

Limit on ag land valuation proposed

Annual increases in statewide agricultural land valuation would be capped at 3 percent under a bill heard by the Revenue Committee Feb. 4.

Introduced by Grand Island Sen. Mike Gloor on behalf of the governor, LB958 would limit annual aggregate agricultural and horticultural land valuation increases and tighten spending limits on local governments in an effort to slow property tax growth.

Beginning this year, if the aggregate statewide valuation for all agricultural and horticultural land exceeds the valuation of that land in the previous tax year by 3 percent or more, the assessed value of each parcel would be reduced using a uniform



Gov. Pete Ricketts said LB958 would address disproportionate increases in agricultural land valuations seen over the last five years.

adjustment factor.

The bill would remove some exclusions from levy and budget limits,

including the ability of a political subdivision—other than schools—to approve a levy in excess of its limit dur-

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Pork production restrictions eased

Lawmakers passed a bill after two hours of final-round debate Feb. 5 that will allow meatpacking companies to own hogs.

Under LB176, introduced by Ogalala Sen. Ken Schilz last session, a person who owns, leases or holds a legal interest in a swine production operation can enter into a contract to produce swine for a packer. The producer, or contract grower, will own the land and facili-



Sen. Ken Schilz

ties used to raise the livestock and the packer will own the swine.

Schilz said Nebraska was the only state that prohibited 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 will 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."

As amended, LB176 ensures a producer's right to cancel a contract with a packer and allows the state Department of Agriculture to adopt contract regulations that would protect producers from coercion and unfair business practices.

Contracts between growers and packers may not contain confidential-

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Pork production bill passes

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ity clauses that would prevent growers from sharing the details of the contract with others.

Sen. John Stinner of Gering spoke in support of the bill. He said the measure will 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. Al Davis of Hyannis spoke against the bill. He said it will eliminate the open market that currently exists in Nebraska. Producers will have little choice but to contract with large packers if they want to sell their hogs, he said.

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

Schilz filed a motion to invoke cloture, or cease debate and vote on the bill, which prevailed 34-14. Thirty-three votes were needed.

LB176 passed on a 34-14 vote. ■

UNICAMERAL YOUTH LEGISLATURE

High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2016 Unicameral Youth Legislature, which will convene June 5-8.

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 dur-

ing 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.

The registration deadline is May 15.



UNICAMERAL UPDATE

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Limit on ag land valuation proposed

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ing a meeting in which more than 10 percent of the subdivision's registered voters are present.

LB958 also would limit the use of restricted funds budgeted for capital improvements, qualified sinking funds and services subject to joint agreements. After July 31, 2017, the amount of unrestricted funds carried forward could not exceed 3 percent of the budgeted restricted funds for the fiscal year.

The 2013 Tax Modernization Committee, a joint interim study with the Education Committee and discussions with the governor all indicated that Nebraska relies too heavily on property taxes to fund K-12 education, Gloor said. The spending limits in LB958 are necessary to ensure that any increased state aid to K-12 results in lower property taxes and is not absorbed into local budgets, he said.

Gloor said the bill would not remove funding mechanisms for local governments and that the 3 percent annual aggregate adjustment is not a hard cap on individual valuations.

"This means individual property owners will see a variety of different increases or decreases on property

valuations from year to year," he said.

Gov. Pete Ricketts testified in support of the bill, saying that any plan that seeks to provide property tax relief also must include components that limit local government spending.

"I think it's important that we get something done this year," he said. "The people are mad. They are demanding property tax relief."

Steve Nelson, president of the Nebraska Farm Bureau, also spoke in support of the bill. He said Nebraska farmers and ranchers pay a disproportionate amount of property taxes compared to residential and commercial property owners. From 2005 to 2015, Nelson said, the amount of state property taxes collected increased 176 percent on agricultural land, 35 percent for residential property and 49 percent for commercial property. LB958 would be a step toward bringing the tax system back into balance, he said.

"Agricultural landowners take the brunt of these tax increases," Nelson said.

Lincoln Mayor Chris Beutler testified in opposition to the bill. He said

the proposed spending limits would devastate some political subdivisions by removing flexibility in their budgets.

"We can't provide the infrastructure and have growth and move ahead if you're going to continually cut the means by which we do it," Beutler said.

Douglas Kindig, mayor of La Vista, also spoke in opposition to the bill. His county is the fastest growing in the state, he said, but that growth would not have been possible without local governments' ability to create interlocal agreements, which would be limited under the proposed bill.

"Although one of the stated intents of LB958 is to slow the growth of property taxes levied by political subdivisions, we would argue this is actually an antigrowth bill," Kindig said. "It will prohibit responsible economic growth."

Robert Post, president of the Nebraska Association of County Officials, opposed the bill. He said the proposed limits on sinking funds would prevent counties from making unforeseen but necessary purchases of equipment without going to a popular vote, which takes time and money.

"The fact that we can only grow 3 percent is so discouraging," Post said. "This 3 percent will most likely be used up in operations and will not allow capital improvements."

John Hansen, president of the Nebraska Farmers Union, also spoke in opposition. He said the 3 percent assessment limit could result in an overcorrection of agricultural land valuations over the next 10 to 15 years.

"That doesn't seem right," he said. "We've been drifting for way too long. There has to be a correction."

The committee took no immediate action on the bill. ■



Sen. Mike Gloor said LB958 would impose budget and levy limits on local governments.

APPROPRIATIONS

Budget recommendations introduced

The Appropriations Committee heard testimony Feb. 1 on proposed adjustments to the state's budget package. The state budget is structured on a two-year basis, with the budget passed in odd-numbered years and adjustments made during legislative sessions held in even-numbered years.

LB956 and LB957, introduced by Kearney Sen. Galen Hadley at the request of the governor, comprise the governor's mid-biennium budget recommendations.



Sen. Galen Hadley

LB956, presented to the committee by state budget administrator Gerry Oligmueller, would make adjustments to appropriations for state operations, aid and construction programs in the current fiscal year ending June 30, 2016, as well as for the next fiscal year.

Oligmueller said the provisions would address an approximately \$110 million budget gap that resulted from a downward revision in forecasted tax receipts and requests for additional appropriations from state agencies. The bill's recommendations would eliminate \$87.5 million in carryover funds, he said, and overall appropriations for the biennium would be reduced by an additional \$5.7 million.

LB957 would authorize several fund transfers, including:

- \$26.3 million from the Cash Reserve Fund to the Nebraska Capital Construction Fund;
- \$5.3 million from the Department of Motor Vehicles Cash

Fund to the Vehicle Title and Registration System Replacement and Maintenance Cash Fund; and

- \$500,000 from the Records Management Cash Fund to the Information Management Revolving Fund.

When asked by the committee about the state's overall economic health, Oligmueller said the governor's recommendations would place the state's cash reserve at approximately 12 percent.

"As far as our cash position, I'd say that the National Association of State Budget Officers just completed its survey of the 50 states and Nebraska has the fourth highest rainy day fund as a percentage of spending," he said.

No testimony was offered on the bills.

The committee also heard testimony on LB1092, introduced by Omaha Sen. Heath Mello.



Sen. Heath Mello

Under the bill, any department, office, institution or expending agency that proposes changes to its appropriation for the biennium in progress would be required to file budget forms with the office of the Director of Administrative Services (DAS). Forms would have to be filed by Oct. 24 of each odd-numbered year.

In addition, DAS would be required to develop a certification form and procedure, to be included in each budget request, through which each department and agency would certify whether an administered program is an evidence-based program or practice. If not, the department or agency would be required to certify whether the program or practice is reasonably capable of becoming evidence based.

Mello said the bill would codify current practice into state law and enhance the state's budget process. He said the proposal would eliminate late requests for deficit appropriations from state agencies and would provide lawmakers with a master list of all state programs for evaluation purposes.

"It provides a window for policy makers to ask more questions of state agencies and the budget process in the future," Mello said.

Renee Fry, executive director of OpenSky Policy Institute, testified in support of the bill.

Fry said an institute in Washington State conducts meta-analysis to determine if the benefits of state programs are worth the cost. The institute works to determine what evidence-based practices would best achieve the state's long-range goals, she said, and LB1092 could lead to such a practice in Nebraska.

"We think this is a great first step," she said, "but we would like to see it taken even a step further."

No one testified in opposition to LB1092 and the committee took no immediate action on any of the bills.

BUSINESS & LABOR

Bill would establish paid family leave program

Paid family medical leave would be available to Nebraskans under a bill heard by the Business and Labor Committee Feb. 1.

LB850, introduced by Bellevue Sen. Sue Crawford, would provide paid family medical leave for covered individu-



Sen. Sue Crawford

als in the event of the birth of a new child, adoption or foster care placement, serious illness or pregnancy or illness of a family member.

Crawford said the federal government provides medical leave but it is unpaid.

“According to a 2012 national workforce survey, half of those eligible for the federal program did not take the leave they needed because they couldn’t afford to,” she said. “States can invest in infrastructure that ensures people can put their families first without sacrificing their jobs.”

Beginning on April 1, 2019, any individual working for a covered employer—any employer subject to employment security law—could elect coverage, upon which a payroll tax would be deducted from the individual’s wages. The amount to be deducted would not exceed one-half of 1 percent of the individual’s wages in any 12-month period.

A covered individual could take up to 12 weeks of paid leave for a serious illness, including pregnancy, which precludes the employee from performing his or her regular job duties. For all other leave requests, up to eight weeks of paid leave would be available.

Ken Smith, a staff attorney with Nebraska Appleseed, supported the bill. He said our country is one of the few in the world that does not provide paid maternity leave at the federal level.

“At some point, nearly everybody faces the need to take time away from work to take care of a newborn or tend to a medical emergency,” Smith said. “While the federal Family Medical Leave Act can prevent someone in this situation from losing their job, it only guarantees unpaid leave, which many people simply cannot afford to take.”

Dr. Sofia Jawed-Wessel, an assistant professor of public health at the Uni-

versity of Nebraska at Omaha, also supported the bill. She said providing adequate time for parents to care for newborns has far-reaching effects.

“I see firsthand the health benefits of parents who are able to take parental leave without worrying about the financial considerations,” she said. “We must stop expecting new mothers to go back to business as usual so soon after welcoming their baby.”

The amount of paid benefits available to covered individuals would be determined as follows:

- 95 percent of weekly wage for individuals whose annual earnings are no more than 20 percent of Nebraska’s annual median wage;
- 90 percent of weekly wage for individuals whose annual earnings are more than 20 percent but less than 30 percent of the annual median wage;
- 85 percent of weekly wage for individuals whose annual earnings are more than 30 percent but less than 50 percent of the annual median wage; or
- 66 percent of weekly wage for individuals whose annual earnings are more than 50 percent of the the annual median wage.

A person could not collect paid family medical leave and unemployment benefits simultaneously.

