

## Funding for river weed control proposed

The Natural Resources Committee heard testimony on a bill Feb. 18 that would provide funding to clear the state's rivers of invasive plant species.

Under LB711, introduced by Sen. Dan Hughes of Venango, the state Department of Agriculture would receive \$2 million annually to control invasive plants, noxious weeds and other vegetation in and near the banks of any natural stream. The department would apply for additional federal funds and provide grants to weed management entities, local weed control groups and natural resources districts.

The department would administer the Riparian Vegetation Management Task Force, whose members would be appointed by the governor from the natural resources districts, the Department of Natural Resources, the Nebraska Weed Control Association and other agencies in addition to landowners. The task force would develop a vegetation management plan, analyze the cost effectiveness of available treatments and provide an annual report to the Legislature on its progress.

Hughes said the bill would reinstate the task force, which was created in



Sen. Dan Hughes

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## Attempt to lower age for public office stalls



Sens. Tyson Larson (right) and Adam Morfeld discuss strategy during debate on LR26CA.

After two days of discussion, select file debate stalled Feb. 18 on a measure that would allow an 18-year-old to hold public office in Nebraska.

As 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.

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.

Lincoln Sen. Adam Morfeld offered an amendment Feb. 17 that would limit the bill's provisions to legislative and executive branch offices. He said the amendment would

remove state Supreme Court judges from the bill's provisions.

Morfeld said the amendment reflected concerns raised during general file debate that a ballot measure based on the resolution would contain multiple subjects—which the Nebraska Supreme Court has ruled unacceptable in the past.

"This should alleviate any constitutional concerns based on the research that I had on the case law," he said.

Larson supported the amendment, saying it should address concerns about the proposal and allow voters to decide the measure's merits.

"It's wrong to disenfranchise any individual based on age, sex or race, so let's make sure that we don't do that," he said. "Let's make sure that everyone has a voice and that everyone has the opportunity to serve."

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## Funding for river weed control proposed

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2007 and ran out of funding in 2014. He said the program should be restarted because of its success.

“Invasive species don’t ever take a year off because they don’t have money,” he said.

Brent Meyer, weed control superintendent for Lancaster County, spoke in favor of the bill. He said the original project succeeded in clearing thousands of acres of weeds from the state’s river systems, allowing them to flow more freely. This reduced the severity of floods, protected wildlife habitats and preserved more water for agricultural and recreational use, Meyer said. Now that funding for the project has run out, he added, those invasive plants are regaining their foothold.

“The battle is not over,” he said. “In fact we are just beginning to realize the impact invasive vegetation can have on our river systems.”

Mike Clements, general manager of the Lower Republican Natural Resources District, also testified in support of the bill. He said the Republican River’s flow was measured at only 300 cubic feet per second in 2007 because its basin was engulfed in phragmites, an invasive reed with a dense root system that absorbs large quantities of water. After four years of spraying and tearing out root systems under the previous task force, Clements said, the river can now handle a flow of 1,100 cubic feet per second.

“This is something that will have to continue forever,” he said. “If that would go untreated for a couple of years we’d be right back to where we were.”

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

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# Lower age for public office stalls

(continued from front page)

Omaha Sen. Ernie Chambers offered a motion Feb. 17 to bracket the bill until April 20, 2016. He said his objections to the proposal were based on policy issues as much as on questions of the constitutionality of the ballot language. Lawmakers should be protectors of the constitution, he said.

“Our responsibility is to winnow—to sort out—and to not just dump things on the public,” Chambers said. “People this age are generally immature when it comes to assuming the responsibilities of public office.”

Gothenburg Sen. Matt Williams supported the bracket motion, saying

there is not a pressing need to alter the state constitution. The state does not lack qualified candidates for office, he said, and an individual who would be a good candidate for the Legislature at 18 would be an even better candidate at 21.

Williams said lawmakers should be spending their time on issues of vital importance to the future of the state rather than solving a problem that doesn’t exist.

“I think we need to be careful that we are not exhibiting bad judgment in the Legislature,” he said. “People expect a great deal of us.”

The bracket motion failed Feb. 17 on a vote of 14-17.

When debate resumed Feb. 18, Chambers filed a series of motions in an effort to extend debate and compel a cloture motion—an attempt to cease debate and force a vote on a bill.

After four hours of debate, Larson offered a cloture motion that was defeated on a 26-18 vote. Thirty-three votes were required for adoption.

A failed cloture motion results in debate on a bill ceasing for the day. LR26CA is unlikely to be scheduled for further debate this session. ■

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# APPROPRIATIONS

## Transportation infrastructure bank proposed

The state would allocate up to \$300 million in cash reserves and gasoline tax revenue over seven years to fund a transportation infrastructure bank under a bill heard by the Appropriations Committee Feb. 16.

LB960, introduced by Sen. Jim Smith of Papillion at the request of Gov. Pete Ricketts, would create an infrastructure bank composed of three programs overseen by the state Department of Roads. The first would accelerate capital improvement projects, including the state's expressway system and other high-priority roads projects. Another program would provide funds to repair and replace deficient county bridges and the third would finance improvements to the state's transportation infrastructure that would support new and expanding businesses.



Sen. Jim Smith

The bill also would authorize the department to hire a construction manager who would advise the department on project scheduling and to enter into contracts in which a single contractor designs and builds a project.

The infrastructure bank would be funded with \$150 million from the state's cash reserve and up to \$150 million of state motor fuel tax for seven years, beginning on July 1, 2016. The state would transfer \$16 million to the department in fiscal year 2016-2017 and \$28 million in FY2017-2018. Any funds remaining in the bank on June 30, 2033, would be transferred to the road operations fund.

Smith said the department's current level of funding cannot support significant new construction. Approximately \$600 million in expressway projects remain unfunded, he said, and it would cost another \$800 million to bring the state's county bridges up to standard. He said the infrastructure bank would supplement a 2011 appropriation to fund surface transportation and a law passed last year that raised the state's gasoline tax by 6 cents per gallon.

"It's a necessary step if we want to pull our state out of the rut our critical transportation infrastructure has fallen into due to many, many years of neglect and inaction," he said.

Kyle Schneweis, director of the state Department of Roads, spoke in support of the bill. He said the bulk of the funds would be used to finish long-awaited projects like the state's expressway system, as well as interchanges and railroad overpasses. Using design-build contracts could save two to four years on large, complex projects like those, Schneweis said.

"All the money in the world will not help us deliver projects tomorrow," he said. "Projects take time to develop, and in the past in Nebraska they've taken too long to develop."

Rick Kuckkahn, Scottsbluff city manager, testified in support of the bill. Speaking on behalf of the city and the League of Nebraska Municipalities, he said completing Nebraska's expressway system would benefit agriculture and tourism, two of the state's most important industries. He said a more modern transportation network also would help cities in western Nebraska better compete with Colorado, Wyoming and South Dakota when trying to attract new businesses.

"We have lots of opportunity for more growth and development facilitated by faster completion of our expressway system," Kuckkahn said.

Dirk Petersen, vice president and general manager of Nucor Steel in Norfolk, also spoke in support of the bill. Speaking on behalf of 4 Lanes 4 Nebraska and the Nebraska Chamber of Commerce, he said completing the state's expressways would create jobs, add billions of dollars to the state's gross domestic product and improve public safety.

Petersen said that without the promise of a four-lane highway connecting Norfolk to the interstate system, the city could not recently have attracted a pipe manufacturer that will build a \$130 million facility there, creating 200 jobs and generating \$20 million in property tax revenue.

"It's hard to know just how many opportunities and how many jobs Nebraska has lost because we haven't put the right infrastructure in place," he said.

Pam Dingman, Lancaster County engineer, testified in a neutral capacity. She said the county's infrastructure needs are stark—more than 90 of the county's bridges are more than 50 years old. Projects meant to fund bridge repair already exist and the proposed design-build contracts can be more expensive than traditional contracting methods on smaller projects, she said.

