

Chief justice highlights court improvements

Focusing on progress made regarding criminal justice reform, Chief Justice Michael Heavican of the Nebraska Supreme Court delivered his State of the Judiciary address to the Legislature Jan. 21.

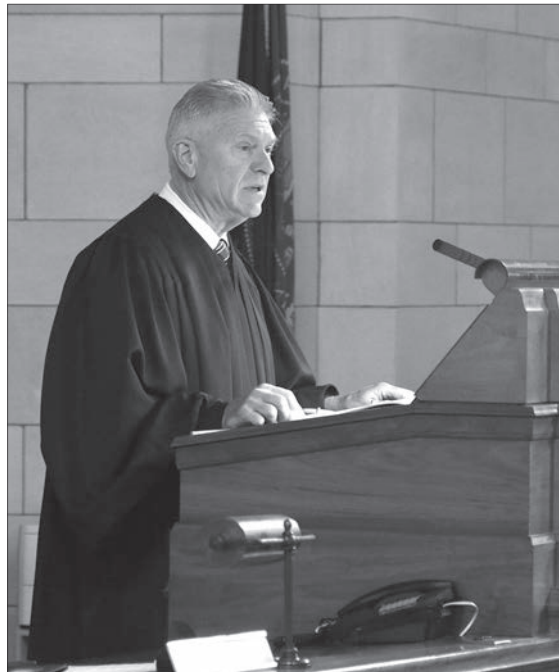
Heavican began his remarks by acknowledging the service of retired Justices Ken Stephan and Mike McCormack, who left the state Supreme Court last year. He also welcomed Justice Stephanie Stacy who was appointed to fill Justice Stephan's seat.

Discussing the achievements and challenges facing Nebraska's court system, Heavican said the state motto of "Equality Before the Law" is a guiding principle for the judicial branch.

"It echoes the most basic principles upon which our state and our nation are founded," he said. "The motto is carved in stone on the entrance of this building and also appears above the bench in our court, in the governor's office and in the Warner Chamber."

The Chief Justice discussed several bills passed by the 2014 Legislature that had a significant impact on the court system during the last year.

One of those bills created the Office of Public Guardian, he said,



Chief Justice Michael Heavican addressed senators in the Norris Chamber.

which serves nearly 500 incapacitated Nebraskans who have no one to serve as their guardian. The office also provides education, information and support to 11,000 individuals who serve as guardians and conservators throughout the state.

Heavican said the court will need to work with the Legislature to continue to improve the office, whose resources already are stretched thin by the number of individuals requiring services.

He also noted the success of LB605, which created important criminal justice reforms in Nebraska. The impact has been particularly significant within the state's probation system, he said.

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Vaccination bill fails to advance

A bill that would have required Nebraska teens to be vaccinated for meningococcal disease stalled Jan. 20 after a debate spanning two days.

LB18, introduced by Omaha Sen. Bob Krist last session, would have added the meningococcal vaccines recommended by the U.S. Centers for Disease Control and Prevention (CDC) to the required immunizations for students enrolled in Nebraska schools. Two doses would have been required—one when a student enters seventh grade and another after turning 16.



Sen. Bob Krist

According to the CDC, meningitis is a relatively uncommon but serious disease caused by the inflammation of the protective membranes surrounding the brain and spinal cord. Meningitis, an outcome of meningococcal disease, usually is caused by viral or bacterial infections spread by saliva or mucus and can lead to loss of hearing and extremities, learning disabilities and brain damage.

Meningitis can be fatal in a short time, but it is often misdiagnosed because it has symptoms similar to the flu. Teens and young adults are at increased risk of contracting the disease.

Krist said that approximately 1,500 Americans contract meningitis every year. Ten to 15 percent of those cases are fatal, he said, and about 20 percent of those who survive the disease are

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Chief justice highlights court improvements

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Among other provisions, the bill provided for new day and evening reporting centers for adult probation clients. Every reporting center has a supervised substance abuse supervision (SASS) program, he said.

“These centers average 6,000 visits from probation clients each month and provide services in every major community across the state,” he said. “We are proud that 89 percent of the clients released from the SASS program in 2015 have been drug-free for at least one year.”

In addition, Heavican highlighted progress in juvenile justice reform, improved access to the court system for self-represented litigants and technological advancements.

“The mission of Nebraska’s judicial branch is to provide the citizens of this great state with an open, fair, efficient and independent system for the advancement of justice under the law,” Heavican said. “We work to provide access to justice for all Nebraskans and to be certain that in Nebraska there is ‘Equality Before the Law.’” ■

Vaccination bill fails to advance

(continued from front page)

left with permanent disabilities.

“Keeping our teens up to date with vaccinations is the best defense against meningococcal disease known today,” Krist said. “The experts that have talked to me and asked me to bring this forward are convinced that this is the right thing to do.”

Sen. John Kuehn of Heartwell spoke in support of LB18. He said increasing the number of people vaccinated against meningitis would make it less likely that the disease could be communicated to children younger than 2, another group that is at increased risk of contracting the disease.

“By reducing the incidence of disease and the potential communicability among the 12- to 20-year-old population, we are protecting those families with young children under 2 who don’t have the option or choice for vaccination,” Kuehn said.

Sen. Mike Groene of North Platte opposed the bill. He said meningitis does not pose a large enough risk to Nebraska’s young people to justify a mandate that would limit individual freedom.

Current law allows a student to opt out of a vaccination if he or she provides a physician’s statement that the vaccine would harm the student or if the student submits an affidavit stating

the immunization conflicts with his or her religious beliefs. An amendment filed by Groene would have included philosophical beliefs in that exemption.

Sen. Laura Ebke of Crete opposed the bill. She said public health officials should educate and advise people about available vaccinations, but the state should not mandate them unless they inoculate against highly infectious diseases that pose a threat to a large number of people.

“Even family physicians don’t agree on whether or not this is an appropriate thing for the state to mandate,” she said. “The low number of cases causes me to question the need for government force or government mandate.”

Sen. Dan Hughes of Venango also opposed the bill. He said he does not question the meningitis vaccination’s potential benefit, but he believes the state should not make it mandatory.

“Every time we mandate something, we’re taking power away from the individual,” he said. “And to me, the parent’s responsibility to make those decisions for their children is paramount.”

Krist filed a motion to invoke cloture, or cease debate and immediately vote on the bill. The motion failed 29-14. Thirty-three votes were needed. The bill is unlikely to be debated again this session. ■

UNICAMERAL UPDATE

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AGRICULTURE

Pork production bill advances

After a debate spanning two days, the Legislature advanced a select file bill Jan. 22 that would allow meatpacking companies to own hogs during production.

Under LB176, introduced by Ogallala Sen. Ken Schilz last session, a person who owns, leases or holds a legal interest in a swine production operation could enter into a contract to produce swine for a packer. The producer, or contract grower, would own the land and facilities used to raise the livestock and the packer would own the swine. Schilz made the bill his priority bill this session.



Sen. Ken Schilz

Schilz said Nebraska is the only state that prohibits packers from directly or indirectly owning hogs. Because packers in other states are not subject to that restriction, packers who process Nebraska hogs simply could move to a neighboring state, Schilz said, shuttering their Nebraska plants and eliminating thousands of jobs.

Between 1997 and 2007, the number of hog farms in the state fell by more than 60 percent, Schilz said, a trend he predicted will continue. He said lifting the restriction would allow Nebraska's pork production industry to grow and compete with those in other states.

"The packer ban is not saving small farms," Schilz said, "and Nebraska is losing to neighboring states that don't have the ban."

The Legislature voted 38-5 to adopt an amendment introduced by Schilz

that would ensure a producer's right to cancel a contract with a packer. The amendment also would allow the state Department of Agriculture to adopt contract regulations that would protect producers from coercion and unfair business practices.

A second Schilz amendment, adopted 37-5, would ban confidentiality clauses in contracts between growers and packers so growers would be free to share details of the contract with others.

Sen. John Stinner of Gering spoke in support of the bill. He said the measure would grow the state's pork production industry, adding to the state's property tax revenue and boosting the economies of rural communities that face population loss.

"I think it's an economic development tool," Stinner said. "I think it's a way of reversing some of the adverse trends we're seeing in rural Nebraska."

Sen. Dan Hughes of Venango also supported the bill. He said lifting the restriction would benefit rural communities by creating more opportunities for young farmers. He said Nebraska already exports most of its agricultural products, many of them produced under contract.

"There are contracts on virtually everything we raise, and it's good business," he said. "If we want to grow our state, this is one way we can do it."

