Groene) Change school finance base limitation and local effort rate provisions  
LB180 (Bolz) Change program eligibility criteria under the Community College Gap Assistance Program Act  
LB27 (Kolterman) Change provisions

related to the use of proceeds from community college levies  
LB702 (Cavanaugh) Adopt the Campus Safety Act

## **Wednesday, March 13**

### **Appropriations**

#### **Room 1003 - 1:30 PM**

LB334 (Stinner) Eliminate funding for the Angel Investment Tax Credit Act and increase, funding and eliminate the termination date for the Business Innovation Act  
LB531 (Vargas) Create a fund and provide for a transfer of funds  
LB551 (McDonnell) State intent relating to funding for development districts  
LB694 (Vargas) Change matching fund requirements under the Nebraska Affordable Housing Act  
LB737 (Vargas) Change requirements for an annual status report relating to the Affordable Housing Trust Fund  
Agency 72: Dept. of Economic Development  
Agency 91: Neb. Tourism Commission  
Agency 60: Neb. Ethanol Board  
Agency 9: Secretary of State

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

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

LB98 (Wayne) Change signature requirements for nomination of partisan candidates by petition  
LB210 (Crawford) Change independent expenditure reporting requirements and require electioneering reporting  
LB436 (M. Hansen) Create the Complete Count Commission and provide duties regarding the census  
LR9 (Wayne) Resolution to Congress for convention of the states to propose an amendment to the U.S. Constitution

### **Health & Human Services**

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

*Appointment:* Laeth Nasir - Neb. Rural Health Advisory Commission  
LB654 (Wayne) Provide for a type 1 diabetes pilot study  
LB541 (Walz) Provide a duty for the Department of Health and Human Services relating to bone marrow  
LB559 (Arch) Change provisions relating to the State Anatomical Board

### **Judiciary**

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

LB164 (Hunt) Prohibit electronic transmission or online posting of certain photographs or videos, redefine sexual exploitation, and provide for a registrable offense under the Sex Offender Registration Act  
LB173 (Pansing Brooks) Define and redefine terms of coercion and without consent and provide for applicability with respect to sexual assault  
LB475 (Geist) Create the offense of sexual extortion, redefine sexual exploitation, and provide for a registrable offense under the Sex Offender Registration Act  
LB478 (Vargas) Prohibit use of consent by a minor as a defense or mitigation of damages or liability in certain civil actions arising from sexual assaults  
LB519 (Slama) Change statutes of limitations for certain sexual and trafficking offenses and authorize interception of communications relating to such offenses  
LB630 (Morfeld) Create the offense of sexual extortion and change elements and penalties for sexual offenses

### **Natural Resources**

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

*Appointments:* Robert E. Allen, John M. Hoggatt - Neb. Game and Parks Commission  
LB606 (Groene) Provide for water augmentation projects and retention of water rights as prescribed

### **Revenue**

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

LB472 (Dorn) Adopt the Qualified Judgment Payment Act and authorize a sales and use tax  
LB585 (Friesen) Create the Renewable Fuel Infrastructure Program, eliminate a sales tax exemption, and provide for grants  
LB707 (Erdman) Authorize the Tax Equalization and Review Commission to hold certain hearings by videoconference and telephone conference  
LB437 (Linehan) Change application deadlines under the Nebraska Advantage Act

# COMMITTEE HEARINGS

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

## **Thursday, March 14**

### **Appropriations**

#### **Room 1003 - 1:30 PM**

LB171 (Pansing Brooks) Appropriate funds to the Department of Administrative Services  
 LB232 (Slama) Reduce the threshold amount for claims against the state for prosecution costs  
 Agency 65: Dept. of Administrative Services  
 Agency 19: Dept. of Banking  
 Agency 22: Dept. of Insurance  
 Agency 87: Accountability and Disclosure Commission  
 Agency 64: Neb. State Patrol

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

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

LB718 (Hunt) Require additional polling places prior to elections in certain counties  
 LB733 (Kolowski) Provide and change requirements for polling places  
 LB687 (Vargas) Provide for voter registration of applicants for driver's licenses and state identification cards