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

# EDUCATION

## Civics exam would be required for graduation

Mastery of civic education would be required for high school graduates under a bill heard by the Education Committee Feb. 16.

LB868, introduced by Omaha Sen.

Bob Krist, would require all high school students to pass a 100-question civics examination based on the U.S. Bureau of Citizenship and Immigration Services' naturalization test.



Sen. Bob Krist

Krist said only 4 percent of high school students in Arizona and Oklahoma could successfully pass the examination.

"When voters reach out to [the Legislature] and share opinions they're displaying engagement on issues that impact their families, businesses and communities," he said. "If students don't understand how the government works at the most basic level, how can we expect them to [understand] the importance of voting and engaging in the political process?"

Each school district would determine how the test would be administered. Students could take the test at any time after enrolling in ninth grade and would be able to repeat it as many times as necessary to pass.

Lucian Spataro, representing the Joe Foss Institute, supported the bill. The institute promotes civic education and designed a version of the test that could be administered under LB868.

"Unfortunately few American students understand the basic facts about our government, its formation and how it works," Spataro said. "[LB868] would help put civics back on the front burner, where it belongs, so our students can graduate and become civically engaged adults."

Audrey Worthing, a high school freshman from Elm Creek, also testified in support of the bill.

"Many adults think my generation is apathetic, self-centered and disconnected, but we're not," she said. "Requiring students to pass a citizenship

test is the first step that shows [that the Legislature] believes civic education is a priority."

Karen Graff, a retired educator representing the Nebraska State Council for Social Studies, opposed LB868. She said the test would be simple to administer and score, but would not necessarily create a more engaged citizenry.

"We acknowledge that requiring students to take the test may help illustrate content and the process immigrants take to become citizens," she said. "However, if we truly want to engage students in active citizenship, teachers in the classrooms need to encourage students to engage in critical thinking skills."

The examination requirement would apply to students beginning with the 2017-2018 graduating class.

The committee took no immediate action on the bill.



**Bill would broaden state entity financial disclosure**

A bill that would broaden the scope of a financial transparency law aimed at state government was heard Feb. 17 by the Government, Military and Veterans Affairs Committee.

LB851, sponsored by Omaha Sen. John McCollister, would modify the Taxpayer Transparency Act to include quasi-public entities such as boards and commissions created by the Legislature.



Sen. John McCollister

"The proposal would broaden the type of entities required to submit financial data for the state's transpar-

ency website," McCollister said.

The bill defines a state entity as any agency, board, commission or department of the state and any other body created by state statute that includes a person appointed by the governor, the head of any state agency or department, an employee of the state of Nebraska or any combination of such persons that is empowered to collect and disburse state receipts.

Nebraska State Treasurer Don Stenberg testified in support of the bill, saying it would build upon improvements that his office has made to the transparency website. He said a national organization rated the state's website a "D" when he took office, but recently upgraded that ranking to a "B+."

The website would be improved further by including the receipts, expenditures and contracts of quasi-public state agencies, Stenberg said, which often are also responsible for taxpayer dollars.

"I think that they should be held to the same standards of disclosure that we currently have for our state agencies and offices," Stenberg said.

Jessica Herrmann, representing the Platte Institute for Economic Research, also testified in support, saying the state has approximately 30 quasi-public entities that would be impacted by the bill.

Transparent use of public funds is essential for citizens to make informed decisions and hold elected officials accountable, she said.

"Nebraskans need solid information on what they get for their tax dollars," Herrmann said.

Timothy Kenny, executive director of the Nebraska Investment Finance Authority, testified in a neutral position. Saying the quasi-public agency is "wholeheartedly in favor of meaningful disclosure," Kenny said security concerns regarding disclosed information remain.

He said the agency had 15 intrusions into its data system in the last 90 days seeking access to information.

“Unfortunately, this is the world we live in and these are the threats that we see,” Kenny said, adding that the agency could be required to spend up to \$150,000 to develop a system capable of integrating securely with the state transparency website.

Under the bill, entities would be required to submit all expenditures of state receipts—whether appropriated or nonappropriated—including grants, contracts, subcontracts, aid to political subdivisions, tax refunds or credits that may be disclosed under existing laws and any other disbursements of state receipts in the performance of the entity’s functions.

Transfer of funds between two state entities, payments of state or federal assistance to an individual or expenditure of pass-through funds would not be subject to the bill’s provisions. Data collected would be available on the state spending website beginning in fiscal year 2016-17.

The committee took no immediate action on the bill.

**Electronic voting expanded**

Lawmakers passed a bill Feb. 18 that allows 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, expands the electronic voting option to all public bodies.



Sen. John Murante

The bill passed on a 46-0 vote.

**Bill seeks to enhance correctional industries program**

A corrections program that provides employment for inmates would be enhanced under a bill heard Feb. 18 by the Government, Military and Veterans Affairs Committee.

LB1080, introduced by Hastings Sen. Les Seiler, would increase the purchasing limit for Cornhusker State Industries (CSI) from \$25,000 to \$50,000. CSI, the state Department of Correctional Services industries program, provides employment for inmates.



Sen. Les Seiler

The bill also would allow recycling of materials used by CSI in the production of goods and services, and would allow CSI to retain the recycling proceeds.

Seiler said CSI receives no general fund support and provides job training and other valuable skills to approximately 500 inmates on a daily basis. Those skills are essential, he said, in ensuring that inmates are able to successfully adjust to life upon release.

“It’s a key component of the department’s reentry program,” Seiler said.

Jeremy Elder, assistant deputy director in charge of CSI, testified in support of the bill. CSI is self-supporting, he said, and the current cap on purchases of components and parts directly from vendors has not been increased since the 1980s.

“[The current cap] limits our ability to provide responsive customer service and obtain the best pricing,” Elder said.

No opponent testimony was offered and the committee advanced the bill to general file on a 7-0 vote.



**Prescription drug monitoring changes approved**

Lawmakers gave final approval Feb. 18 to a bill intended to enhance Nebraska’s Prescription Drug Monitoring Program.

LB471, introduced last session by Omaha Sen. Sara Howard, will strengthen the program by:



Sen. Sara Howard

- prohibiting patients from opting out of the system;
- requiring prescription dispensers to report to the system;
- allowing prescribers and dispensers to access the system at no cost;
- requiring all controlled substance prescriptions to be entered into the system; and
- capturing information relating to all payers, including Medicaid.

The provisions will apply to veterinarians beginning Jan. 1, 2018.

In addition, the bill establishes a 10-member Veterinary Prescription Monitoring Program Task Force. The task force will study and develop recommendations regarding which controlled substances veterinarians will report under the system, as well as appropriate reporting procedures.

Membership will include three senators, six licensed veterinarians and a representative of the program. The task force will report its findings and recommendations to the Health and Human Services Committee by Dec. 1, 2016.

LB471 passed on a 46-0 vote.

**Increased access to family planning, preventive health services proposed**

A bill that would expand eligibility for the state’s publicly funded family planning services and increase access to preventive health care was heard Feb. 18 by the Health and Human Services Committee.

LB782, introduced by Columbus Sen. Paul Schumacher, would require the state Department of Health and Human Services (DHHS) to submit a state plan amendment to the federal Centers for Medicare and Medicaid Services no later than Sept. 1, 2016, to provide medical assistance for family planning services to individuals with a family earned income at or below 185 percent of the federal poverty level.

Under the bill, family planning services would include training in parent-hood and education in the financial, career and generational implications of pregnancy and child rearing.

Schumacher said low-income individuals often do not understand the long-term consequences of unplanned pregnancies and that education is the key to breaking the cycle of poverty.

“[We need] to provide good contraceptive counseling, to provide career counseling, to provide financial counseling so there is less of a possibility of another unplanned pregnancy,” he said.