Sen. Al Davis of Hyannis spoke against the bill. He said it would eliminate the open market that currently exists in Nebraska. If the bill passes, producers would have little choice but to contract with large packers if they want to sell their hogs.

"That is really chaining those farmers to a corporation," he said.

Sen. David Schnoor of Scribner also opposed the bill, saying that it would create one-sided business relationships that favor large corporations

like Smithfield Foods at the expense of small independent farmers.

"This is brought by a big industry so they can integrate their market from birth to slaughter and beyond," he said. "The packers would then own everything in this process that makes money. The producer would own everything that costs money, and they would stand all of the risk."

Schilz filed a motion to invoke cloture, or cease debate and vote on the bill, which succeeded 33-12. Thirty-three votes were needed.

Senators then voted 32-12 to advance the bill to final reading. Twenty-five votes are needed for advancement.

EDUCATION

Task force would study early childhood education workforce

The Education Committee heard testimony Jan. 19 on a proposed task force that would recommend measures to increase the supply and quality of professionals providing early childhood care and education in Nebraska.

LB773, introduced by Sen. John Stinner of Gering, would create the Early Childhood Workforce Development Task Force. Stinner brought an amendment to the hearing that would



Sen. John Stinner

clarify the makeup of the task force, which would include representatives from child care providers, schools, businesses, higher education and state government, among others.

Stinner said the state's early childhood care and education workforce is deficient both in quantity and quality. This shortage of qualified profession-

als leaves thousands of Nebraska children at risk of falling behind in school, he said.

“Early childhood experiences build the foundation for a skilled workforce and a thriving economy,” Stinner said. “We cannot afford to ignore the costs and consequences associated with not developing our young children.”

The group would be responsible for submitting a report to the Legislature by Dec. 1, 2017. The report would outline the state’s current need for early childhood care and education workers, assess the current system for training them and make recommendations for improving that system. The task force would dissolve on Dec. 31, 2017.

The report would include:

- a description of statewide needs for early childhood care and education professionals;
- the professional competencies necessary to help children from birth through third grade to succeed in school;
- an evaluation of the state’s current system for training early childhood care and education professionals; and
- a statewide plan for training early childhood care and education professionals.

Jen Goettemoeller, a senior policy associate at First Five Nebraska, testified in support of the bill. Goettemoeller said that more than 64,000 Nebraska children younger than age 5 are at risk of failing in school. A strong early childhood care and education workforce is critical to ensure students enter the K-12 system with the skills they need to succeed, she said, but schools face a shortage of qualified workers.

“Schools are telling us that they simply can’t find the early childhood professionals to staff their early development classrooms,” Goettemoeller said.

Julie Miller, speaking on behalf of

the Nebraska Community College Association, also testified in support of the bill. Miller, the program chair for early childhood education at Southeast Community College, said the program’s placement rate for graduates is 100 percent. She said graduates work in child care centers, teach in Head Start programs in schools, become nannies or start home child care centers.

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

EXECUTIVE BOARD

Bill would ensure prompt delivery of child welfare records

Members of the Executive Board heard testimony Jan. 22 on a bill that would expedite delivery of confidential records to the inspector general of Nebraska child welfare.

A bill passed by the Legislature in 2015 expanded the jurisdiction of the inspector general to include the state’s juvenile services division of the Office of Probation Administration. It authorized the inspector general to access confidential information pertinent to investigations, including video testimony from victims of abuse.

LB954, introduced this year by Omaha Sen. Bob Krist, additionally would authorize the inspector general to submit written requests for access to records of juvenile probation officers. The bill would require that those records be delivered within five days of a juvenile court order.

Krist said the bill would go farther than the previous bill to compel local

jurisdictions to respond to the inspector general while still maintaining the judicial branch’s independence.

“We passed [LB347 in 2015], the governor signed it into law and there was a total neglect in following that statute in jurisdictions across the state,” he said. “[LB954] would require each judge, each jurisdiction to do things a certain way while preserving constitutional separation of powers.”

Upon receipt of orders from the juvenile court or the Office of Probation Administration, the juvenile services division would grant direct computer access to all computerized records maintained by the division relevant to a specific case under investigation.

The bill also directs the inspector general to immediately notify the probation administrator of possible misconduct by an employee of the juvenile services division found during an investigation. Pertinent information regarding a potential personnel matter would be provided to the Office of Probation Administration.

Julie Rogers, inspector general of Nebraska child welfare, spoke in favor of the bill. She said that obtaining probation records has been incredibly difficult since the passage of LB347 last year.

“Except for the records we’ve received pursuant to court orders, our office has been unable to process complaints,” she said. “I’m anxious to get this process started, where we are able to do the work with which we’re charged.”

Tom McBride, representing the Nebraska Juvenile Justice Association, also supported the bill. He said that it’s important to focus on the positive without ignoring issues affecting the juvenile justice system.

“We should never be afraid of talking about addressing issues and making the juvenile justice system better,”



Sen. Bob Krist

McBride said. “We must realize that issues and concerns will arise, some more impactful than others, but that each entity is trying and believes its doing its very best.”

LB954 also directs the juvenile court to provide confidential record information to the Foster Care Review Office.

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



Bill would expand electronic voting

Publicly elected bodies would conduct electronic roll call votes under a bill discussed by the Government, Military and Veterans Affairs Committee Jan. 21

Currently, only specific political subdivisions can use an electronic role call vote for any action taken on any question or motion before the body. LB876, introduced by Gretna Sen. John Murante, would expand the electronic voting option to all public bodies.



Sen. John Murante

Murante said that the idea for the bill was brought by many public subdivisions.

“[LB876] does not have anything to do with the election process but it will allow voting to be done in a more expeditious manner,” he said.

John Spatz, representing the Nebraska Association of School Boards, testified in support of the bill. He said he frequently is asked why only some political subdivisions have the authority to conduct electronic roll call votes.

Spatz said electronic voting must accomplish two things: letting everyone in the crowd know how officials voted, and, if the record is being read, allowing the public to know how everyone voted.

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



Home care consumer protections proposed

The Health and Human Services Committee heard testimony Jan. 21 on a bill that seeks to enhance protections for individuals who receive in-home care services.

Omaha Sen. Heath Mello, sponsor of LB698, said the measure was the result of a recommendation from the Legislature’s Aging Nebraskans Task Force. The bill would create the Home Care Consumer Bill of Rights, which would apply to individuals 60 and older, those 18 and older with a disability and the parent or guardian of a minor who receives home care services.



Sen. Heath Mello

Mello explained that the bill essentially was the same as a proposal that he introduced last session to protect consumers of home care services. The measure was advanced to general file, he said, where a decision was made to repurpose that bill into a vehicle for another proposal.

“My goal with LB698, as it was with [the previous bill], is to ensure that the rights of Nebraska’s vulnerable populations—such as the elderly and disabled—are protected when they

have the assistance of someone else in their home,” Mello said.

A consumer of home care services, or the parent or guardian of a consumer who is a minor, would have the right to:

- refuse service;
- have grievances addressed in a timely manner;
- participate in the approval of services and any changes in service;
- receive care in a way that promotes his or her dignity and individuality; and
- information on the cost of services and whether those costs are covered by insurance or a public or private program.

An individual who violates the bill’s provisions would be subject to a civil penalty of \$100 per violation, up to a maximum of \$1,000.

Mello said it is a growing concern that seniors and others often employ caregivers without realizing that they are considered contract employees, which can involve significant liabilities.

“The biggest issue is the relationship with the employee and if they are an employee of an agency or a contractor of the consumer,” Mello said. “That was clearly the main concern we heard from a consumer perspective.”

Michaela Valentin, representing Home Instead Senior Care, testified in support of the bill. If a caregiver is a contract employee—rather than an employee of an agency—the consumer is responsible for taxes, payroll and scheduling and has no recourse for theft or property damage, she said.

“It’s important for the client and the clients family to know what kind of employee will be handling the in-home care,” Valentin said.

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

Statewide stroke response system proposed

Nebraska would develop a statewide stroke system of care under a bill heard Jan. 22 by the Health and Human Services Committee.

Sen. Roy Baker of Lincoln, sponsor of LB722, said the Stroke System of Care Act created by the bill would improve overall outcomes for stroke patients in Nebraska.



Sen. Roy Baker

“Stroke is the fifth leading cause of death and the leading cause of disability in the United States,” he said. “With our aging population, I believe this legislation is an important public policy.”