Coby Mach, president of the Lincoln Independent Business Association, opposed the bill, saying it could be devastating to a small business.

“[With LB850] there really is no incentive for a person to work with their employer on flex time,” Mach said. “It gives the person more incentive to take advantage of state paid leave where he or she could be gone as much as three months every year.”

The committee took no immediate action on the bill.

Expanded wage discrimination protections discussed

Members of the Business and Labor Committee heard testimony Feb. 1 on a bill that would remove an exemption from the state’s wage discrimination statutes.

Currently, employers with at least 15 employees must provide equal pay for equal work, without discriminating based upon an employee’s gender. Small businesses—defined as any business with less than 15 employees—are exempt from this provision.

LB928, introduced by Omaha Sen. Heath Mello, would remove the small business exemption. He said that nationally women make 78.8 cents for every dollar a man makes.

“Nebraska can take steps to close the wage gap between men and women in a way that supports strong families and respects the business community’s needs,” he said.

Mello said that 45 states currently have wage discrimination protections in place but only six have exemptions in place based on number of employees. Of those six, only Nebraska has a threshold of 15 employees; the other five have lower thresholds.

The definition of an unlawful employment practice also would be expanded to include any time wages, benefits or compensation are paid.

Additionally, the protections in LB928 would not apply to those engaged in domestic employment in private homes.

Danielle Conrad, executive director of ACLU Nebraska, spoke in support of the bill. If no action is taken to address wage discrimination, she said, it could take decades for the wages to equalize.

“Since 1969, Nebraska law has recognized that gender-based pay discrimination is bad from a policy

perspective,” she said. “Even though we’ve had laws on the books since the late ‘60s, Nebraska has a real and pervasive wage discrimination problem.”

Ian Fallon, a community organizer with the Heartland Workers Center in Omaha, also supported the bill.

“The existing wage gap is a concern because of the recent increase of households headed by single women in south Omaha,” Fallon said. “If we don’t address the disparity, children will continue to grow up in poverty because their mothers are not paid enough to meet their basic needs.”

Bob Evnen, representing the Lincoln Independent Business Association, spoke in opposition to the bill. He said it would have a disproportionately negative impact on small businesses.

“There’s a reason a [15 employee] threshold exists, because that is the point at which employers could absorb the cost of responding to [wage discrimination charges],” he said. “People who suffer wage discrimination today are not without remedy.”

The committee took no immediate action on the bill.

EXECUTIVE BOARD

Strategic plan to further bioscience proposed

The Legislature would establish a committee to study the bioscience economy in Nebraska under a bill heard Feb. 3 by the Executive Board.

LB987, introduced by Lincoln Sen. Adam Morfeld, would create the Bioscience Steering Commit-



Sen. Adam Morfeld

tee composed of the chairperson or a designee of the Revenue and Appropriations committees, as well as three members of the Legislature selected by the Executive Board.

Morfeld said a previous legislative study of the bioscience economy in Nebraska was spearheaded by the Natural Resources Committee and that the time has come to follow up on that study from a broader perspective.

“Since this is just an update,” he said, “less funding is required and we can utilize the leftover funds from the 2010 study.”

The bill would be funded by the \$36,000 remaining in the Biotechnology Development Cash Fund. The strategic plan developed by the committee would report to the Legislature next session.

Morfeld said bioscience jobs are located across Nebraska and provide a wage considerably higher than the statewide average.

Under the bill, the Bioscience Steering Committee would create a strategic plan, which would include strategies to:

- stimulate job growth in the fields of science, technology and engineering;
- encourage individuals and organizations engaged in the biotechnology industry to locate and expand in Nebraska;
- grow the state’s investment capital market and incentivize investment in life science start-up companies;
- develop Nebraska’s biotechnology workforce in cooperation with higher education institutions; and
- capture and commercialize technology that is discovered and developed in the state.

Stewart Bauck, general manager of GeneSeek and a board member of Bio

Nebraska, testified in support of the bill. He said that GeneSeek, an offshoot of the University of Nebraska located in Lincoln, is the “poster child” for the legislation. The company does DNA testing on approximately 1.5 million plant and animal samples per year, he said.

“We are the world’s largest animal genomics facility,” Bauck said. “We have the benefit of a significant strategic advantage, which is our location in the great state of Nebraska.”

The company currently employs 130 people, he said, and would like to expand in Lincoln.

“One of our most significant challenges is the development of an appropriately trained and qualified workforce,” Bauck said.

Brad Roth, representing the University of Nebraska, also supported the bill, saying the state needs to know the current status of the bioscience economy in Nebraska and how to expand opportunities in the future.

“It is likely that changes have occurred in the industry landscape as well as some of the underlying assumptions from the 2010 report,” Roth said.

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

Entrepreneurship task force proposed

The Executive Board heard testimony Feb. 3 on a bill that would create a task force focused on innovation and entrepreneurship in Nebraska’s economy.

LB1083, introduced by Gothenburg Sen. Matt Williams, would adopt the Next Generation Business Growth Act.



Sen. Matt Williams

The bill also would create a Venture Development and Innovation Task Force consisting of six senators appointed by the Executive Board.

Williams said Nebraska needs to increase the number and diversity of high-wage jobs across the state.

“For Nebraska to succeed it needs to grow,” Williams said. “Growing is not easy and it takes a long-term strategy; it takes a plan and it takes commitment.”

Daniel Duncan, executive director of Nebraska Innovation Campus Development Corporation, testified in support of the bill on behalf of the University of Nebraska. The state can be a powerful partner in developing new companies and fostering their growth, he said.

“Governmental agencies at all levels can help create a climate and a culture that helps innovation and entrepreneurship develop,” Duncan said.

The task force would be charged with developing a statewide strategic plan to cultivate a climate of entrepreneurship and innovation in Nebraska. The strategic plan would include:

- an inventory of existing state-sponsored and locally sponsored programs and resources that are targeted to small businesses, microenterprises and entrepreneurial endeavors in the state;
- an economic impact analysis of the existing programs under the Nebraska Business Innovation Act;
- an overview of best practices from other states; and
- a review of previously issued statewide strategic plans focused on high-growth businesses and various policy options.

In consultation with the Executive Board, the task force would employ

a nonprofit organization to assist in development of the strategic plan by Dec. 1, 2016. The \$75,000 in funding for development of the strategic plan would come from the Community Development Assistance Act.

The Next Generation Business Growth Act would terminate on Jan. 1, 2017.

No opposition testimony was offered and the committee took no immediate action on LB1083.

TIF projects could be subject to legislative oversight

Projects that utilize tax increment financing (TIF) would be subject to oversight by the Legislature under a bill heard Feb. 5 by the Executive Board.

LB1102, introduced by Hyanis Sen. Al Davis, would add TIF projects to the definition of an agency for purposes of the Legislative Performance Audit Act.



Sen. Al Davis

The change would allow the Legislative Performance Audit Committee to conduct performance audits on such projects.

Davis said TIF projects, while local in scope, have statewide implications for school funding and tax revenues. As a result, he said, there should be a mechanism for statewide evaluation of whether community development law functions as the Legislature intended.

“The law was put in place to help deal with blighted properties,” Davis said. “It isn’t used in that way across the state anymore.”

Renee Fry, executive director of OpenSky Policy Institute, testified in support of the proposal.

Nebraska currently loses approximately \$25 million in tax revenue to TIF annually, she said, yet research

suggests that TIF does not function as an economic development tool as was intended. Instead, Fry said, development simply is moved from one location to another.

“We do believe that is important to have a much broader look at these programs and see if they are, in fact, a good investment of taxpayer dollars,” she said.

Tom Huston, testifying on behalf of the Lincoln and Nebraska chambers of commerce, opposed the bill, citing concerns that it could slow development. TIF also is used by cities for infrastructure costs on important urban renewal projects, he said.

“There are many protections built into the community development law that cities are observing and [that] protect the public interest,” Huston said. “I think TIF is unfairly vilified.”

The committee took no immediate action on the bill.

GENERAL AFFAIRS

Bill seeks changes to library governance

Members of the General Affairs Committee heard testimony Feb. 1 on a bill that seeks to harmonize the governance authority that cities and villages in Nebraska have over libraries.

LB969, sponsored by O’Neill Sen. Tyson Larson, would allow all municipalities in the state to choose whether libraries within their community are governed by a board that is part of city government or by a separate advisory board.



Sen. Tyson Larson

According to the bill’s statement of

intent, only first-class cities currently have the authority to choose between the two governance methods.

Marty Bilek, chief of staff to Omaha mayor Jean Stothert, testified in support of the bill. Currently, the Omaha library system functions as a city department, he said, noting that library staff are city employees and the director uses municipal resources to run the city-owned facilities.

However, he said, the advisory board makes spending decisions for the system, including the recent hiring of a new director. The director's salary was decided without input from the city, he said.

"It's frustrating for us, because if there's going to be a department head that's hired, we'd like to have some say in it," Bilek said.

Gary Krumland of the League of Nebraska Municipalities also supported LB969, saying the bill's provisions ensure that a city council would not be responsible for choosing library materials. Advisory boards still would exist, he said, but cities would have greater say in personnel and financial decisions.

"It would give the ultimate authority to the elected officials who have the responsibility and ultimately the liability for decisions that are made within the city," Krumland said.

Rod Wagner, director of the Nebraska Library Commission, testified in opposition to the bill. He said that problems within the current system between library boards and elected officials have been minor and readily resolved.

The state has more than 1,300 library board members, he said, who are appointed by elected officials in the state's municipalities. As a result, cities already have adequate oversight provisions, he said.

"The library commission opposes

actions which would reduce the authority of public library boards," Wagner said.

Steve Fosselman of the Nebraska Library Association also spoke in opposition. While it is tempting for cities to seek greater authority over libraries, he said, doing so would take time away from the more important goals of finding ways for libraries to expand the impact and reach of their services.

Even if the bill does not give cities the ability to make book selections, he said, it could lead to the politicizing of other library functions. Library boards currently make important decisions regarding confidentiality, equal access, priorities of service, long-range planning, censorship and more, he said.

"If this authority that the library board has entrusted to it is kept in place," Fosselman said, "it really does clear the chalkboard for really good honest discussions about how the libraries in different cities do budgeting, finances and personnel and [we] can come to some really good solutions."

The committee took no immediate action on the bill.



Administrative procedure changes discussed

State agencies would have more direction and clarity regarding the promulgation of rules and regulations under a bill heard Feb. 4 by the Government, Military and Veterans Affairs Committee.



Sen. Dan Watermeier

Syracuse Sen. Dan Watermeier, chairperson of the Legislative Performance Audit Committee, introduced LB867. The proposal was the result of a 2015 performance audit of the Administrative Procedure Act (APA), he said, which found that current language in state law doesn't give adequate guidance to agencies or reflect best practices.