The bill also would appropriate \$500,000 in general funds in fiscal year 2016-17 and FY2017-18 to DHHS. The funds would be directed to the Every Woman Matters program for services including mammograms, breast examinations, Pap smears, colposcopy, associated laboratory costs and education and outreach.



Sen. Paul Schumacher

Testimony focused on the portion of LB782 that would expand family planning services.

Molly McCleery of Nebraska Appleseed testified in support of the bill, saying it aligns well with other state priorities such as promoting quality early childhood education and reducing intergenerational poverty.

Currently, approximately half of all pregnancies in Nebraska are paid for by Medicaid, she said, and reducing that number would save the state a considerable amount of money. The federal government reimburses states for the cost of the family planning program at a 90 percent rate, she said, which is considerably higher than the Medicaid reimbursement rate.

“It’s generally estimated that for every \$1 of publicly-funded family planning services there’s a savings of \$4,” McCleery said.

Teresa Kenney, a women’s health practitioner in Omaha, testified in opposition to the bill. Greater access to contraceptives is not in the best interest of women or families, she said, in part because of the increased risk of disease associated with hormonal birth control methods.

“The starting point should always be that abstinence is the only 100 percent safe [option],” Kenney said.

Greg Schleppebach, executive director of the Nebraska Catholic Conference, also testified in opposition to the bill, saying it would not produce the intended result.

He said studies show that only two of the six states that have utilized the family planning state plan amendment saw a reduction in unintended pregnancies. In addition, he said, research shows that women choose not to use contraception because of its failure rate and side effects, not because they cannot afford it.

“[That] assumption is undermined by studies that show that cost plays a

small role,” Schleppebach said.

The committee took no immediate action on the bill.

**Hair braiding license exemption advanced**

Natural hair braiding would be exempt from cosmetology credentialing requirements under a bill given first-round approval Feb. 16.

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



Sen. Nicole Fox

“This is a bill that removes one of the hurdles facing entrepreneurs in some of the poorest areas of our state,” Fox said.

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

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

Fox said that 15 states do not require licensure for hair braiding, including Colorado and Kansas. In addition, she said, there have been no public health issues related to braiding in those states.

A Health and Human Services Committee amendment, adopted 35-0, would add crochet hooks to the list of allowable hair braiding tools, clarify that needles used must be blunt tipped and clarify that topical agents may be used only in conjunction with hair braiding.

Lawmakers voted 31-0 to advance the bill to select file.

**Bill would extend, update children's commission**

State law authorizing the Nebraska Children's Commission would be extended and updated under a bill heard Feb. 19 by the Health and Human Services Committee.

LB1034, introduced by Lincoln Sen. Kathy Campbell, would extend the commission through June 30, 2019. The commission currently is scheduled to terminate June 30, 2106.



Sen. Kathy Campbell

Campbell said the commission was created in 2012 after serious problems with the child welfare system led the Legislature to restructure the goals of the system and require more oversight and accountability.

The bill also would update the duties of the commission to include youth in the state's juvenile justice system. Juvenile justice youth were transferred to the state's judicial branch in 2013, Campbell said, and a change in the law is needed to clarify that the commission provide oversight for those youth.

"It was felt strongly that in the bill to reauthorize the children's commission we should specifically state that the commission deal with the juvenile justice system," she said.

The bill would require that no member of the commission have any private financial interest, profit or benefit from any of the commission's work. It also would require the commission to develop a system of care plan and analyze case management workforce issues.

Beth Baxter, chairperson of the Nebraska Children's Commission, testified in support of the bill. The commission has identified establishment of a consistent and stable workforce as a top priority, she said.

"These provisions would allow the commission to continue to support the many dedicated people working in child welfare," Baxter said.

No one testified in opposition to LB1034 and the committee took no immediate action on it.

**JUDICIARY**

**Flying lanterns banned**

Senators passed a bill Feb. 18 that prohibits the sale of flying lanterns.

LB136, introduced by Wahoo Sen. Jerry Johnson, makes it illegal to sell, possess or use a flying lantern.

The bill defines flying lantern as any device that requires a flame that produces heated air trapped in a balloon-type covering, allowing the device to float in the air. The bill's provisions do not apply to hot-air balloons used for transportation.

Violations of the law will be considered a Class V misdemeanor, punishable by a \$100 fine.

The bill passed with an emergency clause on a 44-0 vote.



Sen. Jerry Johnson

**Bill to dispose of tenant property amended, advanced**

Lawmakers advanced a bill from select file Feb. 19 that would clarify the authority of landlords to dispose of tenants' property.

LB221, as introduced by Omaha Sen. Burke Harr, would allow a tenant to voluntarily



Sen. Burke Harr

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.

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 20 days to respond to the landlord, then 20 days to retrieve the property.

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.

Harr introduced an amendment, adopted 30-0, which incorporated provisions of LB385, originally introduced by Omaha Sen. Brett Lindstrom.



Sen. Brett Lindstrom

These provisions would permit a landlord or his or her representative to begin eviction litigation three days after notification of the termination of a rental agreement. Currently, the Uniform Residential Landlord and Tenant Act requires landlords to wait 30 days to evict a tenant after notification.

It would apply only in cases where tenants, roommates or their guests threaten the health, safety or peaceful enjoyment of the landlord or other tenants. Activities that could prompt a landlord to begin the eviction process include actual or threatened physical assault, illegal use of a firearm or possession of a controlled substance.

Tenants who report threatening behavior to law enforcement or have



sought a protection or restraining order would not be subject to eviction.

An amendment to the Harr amendment then expanded the waiting period from three to five days. Harr said the amendment represented a compromise over concerns about tenants' property rights. The amendment was adopted on a 30-0 vote.

LB221 advanced to final reading on a voice vote.

**Legal immunity proposed for animal rescue**

Members of the Judiciary Committee heard testimony Feb. 19 on a bill that would provide criminal and civil immunity to anyone rescuing an animal from a vehicle in extreme conditions.

Under LB916, introduced by Omaha Sen. Sara Howard, a person causing damage to a vehicle through forcible entry to remove an animal would be immune from criminal and civil liability for any damage to the vehicle.



Sen. Sara Howard

Howard said it is not always feasible to wait for a rescue agency like the Nebraska Humane Society to arrive and rescue the animal because their average response time is 24 minutes. It takes only five to 10 minutes for heatstroke to affect a pet, she said.

"Nebraskans value their pets as family members but some mistakenly believe that a pet can be comfortable and happy if left alone in a vehicle, particularly in hot weather," she said. "[LB916] sends a clear message that leaving pets in a hot car is not an acceptable level of care."

To be eligible for legal immunity, the person must have a reasonable belief that forcible entry is necessary

and have no otherwise reasonable method to remove the animal he or she believes to be in imminent danger.

The bill also would require a person to contact local law enforcement before taking action, remain with the animal in a safe location close to the vehicle until law enforcement arrives and securely place a written note with their contact information and explanation of events on the vehicle's windshield.

Lori Hook, representing animal rescue organization Hearts United, supported the bill. She said it would raise awareness about leaving pets in parked cars and would prevent needless suffering.

"A pet's normal body temperature is already higher than a human's," Hook said. "A humidity level of just 35 percent can impact an animal's ability to regulate their body temperature and can lead to death."

If a person provides further aid to the animal in good faith, but the animal suffers additional harm or death, the person also would not be liable.

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

**Protection sought for faith-based agencies**

Faith-based agencies that contract with the state foster care system requested protections under a bill heard by the Judiciary Committee Feb. 17.

LB975, introduced by Seward Sen. Mark Kolterman, would prevent the state from taking any adverse action against a child-placing agency—including, but not limited to denying an agency's fund-

ing, refusing to enter into or renew a contract or canceling an agency's license—if that agency refuses to facilitate a direct referral for a child based on the agency's sincerely held religious beliefs.