Under the bill, the state Department of Health and Human Services (DHHS) would compile a list of hospitals in the state that meet the criteria to be a comprehensive stroke center, primary care stroke center or acute stroke-ready hospital.

The department would adopt and distribute a nationally recognized, standardized stroke triage assessment tool and develop a plan for achieving continuous quality improvement. A task force also would be established by DHHS to address matters of triage, treatment and transport of stroke patients.

Denise Gorski, testifying on behalf of Nebraska Medicine, spoke in favor of the bill.

Gorski said time is of the utmost importance to prevent brain tissue death due to stroke, and Nebraska’s fragmented approach to stroke care leads to significant variations in outcomes for stroke victims.

Some hospitals in Nebraska are not prepared to triage stroke victims properly, she said, and LB722 would

coordinate efforts to get patients the most appropriate care quickly.

“A patient’s chance of intervention and a positive outcome should not be largely influenced by geography,” she said, “yet often it is.”

James Bobenhouse, a stroke neurologist from Lincoln, also testified in support of the bill. He said there are 14 stroke centers in Nebraska, but large areas of the state are underserved.

Establishing protocols statewide would help coordinate swift treatment, he said, noting that every 15 minutes of delay in treatment increases a patient’s chance of death by 4 percent.

“We need to treat a stroke as early as possible,” Bobenhouse said.

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

Bill seeks to normalize life for foster youth

A bill that would implement provisions of a federal law designed to promote normalcy for foster care youth was heard Jan. 21 by the Health and Human Services Committee.

Lincoln Sen. Kathy Campbell, sponsor of LB746, said normalcy in the context of the foster system means age and developmentally appropriate activities and experiences essential to the healthy development of children and youth.



Sen. Kathy Campbell

“Normalcy is about letting kids be kids,” she said.

Campbell said it is important for foster children to participate in extracurricular and social activities such as field trips, sports, clubs, religious groups, and family vacations and photos. Current regulations regard-

ing children in out-of-home care have been interpreted to prohibit such participation, she said.

Under the bill, a prudent parent standard would be developed for caregivers—whether in-home or in an institutional setting—that would allow caregivers to use their best judgment in making day-to-day decisions about activities for youth in their care. To the extent possible, birth parents also would be involved in such decisions.

The bill also would require the state Department of Health and Human Services to ensure that foster children age 14 and older are made aware of their rights and responsibilities before aging out of the system, as well as having access to certain documents.

Required documents would include a copy of the individual’s birth certificate, medical and educational records, family contact information and a list of local community resources.

The bill would require juvenile courts to ensure that children in foster care are able to engage in normal activities and make certain findings part of a child’s record. LB746 also would establish the Normalcy Task Force, with members appointed by the Nebraska Children’s Commission.

Kim Hawekotte, executive director of the state Foster Care Review Office, testified in support of the bill.

In 2015, there were more than 3,000 children in out-of-home care in Nebraska, she said, and 35 percent were in foster care for more than two years. Hawekotte said the majority of foster children in the state are school aged and need access to developmental experiences that will give them the tools to be successful adults.

“This bill will impact each and every one of those kids,” she said.

Raevin Bigelow, who aged out after seven years in the foster care system, also testified in support of LB746. She

said life in foster care did not prepare her for being an adult, in part because she was not allowed a voice in decisions that affected her future. Taking in part in the regular activities of youth are important, she said.

“When you spend time in foster care, you’re reminded plenty of times that your life is different from other kids,” Bigelow said. “Even if your foster parents do everything they can to make sure you are healthy, safe, happy and loved, there are some things that the foster system just doesn’t let foster kids do easily.”

Foster parent Keri Rockwell also supported the bill. The odds are stacked against children who enter out-of-home care, she said, and activities like sleepovers and family vacations can give children a sense of normalcy and dignity.

“By passing LB746 you make kids safe. You enrich and empower children and youth to live productive, capable and meaningful lives while strengthening families in the process,” Rockwell said.

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

Bill seeks to ease hospital transitions

The Health and Human Services Committee heard testimony Jan. 22 on a bill that seeks to facilitate patient transitions after a hospital stay.

Bellevue Sen. Sue Crawford, sponsor of LB849, said the bill would require a hospital to give each patient or the patient’s legal guardian the opportunity to name an individual as a designated caregiver.



Sen. Sue Crawford

Crawford said that many Nebraskans will find themselves in the position of caring for family and friends as the state’s population ages, and lawmakers need to make sure that caregivers have the resources they need to help aging individuals stay in their homes as long as possible.

“Last year over 43 million American adults served as a family caregiver,” she said. “This [bill] ensures that these family caregivers have the tools they need to keep their loved ones safe and healthy.”

Under the bill, if a patient chooses to designate a caregiver, the hospital would be required to notify the caregiver of the patient’s discharge or transfer to another facility. In addition, the designated caregiver would be consulted regarding the patient’s discharge plan.

As part of a discharge, the hospital would be required to describe to the designated caregiver a patient’s aftercare needs post-release or transfer, including a description and demonstration of any aftercare tasks.

Mark Intermill, testifying on behalf of AARP, testified in support of the bill.

He cited an AARP survey of Nebraskans over the age of 45, saying two-thirds of them reported being responsible for medical or nursing tasks for a loved one. Of those individuals, he said, 25 percent were not part of the discussions involving their loved one’s discharge from the hospital or aftercare plan.

Intermill said that because fewer Nebraskans are entering nursing homes, unpaid caregivers need to be provided sufficient instruction and support to create a successful transition from hospital to home.

“Many of the nursing tasks that used to be performed at a licensed facility are now performed at home,” he said.

No one testified in opposition to LB849 and the committee took no immediate action on the bill.

Hair braiding license exemption proposed

Natural hair braiding would be exempt from cosmetology credentialing requirements under a bill heard Jan. 20 by the Health and Human Services Committee.

Omaha Sen. Nicole Fox, sponsor of LB898, said the bill would remove a regulatory barrier for potential operators of natural hair braiding businesses.



Sen. Nicole Fox

LB898 defines natural hair braiding as a service of twisting, wrapping, weaving, extending, locking or braiding hair by hand or with mechanical devices without the application of dyes, reactive chemicals, chemical joining agents or other preparations to alter the color or structure of the hair.

Currently in Nebraska, operators who braid natural hair must graduate from a school of cosmetology and complete 2,100 hours of training.

Fox said that there have been no public health issues relating to braiding in states that do not license the practice. In addition, she said, licensing something as common and safe as hair braiding creates an artificial barrier to entrepreneurs.

“This bill is a good first step in allowing hardworking Nebraskans the ability to earn an honest living free from unreasonable government regulations,” Fox said.

Brandy McMorris of Omaha testified in support of the bill, saying that current licensing requirements have kept her from opening a hair-braiding business.

“I’ve never had anybody in my family who’s started their own business,” she said, “and it’s always been a dream of mine.”

Jessica Herrmann, testifying on behalf of the Platte Institute for Economic Research, also supported the bill. Eleven states have exempted braiders from cosmetology requirements, she said, as most of the courses required for the degree have nothing to do with hair braiding.

In addition, Herrmann said, a cosmetology degree costs as much as \$20,000 and a student must have a high school diploma or GED to enroll in a cosmetology program.

“This is a major hurdle for those who are trying to begin a professional career without certain educational and socioeconomic advantages,” she said.

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

JUDICIARY

Ban on flying lanterns advanced

Senators advanced a bill from general file Jan. 19 that would prohibit the sale of flying lanterns.

LB136, introduced by Wahoo Sen. Jerry Johnson, would make it illegal to sell, possess or use a flying lantern. Johnson said 25 states already have approved such bans in order to protect public safety.

“One year ago on New Year’s Eve in Columbus a flying lantern landed within the property of an ethanol plant, which is very explosive,” Johnson said. He also explained that \$200,000 in fire damage was done to a house when a lantern landed on its roof.

The bill defines flying lantern as any device that requires a flame,



Sen. Jerry Johnson

which produces heated air trapped in a balloon-type covering, allowing the device to float in the air. The bill’s provisions would not apply to hot-air balloons used for transportation.

Violation of the bill’s provisions would be categorized as a Class V misdemeanor, punishable by a \$100 fine.

Omaha Sen. Ernie Chambers supported the bill, saying there are no benefits to allowing the sale of the lanterns.

“There is no compelling state interest in allowing something that is a hazard and has no societal value whatsoever,” he said. “The invitation to do damage and destruction to property is not something that ought to be approved by the Legislature.”

The bill was advanced to select file on a 30-0 vote.