Among other provisions, the bill would amend the definition of rule or regulation and identify three types of agency documents that are not rules:

- internal procedural documents used to guide agency staff on organization and operations;
- guidance documents; and
- forms and instructions.

The bill also would exempt style, format and citation changes from public notice and hearing requirements. Security policies and procedures that, if released, would endanger public safety also would be exempted.

LB867 also would create short-term emergency rules, which can be adopted outside of normal APA procedures. An emergency rule would require approval of the governor and would remain in effect for 90 days. An emergency rule could be made permanent only through the full promulgation process.

The bill also adds language that would require state Department of Correctional Services regulations for circumstances in which an inmate is outside of a correctional facility.

Tim Texel, executive director of the Nebraska Power Review Board, testified in support of the bill, saying more clarity would benefit agencies and the public.

"We really appreciate some legislative guidance," he said.

Calder Lynch, director of Medicaid and Long Term Care at the state Department of Health and Human

Services, testified in a neutral capacity. His testimony focused on the provision allowing for the promulgation of short-term emergency rules.

The department issues many rules and regulations each year, he said, and programs sometimes are at risk of not being in compliance with state and federal law or court decisions. Noncompliance can lead to audits and expensive reimbursement to the federal government, he said, so it is essential that the agency have some flexibility within narrow parameters.

“Nebraska [currently] does not allow for time-limited emergency situations like every other state does,” Lynch said.

No one testified in opposition to LB867 and the committee took no immediate action on the bill.

Bill to expand electronic voting advanced

Lawmakers advanced a bill Feb. 1 that would allow publicly elected bodies to conduct electronic roll call votes.

Currently, only specific political subdivisions can use an electronic roll 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 the idea for the bill was brought forward by several public subdivisions.

“A number of political subdivisions can utilize these electronic devices, but not all bodies in Nebraska,” he said. “[LB876] provides the same standards for all subdivisions in the state.”

The bill advanced to select file on a 34-0 vote.

Lower age for public office advanced

Senators advanced a measure to select file Feb. 1 that would allow an 18-year-old to hold any public office in Nebraska.

Introduced by O’Neill Sen. Tyson Larson last session, LR26CA would place a proposed constitutional amendment on the November 2016 general election ballot that would change age eligibility for public office in Nebraska to the federal voting age.



Sen. Tyson Larson

Currently, an individual must be 21 to serve in the Legislature and 30 to serve as governor, lieutenant governor or as a Nebraska Supreme Court judge.

Larson said the age to hold office should be the same as the voting age.

“The whole point of LR26CA is equality,” he said. “If you’re old enough to chose your representative, you’re old enough to be your representative. It’s as simple as that.”

Lincoln Sen. Adam Morfeld supported the measure, saying Nebraska voters should decide who is mature enough to hold high office in the state.

“If the voters decide that an 18-year-old is competent enough, smart enough, hard-working enough to represent them, who are we to tell them no?” he said. “It’s just simply giving voters the choice.”

Hoskins Sen. Dave Bloomfield opposed the bill’s changes to the age requirement for governor and members of the state Supreme Court, saying an individual in one of those positions needs more life experience.

“As I said last week, I don’t have a problem with 18-year-olds serving in the Legislature,” he said. “If that were

the bill, I would probably support it.”

Sen. Paul Schumacher of Columbus expressed concern that the ballot question would address the age requirement for several different public offices. The result, he said, is that the Nebraska Supreme Court likely would deem the proposal a violation of the rule that a ballot measure contain only one subject.

“It bundles different, separate things,” Schumacher said, “and I think [the court’s] message has been that you can’t do that.”

Larson said supporters would work on the proposal between general and select file to address concerns regarding the ballot language.

LR26CA advanced on a 27-11 vote.



Water testing lab changes advance

Lawmakers gave first-round approval Feb. 4 to a bill that makes changes to state law relating to the testing of drinking water in Nebraska.

Omaha Sen. Bob Krist, sponsor of LB19, said that the state Department of Health and Human Services (DHHS) currently has a monopoly on dozens of required tests of public drinking water in Nebraska.



Sen. Bob Krist

State law currently allows the state director of public health to certify and enter into agreements with private laboratories to test water for human consumption, he said, but DHHS does not do so.

“LB19 would require the director

to enter into agreements with private labs and would allow the private labs to compete in the marketplace,” Krist said.

Under the bill, DHHS would develop standards for certification of private laboratories to test samples provided by public water systems for all acute toxins, including regulations regarding:

- communication of test results;
- quality assurance and quality control procedures; and
- staffing, equipment, procedures and methodology for conducting laboratory tests.

Krist said private laboratories in Hastings, Kearney, Lincoln, McCook, Omaha and Scottsbluff have the technology and knowledge to perform the dozens of tests required for municipal drinking water.

Sen. Mark Kolterman of Seward supported LB19, saying the state’s private labs already engage in many aspects of water testing and are qualified to take on additional responsibilities.

“It’s a good example of when private industry can take up some of the slack,” he said.

North Platte Sen. Mike Groene also spoke in support of the bill. The testing process should be opened up to private testing labs, he said, which would benefit the private sector.

“This is a no brainer,” he said. “This is good government.”

Bellevue Sen. Sue Crawford expressed some concern regarding potential unintended consequences of the legislation. For example, she said, if the bill shifts more profitable testing to private labs—leaving the more costly tests to DHHS—the system that protects the state’s drinking water may not be sustainable.

“I think it’s a real challenging balance to strike, when we’re talking about water safety,” Crawford said.

“This is a fundamental public health issue to ensure that the water that we drink is safe.”

Krist said the concerns, while understandable, were addressed by the bill.

“We have established a legislative intent and a direction to the department to uphold those high standards across the state,” he said.

LB19 advanced to select file 32-0.

Climate change task force proposed

A new task force would create a strategic plan related to the impacts of climate change on the health and well being of Nebraskans under a bill heard Feb. 3 by the Health and Human Services Committee.

LB802, introduced by Malcolm Sen. Ken Haar, would create the Health Climate Resiliency Task Force. Voting members would be appointed by the chairpersons of the Agriculture, Appropriations, Education, Health and Human Services and Natural Resources committees of the Legislature. Nonvoting members would include agency directors and representatives of institutions that deal with issues related to health or climate impacts.



Sen. Ken Haar

Haar said he is optimistic that Nebraskans see the need to plan for climate change and to find ways to lessen the impact on residents’ health. A recent survey found that 61 percent of Nebraskans believe that the state needs a climate action plan, he said.

“LB802 is a call to planning, using the best science that we can,” Haar said.

The plan would include measurable goals and benchmarks for ad-

aptation and mitigation of climate change impacts. Recommendations for policies and programs that support the goals and benchmarks would be provided, including recommendations for legislation and funding.

The task force would submit the strategic plan to the governor and Legislature by Dec. 15, 2016.

Glynnis Collins, representing Audubon Nebraska, testified in support of the bill, saying the task force would draw on the expertise of many sectors to ensure the future health of the state’s citizens and economy.

“Nebraska is blessed with abundant resources, human and natural,” she said. “In order to thrive in climate change, we must be proactive in safeguarding those resources for future generations.”

David Corbin, professor emeritus of public health at the University of Nebraska at Omaha, also supported the bill. Many reports and studies have been published on the connection between public health and climate change, he said.

“All of these reports recommend that policies be made on the local and national level and that planning should be a part of it—which is what this bill would allow for,” Corbin said.

No one testified in opposition to LB802 and the committee took no immediate action on the bill.

Biologic substitution rules proposed

Pharmacists would be allowed to substitute biological products with FDA-approved interchangeable biologics under a bill heard Feb. 5 by the Health and Human Services Committee.

Heartwell Sen. John Kuehn, sponsor of LB979, said current state law governs the substitution by pharma-

cists of generic drugs for their branded counterparts. Similar permission is needed to allow for the substitution of FDA-approved interchangeable biologics, he said.



Sen. John Kuehn

An FDA-approved interchangeable biological product is one that the FDA has determined to be therapeutically equivalent to a prescribed product.

Kuehn explained that biologics are an innovative class of medicine that is manufactured from living organisms and used to treat some cancers and complex autoimmune diseases, such as lupus and rheumatoid arthritis.

Biosimiliars, he said, are manufactured from different cell lines and thus are similar—but not identical—to an original biologic. However, they have the potential to function in a way similar to chemically manufactured generic drugs, he said.

“Biosimilars present a therapeutic and cost-effective alternative to innovator products for both providers and patients,” Kuehn said.

While the FDA solely is responsible for biologics and biosimilars, he said, Nebraska law would need to be updated to allow for the substitution of biological products.

“It is state law that governs substitutions by a dispenser when a different biologic is prescribed,” Kuehn said, adding that current Nebraska law allows for the substitution only of chemical pharmaceuticals.

The bill would require a pharmacist to enter the dispensing of a biological product into an electronic system within five days. It also would require the state Department of Health and Human Services to maintain a list of all FDA-approved interchangeable biological products.

Phil Kozer, executive director of the Bio Nebraska Life Sciences Association, testified in support of the bill. LB979 would allow Nebraska to help patients and doctors access FDA-approved interchangeable biological products when they become available, he said.

“[This] is model legislation,” he said. “It’s been enacted in 19 states and is active in nine more.”

Jackie Newman, whose daughter was diagnosed with rheumatoid arthritis at the age of two, also supported the bill.

“I couldn’t put the footie pajamas on her because she would cry because it hurt so bad,” Newman said, adding that the situation changed when her daughter was prescribed the biologic Humira when she was four years old.

Newman said the drug costs approximately \$3,800 a month and that future approval of an interchangeable biologic could mean a less expensive way to provide effective treatment.

“I know people who have mortgaged their homes to pay for their biologics,” she said.

Joni Cover, chief executive officer of the Nebraska Pharmacists Association, testified in opposition to the bill. While biological products hold great potential for patients, she said, the association is concerned with the bill’s five-day electronic notification requirement.

Pharmacists often do not have a drug on hand, Cover said, or encounter issues regarding drug interactions, allergies or third-party payers who deny a certain drug. In those instances, pharmacists must contact a physician to ask about substitutions.

“Sometimes our colleagues in medicine are busy and it take them awhile to get back to us,” she said.

The committee took no immediate action on LB979.

JUDICIARY

Changes to police pursuit liability discussed

Lawmakers considered a bill on general file Feb. 4 and 5 that would lessen the liability facing the state and political subdivisions in the event of a police pursuit.

Currently, the state and subdivisions are held liable for the death, injury or property damage to any innocent third party caused by the action of a law enforcement officer

during a vehicular pursuit. LB188, introduced by Syracuse Sen. Dan Watermeier, would exclude certain passengers



Sen. Dan Watermeier

from the liability protections.

Watermeier said legislation passed more than 30 years ago implemented the liability protections for innocent third parties. However, he said, questions about who is considered an innocent third party have been decided in court cases due to ambiguity in the original law.