Without these protections, Kolterman said, agencies would be forced to choose between serving vulnerable children and their faith that prompted them to serve.

"Our current foster care system works because each agency serves a unique portion of that population. Agencies are not interchangeable and neither are the families they serve," he said. "If we truly want to embrace diversity, then we need to embrace the rights of everyone, even if we disagree with their beliefs."

The bill would allow child-placing agencies to sue for compensatory damages resulting from any adverse action brought against the agency.

Doug Weinberg, director of the state Department of Health and Human Services (DHHS) Division of Children and Family Services, testified in support of the bill. He said 25 percent of the child-placing agencies that have contracts with DHHS are faith-based.

"Nebraska has a critical need to find safe and loving homes for these children and faith-based agencies play a vital role [in that process]," Weinberg said. "[DHHS] values the relationship we have with these service providers. LB975 allows Nebraska's faith-based organizations to support the work of [DHHS] and maintain practices in line with their sincerely held religious beliefs."

Brad Brown, chief executive officer of child-placement agency Christian Heritage, also supported the bill. He said the misconception that LB975 would allow faith-based agencies like Christian Heritage to discrimi-



Sen. Mark Kolterman

nate against specific populations is unfounded. The bill instead would protect the diversity of child-placing agencies, he said.

“Choosing to foster is a personal choice similar to the choice some people make to live a life of faith,” Brown said. “Individual beliefs, values and standards should be mutually respected even when they differ.”

Opposing the bill was Marvin Binnick of Lincoln. Binnick said being placed by faith-based agencies in several foster homes as a child did not insulate him from abusive experiences.

“That litmus test of being a Christian family home isn’t enough and shouldn’t be the standard,” he said. “The standard should be loving families that can provide a safe and loving home, not whether you believe in God or what church you go to. [Children in foster care] don’t care what you believe in. We just want loving parents.”

Amy Miller, legal director for the ACLU of Nebraska, also opposed LB975. She said the interests of the faith-based agencies should not come before those of the children.

“In the context of child welfare, Nebraska has over 100 years of case law that has established one test and one test only for child placement and that is the best interests of the child,” she said. “This bill wants to put that classic 100-year-old test on its head and instead put the interests of private religious organizations first.”

The committee took no immediate action on the bill.

### **Body-worn camera procedures suggested for law enforcement**

Law enforcement agencies using body-worn cameras would have to document usage procedures under a bill heard by the Judiciary Committee Feb. 18.

LB1000, introduced by Omaha Sen. Heath Mello, would require all law enforcement agencies to document in writing the procedures to be followed by officers wearing cameras. Mello said the mere presence of worn cameras can change the nature of encounters between police officers and members of the public.



Sen. Heath Mello

“Recent high-profile incidents involving police misconduct have created a general distrust of law enforcement,” he said. “Body-worn cameras have the potential to protect the public from further police officer misconduct, provide police officers with a defense against allegations of misconduct and help prosecutors secure convictions using visual evidence.”

Mello brought an amendment to the hearing, which would replace the original provisions of the bill. Under the amendment, individual agencies would have discretion in developing policies for officers, but all policies must require that:

- proper training be provided for officers using cameras or accessing video and audio captured by the cameras;
- supervisors be notified of any technical problems prohibiting recording by cameras;
- cameras be worn openly and in a prominent place on the officer’s body; and
- members of the public be notified as soon as is practicable that they are being recorded.

Discretion would be allowed for determining if and when an officer should begin and end recording an interaction with a member of the public.

Video and audio would be retained by the agency for at least 90 days. If

video were determined to have evidentiary value in a criminal, civil or internal disciplinary proceeding, it would be retained until a final determination is reached. If an arrest or prosecution were not made, the video would be retained until the statute of limitations elapsed for the alleged offense.

Any police officer or employee of a law enforcement agency found to have released a recording without permission would be guilty of a Class V misdemeanor, which would result in a fine of up to \$100. Unauthorized destruction of a recording also would be categorized as a Class V misdemeanor.

Owen Yardley, chief of police of the University of Nebraska-Lincoln Police Department, supported the bill. He said his department has been wearing cameras since 2005.

“Our original goal was to develop a process to document in an unbiased manner, to the best of our abilities, interactions between officers and members of the public,” Yardley said. “They have been effective but they may not be absolutely reliable in every situation. [LB1000] would help ensure agencies address critical issues surrounding the use of these cameras.”

Bruce Lang, Beatrice chief of police, represented the Police Chiefs Association of Nebraska in opposing the bill. He said a commission should promulgate policies for body camera usage, not the Legislature.

“What we know is that technology changes much faster than the Legislature changes laws,” he said. “We don’t even know what technology will be available just a year from now.”

Greg Gonzalez, Omaha Police Department deputy chief, testified in a neutral capacity. He said Omaha is actively using body-worn cameras but the department had concerns about storage requirements under the bill.

“The issue we have is not so much

what would be codified in law, but we need to look at the cost of storing video,” Gonzalez said, noting the department recently spent almost \$1 million on just 115 body-worn cameras. “After our initial five-year deal expires, it will cost millions of dollars to just pay for storage of the video.”

Jim Maguire, representing the Nebraska Fraternal Order of Police, also testified in a neutral capacity. He said provisions relating to the potential release of body-worn camera recordings should be the same for agencies throughout the state.

“I did not see something [in the bill] specifically identifying the issue of releasing body cam videos,” he said. “It should be uniform in state law. If you leave it up to individual departments, you’ll have piecemeal policies about what can and will be released.”

An agency wearing cameras would be required to develop and submit a written policy by Jan. 1, 2017, to the Nebraska Commission on Law Enforcement and Criminal Justice outlining the implementation and appropriate use of the cameras by its officers. Agencies that begin using cameras after Jan. 1, 2017, would have three months to submit plans to the commission.

The committee took no immediate action on the bill.

**Increased legal aid requested**

Members of the Judiciary Committee heard testimony Feb. 17 on a bill that would increase a fee to provide additional legal aid to indigent Nebraskans.

LB1098, introduced by Lincoln Sen. Adam Morfeld, would increase civil court filing fees from \$5.25 to \$6.25. Revenue from the



Sen. Adam Morfeld

fee increase would be remitted to the Legal Aid and Services Fund, which provides legal services funding to the state’s indigent population.

Morfeld said the increase could result in an additional \$400,000 to the fund annually.

“[Due to the increased use of mediation and dispute resolution], there has been a decrease in funding for the Legal Aid and Services Fund of over 17 percent in the last six years,” he said. “However, the demand for these critically important civil legal services for low-income Nebraskans has only increased.”

Milo Mungaard, executive director for Legal Aid of Nebraska, testified in support of the bill. He said providing adequate legal aid strengthens the entire justice system.

“Low-income Nebraskans often must fend for themselves in their efforts to have the legal system work for them,” he said. “[LB1098] is a small, important step toward lessening that challenge for Nebraska’s working poor.”

Liz Neely, executive director of the Nebraska State Bar Association, also supported the bill. The association generally opposes increases to filing fees because higher fees can impede access to the court system, she said, but LB1098 is a unique case.

“We all know the number of people living in poverty and the number of people representing themselves because they cannot afford an attorney is increasing,” she said. “However, this filing fee would directly improve access to the courts by increasing funding to the Legal Aid and Services Fund.”

Tessa Hermanson, representing the Nebraska Collectors Association, opposed the bill. She said the association supports increasing funding for legal aid but opposed increased civil court filing fees as the source of revenue.

The committee took no immediate action on the bill.

**NATURAL RESOURCES**

**New uses of wastewater treatment funds approved**

Lawmakers passed a bill Feb. 18 that expands funding for wastewater treatment and sewage facilities.

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



Sen. Curt Friesen

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

The purchase of land used for construction of water treatment facilities is now eligible for the loans, as are 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 increases 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.

LB737 passed 46-0.

