

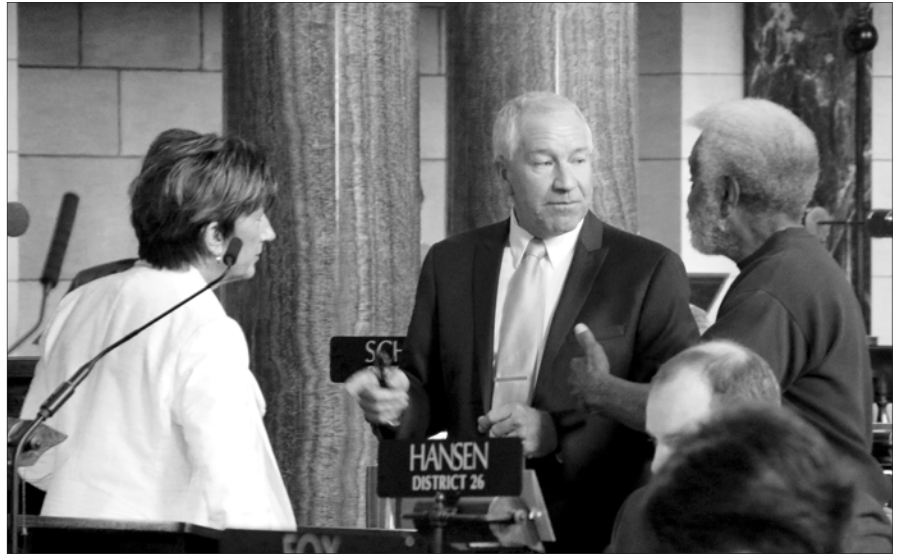
## Police pursuit liability bill stalls

After four hours of select file debate spanning two days, an attempt to force a vote on a bill that would have lessened the liability facing the state and political subdivisions in the event of a police pursuit failed Feb. 25.

Currently, the state and subdivisions are held liable for the death, injury and property damage to an 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 from the liability protections.

Excluded would be 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;



Sens. Patty Pansing Brooks and Ernie Chambers expressed concerns to Sen. Dan Watermeier (center) about the liability exclusions proposed in the bill.

- 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; or
- is sought to be apprehended by law enforcement.

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## Bill would allow aid-in-dying medications

Terminally ill patients could access aid-in-dying medications under a bill considered by the Judiciary Committee Feb. 24.

Under LB1056, introduced by Omaha Sen. Ernie Chambers, an adult diagnosed with a terminal illness—with less than six months to live—and capable of making his or her own medical decisions, could request a prescription for aid-in-dying medication. The medication must be self-administered by the patient.

A person would not be eligible for medication based solely on age or

disability.

Chambers said he understands the emotional nature of the issues addressed by the bill, but that they should be discussed in a public forum.

“When it comes to the most significant and portentous decision in a dying person’s life, no third party—including the government—has the right to interfere with, impede or countermand the wishes of the person,” he said. “For the government to withhold from such a person the right and means to carry out his or her final decision is totally unjustified, inexcus-

able and unacceptable.”

To receive a prescription under LB1056, a qualifying patient would:

- have a diagnosis of terminal illness from an attending physician;
- express a wish to receive the prescription voluntarily and without coercion; and
- demonstrate the physical and mental ability to self-administer the medication.

A request for aid-in-dying medication would be made orally and in writing to an attending physician. The

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# Police pursuit liability bill stalls

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Watermeier introduced an amendment, adopted 31-0, which removed the bill's exclusion for passengers who knowingly enter a vehicle with a reasonable belief that the driver is under the influence of alcohol or drugs.

The amendment also clarified that in the event a passenger is excluded from liability protection because he or she is sought to be apprehended by law enforcement for felonious conduct, that conduct must have occurred immediately prior to or during the chase.

Watermeier said the amendment is a compromise to address concerns raised on general file while still protecting taxpayers.

"Do we really want taxpayers paying for the injury of passengers who are actively engaged in criminal activity?" he said.

Columbus Sen. Paul Schumacher introduced an amendment that would require the pursuing law enforcement officer to prove that the passenger provoked the driver to engage in a high-speed pursuit or is subject to an arrest warrant or felony that prompted the chase.

He said it would place the burden of proof firmly on the pursuing

agency.