“It is clear we need to define who should be considered an innocent third party rather than leaving it up to the courts to define in the absence of action by the Legislature,” he said. “Taxpayers of counties and cities should not continue to shoulder the burden of [large cash] settlements for people in fleeing vehicles.”

The bill would exclude from liability protections any passenger who:

- enters into the vehicle without coercion knowing, or with a reasonable belief, that the driver of the vehicle is under the influence of alcohol or drugs;

- fails to take reasonable steps to persuade the driver to stop the vehicle;
- promotes, provokes or persuades the driver to engage in flight from law enforcement; and
- is subject to arrest or sought to be apprehended by law enforcement.

A pending Judiciary Committee amendment would remove the exclusion of those subject to arrest and clarify the exclusion of those who have engaged in felonious conduct prior to entry into or onto the fleeing vehicle.

Omaha Sen. Ernie Chambers opposed the bill. He said the focus of liability should be placed squarely on political subdivisions that allow law enforcement to engage in “inherently dangerous” police pursuits that can harm innocent bystanders.

“I want to go after those who make the decisions about what the police officers [are authorized] to do,” he said. “[I want to] place responsibility on the political leaders of whatever subdivision hired the offending officer. It would be up to those individuals to adopt policies that would restrict these chases.”

Sen. David Schnoor of Scribner supported the bill, saying current protections are too broad.

“Some are innocent third party victims but some are just as guilty as the person driving the car,” Schnoor said. “There are people out there who are going to take advantage of the system to get some money.”

Chambers introduced a series of amendments and motions to extend debate on LB188 before the Legislature adjourned for the week.

Concealed gun permits for military spouses approved

Military spouses will qualify for concealed handgun permits under a

bill passed by the Legislature Feb. 5.

Currently, members of the U.S. Armed Forces stationed in Nebraska are considered state residents and may apply for concealed handgun permits. LB190, introduced by Hoskins Sen. Dave Bloomfield, allows the spouses of service members stationed in Nebraska to be considered state residents who also may apply for concealed handgun permits.



Sen. Dave Bloomfield

The bill also removes the U.S. citizenship requirement for eligibility for the permit.

The bill passed on a 43-2 vote.

Bill to dispose of tenant property advanced

Lawmakers gave first-round approval Feb. 3 to a bill that would clarify the authority of landlords to dispose of tenants’ property.

LB221, as introduced by Omaha Sen. Burke Harr, would require a tenant to designate a person to retrieve property upon the tenant’s death. Harr said the bill would allow families to gain access to the property without having to go through probate court.



Sen. Burke Harr

“In many cases, families do not have a desire to wait for or incur the costs of a court decision,” he said. “Many times they just don’t want the [property].”

A landlord would have 10 days following the death of a tenant to make a reasonable attempt to contact the designated person. The designee would have 10 days to respond to the landlord, then 20 days to retrieve the property.

A Judiciary Committee amendment, adopted 33-0, would make the designation of an authorized person voluntary. It also extended to 20 days the amount of time a designee would have to respond to a landlord.

If a tenant’s personal property were not removed within the appropriate time period, the landlord could dispose of the property and would not be held liable for any lost, damaged or stolen property. Likewise, if the tenant’s authorized person did not respond within 20 days, the landlord could dispose of the property.

The bill advanced to select file on a 36-0 vote.

Bill would expand hazing prohibition

Members of the Judiciary Committee heard testimony Feb. 4 on a bill that would expand the prohibition of hazing.

Current statute defines hazing as any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with or continued membership with any organization. Hazing committed by postsecondary students currently is prohibited.

LB710, introduced by Venango Sen. Dan Hughes, would expand that prohibition to include all primary and secondary school students. Hughes said the bill is more about protecting children than punishing them.



Sen. Dan Hughes

“This gives authorities more tools to try to reinforce to young people that this behavior is unacceptable and there will be legal consequences,” he

said. "It will not only send a message to older kids, but also let younger children know they do not have to submit to this kind of hazing from anyone."

The bill would expand the definition of hazing to include acts of sexual penetration, exposure of genitals, lewd fondling or caressing of another person. Any person found to have committed an act of hazing would be guilty of a Class II misdemeanor, which carries a maximum penalty of six months in jail, a \$1,000 fine or both.

Virginia Moon, representing the Nebraska Council of School Administrators, supported the bill. She said that schools frequently see the negative effects of hazing.

"Oftentimes some well meaning kids get excited and [escalate] a situation that was meant to be harmless but turns out to be dangerous or creates a humiliation that some students never really recover from," she said.

If the hazing offense is committed for the purpose of initiation into or affiliation with a postsecondary sanctioned organization, such organization would be subject to a fine of up to \$10,000.

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

Expansion of veteran treatment courts discussed

Members of the Judiciary Committee heard testimony Feb. 5 on a bill that would expand the use of problem solving court programs.

LB915, introduced by Omaha Sen. John McCollister, would establish a three-year pilot project to create a veterans' treatment



Sen. John McCollister

problem-solving court program for any county in which a city of the metropolitan class is located. Douglas is the only county that currently would qualify.

McCollister said less than one percent of the U.S. population has served in the military, but veterans make up 20 to 30 percent of the prison population.

"Most veterans return home strengthened by combat experience," he said. "However, that combat experience has left a growing number with substance abuse issues, mental health disorders or cognitive impairment."

The problem solving court would be administered by the Nebraska Supreme Court, which would report to the Legislature on the program's effectiveness after the conclusion of the pilot program. The court also would provide a recommendation whether to continue the court program or to expand it to other counties.

Scott Carlson, statewide coordinator of the Nebraska Supreme Court's Problem-Solving Court, supported the bill.

"Veterans often face challenging experiences from their service, which can include substance abuse or mental health issues," Carlson said. "Problem-solving courts are a proven and effective solution to address these issues and provide the tools necessary to [help veterans] lead a productive and law-abiding lifestyle."

Eric Dillow, representing the Nebraska State Bar Association, also spoke in support of LB915. He said his experience as a retired U.S. Air Force colonel and military court judge has shown him the effectiveness of problem-solving courts.

"[Problem-solving courts] seek to tap into that part of a veteran that speaks to duty, honor, discipline and accountability," he said. "[LB915]

would allow us to intervene the moment veterans come into contact with the criminal justice system so their needs can be assessed and a treatment program can be developed."

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

Caseload limitations proposed for public guardians

Multidisciplinary teams would help manage public guardian cases under a bill heard by the Judiciary Committee Feb. 3.

LB934, introduced by Lincoln Sen. Colby Coash, would remove a statutory provision that the public guardian hire up to 12 associate guardians. Instead, the director would hire a multidisciplinary team of up to 20 professionals and support staff.



Sen. Colby Coash

Coash said the director of the Office of Public Guardian brought forward concerns about the workload the office is facing.

"[We've been] alerted to the need for changes before it becomes too late to right the ship," he said "[LB934] will ensure our most vulnerable citizens have the care they need."

The team would include a deputy public guardian and could include one or more associate public guardian legal counsel, associate public guardians, administrative personnel or any other personnel the director deems appropriate.

Individuals who specialize in law, health care, social work, education, business and psychology could all be included on a multidisciplinary team.

The bill also would limit the number of cases the public guardian could

accept to a ratio of 20 public wards or protected persons to each member of the multidisciplinary team, not to exceed a total of 480 cases. All full-time members of the multidisciplinary team would be counted in the ratio.

Michelle Chaffee, director of the Office of Public Guardian, spoke in support of the bill. She said her associate public guardians currently handle 40 public ward cases each—double the nationally recognized best practice.

“We deal with people with severe and pervasive mental health [issues], they have poverty and they have high needs with difficult populations,” she said, adding that the complexity of the cases make it difficult to adequately serve each public ward.

Douglas County Judge Susan Bazis, co-chair of the Nebraska Supreme Court’s Commission on Guardianships and Conservatorships, also supported the bill.

“Due to the types of cases the public guardian receives and the time they take, 40 wards per associate public guardian is not realistic,” Bazis said. “In order for wards to receive the best care, associate public guardians need to be able to see their wards [regularly] and monitor their cases.”

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

Guardian ad litem duties outlined in bill

The responsibilities of guardians ad litem would be clarified under a bill heard by members of the Judiciary Committee Feb. 3.

Lincoln Sen. Colby Coash introduced LB1008, which contains recommendation from the Nebraska Supreme Court’s Protection of Vulnerable Adults Subcommittee. Coash said the subcommittee recommended

that the role of guardians ad litem be defined clearly in statute.

“Currently there’s a huge question about what guardians ad litem can and cannot do,” he said.

The bill would require that a guardian ad litem be a licensed attorney in good standing, complete relevant training and advocate for the best interests of the individual whom they defend, including their social, economic and personal safety interests.

Each guardian ad litem would be required to make contact with the person he or she represents within two weeks of appointment and become familiar with that person’s condition to the best of their ability.

The guardian ad litem would be authorized to conduct discovery, present and cross-examine witnesses, file motions on behalf of the person they represent and request medical, psychological or other relevant examinations of the person to whom they are appointed.

He or she also would be authorized to make recommendations to the court regarding a temporary or permanent guardianship, conservatorship or other protective order.

If any person or entity refuses to produce documents requested as part of a guardian ad litem’s duties, that person would be held in contempt of court.

William Lindsay, representing the subcommittee, supported the bill. He said clearly defining the role of a guardian ad litem will ensure someone is advocating for a public ward’s best interests at all times.

“Many times a guardian ad litem is appointed to represent the needs of a particular person either during the process of appointing a guardian, conservator or investigating the actions of either of those two,” he said.

The committee took no immediate action on the bill.

Grants proposed to prevent campus sex assaults

Preventing campus sexual assaults was the focus of a bill heard by the Judiciary Committee Feb. 5.

LB1027, introduced by Lincoln Sen. Adam Morfeld, would provide grants to fund programs addressing sexual assault on college campuses. Morfeld said the issue is a real problem on campuses but is rarely discussed.



Sen. Adam Morfeld

“Sexual assault is a cancer upon our society and like cancer, we cannot ignore it,” he said. “We must aggressively address it with resources, education and awareness.”

Grant funds could be used for training, education, awareness, prevention, reporting, bystander intervention and research-based threat assessment programs to improve the safety of students on campus.

Mary Chinnock Petroski, Title IX coordinator at the University of Nebraska at Kearney, supported the bill. She said that addressing campus sexual assault with incoming freshmen is particularly important.

“Students cannot learn unless their basic needs are met, which includes feeling safe in their learning environment,” she said. “Additional funds would allow us to use [different methods] to address sexual assault. All students deserve to feel safe at school and LB1027 would help us to reach that goal.”