Uniform firearm regulation discussed

Firearms regulation would apply uniformly across the state under a bill discussed by lawmakers Jan. 22.

Introduced by Crete Sen. Laura Ebke, LB289 would repeal individual city and village ordinances governing the registration, possession, transportation, transfer and storage of firearms and ammunition. Cities and villages would retain the authority to enforce prohibitions on firearm discharge.

The bill also would revoke regulations that remain in some city and village ordinances but were superseded in 2006 by the Concealed Handgun Permit Act.

Ebke said that citizens’ rights should not be jeopardized due to inconsistency in community regulations across the state.



Sen. Laura Ebke

“Citizens should not have to worry or wonder whether a hunting firearm or handgun transported in their vehicle is in violation of the law in the city of their destination or that they’re traveling through,” she said. “[LB289] would provide consistent statewide uniformity with local firearm enactments while continuing to allow communities to enact regulations on gun discharge.”

Omaha Sen. Ernie Chambers filed a motion to recommit the bill to the Judiciary Committee. He said paranoia, not constitutionality, is the primary motivation behind LB289.

“[Supporters of the bill] are saying that the largest city in the state should not have the right to tailor ordinances to the specific issues facing that city,” he said. Being aware of state laws and local firearm ordinances is part of being a responsible, law-abiding citizen, Chamber said.

Sen. Heath Mello, also of Omaha, supported the motion to recommit. He said that Omaha’s handgun registration ordinance has been an effective tool to fight gun violence for nearly two decades.

“The way [LB289] is drafted now, I’m concerned that it throws out years of good policy put in place to protect communities from gun violence,” Mello said. “We need to be very cautious before we walk down this path of eliminating all local gun ordinances across the state.”

Bellevue Sen. Tommy Garrett supported the bill, saying that it protects fundamental rights guaranteed to citizens under the Second Amendment.

“I should not be in violation of Omaha’s city ordinance every time I travel from Bellevue into Omaha,” he said.

The Chambers motion to recommit was pending when the Legislature adjourned for the week.

Restrictions on juvenile detention proposed

Members of the Judiciary Committee heard testimony Jan. 20 on a bill that would restrict the use of secure detention for juveniles.

Under LB675, introduced by Omaha Sen. Bob Krist, a juvenile could be detained only if he or she is considered a threat to the physical safety of others or at risk of failing to appear for court.



Sen. Bob Krist

The bill also would prohibit secure detention for juveniles 12 or younger.

Krist said the bill would help Nebraska align with national best practices.

“This bill makes good on work started by this committee in 2013 to get juveniles the right services at the right time,” he said. “We’ve all heard that [unnecessary] detention results in juveniles who are more likely to recidivate, less likely to graduate and more likely to end up in the adult [correctional] system.”

LB675 also would prohibit a juvenile’s placement into secure detention:

- to punish, treat or rehabilitate the juvenile;
- to permit more convenient administrative access to the juvenile;
- to facilitate further interrogation or investigation of the juvenile;
- to allow a parent or guardian to avoid his or her legal responsibility;
- to satisfy the demands of a victim, law enforcement or the community; or
- due to a lack of more appropriate facilities.

Placement of a juvenile at a youth rehabilitation and treatment center

also would be restricted to matters of immediate and urgent necessity.

Corey Steel, state court administrator, supported the bill. He said it closely aligned with the best practices set forth by the Juvenile Detention Alternatives Initiative (JDAI).

“One of the fundamental premises of JDAI is that detention should be limited to juveniles that are deemed a safety risk or at risk of fleeing the jurisdiction [before their court date],” Steel said. “[LB675] would further enhance efforts by bringing Nebraska’s definition of detention in line with national practices.”

Amy West, representing the Nebraska chapter of the National Association of Social Workers, also supported the bill. She said it’s important to factor in the high rate of trauma experienced by many juveniles who have been detained.

“I’ve seen youths placed in detention for skipping classes, running from foster care placements and respectfully disagreeing with a judge about their best options,” West said. “If we hope to help young people learn from their mistakes, we have to acknowledge the rocky childhoods and community violence they’ve been exposed to.”

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

Confinement limits proposed for juvenile offenders

The use of solitary room confinement for juvenile offenders would be limited under a bill heard by the Judiciary Committee Jan. 20.

LB845, introduced by Lincoln Sen. Patty Pansing Brooks, would



Sen. Patty Pansing Brooks

require that solitary room confinement of more than two hours be documented in writing and approved by a supervisor in the juvenile detention facility. Confinement of more than three hours also would be documented in writing and approved by the head of the juvenile detention facility.

Pansing Brooks said a 2010 study by the U.S. Department of Justice called for an end to excessive isolation of juveniles as it could be considered cruel and unusual punishment.

“We’re all aware of the potential negative effects of solitary confinement on adults and juveniles, including depression, anxiety and even psychosis,” she said. “[The Legislature] has the authority to pass and amend laws that potentially confine juveniles. It’s our responsibility to know what happens to those juveniles once they’re confined.”

Each facility employing solitary room confinement would be required to document the race, ethnicity, age and gender of each juvenile placed in confinement. An explanation of why less restrictive means were not successful, the length of time confinement was used and any incidents of self-harm or suicide also would be included in the documentation.

The bill requires that a quarterly report be provided to the Legislature, beginning Sept. 30, 2016.

Juliet Summers, representing Voices for Children, spoke in favor of LB845. She said teenagers need healthy social environments to grow into healthy adults.

“All youth in the juvenile justice system are entitled to rehabilitative services and recovery,” Summers said. “Clear reporting requirements on the use of isolation, if it is being used in facilities that house juveniles, is a sensible first step toward reform.”

Jacob Rusher, who experienced solitary confinement at a juvenile de-

tention center, also testified in favor of the bill.

“Being in solitary was really hard because you don’t see anyone. You don’t have interaction with anyone else besides someone barking orders at you,” he said. “It was haunting to hear 14- and 15-year-olds crying out for their moms [while in solitary confinement].”

Roger Lott, a lawyer in Lincoln, supported the bill, saying that youth who enter the juvenile justice system need understanding and compassion, not isolation.

“Data tells us that 96 percent of youth in the juvenile justice system had experienced severe trauma in the past before they came into the system,” Lott said. “Simply having children isolated from other people is something they do not understand and makes it very hard for them to do things they need to do in order to rehabilitate themselves and their future.”

LB845 directs the Inspector General of Nebraska Child Welfare to review all data collected from juvenile detention facilities and prepare an annual report of its findings. The Inspector General also would identify potential changes in policy and practice that could result in decreased use of solitary room confinement for juveniles.

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

Bill would require suspect identification policies

Law enforcement agencies would be required to develop a written policy on suspect identification of eye witnesses under a bill considered by the Judiciary Committee Jan. 21.

LB846, introduced by Lincoln Sen. Patty Pansing Brooks, would require each agency to develop a written policy and submit a copy to the Nebraska

Commission on Law Enforcement and Criminal Justice.

Pansing Brooks said the case of a Texas man wrongly convicted of rape, who died in jail at 39 and was posthumously exonerated through DNA evidence, proves the necessity of uniform suspect identification practices.

“These suggested best practices are as basic and fundamental to a system of justice as I can legally imagine,” she said. “Let’s not wait for something to happen in Nebraska before we require all law enforcement to use [best practices].”

Each agency would be required to follow best practices developed by the National Research Council, International Association of Chiefs of Police and the American Bar Association. These would include requiring that the officer administering the lineup:

- not be familiar with the potential suspect;
- not use non-suspects to make the potential suspect noticeably stand out;
- not see suspect photos while they are viewed by an eyewitness;
- instruct an eyewitness that the potential suspect may not be included in the lineup or photos; and
- document an eyewitness’ identification—including his or her level of certainty—of a potential suspect in the words of the eyewitness.

Michelle Feldman, state policy advocate for the Innocence Project, supported the bill, saying it would improve public safety.

“Eyewitness misidentification is a leading factor contributing to wrongful convictions. When an innocent person is convicted, the real perpetrator can be out hurting others,” she said.

Wrongfully convicted of rape and murder in Maryland, Kirk Blood-

sworth spent nine years on death row before being exonerated through DNA evidence in 1993. He also spoke in support of LB846.

“Even though there was no physical evidence tying me to the crime, I was found guilty and sentenced to death. [Misidentification] cost me my freedom and it almost cost me my life,” he said. “[LB846] would ensure what happened to me doesn’t happen to other innocent people.”