"[We] want to dissuade these chases," Schumacher said. "It is not a good thing unless there is really serious conduct that is prompting the chase."

Lincoln Sen. Patty Pansing Brooks supported the amendment, saying the risks of high-speed chases far outweigh the benefits.

"In 2014, USA Today reported that 385 people died across the country in high-speed chases. Of those killed, 73 were bystanders and 77 were passengers in the vehicle," she said. "We need to be helping the police and providing them with safer alternatives. High-speed chases should be a last-ditch effort."

Watermeier opposed the Schumacher amendment, saying it is more restrictive than what is already in statute. He said the provisions only would encourage micromanagement of law enforcement officers.

The amendment failed on a 16-21 vote. A motion brought by Omaha Sen. Ernie Chambers to bracket the bill was pending when Watermeier offered a motion to invoke cloture, or cease debate and take an immediate vote on the bill.

The motion failed 31-9. Thirty-three votes were needed.

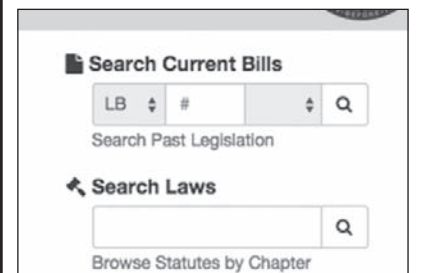
A failed cloture motion prevents further debate on the bill for the day. LB188 is unlikely to be scheduled for further debate this session. ■

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# Bill would allow aid-in-dying medications

(continued from front page)

written request must be signed and dated by the patient in the presence of two witnesses who can attest to his or her capacity to make medical decisions and that the decision was made voluntarily and without coercion.

The bill requires that one of the witnesses not be related to the patient by blood, marriage or adoption, entitled to any portion of the patient's estate upon death or the owner or employee of a health care facility where the patient is receiving medical treatment.

An attending physician would determine if the patient requesting aid-in-dying medication has a terminal illness, has made the request voluntarily and is qualified to receive the medication. Upon reaching a qualifying determination, the attending physician would refer the patient to both a consulting physician for confirmation of diagnosis and a mental health professional for confirmation of mental capacity capable of making medical decisions.

Charmaine Manansala, representing the end-of-life advocacy group Compassion and Choices, testified in support of the bill. She said five states have passed similar legislation and their residents no longer have to worry about future physical pain just knowing the option is available to them.

"All Nebraskans should have the option, together with their families and doctors, to make end-of-life decisions right for them in the face of terminal illness," she said. "Medical aid in dying is not suicide. It involves individuals who would love to live but can't. They request assistance not in the spirit of depression, but to help them pass peacefully."

Tom Meyer of Lincoln also supported the bill. His wife Dianna suffered from late-stage terminal breast cancer but was unable to receive the relief she sought.

"In the five weeks before her death, she became weaker and experienced a great deal of nausea. She asked for help from hospital staff to end her ordeal but all they could promise her was that they'd keep her as comfortable as possible," Meyer said. "She was aware of her terminal diagnosis and was ready to

die and move on."

Opposing the measure, family physician Dr. Steve Higgins said he worries aid-in-dying medication may be proactively offered by medical professionals in the future.

"I've attended to about 300 people at the end of their life. Of those, not one has ever asked me to end their life," Higgins said. "I have a real concern that [LB1056] may mean [doctors] would be required in the future to give this as an option as opposed to offering hospice care."

Wayne Cockfield, of Florence, South Carolina, also opposed the bill, which he said could be used to target people with mental and physical disabilities.