Public and nonpublic colleges and universities could apply by Oct. 1 for funding for programs to begin Jan. 1 each year. Funds would be granted based on eligibility, program description, budget goals and performance measures. The program would be concluded by Dec. 1 of the year in

which grant funds are awarded.

The grant program would be funded by a \$500,000 appropriation to the Office of the Attorney General each year, beginning with the 2016-2018 biennium.

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

NATURAL RESOURCES

Changes to wastewater treatment provisions advance

A bill that would expand funding for wastewater treatment and sewage facilities advanced to select file Feb. 1.

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. 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.



Sen. Curt Friesen

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 and 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.

Senators voted 33-0 to advance the bill.

NEBRASKA RETIREMENT SYSTEMS

State patrol retirement changes discussed

The Retirement Systems Committee heard testimony Feb. 4 on a proposal that would make changes to the retirement plans of new Nebraska State Patrol members.

Seward Sen. Mark Kolterman presented the proposed amendment to LB467, which was introduced last session by Sen. Jeremy Nordquist as a placeholder bill.



Sen. Mark Kolterman

"After working over the interim, several additional issues were identified and are incorporated in the amendment," Kolterman said.

He said the amended bill would create a second tier of reduced benefits similar to those created in recent years for members of the state's school employee and judges' retirement plans.

"It is the committee's goal to continue to make each plan sustainable," Kolterman said.

Among other provisions, the amendment would make the following benefit changes for state patrol officers who are hired on or after July 1, 2016:

- increase the officer contribution rate from 16 to 17 percent;
- reduce the maximum cost of living adjustment from 2.5 to 1 percent;
- prohibit participation in the deferred retirement option plan (DROP);
- increase from three to five the number of years of employment used to calculate a member's

final compensation rate; and

- exclude any unused sick, vacation, holiday and compensatory leave in the calculation of a member's final average monthly compensation.

The amendment also would clarify rules regarding service credit for state patrol members who also are active military members.

Kurt Frazey, testifying on behalf of the State Troopers Association of Nebraska (STAN), opposed the amendment. The patrol's plan currently is not in crisis, he said, and STAN would prefer to negotiate any changes to the benefits offered to newly hired patrol members.

"We want to continue productive dialogue that will be fiscally beneficial to the state of Nebraska and to members of the state patrol," Frazey said.

He noted that DROP currently is undergoing study, and suggested that lawmakers wait for the results before eliminating the option for new members. In addition, he said, significantly reducing benefits would hinder the patrol's ability to meet projected staffing needs.

"The changes in benefits in the amendment will greatly diminish our ability to effectively recruit and retain quality personnel," Frazey said.

Orron Hill, legal counsel for the Public Employees Retirement Board, testified in a neutral capacity. Hill said the board is responsible for ensuring that the state's retirement plans are adequately funded and sustainable.

Recent changes to the school and judges' retirement plans increased member contribution rates and reduced benefits, he said, and an evaluation of the state patrol plan suggests that similar changes are in order. Currently, he said, patrol plan contributions are insufficient to cover costs.

"[The amendment] clarifies the

current law and addresses the patrol plan's funding status and sustainability," Hill said.

No one spoke in support of the amendment and the committee took no immediate action on it.

REVENUE

Arena financing bill passed

Senators passed a bill Feb. 5 that changes the way turnback taxes are distributed to cities that build qualifying sports arena facilities.

Under current state law, 70 percent of state sales taxes generated by new and existing retailers near an arena are turned back to the city to help pay for the new facility. Thirty percent is directed to the Civic and Community Center Financing Fund, which provides development grants to smaller communities across the state.

Under LB285, introduced by Sen. Merv Riepe of Ralston, any funds in excess of \$1 million at the end of each year will be distributed proportionally to the cities that generated the turnback revenue to help pay for convention centers and sports arenas.

Senators voted 41-3 to pass the bill.

Freeze on property valuations proposed

The Revenue Committee heard testimony Feb. 4 on a bill that would freeze property valuations for a year.

LB717, introduced by Sen. Mike Groene of North Platte, would hold the 2016 assessed values of all proper-

ty classes at their Jan. 1, 2015 values, adjusting for physical improvements or land use changes.

Agricultural, residential and commercial classes of property all would be assessed using a five-year comparable sale history, as opposed to the current three-year history for agricultural and commercial property and two-year history for residential property. The 20 percent of sales with the lowest ratio of valuation to sale price would be removed from the sale history.

Groene said agricultural property taxes in particular have grown unrealistically in proportion to inflation and income growth over the past few years. The proposed changes to how land is assessed would more accurately reflect the market and provide relief to property tax payers, he said.

It is estimated that the bill would require the state to spend approximately \$43 million more in aid to schools in the 2017-2018 fiscal year to make up for lost property tax revenue.

Ken Herz, representing the Nebraska Cattlemen board of directors, testified in support of the bill. Assessment calculations that leave out sales with low ratios of valuation to sale price would more accurately gauge land values in the state's rural areas, he said.

"In many parts of the state, the market area considered when determining comparable sales is sometimes large because there are so few sales that occur," Herz said. "One or two sales can skew the comparable sales in that area and thus not accurately represent the true land values in that area."

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



Sen. Mike Groene

Tax credit for volunteer emergency responders proposed

The Revenue Committee heard testimony Feb. 3 on a bill that would create a tax credit for volunteer emergency responders.

LB886, introduced by Sen. Al Davis of Hyannis, would create a \$250 refundable tax credit for volunteer emergency responders, rescue squad members and firefighters who meet certain criteria. The bill would establish a point system for volunteer emergency responders, firefighters and rescue squad members to determine annual qualifications for the credit.

The bill is estimated to reduce tax revenue by \$2.2 million in fiscal year 2017-2018 and again in FY2018-2019.

Davis said the bill would help recruit and retain volunteer firefighters and emergency responders in rural communities, which are seeing a significant drop in the number of volunteers. Without volunteers, Davis said, those communities would have to pay hundreds of thousands of dollars every year for private emergency services, a cost many counties could not bear without raising property taxes.

"These people put in a tremendous amount of time," Davis said, adding that volunteers also spend their own money to attend certification and training courses.

Micheal Dwyer, a member of the Arlington volunteer fire and rescue service, testified in support of the bill. He said some rural counties face a critical shortage of volunteers and response times have fallen to dangerous levels in some places.

"We need to send a message to the volunteer fire and [emergency medical



Sen. Al Davis



Sen. Merv Riepe

service] providers across the state that the state truly cares about what we're doing," he said.

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

Early childhood education tax credits proposed

Parents whose children attend qualifying early childhood education programs would be eligible for a tax credit under a bill heard by the Revenue Committee Feb. 3.

LB889, introduced by Omaha Sen. Heath Mello, would create four tiered tax credits related to early childhood care and education. These would include credits for:



Sen. Heath Mello

- parents whose children attend eligible programs;
- providers of eligible programs;
- staff members of those programs; and
- businesses that support those programs.

A child care or early childhood education program would have to be assigned a quality rating under the Step Up to Quality Child Care Act to be eligible for the credit. The program's quality rating would determine the amount of credit the parent or provider receives.

Business expenses eligible for the credit include payments made to an eligible program on behalf of employees, construction or expansion of a facility that houses an eligible program and the purchase of equipment.

The bill also would direct the state Department of Education to develop a classification system for employees of applicable early childhood care and

education programs. An employee's rating would be based on his or her level of education, training and work history. The rating would determine the amount of credit the employee receives.

The credits would become effective in January 2017. The bill would reduce tax revenue by approximately \$10.1 million in fiscal year 2017-2018 and \$16.4 million in FY2018-2019.

Mello said early childhood plays a crucial role in a person's future success and contributes to the development of Nebraska's future workforce and economic growth. He said approximately 75 percent of Nebraska children younger than 6 have both parents working outside the home, but many working families cannot afford quality child care because of its high cost. Mello said the proposed tax credits would give more low-income families access to high-quality early childhood care and education programs.

"It's a poorly funded education system," he said. "It's stratified purely on an individual family's ability to pay for better care."

Sarah Ann Kotchian, director of early childhood policy and public relations for the Holland Children's Movement, spoke in support of the bill. She said giving child care workers a financial incentive to improve their education and training would raise the overall quality of early childhood care and education programs in the state. It also would assist workers in an industry where wages increased only 1 percent from 1997 to 2013, Kotchian added.

"Child care workers are some of the lowest paid workers in the country despite their essential role in educating and nurturing young children during an astonishing period of brain development," she said. "With such low wages, it will continue to be difficult if not impossible to attract and retain good teachers."

Geoffrey Nagle, president and CEO of the Erikson Institute, also testified in support of the bill. Nagle worked with the Louisiana Legislature to create and implement the system of early childhood education tax credits on which LB889 is based.

After Louisiana implemented its system in 2008, Nagle said, the state saw a 600 percent increase in the number of low-income children with access to quality care. The number of child care centers above the minimum quality level increased by more than 400 percent, he added.

"Ultimately this legislation sends a message of support to the child care sector of your commitment to quality," he said. "It's a great investment in economic development and it impacts every district in this state."

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

Stabilization period for land valuations proposed

A bill proposed to the Revenue Committee Feb. 4 would freeze property valuations for three years unless the Legislature passes a property tax reform law.

Introduced by Sen. Jerry Johnson of Wahoo, LB940 would freeze valuations on all classes of property at their 2016 levels until the end of 2019, unless the Legislature passes



Sen. Jerry Johnson

a law that reduces the percentage of school funding provided by property taxes. Property tax credits during this "stabilization period" would remain the same as they were for the 2016 tax year and political subdivisions would be allowed to increase their levy limits

only if the state budget grows.

If the Legislature would fail to pass reform legislation before the end of the stabilization period, assessed values would increase by the same percentage as the increase in the state budget from one fiscal year to the next.

Johnson said the stabilization period would give the Legislature time to pass comprehensive tax reform that would reduce the state's dependence on property taxes to fund public education.

"I truly hope that we can pass property tax relief this year," Johnson said. "I offer this in case we are not able to pass new tax regulations."

Bruce Rieker, vice president of government relations for the Nebraska Farm Bureau Federation, testified in support of the bill. He said LB940 would create an incentive for the Legislature to change the state's property tax policy before the end of the proposed stabilization period.

Larry Dix, executive director of the Nebraska Association of County Officials, opposed the bill. He said it does not consider changes in use of a parcel of land during the stabilization period. If a farmer chooses to irrigate land that is classified as grassland during that period, Dix said, the local government should have some provision that would allow it to assess the land at a higher rate.

The committee took no immediate action on the bill.

TRANSPORTATION & TELECOMMUNICATIONS

Organ donor question updated

Lawmakers passed a bill Feb. 5 that updates the process for indicating one's organ donor status when applying for a driver license.

LB47, introduced by Syracuse Sen.