### **Health & Human Services**

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

Division of Public Health Briefing

### **Health & Human Services**

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

*Appointment:* Roger A. Wells - Neb. Rural Health Advisory Commission  
 LB62 (Howard) Provide for education regarding and treatment of trichomoniasis  
 LB555 (Hunt) Adopt the Sexual Assault Emergency Care Act and provide for disciplinary action against hospitals  
 LB692 (Cavanaugh) Change provisions relating to commemorative certificates for a nonviable birth

### **Judiciary**

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

LB387 (Pansing Brooks) Change and modernize provisions relating to juries  
 LB427 (Howard) Change terminology relating to legitimacy of children  
 LB471 (La Grone) Provide a procedure for consolidation of related civil actions in multiple judicial districts  
 LB643 (McDonnell) Change death and

disability-related prima facie evidence provisions relating to emergency responders  
 LB708 (Brandt) Adopt the Uniform Partition of Heirs Property Act  
 LB712 (Friesen) Prohibit joint entities and joint public agencies from taking action against representative for their speech

### **Natural Resources**

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

*Appointment:* Frank Reida - Neb. Power Review Board  
 LB285 (McCollister) State intent to appropriate funds to the Nebraska Power Review Board for a study and state public policy  
 LB509 (McCollister) Redefine the terms net metering and qualified facility and change powers and duties of a local distribution utility

### **Revenue**

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

LB315 (Kolterman) Provide for an inheritance tax exemption and change certain inheritance tax proceedings  
 LB349 (Friesen) Provide sales and use tax collection duties for certain peer-to-peer rentals of vehicles  
 LB410 (Kolowski) Exempt certain sales of clothing and footwear from sales and use taxes  
 LB456 (Lathrop) Provide a sales and use tax exemption for certain machinery and equipment used to produce electricity  
*Amendment AM481 to LB 610*

## **Friday, March 15**

### **Appropriations**

#### **Room 1003 - 1:30 PM**

LB638 (Stinner) Change provisions relating to the transfer of excess General Fund net receipts to the Cash Reserve Fund  
 Agency 16: Dept. of Revenue  
 Agency 93: Tax Equalization and Review Commission  
 Agency 57: Neb. Oil and Gas Conservation Commission  
 Agency 75: Neb. Investment Council

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

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

LB704 (McCollister) Provide for a

request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles  
 LB709 (Cavanaugh) Provide for a place to express breast milk in the State Capitol

### **Health & Human Services**

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

*Appointment:* Rebecca A. Schroeder - Neb. Rural Health Advisory Commission  
 LB653 (Wayne) Adopt the Healthy Kids Act and require tests for lead-based hazards in housing  
*Amendment AM524 to LB 716*  
 LB528 (Hilkemann) Change provisions relating to use of pharmaceutical agents and use of certain treatments and procedures by optometrists

### **Judiciary**

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

LB131 (Pansing Brooks) Change certain provisions relating to minimum sentences  
 LB176 (Chambers) Eliminate certain mandatory minimum penalties  
 LB458 (Lathrop) Change provisions relating to child abuse or neglect  
 LB479 (Wishart) Prohibit sexual abuse of a detainee and change provisions relating to sexual abuse of an inmate or parolee  
 LB484 (Lowe) Change provisions relating to assault on certain employees and officers  
 LB496 (Wayne) Increase penalties for tampering with witnesses, informants, jurors, or physical evidence and change provisions relating to discovery in criminal cases

### **Revenue**

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

LB535 (Cavanaugh) Prohibit employment discrimination by qualified businesses under the Nebraska Advantage Act  
 LB714 (Crawford) Adopt the Nebraska Industrial New Job-training Act and authorize the transfer of certain withholding taxes  
 LB724 (Vargas) Provide requirements for boards of directors in order to qualify for incentives under the Nebraska Advantage Act  
 LB738 (Wayne) Change individual income tax brackets and rates



# COMMITTEE HEARINGS

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## **Monday, March 18**

### **Appropriations**

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

LB199 (Wishart) Appropriate funds to the Supreme Court for court appointed special advocate state aid  
LB625 (Pansing Brooks) Appropriate funds to the Department of Correctional Services  
Agency 5: Supreme Court  
Agency 94: Commission on Public Advocacy  
Agency 15: Neb. Board of Parole  
Agency 46: Dept. of Correctional Services  
Agency 11: Attorney General