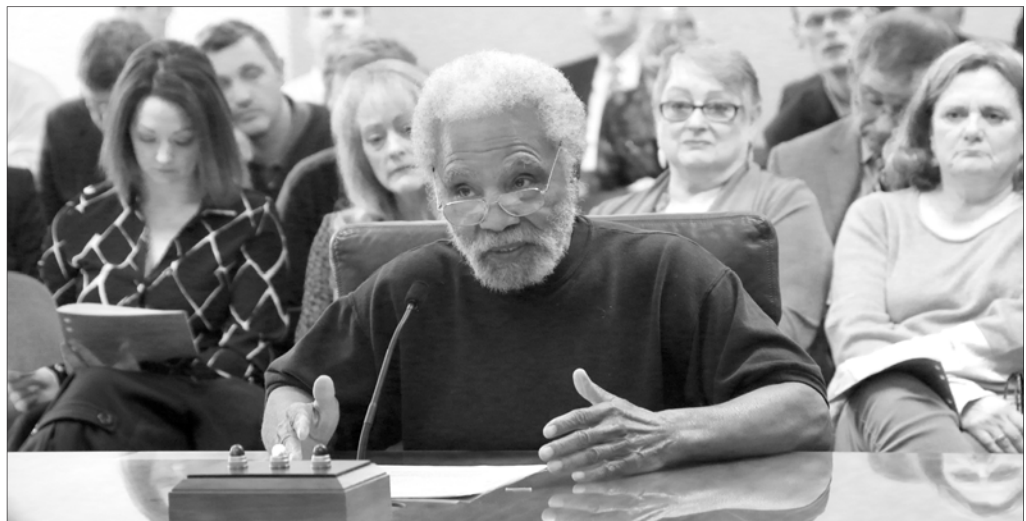
"There is a huge difference between refusing medical service and institutionalizing suicide," he said. "This is not compassion, it is medical abandonment."

The certificate of death would report the terminal illness as the cause of death, not suicide, for any patient who dies as a result of aid-in-dying medication.

Health care providers, who may choose whether to provide aid-in-dying medication, would not be held criminally or civilly liable for practicing in good faith under the bill. However, any person who knowingly forges, alters or intentionally destroys a written request for medication would be guilty of a Class III felony.

Similarly, any person who coerces or exerts undue influence on a person to request medication also would be guilty of a Class III felony. A Class III felony could result in one to 20 years' imprisonment, a \$25,000 fine or both.

The committee took no immediate action on the bill. ■



Sen. Ernie Chambers said people are calling for more end-of-life options to cease suffering from terminal illnesses.

# AGRICULTURE



## Grain storage rule clarification advances

Lawmakers advanced a bill Feb. 23 that would clarify a provision regarding the distribution of assets if a grain warehouse fails.

LB730, introduced by Sen. Jerry Johnson of Wahoo, would clarify a rule under which a person who has recently sold grain to a warehouse may regain their status as an owner eligible for distribution of assets if the Public Service Commission takes control of the warehouse.



Sen. Jerry Johnson

Warehouses are required to post bonds for the benefit of those who own or store grain there in the event the warehouse fails. If that happens, only qualified owners are eligible for the distribution of assets.

An exception in current law provides that the grain seller may revert to the status of owner if he or she holds a check in payment issued within five days of the date the commission takes control of the warehouse. LB730 would clarify that the exception applies to the date of the sale and transfer of title regardless of whether the warehouse issued the seller a check.

Johnson said the bill is intended to address a problem highlighted by the 2014 closure of a grain elevator in Pierce. Some farmers who had stored their grain at the elevator were disqualified from receiving assets because they had not been issued a check, he said. Using titles in place of checks to determine ownership would eliminate confusion caused by current law, Johnson said.

Senators voted 32-0 to advance the bill to select file.

## Constitutional amendment would guarantee right to farm and ranch

The Agriculture Committee heard testimony Feb. 23 on a proposed amendment to the state constitution guaranteeing the rights of Nebraska citizens to farm and ranch.

Sponsored by Sen. John Kuehn of Heartwell, LR-378CA offers a constitutional amendment that would prohibit the Legislature from passing laws that restrict the rights of Nebraskans to use agricultural technology and ranching practices without a compelling state interest. If passed, the resolution would place the amendment on the November 2016 general election ballot.



Sen. John Kuehn

Kuehn said North Dakota and Missouri have amended their constitutions to protect farming and ranching practices and Oklahoma voters will decide on a similar measure in November.

The amendment would protect Nebraska farmers and ranchers by preventing animal and environmental advocacy groups from exerting undue influence on the legislative process, Kuehn said.

“Activist groups can promote increasingly restrictive legislation and regulation that impairs the rights of family farmers and livestock producers to use accepted, safe and approved practices on their farms and ranches,” he said.

Kuehn said farming and ranching merit protection in the state constitution because of their importance to Nebraska’s economy and culture. No other industries are as dependent on property rights and require a multigen-

erational capital investment, he said.