**Insurance requirement for fracking wells proposed**

Drillers would be required to have liability insurance for injection and disposal wells under a bill heard by the Natural Resources Committee Feb. 17.

Under LB1070, introduced by Sen. Ken Haar of Malcolm, the Nebraska Oil and Gas Conservation Commission would require proof of liability

insurance of at least \$1 million before issuing a permit for the drilling of an injection or recovery well. A commercial disposal facility that disposes of more than 500 barrels of injection well wastewater a day would be required to have at least \$5 million in liability insurance.



Sen. Ken Haar

The bill also would prohibit injection wells in areas where the drinking water aquifer begins less than 50 feet below ground or if the saturated depth of the aquifer extends more than 100 feet below ground.

Haar said the bill is intended to ensure that Nebraska taxpayers and landowners do not have to pay for potential damage caused by spills of wastewater generated by hydraulic fracturing, commonly called fracking. He said several states, including Colorado, Ohio and Texas, require operators to have at least \$1 million in liability insurance. Between 2009 and 2014 more than 180 million gallons of wastewater spilled when pipes ruptured or storage tanks overflowed, Haar said.

“The bottom line is that the people who are in business to make a profit from wastewater disposal should have sufficient insurance coverage so that landowners or taxpayers are not left holding the bag,” he said.

Janece Mollhoff, speaking on behalf of the League of Women Voters of Nebraska, testified in support of the bill. She said wastewater from fracking could leak into the Ogallala aquifer, threatening public health and the state’s agricultural industry.

“Leaking fracking wastewater could be catastrophic and the liability should be fully on the industry and not the state or federal disaster plan,” she said. “Setting standards for a minimum

level of liability insurance for both the drilling and disposal of wastewater is prudent for the protection of our most valuable natural resource.”

Phil Kriz, a petroleum engineer for Kimball-based Evertson Companies, spoke against the bill. He said that injection wells are mechanically safe and more than 600 injection wells in the state’s panhandle have operated without problems for years. He said the proposed restrictions on injection wells in locations where the aquifer is near the surface are too broad.

“The way this is written I would be out of business,” he said. “This precludes almost the entire panhandle of Nebraska.”

Bill Sydow, director of the Nebraska Oil and Gas Conservation Commission, testified in a neutral capacity. He said the proposed restrictions would limit oil and gas production in much of the state. Sydow added that most of the 150 well operators in Nebraska already have liability insurance and that it should be left to businesses to determine the amount of insurance they carry.

The committee took no immediate action on the bill.

### Reporting of fracking well water contents requested

The Natural Resources Committee heard testimony Feb. 17 on a bill that would enhance disclosure and public notice regulations on injection wells.

LB1082, sponsored by Sen. Ken Schilz of Ogallala, would require commercial injection well operators to sample and analyze injected wastewater at least once per year and provide the resulting data to the Oil and Gas



Sen. Ken Schilz

Conservation Commission, which regulates Nebraska’s oil and gas production. The bill also would require the certification and monitoring of vehicles used to transport the wastewater and the periodic evaluation of an operator’s ability to pay the costs of shutting down a well.

The commission would be required to provide public notice of an injection well permit application to the county, city or village where the well would be located and could require public meetings to review them.

LB1082 also would remove language from the commission’s purpose statement encouraging it to promote development of the state’s oil and gas resources.

Jane Kleebe, speaking on behalf of Bold Nebraska, testified in support of the bill, saying that it would strengthen disclosure requirements on the contents of wastewater generated by hydraulic fracturing, commonly called fracking. She said the available data on its contents is unclear and incomplete.

“We don’t think that Nebraska should be accepting out-of-state fracking waste to begin with,” Kleebe said, “but we think that this bill is a step in the right direction to at least have some level of disclosure and some accountability for the wells that potentially could be in our state.”

Dana Wreath, vice president of Wichita-based oil and gas company Berexco, testified against the bill, saying it is unnecessary because its provisions already are covered by existing regulations. He said the state’s geology is not suited for fracking and the market for commercial disposal wells in western Nebraska has virtually disappeared. There have been no cases of fracking wastewater contaminating the drinking water supply in the state’s history of oil and gas production,

Wreath added.

“We don’t have an out-of-control injection production oil and gas operation in this state,” he said. “The surest proof is that there are no smoking guns.”

The committee took no immediate action on the bill.

## REVENUE

### Tax holiday for school supplies proposed

The Revenue Committee heard testimony Feb. 19 on a bill that would create a back-to-school sales tax holiday for clothing and school supplies.

LB974, introduced by Sen. Rick Kolowski of Omaha, would implement an annual sales tax holiday on the first Friday, Saturday and Sunday in August.



Sen. Rick Kolowski

Clothing items that cost less than \$100, school supplies that cost less than \$100 and computers that cost less than \$750 would be exempt from sales tax during the holiday.

Computer software, clothing accessories, sports equipment and art supplies would be among the items not subject to the exemption.

The bill would reduce state sales tax revenue by an estimated \$16.9 million in fiscal year 2016-17 and a further \$17.3 million in FY2017-18.

Kolowski said 17 states, including Iowa and Missouri, have similar back-to-school sales tax holidays that generate retail sales second only to Black Friday.

“As a retired educator I know how much money is spent on required and

general back-to-school items,” he said. “This bill would give hard-working parents a break.”

Jim Otto, president of the Nebraska Retail Federation, testified in support of the bill. He said the state would lose sales tax revenue during the sales tax holiday, but the holiday likely would drive sales of non-exempt items.

Tiffany Joekel, policy director at OpenSky Policy Institute, testified in opposition to the bill. She said sales tax holidays encourage families to shift the timing of purchases they would have made anyway and do not stimulate sales that wouldn’t have occurred otherwise.

Upper-class families with more flexible incomes are best able to shift the timing of their purchases, Joekel said. If the intent of the bill is to help low- and middle-income families, she added, a better solution might be to offer a refundable sales tax credit.

The committee took no immediate action on the bill.

## TRANSPORTATION & TELECOMMUNICATIONS

### State to offer mountain lion license plates

Nebraska drivers can show their support for mountain lions with special license plates under a bill passed by lawmakers Feb. 18.

Under LB474, introduced by Omaha Sen. Ernie Chambers, the mountain lion conservation plate will be available in alphanumeric or personalized versions with designs supportive of Nebraska’s mountain lion



Sen. Ernie Chambers

population. The alphanumeric plate will display up to five characters and not use a county designation.

The license plates will be available Oct. 1, 2016.

The fee for the alphanumeric plates will be \$5, credited to a newly created Nebraska Game and Parks Commission educational fund. Personalized plates will cost \$40, with \$10 credited to the Department of Motor Vehicles cash fund and \$30 credited to the commission’s educational fund.

The commission is required to use the educational fund to teach youth about wildlife conservation practices.

The bill passed on a 47-0 vote.

### Bill to allow longer public transit buses advanced

Public transit systems could carry additional riders under a bill advanced by lawmakers Feb. 16.

LB735, introduced by Henderson Sen. Curt Friesen, would increase the current 40-foot limit for an articulated bus operated by a transit authority to 65 feet. Friesen said the bill would allow Omaha to adopt a rapid transit system beginning in fall 2018.



Sen. Curt Friesen

“The Omaha metropolitan area has an excellent opportunity to embrace the next generation of public transportation,” he said.

Papillion Sen. Jim Smith supported the bill.

“Our transportation issues and needs in the state are as diverse as our state itself,” Smith said. “[LB735] is a transportation solution that’s as important for our state as the improvement of our roads and bridges.”

The bill advanced to select file on a 25-0 vote.

**Bill to end county-numbered license plates advanced**

Some Nebraska counties would have different license plate numbers under a bill advanced by the Legislature Feb. 16.

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

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



Sen. Lydia Brasch

Brasch said it would provide cost savings and increased efficiency for the state Department of Motor Vehicles, while impacting less than one half of 1 percent of license plates in those three counties.