The bill would require the Nebraska Commission on Law Enforcement and Criminal Justice to develop a suggested written policy model including best practices. No law enforcement agency would be required to adopt the policy unless it has failed to develop its own.

Policies must be created and reported to the commission before Jan. 1, 2017.

Nebraska Assistant Attorney General John Freudenberg opposed the bill.

“The majority of Nebraska law enforcement agencies already have these types of policies in place. In fact, we believe the vast majority would have adopted a policy by the end of the year if encouraged to do so,” he said. “Such best practice standards should not be included in legislation because they evolve over time.”

The committee took no immediate action on the bill.



Expanded water rights transfers proposed

A landowner temporarily could transfer a surface water appropriation to a local beneficial use program under a bill heard by the Natural Resources Committee Jan. 22.

Under current law, the state Depart-

ment of Natural Resources can cancel a water appropriation if it has not been put to beneficial use for more than five consecutive years unless the appropriator can show sufficient cause of nonuse.

LB714, introduced by Sen. John Stinner of Gering, would expand the circumstances under which a surface water appropriation could go unused for its originally intended purpose without the appropriation being cancelled by the department.

The bill would add to the existing exemptions for nonuse. A landowner could transfer his or her water appropriation to a natural resources district (NRD) for up to 15 years for use in aquifer recharge, depletion offsets, maintenance of instream flows and stream augmentation. The bill also would allow the water to be used for up to 15 years by local programs that manage waterways.

Stinner said the bill would ensure that Nebraskans' water rights are protected from cancellation if they decide to participate in projects designed to preserve the state's water resources.

David Wolf, testifying on behalf of the North Platte Natural Resources District board of directors, spoke in favor of the bill. He said farmers in his district are hesitant to transfer their water to the NRD for local beneficial use programs because only federal and state programs are explicitly exempted from nonuse in current law. This makes it difficult for the NRD to meet its water management obligations, which include mitigating the depletion of the Platte River, he said.

"LB714 would give the district more flexibility with willing surface water partners without these partners being in danger of losing their surface

water appropriations," Wolf said.

Jeff Fassett, director of the state Department of Natural Resources, testified in a neutral capacity. He said existing law already may cover the type of transfer in question.

"We believe existing statutes really do cover the circumstance involved," he said. "Perhaps the various producers need to understand what existing law provides for now."

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



Sen. John Stinner

Changes to wastewater treatment provisions proposed

Projects that reuse or recycle wastewater would be among those newly eligible for funding under a bill heard by the Natural Resources Committee Jan. 20.

LB737, introduced by Sen. Curt Friesen of Henderson, would expand the eligible funded activities for public entities seeking loans from the Clean Water State Revolving Fund.



Sen. Curt Friesen

The fund provides low-interest loans and community matching grants to towns and cities for the construction of wastewater treatment facilities and sanitary sewer collection systems.

The purchase of land used for construction of water treatment facilities would be eligible for the loans, as would projects that conserve or reuse water. This includes the recycling or reuse of storm water, wastewater or subsurface drainage water, as well as the development and construction of watershed projects.

The bill also would increase the fund's loan terms from the current 20 years to a maximum of 30 years,

or the projected life of the project, whichever is less.

Jim Macy, director of the Nebraska Department of Environmental Quality, which administers the fund, testified in support of the bill. He said changes to the fund are needed to take advantage of provisions of the federal Clean Water Act that could benefit Nebraska communities. The program receives annual grants from the Environmental Protection Agency and state matching funds.

Macy said the program provides \$20 million to \$30 million in loans every year to communities around the state. Increasing the length of the loan terms would help communities facing financial hardship pay for water treatment projects by spreading out their payments, he said.

"Currently we have more people on the waiting list than we have financial means to support," he said.

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



Bill would end long-term care savings program

Nebraska's Long-Term Care Savings Plan would be eliminated under a bill heard Jan. 20 by the Revenue Committee.

LB756, introduced on behalf of the Legislative Performance Audit Committee by chairperson Sen. Dan Water-



Sen. Dan Watermeier

meier, would terminate the plan.

Watermeier said the plan was created in 2006 to encourage Nebraskans

to plan for the future by providing a tax credit on contributions to an account used to pay for long-term care needs or long-term care insurance plan premiums.

However, he said, a recent audit determined that the plan had been not effective in incentivizing individuals to plan for long-term care needs or reducing Medicaid costs to the state.

“The Long-Term Care Savings Plan was noble and well-intended,” he said, “but it has not produced the results that its creators hoped for.”

Watermeier said the goal of LB756 would be to eliminate the plan with the smallest possible impact on plan participants.

Under the bill, individuals who wish to use the funds in an existing account for qualified long-term care expenses could continue to make qualified withdrawals until the account is depleted.

Individuals who withdraw the entirety of an account would be required to pay taxes on any previously untaxed amount.

Nebraska State Treasurer Don Stenberg testified in support of the bill, saying limited participation in the plan does not justify administration costs to the state. In addition, he said, there is little incentive for banks to participate in the program because doing so entails additional paperwork.

Stenberg noted that the maximum amount of tax savings that an individual could receive in a single year under the plan is \$68, and only if he or she were in the highest state tax bracket.

“There is very little tax incentive for individuals to participate,” he said, adding that investing instead in 401(k) plans and individual retirement accounts can result in substantial tax savings.

Mark Intermill, testifying on behalf of AARP, also supported the bill. He said the state would be better served by

developing a program to provide consumers with objective information on marketplace terminology and the risks and benefits of long-term care plans.

“Repealing this provides an opportunity to take a new look at options that are available to encourage Nebraskans to look at future long-term care costs,” Intermill said. “The earnings on these plans have not been very attractive and the tax savings have not been very great.”

Galen Ullstrom, representing Mutual of Omaha, opposed the bill. Options such as increasing the tax deduction should be considered rather than simply eliminating the current plan, he said.

“Seventy percent of people over age 65 will utilize some type of long-term care in their life,” Ullstrom said. “Total repeal of this law before there is serious discussion about [alternatives] would be premature.”

The committee took no immediate action on the bill.

TRANSPORTATION & TELECOMMUNICATIONS

Bill would allow longer buses for public transit

Riders of Omaha’s public transit system would have access to larger buses under a bill heard by the Transportation and Telecommunications Committee Jan. 19.

LB735, introduced by Henderson Sen. Curt Friesen, would increase the current 40-foot limit for an articulated bus operated by a transit authority to 65 feet. Friesen



Sen. Curt Friesen

said the bill would allow Omaha—the recent recipient of grant funding—to upgrade to rapid transit buses.

“The Omaha metro area has an excellent opportunity to embrace the next generation of public transportation,” he said. “Bus rapid transit provides a multitude of public benefits including improved transportation options and faster service with limited stops.”

Curt Simon, executive director of Metro Transit in Omaha, supported the bill. He said that the longer articulated buses would double passenger capacity.

“The expanded articulated bus would provide greater capacity and internal bicycle storage for our passengers,” Simon said. “[The change to rapid transit] represents the most significant transit investment in our community in over 30 years.”

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

Bill would end some county-numbered license plates

Some Nebraska counties would have different license plate numbers under a bill heard by the Transportation and Telecommunications Committee Jan. 19.

Currently, farm truck and trailer registrations in counties with populations over 100,000 display county-numbered license plates. These include Douglas, Lancaster and Sarpy counties.

Under LB811, introduced by Bancroft Sen. Lydia Brasch, these vehicles instead would use the alphanumeric system otherwise used in those counties, which displays three letters followed by three



Sen. Lydia Brasch

numbers.

Brasch said that using alphanumeric plates would save money and confusion.

“There are 4,434 farm plates in those three counties compared to the 1.9 million alphanumeric plates in those counties, so a relatively small number of plates will be affected,” she said. “Whenever an agency finds a way to cut its costs, we should support that.”

Rhonda Lahm, director of the state Department of Motor Vehicles, supported the bill, saying that it would ease the confusion caused by duplicate plates.

“We receive approximately 100 contacts per month from persons who’ve erroneously received notices about tolls and parking violations,” Lahm said. “The more we are able to eliminate confusion of the duplicate numbers, the less hassle there will be for our residents.”

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

URBAN AFFAIRS

Land bank updates proposed

The Urban Affairs Committee heard testimony Jan. 19 on a bill that would make updates to the Nebraska Municipal Land Bank Act.

Omaha Sen. Heath Mello, sponsor of LB699, said the Legislature authorized municipal land banks in 2013 as a way for cities to address vacant and abandoned buildings. The Omaha Land Bank was established in 2014,



Sen. Heath Mello

he said, and LB699 was introduced to update the law and help cities to better deal with problem properties.