Al Juhnke, executive director of the Nebraska Pork Producers Association, spoke in support of the resolution. He said the amendment would protect Nebraska farmers who use accepted practices to raise their crops and livestock. The amendment would preclude laws that may be driven by emotion rather than science on issues such as animal welfare, the use of chemical spraying and the planting of genetically modified seeds, Juhnke said.

Larry Mussack, president of the Nebraska Corn Growers Association, also testified in support of the resolution. He said the amendment would make it more difficult for national advocacy groups to influence policy that determines how Nebraska farmers and ranchers care for their land and livestock.

Kevin Fulton, a farmer and rancher from Sherman County, spoke against the resolution, saying that it would provide special treatment for agriculture and erode consumers’ trust.

Farmers and ranchers should be accountable for how their actions affect others, he said, and safe and sustainable agricultural practices do not need the protection of a constitutional amendment.

“Most people want to trust farmers as long as they demonstrate accountability and transparency,” Fulton said. “This bill undermines that premise and will cause more consumers to question our integrity and create even more dissension and disconnect between rural and urban America.”

John Hansen, president of the Nebraska Farmers Union, also testified in opposition to the resolution. He called the proposed amendment a “heavy-handed” response to perceived problems and said it would have unintended consequences for existing laws regulating agriculture.

“We do not believe family farm and



ranch agriculture faces enough risk from society as a whole or from special interest groups to begin to justify putting such an enormously radical proposed constitutional amendment before the voters,” Hansen said.

The committee took no immediate action on the resolution.

## BANKING, COMMERCE & INSURANCE



### Unclaimed savings bond bill considered

A bill that would outline a procedure for the state to take title of unclaimed U.S. savings bonds held by Nebraskans was heard Feb. 22 by the Banking, Commerce and Insurance Committee.

LB873, introduced by Sen. John Murante of Gretna, would enable the state of Nebraska to take title of unclaimed, mature U.S. savings bonds five years after the bonds become unclaimed property.



Sen. John Murante

Murante said current and former Nebraskans or their heirs hold approximately \$95 million in unclaimed U.S. savings bonds.

“This legislation is intended to collect those funds from the U.S. government so the state of Nebraska can return them to their rightful owners,” Murante said.

Within 180 days of the five-year time period, the state treasurer would begin court proceedings regarding the bonds. If no valid claim is filed, all property rights or proceeds from such bonds would be redeemed by the treasurer and be vested with the state of Nebraska.

Nebraska State Treasurer Don

Stenberg testified in support of the bill, saying his office has been responsible for receiving and attempting to return unclaimed property to Nebraskans since 1969.

The office returned more than \$11 million in unclaimed property in 2015, he said, and likely would add several million dollars to that total if it could obtain title to unclaimed U.S. savings bonds.

“Unlike the state of Nebraska, the U.S. government makes no effort to locate the rightful owners of U.S. savings bonds that have matured,” Stenberg said.

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

## BUSINESS & LABOR



### Changes to state employee vacation policy advanced

Lawmakers gave first-round approval Feb. 23 to a bill ensuring state employees are compensated for unused vacation time.

Under LB830, introduced by Omaha Sen. Burke Harr, a state agency that denies an employee’s reasonable request to use vacation leave before it is forfeited under the “use it or lose it” policy must pay the employee the cash equivalent of the forfeited leave that was denied.



Sen. Burke Harr

Harr said denying the compensation to employees who may be working considerable overtime in the face of workforce shortages is no way to show appreciation for years of loyal service.

“When a current employee re-

quests vacation leave, many times it is denied due to workforce shortages,” he said. “These denials are at no fault of the employees yet they are the ones who are negatively impacted.”

A Business and Labor Committee amendment, adopted 28-0, clarified that cash payments made would be considered compensation in state employees’ defined contribution and cash benefit plans but would not be considered compensation for state employees’ defined benefit plans.

Currently only judges, state patrol and public school employees have defined benefit retirement plans. Harr said the change would ensure that an employee under a defined benefit plan could not artificially inflate his or her compensation right before retirement, inflating benefits received in retirement.

The committee amendment also incorporated into the bill provisions of LB972, also introduced by Harr. The amendment added major, non-tenured policymaking positions to the list of state employees eligible for compensation under LB830.

The amendment would require that any cash payment for forfeited vacation leave be paid by the state agency within 30 days after the requested and denied leave is forfeited.

The bill advanced to select file on a 33-0 vote.