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

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

LB573 (M. Hansen) Change provisions relating to agreements under the Intergovernmental Risk Management Act

### **Business & Labor**

#### **Room 1003 - 1:30 PM**

LB577 (Vargas) Provide additional powers to the Commissioner of Labor related to investigations under and violations of the Employee Classification Act  
LB428 (Friesen) Change eligibility for benefits under the Employment Security Law for certain workers in the construction industry  
LB576 (Lathrop) Change provisions relating to presumptions regarding causes of death or disability of certain firefighters and firefighter-paramedics  
LB360 (M. Hansen) Provide for settlement of claims of nonresident alien dependents under the Nebraska Workers' Compensation Act  
LB363 (M. Hansen) Adopt the In the Line of Duty Compensation Act

### **Education**

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

LB668 (Vargas) Adopt the Alternative Certification for Quality Teachers Act  
LB640 (Howard) Include study relative to the Holocaust and other genocides in provisions relating to multicultural education  
LB537 (Lathrop) Change provisions relating to actions with regard to the performance or conduct of a certificated school district employee

LB568 (Morfeld) Provide for mental health first aid training for school districts and change provisions relating to the use of lottery funds

### **General Affairs**

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

LB252 (Geist) Provide a condition relating to advertisements by the state lottery  
LB591 (Briese) Provide for alcohol impact zones and provide duties for the Nebraska Liquor Control Commission  
LB722 (Albrecht) Authorize seizure of gray devices under the Nebraska County and City Lottery Act

## **Tuesday, March 19**

### **Appropriations**

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

LB292 (Vargas) Appropriate funds to the State Department of Education  
Agency 13: Dept. of Education  
Agency 32: Board of Educational Lands and Funds  
Agency 69: Neb. Arts Council  
Agency 34: Neb. Library Commission  
Agency 47: Neb. Educational Telecommunications Commission

### **Education**

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

LB679 (DeBoer) Create the School Financing Review Commission  
LB647 (Wayne) Include virtual school students in the state aid to schools formula  
LB350 (Morfeld) Provide a budget exception for expanded learning opportunity programs  
LB351 (Morfeld) Provide for school district levy and bonding authority for cybersecurity and violence prevention

### **Nebraska Retirement Systems**

#### **Room 1507 - 5:00 PM**

LB31 (Kolterman) Provide for a work plan relating to a transfer of management of the retirement system operated under the Class V School Employees Retirement Act to the Nebraska Public Employees Retirement Systems and to require a report and provide duties  
LB683 (Kolterman) Provide for a work plan under the Class V School

Employees Retirement Act relating to a one-time lump sum payment to certain retirement system members  
LB706 (Lindstrom) Authorize a one-year freeze of cost-of-living adjustments under the Class V School Employees Retirement Act

## **Wednesday, March 20**

### **Appropriations**

#### **Room 1003 - 1:30 PM**

LB678 (Vargas) Create the Volkswagen Settlement Cash Fund and provide duties for the Department of Environmental Quality  
Agency 71: Neb. Energy Office  
Agency 33: Game and Parks Commission  
Agency 18: Dept. of Agriculture  
Agency 29: Dept. of Natural Resources  
Agency 84: Dept. of Environmental Quality

### **Health & Human Services**

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

*Appointments:* Randy Boldt, John Bonta, Karen Bowlin, Ann Fiala, Michael Miller, Carl Rennerfeldt - Board of Emergency Medical Services

### **Health & Human Services**

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

LB135 (Stinner) Change provisions relating to students in emergency medical services training  
LB701 (Bostelman) Require billing for emergency medical services  
LB347 (Murman) Exempt reflexology from licensure under the Massage Therapy Practice Act

### **Judiciary**

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

LB89 (Wayne) Change certain marijuana penalties  
LB90 (Wayne) Make post-release supervision optional for Class IV felonies  
LB91 (Wayne) Provide for deferred judgments by courts as prescribed  
LB209 (Albrecht) Require information regarding reversal of medication abortion  
LB503 (Hunt) Eliminate requirement that physician be physically present in same room when an abortion is performed