"Whenever you find a [state] agency that is looking for way to cut its costs, it's important [that the Legislature] gives them support," she said.

The bill advanced to select file on a 26-0 vote.

**URBAN AFFAIRS**

**Annexation restrictions approved**

Restrictions on asset expenditures by sanitary and improvement districts (SIDs) that have received notice of annexation were approved Feb. 18.

Under LB131, introduced by Omaha Sen. Joni Craighead last session, expenditures by an SID will be restricted

for 90 days upon receiving notification of a city or village's intent to annex.

Payments on construction bonds, construction fund warrants, general fund warrants and contracted labor and services are exempt from the spending restriction.

Any proposed construction projects that have not been put to a public bidding process prior to receiving notice of annexation will be submitted to the city's finance director for approval during the 90-day period.

The bill was amended on select file to include provisions of LB827, sponsored by Omaha Sen. Burke Harr, which makes clear that counties may collect ad valorem taxes and special assessments from SIDs.

LB131 passed on a vote of 46-0.

**Land bank updates approved**

Lawmakers gave final approval Feb. 18 to a bill that updates the Nebraska Municipal Land Bank Act.

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

LB699, introduced by Omaha Sen. Heath Mello, stipulates that a single voting member may satisfy more than one of the representational requirements if he or she has the required qualifications.

In addition, a land bank's governing board must include one nonvoting



Sen. Joni Craighead

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 will be represented by one nonvoting member.

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

LB699 passed on a 46-0 vote.

**Riverfront development district proposed**

A new economic development tool aimed at riverfront areas was proposed Feb. 16 in an Urban Affairs Committee hearing.

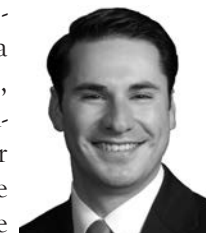
LB806, introduced by Omaha Sen. Heath Mello, would adopt the Riverfront Development District Act. Mello said the bill would provide a framework for city leaders that could be tailored to the needs of an individual municipality.

"LB806 would create a new organizational tool for strategic and intentional municipal economic development and tourism efforts focused on riverfront areas across Nebraska," he said.

Under the bill a metropolitan, primary, first- or second-class city could create a riverfront development district and appoint an authority of five or more members to oversee and manage the district. Two or more cities with a contiguous riverfront could enter into a joint authority.

Among other provisions, the authority would have the power to:

- invest in instruments, obligations, securities or property;
- develop, manage and coordinate public activities and events within the district;
- install pedestrian shopping malls or plazas and other facilities;



Sen. Heath Mello

- fix, charge and collect rents and fees; and
- issue limited obligation bonds secured by a pledge of any revenue of the authority or by mortgage of property owned by the authority.

No member of, or employee of, an authority could have any interest in or contract with the authority.

Mello said several technical issues and concerns had arisen since the bill was introduced. He said he would be offering an amendment to clarify a cap on bonding authority and address a

potential overlap of levies with business improvement districts.

Gary Krumland of the League of Nebraska Municipalities testified in support of LB806, saying approximately 25 municipalities would be eligible to utilize the bill's provisions. Several cities have expressed an interest in using a riverfront development district to enhance their community for residents and tourists, he said.

"It would allow cities to take advantage of the natural resource of the rivers that flow along or through them," Krumland said.

Stan Staab, co-chairperson of the Norfolk Development Group, also supported the bill. A riverfront development district could help Norfolk continue to develop the area along the Elkhorn River, he said.

"Passage of this bill will allow both metro and rural communities to develop and promote usage of our rivers for economic and recreational purposes," Staab said.

No one testified in opposition to the LB806. The bill was advanced to general file 6-0 with committee amendments. ■

## PRIORITY BILLS

Priority bills generally are scheduled for debate before other bills. Each senator may select one priority bill and each committee may select two priority bills. The Speaker may select up to 25 priority bills per session. Speaker priority bills will be announced next week.

# SENATOR PRIORITY BILLS

Priority	Bill	Introducer	Status	One-line description
Baker	LB722	Baker	Referral	Adopt the Stroke System of Care Act
Bloomfield	LB900	Bloomfield	Referral	Change motorcycle and moped helmet provisions, motorcycle registration fees, rename the Health Advisory Board, and create the brain injury services program and a fund
Bolz	LB371	Sullivan	General File	Create and provide duties for the Nebraska Council for Educational Success
Brasch	LB960	Smith	Referral	Adopt the Transportation Innovation Act and provide transfers from the Cash Reserve Fund
Campbell	LB746	Campbell	General File	Adopt the Nebraska Strengthening Families Act, change provisions for guardians ad litem and services for children, and create the Normalcy Task Force
Chambers	LB1056	Chambers	Referral	Adopt the Patient Choice at End of Life Act
Coash	LB934	Coash	General File	Change provisions relating to the Office of the Public Guardian
Cook	LB83	Cook	Referral	Provide certain protections for employees relating to wage disclosure
Craighead	LB683	Craighead	General File	Change provisions relating to homestead exemptions for surviving spouses
Crawford	LB754	Crawford	General File	Create the Commission on Military and Veteran Affairs
Davis	LB886	Davis	Referral	Adopt the Volunteer Emergency Responders Incentive Act and provide income tax credits
Ebke	LR35	Ebke	General File	Resolution to petition Congress to call a convention of the States to propose amendments to the Constitution of the United States
Fox	LB1009	Williams	General File	Prohibit the sale and use of certain synthetic drugs under the Uniform Controlled Substances Act and the Uniform Deceptive Trade Practices Act
Friesen	LB897	Lindstrom	General File	Allow certain public power agencies to engage in hedging transactions

# SENATOR PRIORITY BILLS

Priority	Bill	Introducer	Status	One-line description
Garrett	LB643	Garrett	Select File	Adopt the Medical Cannabis Act
Gloor	LB1013	Gloor	Referral	Change tax on cigarettes and other tobacco products and provide for distribution of proceeds
Groene	LB717	Groene	Referral	Change provisions relating to the assessment and valuation of real property
K. Haar	LB1012	Mello	Referral	Adopt the Property Assessed Clean Energy Act
Hadley	LB857	Hadley	Referral	Change population threshold for a city of the first class to employ a full-time fire chief
Hansen	LB947	Mello	General File	State intent relating to professional or commercial licenses for certain aliens
B. Harr	LB1109	Murante	General File	Change public records provisions and provide for an enhanced public scrutiny process for certain University appointees
Hilkemann	LB10	McCoy	Select File	Change provisions relating to presidential electors and political party conventions
Howard	LB1081	Campbell	Referral	Change provisions relating to eligibility for public assistance
Hughes	LB710	Hughes	General File	Change provisions relating to hazing
Johnson	LB136	Johnson	Governor	Prohibit flying lanterns
Kintner	LB1037	Brasch	Referral	Change property tax provisions relating to agricultural land and horticultural land
Kolowski	LB344	Kolowski	General File	Provide natural resources districts with the power to issue general obligation bonds
Kolterman	LB975	Kolterman	Referral	Adopt the Child Welfare Services Preservation Act
Krist	LB18	Krist	Select File	Change provisions relating to immunizations for students
Kuehn	LR378CA	Kuehn	Referral	Constitutional amendment to guarantee the right to engage in certain farming and ranching practices
Larson	LB821	Larson	Referral	Adopt the Workplace Privacy Act
Lindstrom	LB471	Howard	Governor	Change prescription drug monitoring provisions and create the Veterinary Prescription Monitoring Program Task Force
McCollister	LB745	McCollister	General File	Change Game and Parks Commission fee and permit provisions
McCoy	LB114	McCoy	Referral	Redefine ambulatory surgical center and health clinic under the Health Care Facility Licensure Act
Mello	LB889	Mello	Referral	Adopt the School Readiness Tax Credit Act
Morfeld	LB586	Morfeld	General File	Prohibit discrimination based upon sexual orientation and gender identity
Murante	LB906	Lindstrom	General File	Adopt the Law Enforcement Education Act authorizing tuition waivers
Pansing Brooks	LB843	Pansing Brooks	Referral	Change provisions relating to prostitution
Riepe	LB817	Riepe	Referral	Adopt the Direct Primary Care Agreement Act
Scheer	LB883	Scheer	Referral	Provide for foundation aid pursuant to the Tax Equity and Educational Opportunities Support Act
Schilz	LB176	Schilz	Passed	Change the Competitive Livestock Markets Act and provisions relating to contract swine operations
Schnoor	LB289	Ebke	General File	Prohibit certain regulation of firearms, ammunition, and firearm accessories by cities and villages as prescribed
Schumacher	LB1103	Schumacher	Referral	Change provisions relating to medicaid reimbursements, provide for a lien, and change estate procedures
Seiler	LB1094	Judiciary	Referral	Change provisions relating to evidence, sentencing, certain criminal penalties, criminal mischief, assault, theft, forgery, and probation
Smith	LB884	Scheer	Referral	Change the Convention Center Facility Financing Assistance Act and the Sports Arena Facility Financing Assistance Act
Stinner	LB1082	Schilz	Referral	Change provisions relating to the Nebraska Oil and Gas Conservation Commission and provide for a periodic well fluid analysis, report, and notice as prescribed
Sullivan	LB1067	Sullivan	Referral	Change provisions relating to learning communities
Watermeier	LB744	Watermeier	Referral	Provide for communication and contact agreements in private and agency adoptions
Williams	LB919	Williams	General File	Change provisions relating to problem solving court programs