Currently, the voting members of a land bank board must represent realtors, the banking industry, real estate developers, a chamber of commerce, a nonprofit involved in affordable housing and an owner of multiple residential or commercial properties.

LB699 would stipulate that a single voting member may satisfy more than one of the representational requirements if he or she has the required qualifications.

The bill also would change certain reporting requirements and add urban agricultural activities, including establishment of community gardens, to the list of potential priorities for land use.

Julia Plucker, testifying on behalf of the Omaha Land Bank, supported the bill’s provision to allow a board member to fill more than one representational requirement. It has been difficult to find qualified individuals to serve on the Omaha board, she said, noting that a seat recently was vacant for seven months after a member had to withdraw.

“We wanted to see a little bit of relaxing of the requirements,” Plucker said.

Testifying on behalf of the city of Omaha in support of LB699, Jack Cheloha said the bill would improve current law regulating land banks.

“[The land bank] is exciting because it’s a public private partnership where the community works together,” he said. “I believe the changes would improve the city’s ability to find qualified board members.”

Charles Gould of Omaha, a member of Omaha Together One Community, also supported the bill.

Allowing the land bank to prioritize community gardens would allow residents to grow fresh food until vacant lots could be redeveloped in the future, he said.

“We know that the land bank can be part of revitalizing older neighborhoods where there are abandoned and tax delinquent properties,” Gould said. “There are quite a number of blocks in urban Omaha where the empty lots outnumber the houses.”

No opposition testimony was given and the committee voted 6-0 to advance the bill to general file. ■

QUALIFICATIONS TO RUN FOR THE LEGISLATURE

To qualify to run for office in the Nebraska Legislature, a candidate must:

- be at least 21 years of age;
- be a resident of Nebraska, and specifically a resident of the legislative district he or she wishes to serve, for at least one year prior to the general election; and
- never have been convicted of a felony.

For more detailed information on qualifications and filing for office, please contact your local county clerk or election commissioner, or visit the Nebraska secretary of state’s website at www.sos.ne.gov.

COMMITTEE HEARINGS

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

Monday, January 25

Banking, Commerce & Insurance Room 1507 - 1:30 p.m.

LB853 (Stinner) Change provisions relating to the Public Accountancy Act
LB678 (Craighead) Change provisions of the Nebraska Real Estate License Act
LB729 (Johnson) Change provisions of the Real Property Appraiser Act
LB731 (Johnson) Change provisions relating to the Real Property Appraiser Act

Business & Labor

Room 2102 - 1:30 p.m.

LB828 (B. Harr) Redefine terms under the Employment Security Law
LB841 (Bloomfield) Change provisions relating to maximum annual benefits and disqualification for benefits under the Employment Security Law
LB855 (Ebke) Require rounding a certain dollar amount in the Employment Security Law to the nearest whole dollar amount
LB972 (B. Harr) Change a provision under the Employment Security Law relating to an exclusion from the definition of employment
LB933 (Coash) Adopt the Payroll Processor Regulation Act

Education

Room 1525 - 1:30 p.m.

LB691 (Morfeld) Adopt the Teacher Education and Health Care Professions Student Grant Program Act
LB752 (Crawford) Create the Adult Career Pathways Task Force
LB906 (Lindstrom) Adopt the Law Enforcement Education Act authorizing tuition waivers
LB930 (Scheer) Change provisions relating to statewide assessments and college admission testing as prescribed

General Affairs

Room 1510 - 1:30 p.m.

LB822 (Larson) Eliminate consent of the Legislature for appointment of State Electrical Board members
LB820 (Hughes) Provide a method of selecting winners for certain lotteries and raffles

LB862 (Larson) Permit conducting or participating in a fantasy contest as prescribed

LB970 (Larson) Change provisions relating to pickle cards and keno and authorize methods of payment for gambling
LR380CA (Bloomfield) Constitutional amendment to change the distribution of state lottery proceeds

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

AM 1815 to LB 447

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB929 (Brasch) Update certain references to federal regulations regarding motor vehicles and motor carriers
LB814 (Friesen) Change a requirement for issuance of a school permit
LB785 (Friesen) Change provisions relating to the Motor Vehicle Operator's License Act
LB716 (Kolowski) Provide and eliminate provisions regarding pedestrians and bicyclists

Tuesday, January 26

Agriculture

Room 2102 - 1:30 p.m.

Appointment: Anthony, Donald - Beginning Farmer Board
Appointment: Lubben, Bradley - Beginning Farmer Board
Appointment: Reed, Todd - Beginning Farmer Board
Appointment: Hagedorn, Nadine - Beginning Farmer Board
Appointment: Ueberrhein, Ryan - Beginning Farmer Board
LB909 (Kolterman) Change powers, duties, and fee and penalty provisions relating to the Dept. of Agriculture
LB921 (Riepe) Eliminate provisions relating to organic food

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB758 (Scheer) Prohibit limited liability companies from operating as insurers
LB772 (Schumacher) Provide for group-wide supervisors and international

insurance groups as prescribed
LB819 (Lindstrom) Adopt the Corporate Governance Annual Disclosure Act
LB840 (Fox) Change provisions relating to the time allowed for certain internal grievances under the Health Carrier External Review Act

Education

Room 1525 - 1:30 p.m.

Appointment: Carpenter, Stan H. - Nebraska Educational Telecommunications Commission
LB781 (Schumacher) Require school districts to prepare for closure of nonpublic schools
LB826 (Davis) Change provisions relating to reimbursement under the Special Education Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

Appointment: Schneweis, Kyle - Dept. of Roads
LB765 (Garrett) Increase original certificate of title fees for vehicles transferred to Nebraska from another state or country
LB946 (Smith) Change powers and duties of the chairperson of the Nebraska Motor Vehicle Industry Licensing Board
LB918 (Murante) Provide for the redistribution of motor vehicle taxes as prescribed

Urban Affairs

Room 1510 - 1:30 p.m.

LB875 (Murante) Change conditions for approval of a planned unit development for certain second-class cities and villages
LB948 (Morfeld) Change an application period limitation for the designation of enterprise zones as prescribed
LB864 (Crawford) Change provisions relating to a municipality requesting additional extraterritorial zoning jurisdiction
LB705 (Urban Affairs) Change provisions relating to cities of the first class

COMMITTEE HEARINGS

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

Wednesday, January 27

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

LB827 (B. Harr) Allow county treasurers to receive fees for services rendered to sanitary and improvement districts
LB784 (Friesen) Change provisions relating to deficit expenditures by county boards
LB997 (Krist) Change provisions regarding the Nebraska Capitol Commission and office space within the State Capitol
LB807 (Williams) Allow counties of all sizes to waive quarterly reports by county attorneys

Health & Human Services

Room 1510 - 1:30 p.m.

LB680 (Riepe) Change requirements for pharmacy technicians
LB813 (Kolterman) Permit certain persons to consent to donate plasma
LB859 (Campbell) Change cease and desist orders under the Uniform Credentialing Act
LB901 (Kolterman) Change dental assistant and licensed dental hygienist provisions

Judiciary

Room 1113 - 1:30 p.m.

LB943 (Hansen) Update references with respect to husband and wife
LB944 (Hansen) Change terminology relating to parentage and marital relationships
LB937 (Ebke) Eliminate a prohibition on marriage of persons with venereal disease
LR389CA (B. Harr) Constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska

Natural Resources

Room 1525 - 1:30 p.m.

LB824 (McCollister) Exempt privately developed renewable energy generation facilities from regulation as prescribed

Revenue

Room 1524 - 1:30 p.m.

LB941 (Gloor) Update references to the

Internal Revenue Code

LB685 (Bolz) Adopt the Student Loan Repayment Tax Credit Act
LB870 (B. Harr) Provide an income tax credit to graduates of certain educational institutions
LB888 (Mello) Change provisions relating to tax credits under the Nebraska Job Creation and Mainstreet Revitalization Act

Thursday, January 28

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

LB787 (Morfeld) Allow a voter to photograph and reveal a marked ballot
LB874 (Murante) Change procedures for filling vacancies on school boards
LB879 (Murante) Change signature requirements for partisan candidates

Health & Human Services

Room 1510 - 1:00 p.m.