# COMMITTEE HEARINGS

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LB652 (Wayne) Change a penalty for controlled substance possession as prescribed  
LB684 (Lathrop) Change provisions relating to post-release supervision for Class IV felonies

## Thursday, March 21

### Appropriations

#### Room 1003 - 1:30 PM

LB129 (Wayne) Appropriate funds to the Department of Transportation  
LB394 (Wishart) State intent relating to an appropriation to the Department of Transportation  
LB494 (Wayne) Appropriate funds to the Department of Transportation  
Agency 27: Dept. of Transportation  
Agency 31: Military Dept.  
Agency 36: State Racing Commission

### Health & Human Services

#### Room 1510 - 1:00 PM

*Appointment:* Dannette R. Smith - Dept. of Health and Human Services

### Health & Human Services

#### Room 1510 - 1:30 PM

LB629 (Pansing Brooks) Provide criteria for recipients of Title X grant funds  
LB735 (Chambers) Provide a duty for the Department of Health and Human Services

### Judiciary

#### Warner Chamber - 1:30 PM

LB308 (Lathrop) Change provisions relating to commencement of civil actions, voluntary appearances, and waivers of defenses  
LB324 (La Grone) Change immunity from liability under the 911 Service System Act  
LB392 (Lathrop) Change hearsay provisions in the Nebraska Evidence Rules  
LB491 (Wayne) Authorize punitive damages as prescribed  
LB517 (Pansing Brooks) Change human trafficking civil damage provisions  
LB685 (Lathrop) Prohibit the denial or delay of a remedy by due course of law as prescribed ■



## ★ UNICAMERAL YOUTH ★ LEGISLATURE

High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2019 Unicameral Youth Legislature, which will convene June 9-12.

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

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

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

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

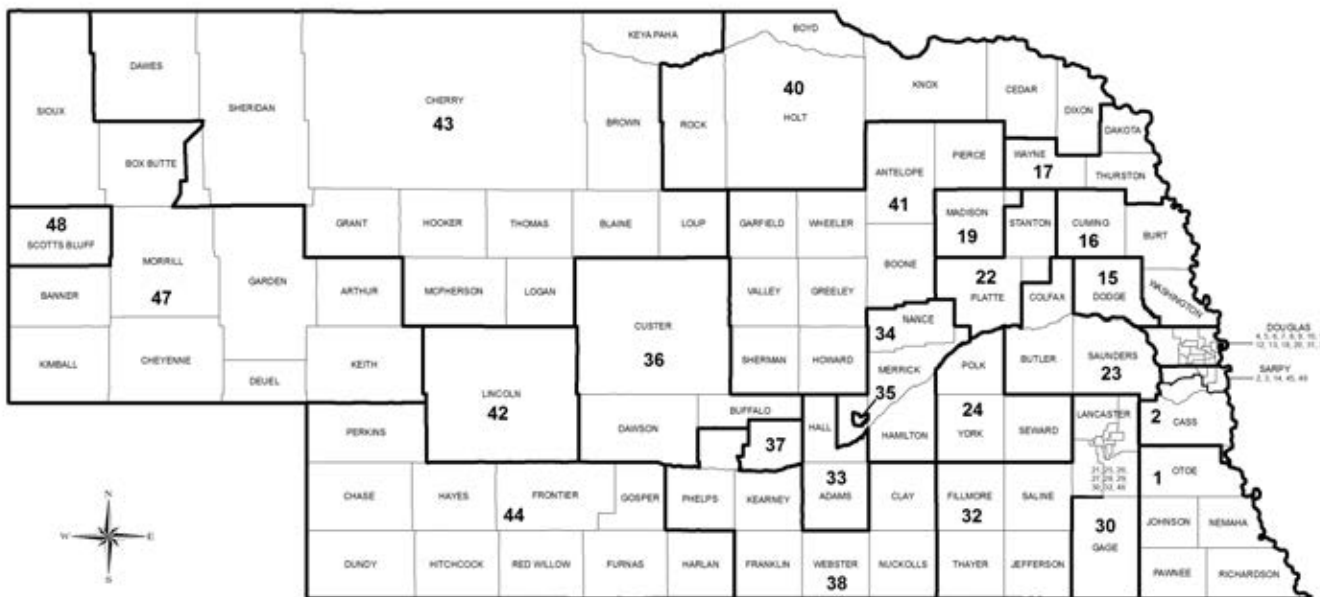
Registration forms can be obtained from the Legislature's Unicameral Youth Legislature page: [www.NebraskaLegislature.gov/uyl](http://www.NebraskaLegislature.gov/uyl).