## EDUCATION



### Learning community levy, transportation repeal proposed

The Omaha learning community’s common levy and open enrollment program would be eliminated under a bill heard by the Education Committee Feb. 22.

LB967, introduced by Sen. Bill Kintner of Papillion, would eliminate the common 95-cent levy and 2-cent special building fund and replace them with individual levies in the learning community's 11 member districts.



Sen. Bill Kintner

The common levy currently is allocated proportionally among the member districts and state aid for the districts is calculated collectively. Repealing the common levy would increase the amount of state aid to the learning community by an estimated \$5.4 million beginning in fiscal year 2017-2018.

LB967 also would eliminate the requirement that learning community school districts transport students who participate in the open enrollment program.

In addition, the bill would allow for school districts within a learning community to negotiate their own boundaries.

Kintner said the learning community has not increased academic achievement and the common levy has hurt many member districts.

"I think it's the definition of a failed government program," he said. "The cornerstone of the failure is the common levy."

Brett Richards, superintendent for Springfield Platteview Community Schools, testified in support of the bill. He said the common levy benefits Omaha Public Schools (OPS) at the expense of his district. Instead of relying on the common levy to make up for disparities in resources, Richards said, the state should increase the amount of aid it sends to districts with a high percentage of students in poverty.

John Lindsay, representing Omaha

Public Schools, testified against the bill. He said the common levy reflects the metro districts' shared responsibility to ensure that the learning community's English language learners and children in poverty—most of whom reside in the OPS district—receive enough resources. Repealing it would shift much of that financial burden onto OPS, Lindsay said.

"We would urge that any changes that would take place in the learning community be those that all superintendents and all school districts can agree on," he said.

The committee took no immediate action on the bill.

### Repeal of learning community common levy proposed

The Education Committee heard testimony Feb. 22 on a bill that would eliminate the Omaha learning community's common levy and provide aid to districts that create a plan to address achievement barriers.

LB1067, introduced by Sen. Kate Sullivan of Cedar Rapids, would repeal the 95-cent common levy and 2-cent special building fund levy for the 11 school districts in Douglas and Sarpy counties that make up the learning community. Member districts instead would have an individual levy.



Sen. Kate Sullivan

Revenue from the common levy currently is allocated proportionally among the member districts and state aid for the districts is calculated collectively. Repealing the common levy would increase the amount of state aid to the learning community by an estimated \$5.4 million beginning in fiscal year 2017-2018. Districts that lose funding under the new system would receive state transition aid,

which would be phased in over three years beginning in FY2017-18.

Sullivan, who made LB1067 her priority bill this session, said the original intent of the common levy was to pool resources to benefit all learning community member districts and address high levels of student poverty in inner-city districts. Instead it has become a wedge that threatens the learning community's success, she said.

"I think [the bill] retains all that's good about the learning community and serves to change it in ways that will make it stronger and better," Sullivan said.

The bill would require learning communities to create a plan to address achievement equity and barriers to achievement such as poverty, mobility and truancy. Districts would be eligible for additional state aid after the State Board of Education approves the plans. Multidistrict educational service units also could create achievement plans to qualify for the additional aid.

Learning community students who are enrolled outside their resident district under the current open enrollment plan would become option students. School districts still would be required to provide free transportation to students enrolled in the open enrollment program.

Kevin Riley, superintendent of Gretna Public Schools, testified in support of the bill. He said the community achievement plan, in which schools would receive additional aid equal to 5 percent of their poverty allowance, would be an effective way of increasing poverty aid to schools while increasing accountability. The common levy, once seen as the best way to generate resources for high-poverty schools, is not sustainable over the long term and has stifled the growth of some districts, he said.

“Although never intended to be, it’s turned into an exhausting diversion,” he said.

Brett Richards, superintendent of Springfield Platteview Community Schools, also supported the bill, saying that it represents a fair compromise among the 11 member districts. He said the common levy has been a “nightmare” for Sarpy County communities and schools and has cost the district more than \$10 million in potential revenue since it was implemented in 2010.

The district’s revenue has decreased by 7 percent over the last six years, Richards added, while enrollment has increased by more than 12 percent.

“Our school districts deserve a chance to handle growth, update facilities with needed infrastructure and safety features and keep our academic programs competitive,” he said. “Poverty is a statewide issue and the cost of poverty should be shared across the state, not on the backs of smaller districts in the learning community and Sarpy County taxpayers in the name of stability.”