Dan Watermeier, asks an applicant to indicate whether or not he or she wishes to be an organ donor when applying for a state driver license or identification card. Answering the question is optional.



Sen. Dan Watermeier

The question will read: Do you wish to include your name in the Donor Registry of Nebraska and donate your organs and tissues at the time of your death?

A donor's status will remain effective until revoked or amended by the license holder. Expiration of the driver license will not change the license holder's donor status.

License and permit applicants younger than 16 are exempt from answering the organ donor question. Donors who want to specify which organs and tissues they intend to donate must contact the state's donor registry.

The bill passed on a 48-0 vote.

Single license plate proposal advanced

Owners of certain vehicles would need only one license plate under a bill advanced from general file Feb. 3.

LB53, introduced by Norfolk Sen. Jim Scheer, would exempt from the state's two license plate requirement owners of cars not manufactured to be equipped with a front license plate bracket.



Sen. Jim Scheer

Scheer said eight similar exemptions currently exist for certain vehicles, including those owned by auto dealers.

"In Nebraska we already provide several types of vehicles with only one license plate," he said. "[LB53] would allow Nebraskans the ability to obey the law without drilling holes into their vehicle for a license plate."

Eligible vehicle owners would be issued a decal to be displayed on the lower left corner of the vehicle's front windshield. A Scheer amendment, adopted 32-0, would establish an annual \$100 fee for the decal.

Sen. Curt Friesen of Henderson opposed the bill. He said there could be enforcement issues if LB53 were passed.

"It would be difficult [for law enforcement] to enforce this without knowing which cars are eligible or not when they stop these vehicles," he said.

The bill advanced to select file on a 25-3 vote.

Bill would repeal motorcycle helmet requirement

Motorcyclists 21 and older would no longer be required to wear a helmet in Nebraska under a bill heard by the Transportation and Telecommunications Committee Feb. 1.

LB900, introduced by Sen. Dave Bloomfield of Hoskins, would repeal current state law requiring all motorcycle or moped riders to wear a protective helmet. It instead would give riders 21 and older the option to wear eye protection. Bloomfield made LB900 his priority bill for the session.



Sen. Dave Bloomfield

The bill would increase the motorcycle registration fee by \$19 to fund a new Motorcycle Safety and Brain Injury Trust Fund, which would be

used to assist Nebraskans with brain injuries. Up to 2.5 percent of the fund would be used for motorcycle safety awareness and education programs. No more than 10 percent would be used to administer the fund.

The bill also would increase the fine for operating a motorcycle without a license, and anyone under the age of 8 would be prohibited from being a passenger on a motorcycle on a Nebraska highway.

Bloomfield said the bill represents a compromise between motorcyclists who want to choose whether to wear a helmet and those who say repealing the current law would result in additional motorcycle injuries and fatalities.

“Remember that this is a compromise,” Bloomfield said, “a compromise being offered, backed and funded by the motorcycle riders of the state of Nebraska.”

Mike McHale, a motorcyclist from Bellevue, supported the bill, saying that many riders want a choice whether to wear a helmet. He said helmets are essential equipment in motorsports but have drawbacks for those riding on the street or highway. Helmets can cause fatigue on long rides, are uncomfortable in the heat and can restrict a rider’s vision, McHale said.

“If you’re on an 800-pound machine and a 4,000-pound machine is coming at you, you definitely want to be able to see it,” he said.

Lori Terryberry-Spohr, a clinical neuropsychologist and brain injury program manager at Madonna Rehabilitation Hospital, opposed the bill. She cited National Highway Traffic Safety Administration findings that all states that weakened or repealed laws requiring motorcyclists to wear helmets saw an increase in injuries and fatalities. She said riders who do

not wear helmets are three times more likely to suffer serious brain injuries than those who do wear them.

“Why then would we want to pass a law that we know without a doubt will increase the number of brain injuries in our state, resulting in increased economic burden and more pain and suffering?” she said. “The facts tell us this will be costly and deadly.”

The committee took no immediate action on the bill.

Commission would plan, implement statewide 911 system

The Nebraska Public Service Commission would be responsible for planning a statewide 911 system under a bill heard by the Transportation and Telecommunications Committee Feb. 1.

LB938, introduced by Sen. Jim Smith of Papillion, would give the commission authority to plan, implement, coordinate, maintain and organize funding for a statewide system that would be capable of next-generation service. This means public safety answering points would have the ability to receive 911 calls via voice, text or video using Internet protocol.

The commission would present the plan to the Legislature on or before Dec. 1, 2017, and it would be implemented sometime after July 1, 2018. The plan would estimate the startup and ongoing costs of a statewide system and recommend the number of public safety answering points the state should maintain. The commission would ensure uniform statewide standards for technical support, training efficiency and quality assurance.

The bill also would create a fund that would be used to pay for the commission’s expenses in developing the plan, estimated to be \$1.1 million in fiscal year 2016-2017 and an additional \$1 million in FY2017-2018.

Smith said the cost of developing the plan would be paid for using the existing 911 surcharge and not the state’s general fund. He also said local governments still would be responsible for providing and dispatching emergency services.

“It is not the intent of this legislation to supplant local governments as the provider of public safety answering point services or as the provider of emergency dispatch services,” he said, “but instead to provide coordination, management and maintenance assistance along with state funding assistance for a statewide 911 service system.”

Larry Dix, executive director of the Nebraska Association of County Officials, said the plan that would be developed under the bill is needed to move forward with next-generation 911 service.

“I think it is something that is in the best interest of the citizens of the state of Nebraska,” he said.

Julie Righter Dove, communications coordinator for the Lincoln Emergency Communications Center, testified in support of the bill on behalf of several emergency services associations.

“It is imperative that the public service commission have the authority granted in this bill ... for the implementation of next-gen[eration] 911 to be successful in the state of Nebraska,” she said.

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



Sen. Jim Smith

URBAN AFFAIRS

Zoning ordinance changes advanced

Some municipalities would be required to provide notification to a county board before changing zoning ordinances within their extraterritorial zoning jurisdiction (ETJ) under a bill advanced to select file Feb. 3.

As originally introduced last session by Norfolk Sen. Jim Scheer, LB295 would have required county board approval prior to enforcement of any ordinances, bylaws, rules, regulations or resolutions within a municipalities' ETJ.



Sen. Jim Scheer

Scheer said the League of Nebraska Municipalities expressed concerns with the original bill regarding the ability of communities to retain authority within an ETJ, but that a compromise had been reached.

"We've come with a compromise, which is outlined in the committee amendment, to allow just for a letter of opposition or support [from the county]."

An Urban Affairs Committee amendment, adopted 32-0, replaced the bill.

Under the amendment, a first- or second-class city or village would be required to provide the county board of a county in which the municipalities' ETJ is located with written notice of—and the opportunity to comment on—proposed zoning ordinance changes within the ETJ.

The bill would not apply to cities or villages located in a county with a

population greater than 100,000 or counties in which the city and county have a joint planning commission or joint planning department.

Bellevue Sen. Sue Crawford, chairperson of the committee, said the original bill would have been a "monumental shift in policy," which was addressed by the committee amendment.

In addition, Crawford said, after LB295 was advanced from committee, city advocates asked that the bill be made clearer regarding municipality authority.

As a result, Crawford offered an amendment that would allow a city to make its final decision either 30 days following notice given to the county or when a county board submits comments or recommendations to the city prior to the expiration of the 30 days.

The amendment was adopted 32-0 and the bill advanced to select file on a 35-0 vote.

Voter approval sought for some first-class city refinancing

Lawmakers advanced a bill from general file Feb. 3 that would change voter approval requirements for a first-class city to borrow money for parks and recreation public improvements.

North Platte Sen. Mike Groene, sponsor of LB378, said the bill would protect taxpayers in first class cities.

"Presently under statute, the mayor and city council have the power to borrow money and pledge as security the property and credit of the city in order to buy and improve land for parks, recreational facilities and public grounds," Groene said, as long as authority first is obtained from voters by placing the proposal on the



Sen. Mike Groene

general election ballot.

Groene said a problem arose approximately 20 years ago in North Platte when the city council obtained authority for a revenue bond to build a golf course, but renegotiated that debt to a general bond obligation without another public vote. The result, he said, was a \$15 million obligation for the city's taxpayers.

"The revenue didn't come in and three years later—with one meeting of the city council—revenue bonds were renegotiated to general obligation bonds," Groene said.

As introduced, LB378 would have added the specific type of financing being sought to the initial bond ballot language and would have mandated that any proposed refinance from one type of bond to another be subject to a vote of the people.

An Urban Affairs Committee amendment, adopted 29-0, narrowed the bill to require only that a refinance proposal to change the type of security from revenue bonds to general obligation bonds be placed on the ballot.

Bellevue Sen. Sue Crawford, chairperson of the committee, said only that type of refinance potentially would increase the tax burden on residents. She said the amendment would protect cities from the expense associated with a ballot measure if it were unnecessary.

"This would only require a new vote when taxpayers would be placed at further risk as a result of the refinancing," Crawford said.

LB378 advanced to select file on a 31-0 vote.

Land bank updates advanced

Lawmakers gave first-round approval Feb. 1 to 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, and the Omaha Land Bank was established in 2014.



Sen. Heath Mello

“The concept was introduced to help Nebraska municipalities to address vacant and abandoned properties without straining public resources,” Mello said.

Currently, the voting members of a land bank board must represent real-

tors, 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.

An Urban Affairs Committee amendment, adopted 29-0, adds a requirement that a land bank’s governing board include one nonvoting member of the governing body of the municipality that created the land bank.

If a land bank is created by multiple municipalities, the governing body of each would be represented by one nonvoting member.

LB699 advanced to select file on a 31-0 vote. ■

UNICAMERAL UPDATE ONLINE

While the Unicameral Update print edition is mailed out weekly, the web version of the publication, located at update.legislature.ne.gov, is updated continually throughout the legislative day.

The site provides links to get the Update’s RSS and Twitter feeds. Readers may search Update stories by bill number, senator’s name or keyword using the search box provided in the top-right corner.



UNICAMERAL UPDATE

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RECENT HEADLINES: [Hair braiding license exemption proposed](#)

Restrictions on juvenile detention proposed

Published January 21, 2016, in **Judiciary**

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...



Hair braiding license exemption proposed

Published January 21, 2016, in **Health and Human Services**

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. LB898 defines natural hair braiding as a service of...





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.

Confinement limits proposed for juvenile offenders

Published January 21, 2016, in **Judiciary**

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...



Bill would end long-term care savings program

Published January 20, 2016, in **Revenue**

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



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COMMITTEE HEARINGS

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

Monday, February 8

Appropriations

Room 1524 - 1:30 p.m.