The registration deadline is May 15. ■



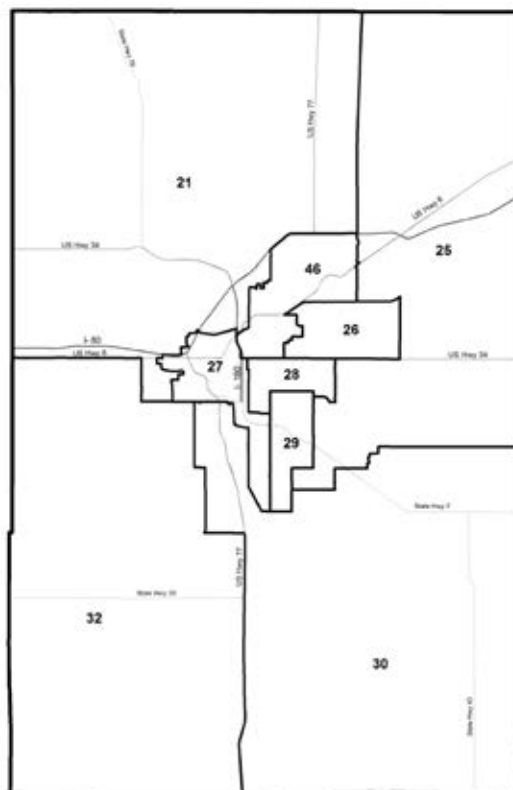
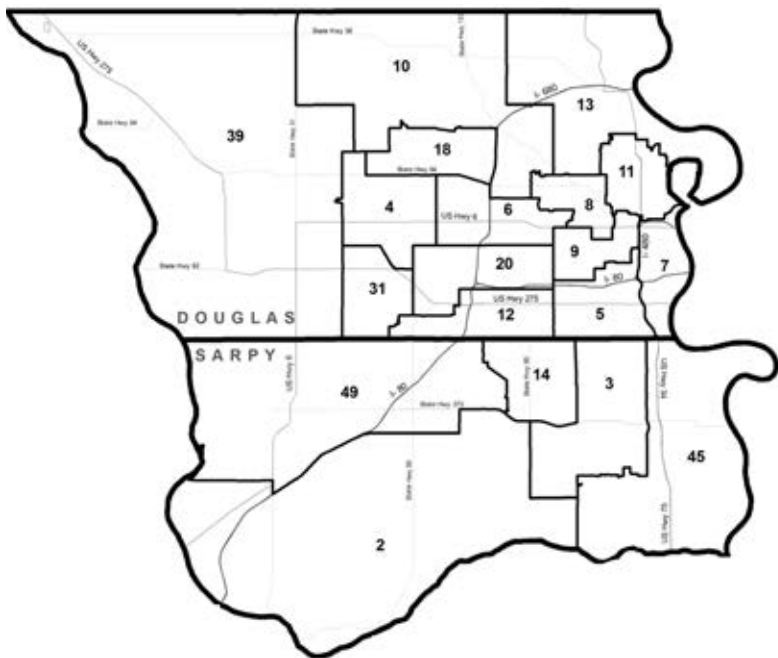
# LEGISLATIVE DISTRICTS

For larger versions of these and other district maps, visit the maps clearinghouse page on the Legislature's official website: [www.nebraskalegislature.gov/about/maps.php](http://www.nebraskalegislature.gov/about/maps.php)



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The Schuyler Middle School band performed in the Capitol Rotunda March 4 as part of Music Education Week.