Connie Knoche, chief financial officer for Omaha Public Schools (OPS), testified against the bill. She said OPS shoulders most of the financial burden for teaching the learning community’s poor students and English language learners.

More than 70 percent of OPS students live in poverty, the district’s refugee student population has increased by 110 percent between 2009 and 2014 and the district’s number of English language learners increased by almost 400 percent between 2000 and 2014, she said. The community achievement plan would not be an effective way to increase poverty aid, Knoche added.

“There is little or no incentive for most of the school districts in the

learning community to have a viable community achievement plan because most of them don’t have the poverty that is experienced in Omaha Public Schools,” she said.

Mark Adler, superintendent for Ralston Public Schools, also spoke against the bill, saying that it would erode the learning community’s long-term financial commitment to helping students in poverty. Adler said the poverty level in Ralston’s student population has grown 24 percent in the last decade. The district already has reached its maximum levy and could not increase property taxes to make up for a loss in state aid, he said.

“If LB1067 were to pass, the long-term outlook for any students living in poverty is extremely concerning,” he said. “Removing the common levy in a district where average valuation growth over the last five years is 1 percent will eliminate any level of stability that once existed.”

The committee took no immediate action on the bill.

## GENERAL AFFAIRS

### Omnibus gaming bill stalls

An omnibus bill that would change provisions of several gaming rules in Nebraska and regulate fantasy sports contests was tabled Feb. 22 at the request of the introducer. Lawmakers had debated the bill on general file Feb. 11 and 19.

LB970, as introduced by O’Neill Sen. Tyson Larson, would allow any form of payment in U.S. currency under the various state acts that gov-



Sen. Tyson Larson

ern bingo, pickle cards, lotteries and raffles. Currently, only cash is allowed for keno transactions.

Among other provisions, the bill would allow more flexibility for pickle card operators and eliminate the mandatory five-minute wait time between keno games.

Larson said the measure would benefit Nebraska communities that have seen a drop in keno revenue, which is used for parks and to purchase ambulances and law enforcement vehicles. In addition, he said, local nonprofits would benefit from keeping a higher percentage of the profit from players.

“We know what pickle cards give charities—what they do for your local Rotary Clubs, Lions Clubs and Girl Scouts,” Larson said.

A General Affairs Committee amendment would strike the provision eliminating the five-minute wait between keno games. The amendment also would incorporate provisions from several additional bills.

Provisions from LB820, originally introduced by Venango Sen. Dan Hughes, would allow a lottery or raffle in which the winners are determined based on the timing of a naturally occurring event, such as a weather event.



Sen. Dan Hughes

Provisions of LB862, introduced by Larson, would codify fantasy contests in Nebraska law. The provisions would apply only to operators who offer fantasy contests for cash prizes to the general public upon payment of an entry fee.

Among other provisions, the amendment would require operators to verify that participants are at least 18 years old and allow participants to voluntarily restrict their access to contests.

Omaha Sen. Ernie Chambers opposed the bill, saying the provisions relating to fantasy sports contests would constitute expanded gambling, which is illegal under the Nebraska Constitution.

“The state cannot regulate that which is illegal,” Chambers said. “Trying to put in place a regulatory scheme does not make that which is illegal, legal.”

Larson countered that the bill’s provisions would provide safeguards for the 300,000 Nebraskans who currently engage legally in daily fantasy sports. The bill would require operators to register and be licensed, he said, which several other states also are considering.

“If you don’t want the little guy to be taken advantage of, then you need the consumer protections that are in LB970 and the committee amendment,” Larson said.

A motion offered by Chambers to indefinitely postpone the bill was supported by Scribner Sen. David Schnoor, who said the state should not encourage gambling.

“The consumer protection is not letting this [bill] go through,” Schnoor said.

The motion was defeated 14-11.

A Chambers motion filed Feb. 19 to bracket the bill until April 20, 2016, was pending when the Legislature adjourned for the week. Speaker Galen Hadley announced Feb. 22 that LB970 had been placed on hold for the rest of the session at Larson’s request.

## GOVERNMENT, MILITARY & VETERANS AFFAIRS

### Bill would limit lobbying by former elected officials

Certain former elected officials and public employees would have to wait before joining the lobby under a bill heard Feb. 25 by the Government, Mil-

itary and Veterans Affairs Committee.