Agency 25: Health & Human Services
LB911 (Bolz) State intent relating to fund transfers for behavioral health systems of care
LB923 (Stinner) Appropriate funds for federally qualified health centers
LB931 (Bolz) Provide for financial incentives for certain assisted-living facilities and change distribution of the Behavioral Health Services Fund
LB988 (Cook) Change distribution provisions for the Health Care Homes for the Medically Underserved Fund
LB1030 (Bolz) Change an expenditure limit relating to amino acid-based elemental formulas
LB1093 (Mello) Eliminate cash funds, create programs, and transfer funds

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

Appointment: Booth, Patrick - Neb. Exchange Stakeholder Commission
Appointment: Flowers, Shari - Neb. Exchange Stakeholder Commission
Appointment: Rieker, Edward (Ed) - Neb. Exchange Stakeholder Commission
LB770 (Groene) Change the termination date of the Nebraska Exchange Transparency Act
LB1020 (Fox) Provide for amendments to declarations to correct scrivener's errors, omissions, or errors in the declaration under the Nebraska Condominium Act
LB1096 (B. Harr) Change provisions relating to amendments to declarations regarding unit boundaries under the Nebraska Condominium Act

Business & Labor

Room 2102 - 1:30 p.m.

LB836 (Mello) Adopt the In the Line of Duty Compensation Act
LB821 (Larson) Adopt the Workplace Privacy Act
LB743 (Hansen) Clarify compensation for shoulder injuries under the Nebraska Workers' Compensation Act
LB1001 (Ebke) Change provisions relating to a compensation schedule for injuries resulting in disability

LB1005 (B. Harr) Provide for an evidence-based drug formulary under the Nebraska Workers' Compensation Act
LB983 (B. Harr) Change the definition of disability under the Nebraska Fair Employment Practice Act

Education

Room 1525 - 1:30 p.m.

LB1049 (B. Harr) Redefine terms to include students in virtual schools in the state aid formula
LB1004 (Cook) Change provisions relating to the Community Eligibility Provision and provide duties for the State Department of Education
LB1065 (Sullivan) Change school provisions relating to the community eligibility provision

Executive Board

Room 2102 - 12:00 p.m.

LR403 (Hansen) Provide the Executive Board of the Legislative Council appoint the Election Technology Committee as a special committee of the Legislature
LR413 (Watermeier) Create the Task Force on Behavioral and Mental Health
LR418 (Howard) Provide the Executive Board of the Legislative Council appoint a special committee to be known as the ACCESSNebraska Oversight Committee of the Legislature

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB872 (Murante) Change a provision relating to the use of blue and amber rotating or flashing lights
LB799 (Bolz) Include capital acquisition costs in the Nebraska Public Transportation Act's assistance program
LB973 (Smith) Change penalty, permit, and notice provisions relating to electric utility lines, poles, and structures
LB996 (Friesen) Change provisions relating to the Motor Vehicle Industry Regulation Act

Tuesday, February 9

**9:00 a.m. Hearings Rescheduled from Tuesday, February 2*

*Appropriations

Room 1524 - 9:00 a.m.

Agency 50: Nebraska State College System
Agency 51: University of Nebraska System
AM1897 to LB 560
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 - 9:00 a.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

*Education

Room 1525 - 9:00 a.m.

LB1086 (Davis) Change provisions relating to student self-management of asthma or anaphylaxis
LB1052 (B. Harr) State intent relating to appropriations for the Nebraska Whole Child Project and change provisions relating to school funding
LB1002 (Baker) Permit educational service unit boards to pay membership dues to associations of school boards

*Transportation & Telecommunications

Room 1113 - 9:00 a.m.

LB989 (Murante) Change provisions relating to motor vehicles
LB669 (Krist) Update certain federal references and change from a secondary to primary offense certain occupant protection system enforcement requirements

COMMITTEE HEARINGS

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

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
LB768 (Garrett) Provide for Choose Life License Plates

*Urban Affairs

Room 1510 - 9:00 a.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

Agriculture

Room 2102 - 1:30 p.m.

Appointment: Kircher, Christopher P. - Nebraska State Fair Board
Appointment: Minert, Lowell - Nebraska State Fair Board
LB945 (Hansen) Adopt the Nebraska Healthy Food Financing Initiative Act

Appropriations

Room 1524 - 2:00 p.m.

Agency 13: Dept. of Education
LB800 (Bolz) State intent relating to an appropriation to the State Department of Education for job-driven training and education
LB838 (Bolz) State intent relating to an appropriation to the State Department of Education for an educational specialist
LB1053 (B. Harr) Appropriate funds to the State Department of Education
LB1074 (Kolowski) Appropriate funds to the State Department of Education

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB706 (Coash) Define habilitative services for purposes of insurance

LB801 (Bolz) Require educational material and a report relating to long-term care insurance
LB1060 (Fox) Adopt the Pharmacy Benefit Fairness and Transparency Act and provide duties for the Director of Insurance

Education

Room 1525 - 1:30 p.m.

LB959 (Sullivan) Change and eliminate provisions relating to school funding, budgets, and levy authority
LB882 (Scheer) Change provisions relating to school budgeting
LB883 (Scheer) Provide for foundation aid pursuant to the Tax Equity and Educational Opportunities Support Act
LB1063 (Sullivan) Change provisions relating to state aid to schools

Nebraska Retirement Systems

Room 2102 - 12:00 p.m.

LB1069 (K. Haar) Provide duties for the state investment officer relating to investment in energy-related companies or funds

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB795 (B. Harr) Establish the Wireless in Nebraska Program under the Nebraska Telecommunications Universal Service Fund Act
LB1003 (Smith) Change the prepaid wireless surcharge determination under the Prepaid Wireless Surcharge Act
LB994 (Davis) Change provisions under the Motor Vehicle Registration Act relating to financial responsibility as applied to nonresident owners

Urban Affairs

Room 1510 - 1:30 p.m.

LB719 (Groene) Change provisions relating to undeveloped vacant land under the Community Development Law
LB1042 (Friesen) Change provisions relating to tax-increment financing
LR399CA (Davis) Constitutional amendment to require cities and villages to obtain voter approval before pledging taxes for the payment of indebtedness related to redevelopment projects

LR394CA (Hughes) Constitutional amendment to authorize taxing bodies to exclude their taxes from pledges made by cities to pay indebtedness on redevelopment projects

Wednesday, February 10

Appropriations

Room 1003 - 1:30 p.m.

Agency 78: Nebraska Commission on Law Enforcement and Criminal Justice
Agency 46: Dept. of Correctional Services
LB733 (Watermeier) Appropriate funds to the Department of Correctional Services

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB912 (Smith) Change requirements for presentation of identification for purposes of voting
LB1109 (Murante) Change public records provisions and provide for an enhanced public scrutiny process for certain University appointees

Health & Human Services

Room 1510 - 1:30 p.m.

LB696 (Howard) Provide for a medicaid state plan waiver to provide coverage for treatment of opioid abuse
LB1032 (McCollister) Adopt the Transitional Health Insurance Program Act and provide duties for the Department of Health & Human Services

Judiciary

Room 1113 - 1:30 p.m.

LB984 (Schumacher) Change provisions relating to mandatory minimum sentencing and sentencing of habitual criminals
LB1106 (Garrett) Change civil forfeiture provisions as prescribed
LB1108 (Garrett) Require reporting to the Auditor of Public Accounts and the Legislature regarding civil forfeiture proceedings
LB980 (Morfeld) Change penalty provisions for certain violations relating to or committed by persons experiencing or witnessing a drug overdose

COMMITTEE HEARINGS

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LB843 (Pansing Brooks) Change provisions relating to prostitution
LB1079 (Pansing Brooks) Redefine law enforcement agency and change provisions relating to law enforcement officer jurisdiction

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Maricle, Hilary K. - Environmental Quality Council
LB1038 (Davis) Change water appropriation application provisions

Revenue

Room 1524 - 1:30 p.m.

LB951 (B. Harr) Adopt the Affordable Housing Tax Credit Act
LB1048 (B. Harr) Adopt the Nebraska Agriculture and Manufacturing Jobs Act and provide tax credits
LB812 (Smith) Provide a sales tax exemption relating to custom software

Thursday, February 11

Appropriations

Room 1003 - 1:30 p.m.

Agency 9: Secretary of State
Agency 10: Auditor of Public Accounts
Agency 14: Public Service Commission
Agency 24: Dept. of Motor Vehicles
LB715 (Stinner) Provide for transfers from the General Fund to the Nebraska Cultural Preservation Endowment Fund
LB789 (Cook) Change provisions regarding appropriations for the installation of art in public buildings
LB1018 (Coash) Appropriate funds to the Nebraska Arts Council

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB754 (Crawford) Create the Commission on Military & Veteran Affairs
LB1073 (Kolowski) Authorize the display of the Honor and Remember flag as prescribed
LB878 (Murante) Provide and change rulemaking duties relating to veterans homes and the Veterans' Homes Board
LB877 (Murante) Change a provision relating to review of proposed subdivision plats by certain county planning commissions

Health & Human Services

Room 1510 - 1:00 p.m.

Dept. of Health & Human Services - Division of Behavioral Health Annual Committee Briefing
Appointment: Dawson, Sheri - Dept. of Health & Human Services
LB985 (Schumacher) Provide reporting duties for regional behavioral health authorities
LB804 (Hilkemann) Adopt the Investigational Drug Use Act
LB891 (Brasch) Adopt the Down Syndrome Diagnosis Information and Support Act

Judiciary

Room 1113 - 1:30 p.m.

LB892 (Kintner) Change provisions relating to intimidation by telephone call
LB757 (Brasch) Change provisions relating to personal property exemptions in cases of forced sale or execution or attachment
LB829 (B. Harr) Adopt the Revised Uniform Fiduciary Access to Digital Assets Act (2015)
LB1075 (Schilz) Change provisions of the Disposition of Personal Property Landlord and Tenant Act
LB947 (Mello) State intent relating to professional or commercial licenses for certain aliens

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Rundel, John Arley - Neb. Oil and Gas Conservation Commission
LB1071 (K. Haar) Adopt the Solar Energy Economic Development Act
LB1101 (Mello) Require the Department of Environmental Quality to examine the status of solid waste management programs

Revenue

Room 1524 - 1:30 p.m.

LB1013 (Gloor) Change tax on cigarettes and other tobacco products and provide for distribution of proceeds
LB949 (B. Harr) Change the commission allowed to cigarette stamping agents
LB950 (B. Harr) Allow a bad debt deduction relating to cigarette and tobacco product taxes

Tuesday, February 16

Agriculture

Room 2102 - 1:30 p.m.

LB968 (Johnson) Change provisions relating to an agriculture promotion and development program

Appropriations

Room 1524 - 1:30 p.m.