Briefing on the Division of Children and Family Services
Appointment: McQuillan, Shelly K. - Child Abuse Prevention Fund Board
Appointment: Weinberg, Douglas J. - Dept. of Health & Human Services
LB708 (Bolz) Provide for a memory care endorsement under the Health Care Facility Licensure Act
LB701 (Mello) Eliminate a termination date relating to a self-sufficiency contract

Judiciary

Room 1113 - 1:30 p.m.

LB835 (Mello) Change provisions relating to consumer protection
LB932 (Crawford) Redefine not-for-profit organization for purposes of liability provisions
LB854 (Coash) Adopt the Self-Service Storage Facilities Act and provide for a lien on certain property
LB1009 (Williams) Prohibit the sale and use of certain synthetic drugs under the Uniform Controlled Substances Act and the Uniform Deceptive Trade Practices Act
LB693 (Morfeld) Change limitation of action provisions under the Political Subdivisions Tort Claims Act

Natural Resources

Room 1525 - 1:30 p.m.

LB881 (Schilz) Change provisions relating to energy financing contracts
LB914 (Schilz) Change compensation for certain members of the Nebraska Power Review Board as prescribed

Revenue

Room 1524 - 1:30 p.m.

Appointment: Keetle, Steven - Tax Equalization and Review Commission
Appointment: Hotz, Robert W. - Tax Equalization and Review Commission
LB683 (Craighead) Change provisions relating to homestead exemptions for surviving spouses
LB727 (Schilz) Impose a tax on sales of tobacco at cigar shops
LB762 (Kintner) Change the tax on cigars, cheroots, and stogies

Monday, February 1

Appropriations

Room 1524 - 1:30 p.m.

LB956 (Hadley) Provide for deficit appropriations
LB957 (Hadley) Authorize additional uses for certain funds and provide for certain transfers
LB1092 (Mello) Change provisions relating to budget request reporting requirements
Agency 19: Dept. of Banking
Agency 22: Dept. of Insurance
Agency 36: State Racing Commission
Agency 58: Board of Engineers and Architects
Agency 63: Board of Public Accountancy
Agency 76: Neb. Indian Commission

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

Appointment: Dentlinger, Courtney - Dept. of Economic Development
LB837 (Scheer) Change provisions relating to premium taxes and quarterly statements under the Surplus Lines Insurance Act
LB942 (Scheer) Provide a disclosure requirement to the Department of Banking and Finance for seller-assisted marketing plan contracts as prescribed
LB1035 (Williams) Redefine farm

COMMITTEE HEARINGS

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product and change provisions relating to the central filing system and the master lien list

General Affairs

Room 1510 - 1:30 p.m.

LB748 (Lindstrom) Change import provisions under the Nebraska Liquor Control Act as prescribed
LB1046 (Ebke) Change license eligibility requirements under the Liquor Control Act
LB1105 (Larson) Change and eliminate beverage regulations and licensure provisions and create the Nebraska Craft Brewery Board
LB834 (Schumacher) Prohibit the retail sale of alcohol at a price below cost
LB969 (Larson) Provide and change duties for the establishment, maintenance, and operation of public libraries or reading rooms by cities or villages

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB900 (Bloomfield) Change motorcycle and moped helmet provisions, motorcycle registration fees, rename the Health Advisory Board, and create the brain injury services program and a fund
LB927 (Hilkemann) Change provisions relating to surcharges for 911 service
LB938 (Smith) Adopt the 911 Service System Act and transfer funds from the Enhanced Wireless 911 Fund to the 911 Service System Fund
LB977 (Smith) Change provisions relating to implements of husbandry on highways

Tuesday, February 2

Appropriations

Room 1524 - 1:30 p.m.

Agency 50: Neb. State College System
Agency 51: University of Nebraska System
LB713 (Stinner) State intent relating to appropriations for the Access College Early Scholarship Program
LB852 (Cook) Appropriate funds for aid to community colleges
LB755 (Watermeier) Appropriate funds to the Board of Trustees of the Nebraska State Colleges

LB858 (Hadley) Create the University of Nebraska Facilities Program of 2016

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB794 (B. Harr) Change provisions relating to the Nebraska Model Business Corporation Act and corporate occupation taxes
LB817 (Riepe) Adopt the Direct Primary Care Agreement Act
LB1036 (Campbell) Change provisions of the Credit Services Organization Act, the Delayed Deposit Services Licensing Act, and the Nebraska Installment Loan Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB669 (Krist) Update certain federal references and change from a secondary to primary offense certain occupant protection system enforcement requirements
LB668 (Krist) Change certain federal references and provisions relating to provisional operator's permit restrictions, use of interactive wireless communication devices, and occupant protection system enforcement
LB989 (Murante) Change provisions relating to motor vehicles

Urban Affairs

1510 - 1:30 p.m.

LB860 (Hughes) Add a type of economic development program under the Local Option Municipal Economic Development Act
LB808 (Hansen) Change provisions relating to amending an economic development program under the Local Option Municipal Economic Development Act
LB1059 (Crawford) Require certain disclosures under the Community Development Law and the Local Option Municipal Economic Development Act
LB1012 (Mello) Adopt the Property Assessed Clean Energy Act

Wednesday, February 3

Appropriations

Room 1003 - 1:30 p.m.

Agency 29: Dept. of Natural Resources

Agency 54: State Historical Society
Agency 91: Nebraska Tourism Commission

Agency 33: Game and Parks Commission

LB810 (Davis) Eliminate the Nebraska Youth Conservation Program and transfer funds to the Cowboy Trail Fund
LB1076 (Schilz) Appropriate funds to the Game and Parks commission for law enforcement at the Lake McConaughy State Recreation Area

Natural Resources

Room 1525 - 1:30 p.m.

LB745 (McCollister) Change Game and Parks Commission fee and permit provisions

Thursday, February 4

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

AM 1865 to LB 467

Friday, February 5

Nebraska Retirement Systems

Room 1525 - 12:00 p.m.

LB805 (Mello) Require a periodic study of certain retirement plans and a report filing by certain political subdivisions
LB922 (Kolterman) Change terms of Public Employees Retirement Board members as prescribed
LB986 (Nebraska Retirement Systems) Change duties of the Public Employees Retirement Board relating to an annual valuation report and experience study ■



NEW BILLS

Bill Introducer One-line description

January 19, 2016

LB1014	Stinner	Change provisions relating to levy limitations and budget limitations for public airports
LB1015	Harr	Change a sales tax exemption relating to museums
LB1016	Watermeier	Redefine agency under the Legislative Performance Audit Act
LB1017	Lindstrom	Eliminate a residency requirement for student interns under a grant program and transfer funds as prescribed
LB1018	Coash	Appropriate funds to the Nebraska Arts Council
LB1019	Davis	Change provisions relating to support of the Niobrara Council by the Game and Parks Commission, require legislative confirmation of certain appointments to the council, and require an annual report
LB1020	Fox	Provide for amendments to declarations to correct scrivener's errors, omissions, or errors in the declaration under the Nebraska Condominium Act
LB1021	Crawford	Change provisions relating to access to sales and use tax information by municipalities
LB1022	Performance Audit	Change provisions relating to the office of Legislative Audit and change dates for application of tax incentives
LB1023	Ebke	Require development of treatment protocols for and a needs assessment of committed offenders and correctional facilities
LB1024	Larson	Change a provision of the Nebraska Political Accountability and Disclosure Act relating to an interest in a government contract
LB1025	Morfeld	Change experience requirements under the Public Accountancy Act
LB1026	Morfeld	Change provisions relating to education technology
LB1027	Morfeld	Create and provide funding for the Campus Sexual Assault Prevention Grant Program and provide duties for the Attorney General
LB1028	Morfeld	Change provisions relating to funding under the Business Innovation Act and require the Department of Economic Development to contract with certain entities
LB1029	Mello	Adopt the Sector Partnership Program Act and provide duties for the Department of Labor
LB1030	Bolz	Change an expenditure limit relating to amino acid-based elemental formulas
LB1031	Hansen	Change the levy authority of railroad transportation safety districts
LB1032	McCollister	Adopt the Transitional Health Insurance Program Act and provide duties for the Department of Health and Human Services
LB1033	Campbell	Create an advisory committee relating to persons with disabilities within the Department of Health and Human Services
LB1034	Campbell	Change provisions relating to the Nebraska Children's Commission
LB1035	Williams	Redefine farm product and change provisions relating to the central filing system and the master lien list
LB1036	Campbell	Change provisions of the Credit Services Organization Act, the Delayed Deposit Services Licensing Act, and the Nebraska Installment Loan Act
LB1037	Brasch	Change property tax provisions relating to agricultural land and horticultural land
LB1038	Davis	Change water appropriation application provisions
LR414	Chambers	Prohibit meals or beverages from being provided to legislators by lobbyists in the Capitol while the Legislature is in session
LR415	Riepe	Urge the Nebraska congressional delegation to support and co-sponsor Senate Bill 1989 entitled Primary Care Enhancement Act of 2015