Under LB792, introduced by Heartwell Sen. John Kuehn, former state-wide office holders and members of the Legislature, Public Service Commission, State Board of Education and Board of Regents of the University of Nebraska would be required to wait two years after leaving office to be employed as a lobbyist.



Sen. John Kuehn

An individual employed as staff by the same officials—with the exception of clerical staff or those not engaged in policy making—would be required to wait one year.

Kuehn said the bill would address a public perception that individuals in public service may be tempted to use relationships developed while in elected office to unduly influence legislation after they leave office. The bill also would align Nebraska law with guidelines governing federal officials and staff, he said.

“Thirty-three other states have some sort of statutory cooling off period for elected officials,” he said, although most do not limit the ability of staff to take positions in the lobby.

“Political transparency and maintaining the trust and confidence of the people should be first and foremost,” Kuehn said.

Gavin Geis of Common Cause Nebraska testified in support of the bill, saying constituents may feel betrayed by elected officials who use the influence given to them by voters for personal gain.

“In a representative democracy we should be trying to stay away from that as much as possible,” Geis said.

Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission, testified in a

neutral capacity, saying the commission has no position on when public officials are allowed to become lobbyists.

However, Daley said, the definition of which staff members are covered by the bill’s provisions should be made clearer if the committee advances the bill.

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

### Call for convention of states returned to committee

A resolution that would serve as the state’s application for a convention of the states was returned to committee during general file debate Feb. 22.

LR35, introduced by Crete Sen. Laura Ebke, calls for a convention of the states, authorized under Article V of the U.S. Constitution. Congress would be compelled to call a convention of the states if a two-thirds majority—34 states—pass identical resolutions.



Sen. Laura Ebke

Ebke said LR35 would limit discussion at a convention to three issues: imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government and limiting the terms of office for federal officials and members of Congress.

“I spent last summer and fall traveling around the state holding 33 town halls so citizens could learn more about the process [of calling for a convention of the states],” she said. “It is a cause I believe in. I see a \$19 trillion national debt with \$100 trillion plus in unfunded obligations that our children will have to pay off. I worry about their future.”

The convention would deal only



with proposed amendments, which would be sent to the states for ratification. It would require a three-fourths majority—38 states—to ratify an amendment to the U.S. Constitution.

Omaha Sen. Ernie Chambers said there would be no way to limit the scope of a convention of the states. He filed a motion to recommit the resolution to the Government, Military and Veterans Affairs Committee.

“[Delegates] could rewrite the entire Constitution. They could change our form of government from representative to parliamentary,” he said. “Why in the world should this Legislature count on other people to be more prudent than our members and undo the damage that would be done by passing [LR35]?”

Lincoln Sen. Matt Hansen supported the motion to recommit the resolution, saying it proposes a messy solution to a messy problem.

“Fundamentally, if we feel Congress is too gridlocked and too partisan to be effective, I have no notion that [the convention] would be any more cohesive or less partisan,” Hansen said. “I don’t think it’s good governance to offer up that huge concession of power without more clarity.”

Opposing the recommit motion, Henderson Sen. Curt Friesen said a convention would be a first step in addressing citizens’ frustrations with Congress.

“It’s time for a convention of the states to deal with the anger that’s out in the country and the uncontrolled spending,” he said. “It would put pressure on Congress to do something because we don’t expect them to limit their own authority. They don’t do it and they won’t do it.”

Senators voted to recommit LR35 back to the Government, Military and Veterans Affairs Committee on a 25-18 vote.

## HEALTH & HUMAN SERVICES

### Home care consumer protections amended, advanced

A bill that seeks to enhance protections for individuals who receive in-home care services was amended and advanced from general file Feb. 23.

Omaha Sen. Heath Mello, sponsor of LB698, said the measure was the result of a recommendation from the Legislature’s Aging Nebraskans Task Force.



Sen. Heath Mello

The bill would create the Home Care Consumer Bill of Rights, which would apply to individuals 60 and older, those 18 and older with a disability and the parent or guardian of a minor who receives home care services.

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

“My goal with LB698 is to ensure that the rights of Nebraska’s vulnerable populations—such as the elderly and disabled—are protected when they have the assistance of someone else in their home,” Mello said.