# COMMITTEE PRIORITY BILLS

Priority	Bill	Introducer	Status	One-line description
Agriculture	LB730	Johnson	General File	Change a security coverage provision for sellers of grain stored in a warehouse closed by the Public Service Commission
Agriculture	LB968	Johnson	Referral	Change provisions relating to an agriculture promotion and development program
Appropriations	LB1092	Mello	Referral	Change provisions relating to budget request reporting requirements
Appropriations	LB1093	Mello	Referral	Eliminate cash funds, create programs, and transfer funds
Banking, Commerce & Insurance	LB772	Schumacher	General File	Provide for group-wide supervisors and international insurance groups as prescribed
Banking, Commerce & Insurance	LB794	B. Harr	Referral	Change provisions relating to the Nebraska Model Business Corporation Act and corporate occupation taxes
Business & Labor	LB830	B. Harr	General File	Change provisions relating to vacation leave for state employees
Business & Labor	LB1110	Mello	Referral	Adopt the Nebraska Workforce Innovation and Opportunity Act
Education	LB959	Sullivan	Referral	Change and eliminate provisions relating to school funding, budgets, and levy authority
Education	LB1066	Sullivan	Referral	Change provisions relating to education
Executive Board	LB1016	Watermeier	Select File	Redefine agency under the Legislative Performance Audit Act
Executive Board	LB954	Krist	Select File	Change provisions relating to access to records for and investigations by the Inspector General of Nebraska Child Welfare
General Affairs	LB970	Larson	General File	Change provisions relating to pickle cards and keno and authorize methods of payment for gambling
General Affairs	LB1105	Larson	General File	Change and eliminate beverage regulations and licensure provisions and create the Nebraska Craft Brewery Board
Government, Military & Veterans Affairs	LB935	Schilz	Referral	Change provisions relating to the Auditor of Public Accounts
Government, Military & Veterans Affairs	LB874	Murante	Referral	Change procedures for filling vacancies on school boards
Health & Human Services	LB698	Mello	General File	Adopt the Home Care Consumer Bill of Rights Act
Health & Human Services	LB1032	McCullister	Referral	Adopt the Transitional Health Insurance Program Act and provide duties for the Department of Health and Human Services
Judiciary	LB894	Pansing Brooks	General File	Change provisions relating to appointment of counsel in juvenile cases
Judiciary	LB910	Bolz	Referral	Change provisions relating to parole administration
Performance Audit	LB867	Performance Audit	General File	Change provisions relating to the Administrative Procedure Act and require the Department of Correctional Services to adopt and promulgate rules and regulations
Performance Audit	LB1022	Performance Audit	General File	Change provisions relating to the office of Legislative Audit and change dates for application of tax incentives
Natural Resources	LB824	McCullister	Referral	Exempt privately developed renewable energy generation facilities from regulation as prescribed
Natural Resources	LB1038	Davis	Referral	Change water appropriation application provisions
Retirement	LB447	Mello	General File	Change provisions relating to the Class V School Employees Retirement Act
Retirement	LB467	Kolterman	Referral	Change provisions relating to State Patrol retirement
Revenue	LB958	Gloor	Referral	Change provisions relating to budgets, the valuation of agricultural land, and levy limitations
Revenue	LB774	Scheer	Referral	Provide a sales and use tax exemption for purchases by nonprofit substance abuse treatment centers
State-Tribal Relations	LB1104	Larson	Referral	Provide for tax incentives, intent provisions, and revenue-sharing agreements relating to Native Americans
Transportation & Telecommunications	LB938	Smith	Referral	Adopt the 911 Service System Act and transfer funds from the Enhanced Wireless 911 Fund to the 911 Service System Fund
Transportation & Telecommunications	LB977	Smith	Referral	Change provisions relating to implements of husbandry on highways
Urban Affairs	LB704	Urban Affairs	General File	Change building code provisions applicable to political subdivisions
Urban Affairs	LB1059	Crawford	General File	Require certain disclosures under the Community Development Law and the Local Option Municipal Economic Development Act

# COMMITTEE HEARINGS

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

## **Monday, February 22**

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

LB873 (Murante) Authorize escheatment to the state of unclaimed United States Savings Bonds as prescribed  
LB1025 (Morfeld) Change experience requirements under the Public Accountancy Act  
LB1050 (B. Harr) Authorize conversion of domestic partnerships and domestic limited liability partnerships into domestic limited liability companies or foreign limited liability companies

### **Business & Labor**

#### **Room 2102 - 1:30 p.m.**

LB1110 (Mello) Adopt the Nebraska Workforce Innovation and Opportunity Act  
LB1029 (Mello) Adopt the Sector Partnership Program Act and provide duties for the Department of Labor  
LB1044 (Ebke) Terminate the Commission of Industrial Relations  
LB1045 (Ebke) Provide for the treatment of certain contractors as independent contractors as prescribed

### **Education**

#### **Room 1525 - 1:30 p.m.**

LB1067 (Sullivan) Change provisions relating to learning communities  
LB903 (Baker) Change and eliminate provisions relating to learning communities  
LB904 (Baker) Provide for school districts to opt out of a learning community  
LB739 (Smith) Eliminate certain taxing authority of learning communities  
LB967 (Kintner) Change learning community provisions relating to enrollment and levies

### **General Affairs**

#### **Room 1510 - 1:30 p.m.**

Appointment: Varenhorst, Harvey - Neb. Arts Council  
Appointment: McClymont, Sherry - Neb. Arts Council  
Appointment: LeBaron, Kathryn - Neb. Arts Council  
Appointment: Drickey, Patrick - Neb. Arts Council  
Appointment: Mueller, Cory L. - State Electrical Board  
Appointment: Bergstraesser, Edwin - State Electrical Board

### **Nebraska Retirement Systems**

#### **Room 1525 - 9:00 a.m.**

*Omaha Public Schools Employee Retirement System Actuarial Report*  
*Appointment:* Derr, J. Russell - Public Employees Retirement Board  
*Appointment:* Olson, Keith - Nebraska Investment Council

### **Transportation & Telecommunications**

#### **Room 1113 - 1:30 p.m.**

LB783 (Lindstrom) Provide for registration of public power district vehicles as prescribed  
LB844 (Pansing Brooks) Provide for Breast Cancer Awareness Plates