January 20, 2016

LB1039	Coash	Define and redefine terms relating to developmental disabilities
LB1040	Johnson	Adopt the Travel Agency Registration Act
LB1041	Cook	Provide for disapproval of certain insurance rate filings if they use price optimization
LB1042	Friesen	Change provisions relating to tax-increment financing
LB1043	Howard	Create a palliative care program and advisory council for the Health Care Facility Licensure Act
LB1044	Ebke	Terminate the Commission of Industrial Relations
LB1045	Ebke	Provide for the treatment of certain contractors as independent contractors as prescribed
LB1046	Ebke	Change license eligibility requirements under the Liquor Control Act
LB1047	B. Harr	Change sales tax exemption provisions relating to purchases of energy and fuel
LB1048	B. Harr	Adopt the Nebraska Agriculture and Manufacturing Jobs Act and provide tax credits
LB1049	B. Harr	Redefine terms to include students in virtual schools in the state aid formula
LB1050	B. Harr	Authorize conversion of domestic partnerships and domestic limited liability partnerships into domestic limited liability companies or foreign limited liability companies
LB1051	B. Harr	Redefine qualified business under the Nebraska Advantage Act
LB1052	B. Harr	State intent relating to appropriations for the Nebraska Whole Child Project and change provisions relating to school funding
LB1053	B. Harr	Appropriate funds to the State Department of Education

NEW BILLS

Bill	Introducer	One-line description
LB1054	Hilkemann	Change provisions relating to the DNA Identification Information Act
LB1055	Chambers	Open grand jury proceedings to the public as prescribed and change procedures in cases of death during apprehension by law enforcement officers or while in custody
LB1056	Chambers	Adopt the Patient Choice at End of Life Act
LB1057	Murante	Change provisions of the Nebraska Political Accountability and Disclosure Act
LB1058	Crawford	Change provisions relating to enforcement of certain tobacco restriction provisions
LB1059	Crawford	Require certain disclosures under the Community Development Law and the Local Option Municipal Economic Development Act
LB1060	Fox	Adopt the Pharmacy Benefit Fairness and Transparency Act and provide duties for the Director of Insurance
LB1061	Kolterman	Adopt the Surgical Technologist Registry Act
LB1062	Krist	Provide for waiver of a certificate to administer as prescribed
LB1063	Sullivan	Change provisions relating to state aid to schools
LB1064	Sullivan	Change option enrollment and student fee provisions as prescribed
LB1065	Sullivan	Change school provisions relating to the community eligibility provision
LB1066	Sullivan	Change provisions relating to education
LB1067	Sullivan	Change provisions relating to learning communities
LB1068	K. Haar	Adopt the Electric Customer Protection Act and provide duties for the Public Service Commission
LB1069	K. Haar	Provide duties for the state investment officer relating to investment in energy-related companies or funds
LB1070	K. Haar	Change powers and duties of the Nebraska Oil and Gas Conservation Commission to require liability insurance and restrict permits as prescribed
LB1071	K. Haar	Adopt the Solar Energy Economic Development Act
LB1072	K. Haar	Adopt the Fair Repair Act and provide a penalty
LB1073	Kolowski	Authorize the display of the Honor and Remember flag as prescribed
LB1074	Kolowski	Appropriate funds to the State Department of Education
LB1075	Schilz	Change provisions of the Disposition of Personal Property Landlord and Tenant Act
LB1076	Schilz	Appropriate funds to the Game and Parks commission for law enforcement at the Lake McConaughy State Recreation Area
LB1077	Pansing Brooks	Change provisions under the Motor Vehicle Operator's License Act relating to operator's license revocation
LB1078	Pansing Brooks	Provide and change certain conflict of interest statement requirements under the Nebraska Political Accountability and Disclosure Act
LB1079	Pansing Brooks	Redefine law enforcement agency and change provisions relating to law enforcement officer jurisdiction
LB1080	Seiler	Change provisions relating to direct purchases and use of recyclable material by correctional industries
LB1081	Campbell	Change provisions relating to eligibility for public assistance
LB1082	Schilz	Change provisions relating to the Nebraska Oil and Gas Conservation Commission and provide for a periodic well fluid analysis, report, and notice as prescribed
LB1083	Williams	Adopt the Next Generation Business Growth Act and change funding for tax credits under the Community Development Assistance Act
LB1084	Stinner	Change and provide duration requirements for certain state agency contracts
LB1085	Davis	Change a renewable energy tax credit
LB1086	Davis	Change provisions relating to student self-management of asthma or anaphylaxis
LB1087	Davis	Change sales tax provisions relating to the definition of engaged in business in this state
LB1088	Davis	Provide a sales and use tax exemption for nonprofit centers for independent living
LB1089	Hansen	Change the minimum wage for persons compensated by way of gratuities
LB1090	Hansen	Require notification of law enforcement by the Nebraska State Patrol of denials of handgun certificates as prescribed
LB1091	Hilkemann	State intent relating to appropriations for purposes of the Site and Building Development Fund
LB1092	Mello	Change provisions relating to budget request reporting requirements
LB1093	Mello	Eliminate cash funds, create programs, and transfer funds
LB1094	Judiciary	Change provisions relating to evidence, sentencing, certain criminal penalties, criminal mischief, assault, theft, forgery, and probation
LB1095	Kintner	Require employer identification numbers and the use of the federal immigration verification system
LB1096	B. Harr	Change provisions relating to amendments to declarations regarding unit boundaries under the Nebraska Condominium Act

NEW BILLS

Bill	Introducer	One-line description
LB1097	Morfeld	Change provisions relating to sexual assault forensic testing
LB1098	Morfeld	Increase legal services fees as prescribed
LB1099	Krist	Change provisions relating to expense reimbursement
LB1100	Schilz	Adopt the Petroleum Education and Marketing Act
LB1101	Mello	Require the Department of Environmental Quality to examine the status of solid waste management programs
LB1102	Davis	Authorize legislative performance audits of tax-increment financing projects
LB1103	Schumacher	Change provisions relating to medicaid reimbursements, provide for a lien, and change estate procedures
LB1104	Larson	Provide for tax incentives, intent provisions, and revenue-sharing agreements relating to Native Americans
LB1105	Larson	Change and eliminate beverage regulations and licensure provisions and create the Nebraska Craft Brewery Board
LB1106	Garrett	Change civil forfeiture provisions as prescribed
LB1107	Garrett	Create the Nebraska Election System Initiative
LB1108	Garrett	Require reporting to the Auditor of Public Accounts and the Legislature regarding civil forfeiture proceedings
LB1109	Murant	Change public records provisions and provide for an enhanced public scrutiny process for certain University appointees
LB1110	Mello	Adopt the Nebraska Workforce Innovation and Opportunity Act
LR416	Coash	Extend sympathy to the family of Milan "Babe" Knezovich
LR417	Kolterman	Congratulate Colton James Hood on achieving the rank of Eagle Scout

SEARCH FOR BILLS

Learn more about bills considered by the Unicameral by logging on to www.NebraskaLegislature.gov.

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

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

The screenshot shows the homepage of the Nebraska Legislature website. At the top, the navigation bar includes the Nebraska state seal, the text "NEBRASKA LEGISLATURE", and the tagline "The official site of the Nebraska Unicameral Legislature". A black arrow points to a search box labeled "Search Current Bills" in the top right corner. Below this, there is a search box for "Search Laws". The main content area features a sidebar on the left with navigation links such as "Home", "Chamber Viewer", "Legislature", "Bills and Laws", "Calendar", "Committees", "Legislative Divisions", "News", "Reports", "Senators", "Session Information", "Transcripts", "For Agencies", and "For Citizens". The central content area displays "104th Legislature, 2nd Session - Day 11" and "The Legislature is adjourned until Friday, January 22, 2016 at 9:00 am." Below this, there is a section for "Recent Legislative Information" with links to various documents and a "News from the Unicameral Update" section listing several news items. On the right side, there are sections for "Live Video Streaming", "Find Your Senator", and "Legislative Calendar" showing the current date as January 21st.

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Senators escort Chief Justice Michael Heavican and other members of the Nebraska Supreme Court to the Norris Chamber for Heavican's State of the Judiciary address Jan. 21.