Agency 27: Dept. of Roads
LB960 (Smith) Adopt the Transportation Innovation Act and provide transfers from the Cash Reserve Fund

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB740 (Hansen) Add an unfair claims settlement practice under the Unfair Insurance Claims Settlement Practices Act
LB796 (B. Harr) Prohibit alterations to liability insurance coverage for claims under the Minor Alcoholic Liquor Liability Act
LB856 (B. Harr) Change the Insured Homeowners Protection Act
LB1041 (Cook) Provide for disapproval of certain insurance rate filings if they use price optimization

Urban Affairs

Room 1510 - 1:30 p.m.

LB865 (Crawford) Change provisions relating to handicapped parking
LB857 (Hadley) Change population threshold for a city of the first class to employ a full-time fire chief
LB806 (Mello) Adopt the Riverfront Development District Act

Wednesday, February 17

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB851 (McCollister) Change the Taxpayer Transparency Act
LB694 (Crawford) Change provisions relating to exempt contracts under the Taxpayer Transparency Act
LB992 (Ebke) Provide a restriction on installment contracts for the purchase of real or personal property by political subdivisions
LB955 (Scheer) Except the University of Nebraska and the Nebraska State College System from participation in certain state contracts regarding electronic payments

COMMITTEE HEARINGS

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

Natural Resources

Room 1525 - 1:30 p.m.

LB1070 (K. Haar) Change powers and duties of the Nebraska Oil and Gas Conservation Commission to require liability insurance and restrict permits as prescribed

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

LB1100 (Schilz) Adopt the Petroleum Education and Marketing Act

Thursday, February 18

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1080 (Seiler) Change provisions relating to direct purchases and use of recyclable material by correctional industries

LB978 (Craighead) Change provisions relating to the state purchasing card

program and facilities construction and administration and eliminate obsolete provisions

LB999 (Garrett) Change the disposition of proceeds from the sale of surplus personal property

Natural Resources

Room 1525 - 1:30 p.m.

LB711 (Hughes) Change provisions of the Noxious Weed Control Act and create the Riparian Vegetation Management Task Force

LB712 (Hughes) Change provisions relating to the regulation of aboveground motor vehicle fuel storage tanks

Friday, February 19

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1099 (Krist) Change provisions relating to expense reimbursement

LB1084 (Stinner) Change and provide duration requirements for certain state agency contracts

LR381 (Ebke) Resolution to ratify the Twenty-Seventh Amendment to the United States Constitution regarding compensation for members of Congress

Judiciary

Room 1113 - 1:30 p.m.

LB832 (Morfeld) Provide for seizure and sale of a motor vehicle illegally transporting household goods for hire

LB890 (Brasch) Change provisions relating to actions involving motor vehicle collisions with domestic animals

LB916 (Howard) Provide immunity from criminal or civil liability for removal of an animal from a motor vehicle by forcible entry as prescribed

LB966 (Kintner) Adopt the Refugee Resettlement Agency Indemnification Act ■

LIVE VIDEO STREAMING OF THE UNICAMERAL

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To watch, click on the "Live Video Streaming" link on www.NebraskaLegislature.gov. Then click on the room you would like to observe.

The screenshot shows the official website of the Nebraska Legislature. The header includes the state seal and the text "NEBRASKA LEGISLATURE The official site of the Nebraska Unicameral Legislature". The main content area displays "104th Legislature, 2nd Session - Day 11" and "The Legislature is adjourned until Friday, January 22, 2016 at 9:00 am." A sidebar on the left lists navigation options like "Home", "Chamber Viewer", "Legislation", "Bills and Laws", "Calendar", "Committees", "Legislative Divisions", "News", "Reports", and "Senators". On the right, there are search boxes for "Current Bills", "Laws", and "Find Your Senator", along with a "Live Video Streaming" section featuring the NET logo. A black arrow points to the "Live Video Streaming" link.

LEGISLATIVE GLOSSARY

“A” Bill - see Appropriation Bill.

Amendment On File - an amendment of 10 or more pages, not printed separately or in the Journal, that is available in the Clerk’s Office (Room 2018).

Amendment Printed Separate - an amendment of 10 or more pages, printed separately from the Journal, that is available in the Bill Room (Room 1102).

Appropriation Bill (“A” Bill) - a bill to appropriate funds to finance another bill bearing the same number.

Attorney General’s Opinion - a written analysis of a question of law prepared by the attorney general for the governor, the head of an executive department or any state senator.

Bill - see Legislative Bill.

Bracket - to delay consideration of a bill.

Call of the House - a procedure used to compel attendance of unexcused senators in the chamber.

Carry-over Legislation - bills and resolutions introduced during the regular session in an odd-numbered year and held over for consideration during the regular session in an even-numbered year.

Chair - the presiding officer.

Cloture - a parliamentary action to cease debate on a bill and vote immediately on its advancement. A motion for cloture may be made after eight hours of debate on most bills and after 12 hours on appropriation bills introduced by the Appropriations Committee.

Constitutional Amendment Resolution - a proposal to amend the state constitution, ratify or reject an amendment to the U.S. Constitution, or petition Congress about amending the U.S. Constitution. State CA resolutions have the suffix “CA” by the resolution number, and they must be approved by the voters as well as the Legislature.

Consent Calendar - a portion of the agenda in which relatively noncontroversial bills are considered and quickly advanced to the next legislative stage. Usually, a bill on consent calendar can be debated for no more than 15 minutes.

“E” Clause - see Emergency Clause.

E&R - see Enrollment and Review.

Emergency Clause (“E” Clause) - a provision that allows a bill or a portion of a bill to take effect immediately after the governor signs it or after the Legislature overrides the governor’s veto.

Engrossment - the process of preparing a bill for Final Reading by incorporating all adopted amendments.

Enrollment and Review (E&R) - the process of incorporating adopted amendments into a bill and reviewing the bill for technical and grammatical accuracy.

Executive Session - a closed meeting of a committee to discuss and act on bills and resolutions. An executive session is open only to committee members, committee staff and the media.

Final Reading - the third and last stage at which a bill is considered by the entire Legislature. The clerk reads the entire bill aloud, unless final reading is waived, and senators vote without debate on whether to submit the bill to the governor.

Fiscal Note - a statement prepared by the Legislative Fiscal Office estimating the effect a bill would have on state and/or local expenditures and revenue.

Floor - the area of the legislative chamber where the senators sit. When a committee advances a bill “to the floor,” it means the bill is being sent to the full Legislature for consideration.

General File - the first stage at which a bill is considered by the full Legislature. Bills on General File may be amended, returned to committee, indefinitely postponed or advanced to Select File.

Hearing - a regularly scheduled committee meeting to receive public comment on proposed bills and resolutions.

House Under Call - the term used when all unexcused senators are required to be in their seats in the chamber and unauthorized personnel must leave the floor.

Indefinitely Postpone (IPP) - to kill a bill.

Interim - the period between regular legislative sessions.

Interim Study Resolution - a resolution authorizing a committee to study an issue following adjournment of a legislative session.

IPP - see Indefinitely Postpone.

Journal - see Legislative Journal.

Laws of Nebraska (Session Laws) - bound compilation of all laws and constitutional amendment resolutions passed in a legislative session, the state Constitution, and subject and section indexes.

Legislative Bill (LB) - a proposal to create, change or delete one or more laws.



Legislative History - the committee and floor debate records for any bill. A history includes transcripts of the bill's hearing and all floor debate.

Legislative Journal - official record of legislative floor action, including all motions, the number of yeas and nays on each vote, etc.

Legislative Resolution (LR) - a proposal to make a formal expression of opinion, intent or recognition; amend the state or federal constitution; or authorize a study of an issue during the interim. See also Constitutional Amendment Resolution, Interim Study Resolution.

Line-Item Veto - the power of the governor to make specific reductions in any part of a budget bill passed by the Legislature.

Machine Vote - a vote taken by electronic voting system. The voting board shows how each senator voted, but only vote totals are entered in the Legislative Journal.

Major Proposal - a bill or constitutional amendment resolution that the speaker designates as important enough for scheduling priority. Each session, up to five bills may be chosen as major proposals, all of which must be senator priority bills and must get the approval of two-thirds of the Executive Board.

One-liner - a one-line description of a bill or resolution.

Override a Veto - see Veto Override.

President of the Legislature - the lieutenant governor. While senators address whomever is in the chair as Mr. or Madam President, the lieutenant governor alone holds the official title.

Presiding Officer - the senator currently presiding over legislative proceedings.

Priority Bill - a bill that has priority status and generally is considered ahead of other bills in debate. Each senator may select one priority bill, each committee may select two priority bills, and the speaker may select up to 25 priority bills.

Record Vote - a vote on which a record is kept of how each senator voted. The vote is taken by electronic voting system and the senators' names and corresponding votes are then printed in the Legislative Journal.

Regular Session - the annual session that begins the first Wednesday after the first Monday in January.

Resolution - see Legislative Resolution.

Revisor Bill - a bill, prepared by the Office of the Revisor of Statutes, proposing a technical correction or the repeal of an obsolete statute.

Roll Call Vote - a vote during which the senators vote one at a time as the clerk reads their names. Senators cast their votes verbally, and their names and corresponding votes

may be printed in the Legislative Journal.

Select Committee - a permanent committee with a subject-matter jurisdiction related to the administration of the Legislature.

Select File - the second stage at which a bill is considered by the entire Legislature. Bills on Select File may be amended, returned to committee, indefinitely postponed or advanced to Final Reading.

Session - a period of time, usually a number of days, during which the Legislature meets and transacts business.

Session Laws - compilation of all laws and constitutional amendment resolutions passed in a session.

Sine Die - without setting a future date for reconvening. When the Legislature adjourns sine die, the legislative session is finished for the year.

Slip Law - a bill or constitutional amendment resolution printed individually in its approved form after being enacted into law or submitted to voters.

Speaker of the Legislature - the officer of the Legislature, elected from among the senators, who prepares the daily agenda and the session calendar and presides in the absence of the lieutenant governor.

Special Committee - a committee created by law for a specific reason. Except for the Executive Board, special committees have no jurisdiction over bills or resolutions.

Special Session - a limited legislative session called for a specific purpose by the governor or two-thirds (33 members) of the Legislature.

Standing Committee - a permanent committee with subject-matter jurisdiction related to an area of public policy. Almost all bills and resolutions are referred to one of the 14 standing committees.

Summary Sheet - a daily list of all legislative activity that has taken place in one legislative day, including action taken on bills and resolutions.

Veto - the power of the governor to reject bills passed by the Legislature. The governor has five days, excluding Sundays, to either sign or veto a bill. The Legislature then has an opportunity to override the veto.

Veto Override - the power of the Legislature to pass a bill over the governor's veto. A veto override requires the approval of three-fifths (30 members) of the Legislature.

Voice Vote - a vote in which senators cast their votes orally and no totals are recorded.

Worksheet - a list, prepared daily, that indicates the status of all bills and resolutions at the end of that legislative day.



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Construction crews continue preparations for new fountains in the Capitol courtyards.