## **Tuesday, February 23**

### **Agriculture**

#### **Room 1510 - 1:30 p.m.**

LR378CA (Kuehn) Constitutional amendment to guarantee the right to engage in certain farming and ranching practices

### **Education**

#### **Room 1525 - 1:30 p.m.**

*Appointment:* Hunter, Ronald - Coordinating Commission for Postsecondary Education  
*Appointment:* Adam, Colleen - Coordinating Commission for Postsecondary Education

### **Transportation & Telecommunications**

#### **Room 1113 - 1:30 p.m.**

*Appointment:* Gerdes, Mary K. - State Highway Commission  
LB688 (Bloomfield) Require all examinations and test of applicants under the Motor Vehicle Operator's License Act be in English  
LB964 (Hilkemann) Change a veteran notation requirement on a motor vehicle operator's license or state identification card  
LB1077 (Pansing Brooks) Change provisions under the Motor Vehicle Operator's License Act relating to operator's license revocation  
LB1068 (K. Haar) Adopt the Electric Customer Protection Act and provide duties for the Public Service Commission

## **Wednesday, February 24**

### **Appropriations**

#### **Room 1003 - 1:30 p.m.**

*UNO Request to use Revenue Bond Surplus Funds*

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

#### **Room 1507 - 1:30 p.m.**

LB788 (Cook) Change and eliminate provisions relating to the Professional Landscape Architects Act  
LB1040 (Johnson) Adopt the Travel Agency Registration Act  
LB1107 (Garrett) Create the Nebraska Election System Initiative

### **Health & Human Services**

#### **Room 1510 - 1:30 p.m.**

*Appointment:* Bulger, Mark M. - Commission for the Blind and Visually Impaired  
LB750 (Lindstrom) Change Uniform Credentialing Act provisions relating to confidentiality and prohibit retaliation as prescribed  
LB952 (Watermeier) Require availability of emergency medical services and change membership of the Board of Emergency Medical Services  
LB998 (Schumacher) Provide for emergency community crisis centers and change provisions relating to emergency protective custody

### **Judiciary**

#### **Room 1113 - 1:30 p.m.**

LB965 (Cook) Provide for expungement of records for persons charged with or found guilty of a crime because of stolen identity or mistaken identity  
LB793 (Watermeier) Change provisions and penalties relating to implements for escape and contraband and certain assaults  
LB1055 (Chambers) Open grand jury proceedings to the public as prescribed and change procedures in cases of death during apprehension by law enforcement officers or while in custody  
LB1056 (Chambers) Adopt the Patient Choice at End of Life Act

### **Natural Resources**

#### **Room 1525 - 1:30 p.m.**

LB1019 (Davis) Change provisions relating to support of the Niobrara Council by the Game and Parks Commission, require legislative confirmation of certain Appointments to the council, and require an annual report

# COMMITTEE HEARINGS

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

## Revenue

### Room 1524 - 1:30 p.m.

LB913 (Smith) Adopt the Facilitating Business Rapid Response to State Declared Disasters Act  
 LB1014 (Stinner) Change provisions relating to levy limitations and budget limitations for public airports  
 LB1087 (Davis) Change sales tax provisions relating to the definition of engaged in business in this state  
 LB1013 (*rehearing*) (Gloor) Change tax on cigarettes and other tobacco products and provide for distribution of proceeds *Note: Opponent & Neutral Testimony Only on LB1013*  
 LB949 (*rehearing*) (B. Harr) Change the commission allowed to cigarette stamping agents  
 LB950 (*rehearing*) (B. Harr) Allow a bad debt deduction relating to cigarette and tobacco product taxes

## Thursday, February 25

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

LB792 (Kuehn) Prohibit certain former officeholders and public employees from being lobbyists  
 LB1078 (Pansing Brooks) Provide and change certain conflict of interest statement requirements under the Nebraska Political Accountability and Disclosure Act  
 LB1024 (Larson) Change a provision of the Nebraska Political Accountability and Disclosure Act relating to an interest in a government contract  
 LB1057 (Murante) Change provisions of the Nebraska Political Accountability and Disclosure Act

## Health & Human Services

### Room 1510 - 1:00 p.m.

*Department of Health & Human Services - Division of Public Health Annual Committee Briefing*  
*Appointment: Nasir, Laeth - Nebraska Rural Health Advisory Commission*  
 LB1011 (Campbell) Change provisions relating to at-risk managed care contracts as prescribed  
 LB1061 (Kolterman) Adopt the Surgical Technologist Registry Act

## Judiciary

### Room 1113 - 1:30 p.m.

LB1058 (Crawford) Change provisions relating to enforcement of certain tobacco restriction provisions  
 LB1072 (K. Haar) Adopt the Fair Repair Act and provide a penalty  
 LB720 (Kuehn) Change certain invasion of privacy provisions to include unmanned aircraft or unmanned aircraft systems  
 LB885 (Davis) Provide student journalists the right to exercise freedom of speech and of the press

*Joint Judiciary And Appropriations Hearing on Department of Corrections' Budget (following completion of 1:30 p.m. Judiciary Hearing) Room 1113: 2014 Master Plan Report and 2015 Strategic Plan*

## Natural Resources

### Room 1525 - 1:30 p.m.

LB961 (Chambers) Eliminate provisions relating to hunting mountain lions

## Nebraska Retirement Systems

### Room 1525 - 12:00 p.m.

AM2178 to LB655

## Revenue

### Room 1524 - 1:30 p.m.

LB1031 (Hansen) Change the levy authority of railroad transportation safety districts  
 LB1051 (B. Harr) Redefine qualified business under the Nebraska Advantage Act  
 LB1085 (Davis) Change a renewable energy tax credit  
 LB1095 (Kintner) Require employer identification numbers and the use of the federal immigration verification system

## Monday, February 29

### Business & Labor

### Room 2102 - 1:30 p.m.

LB828 (B. Harr) Redefine terms under the Employment Security Law  
 LB981 (Business & Labor) Provide for payment of claims against the state  
 LB982 (Business & Labor) Deny payment of claims against the state

## Transportation & Telecommunications

### Room 1113 - 1:30 p.m.

*Appointment: Weander, Timothy W. - Board of Public Roads Classifications*

## and Standards

*Appointment: Krager, John F., III - Board of Public Roads Classifications and Standards*

*Appointment: Figard, Roger - Board of Public Roads Classifications and Standards*

*Appointment: Wacker, David - Board of Public Roads Classifications and Standards*

## Wednesday, March 2

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

LB779 (Schumacher) Change provisions relating to the partisan status of certain political subdivision offices  
 LB871 (Murante) Provide for a presidential preference primary election

## Judiciary

### Room 1113 - 1:30 p.m.

LB707 (Coash) Increase the number of judges of the separate juvenile court  
 LB848 (Pansing Brooks) Change provisions relating to courts  
 LR398CA (Bloomfield) Constitutional amendment to provide for election of judges and eliminate the merit plan for selection of judges  
 LB990 (Davis) Adopt the Fetal Dignity Protection Act  
 LB767 (Garrett) Prohibit dismemberment abortion as prescribed and provide for civil and criminal penalties

## Thursday, March 3

## Judiciary

### Room 1113 - 1:30 p.m.

LB769 (Garrett) Change provisions relating to firearms  
 LB681 (Schnoor) Change certain violation and penalty provisions under the Concealed Handgun Permit Act  
 LB1090 (Hansen) Require notification of law enforcement by the Nebraska State Patrol of denials of handgun certificates as prescribed  
 LB815 (Stinner) Change provisions relating to petitions for removal of a person's firearms-related disabilities or disqualifications  
 LB971 (Gloor) Change provisions relating to restoration of seized firearms ■

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Members of a Hall County leadership group learn about the history and process of the Nebraska Legislature in the historic Warner Chamber.