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

- refuse service;
- have grievances addressed in a timely manner;
- participate in the approval of services and any changes in service;

- receive care in a way that promotes his or her dignity and individuality; and
- information on the cost of services and whether those costs are covered by insurance or a public or private program.

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

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

“One significant protection LB698 highlights is the transparency of the employment status of home health care workers,” he said.

A Health and Human Services Committee amendment, adopted 30-0, would raise the maximum civil penalty to \$2,000 plus actual damages. The amendment also would expand the definition of a home care consumer to include the guardian of an incapacitated person and add a right to privacy.

Lincoln Sen. Kathy Campbell, chairperson of the committee, said that the bill would provide important consumer protections for vulnerable Nebraskans.

“This is an excellent bill that is needed to give our seniors some idea of the rights that they have as they bring people into their home environment,” she said.

Campbell offered an amendment, adopted 29-0, which added provisions from three additional bills.

LB708, originally introduced by Lincoln Sen. Kate Bolz, would require the state Department of Health and Human Services to



Sen. Kate Bolz

develop an endorsement for assisted living facilities that provide high quality care for individuals with cognitive impairment, dementia and Alzheimer’s disease.

Qualifications for the endorsement would include staffing enhancements, staff training, dedicated programing and security requirements. The department also would be required to examine the Medicaid rate structure and make recommendations regarding a higher or supplemental reimbursement rate for facilities that qualify for the endorsement.

Bolz said the provisions would strengthen the state’s system for addressing the needs of individuals with Alzheimer’s disease and help create cost savings.

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



Sen. Sue Crawford

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

Crawford said the measure would provide important information for individuals who choose to assist friends and family members following a hospital stay.

LB869, also introduced by Crawford, would align Nebraska law with federal requirements for fingerprinting and background checks of high-risk Medicaid providers.

Following adoption of the amend-

ments, LB698 was advanced to select file 28-0.

**Bill seeking to normalize life for foster youth advances**

A bill that would implement provisions of a federal law designed to promote normalcy for foster care youth was advanced to select file Feb. 22.

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



Sen. Kathy Campbell

“Normalcy is defined best by letting kids be kids,” she said.

Campbell said it is important for foster children to participate in extra-curricular and social activities such as field trips, sports, clubs, religious groups, and family vacations and photos. Current regulations regarding children in out-of-home care have been interpreted to prohibit such participation, she said.

“Over the past few years the Legislature has taken significant steps to strengthen our foster care system,” Campbell said. “For me, LB746 is the next step.”

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

Bellevue Sen. Sue Crawford supported the bill. Many former foster youth have cited the importance of

involvement in school activities in their success, she said, including an advocate who is now an attorney.

“It had been a school event where someone had really given her the opportunity to show what she was able to do,” Crawford said.

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

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

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

A Health and Human Services Committee amendment, adopted 33-0, would ensure that provisions related to credit reports comply with federal law and make the bill operative on July 1, 2016. Campbell said the date would allow the department time to make necessary changes to their data systems.

Lawmakers advanced the bill to select file on a 37-0 vote.

**Bill would create emergency crisis centers**

The state would change the way it responds to individuals experiencing mental health crisis under a bill heard Feb. 24 by the Health and Human Services Committee.

Columbus Sen. Paul Schumacher,

introducer of LB998, said Nebraska needs to address a shortcoming in state law that places the burden on counties of evaluating Emergency Protective Custody (EPC) detainees pending a mental health board proceeding.



Sen. Paul Schumacher

Schumacher said local law enforcement and county attorneys currently are tasked with determining whether an individual is mentally ill and dangerous and, if so, taking the person into EPC. Detainees then are often refused placement within the state's behavioral health system, he said, due to lack of capacity or because the individual is deemed too dangerous or combative.

The result, he said, is that EPC detainees are charged with a criminal violation and jailed.

"What we are struggling with is a mental health system which is not terribly well organized and which does not do a uniformly good job across the state of addressing mental health issues—which, if left unaddressed, end up as prison overcrowding issues," Schumacher said.

The bill would authorize creation of five emergency community crisis centers to be located across the state. Two would be established in the first year following the bill's effective date, with an additional crisis center established each year for the next three years.

Crisis center locations would be determined by the director of the state Department of Health and Human Services (DHHS) and centers also would be authorized to provide services to individuals seeking mental health treatment through voluntary commitment.

In addition, the department would be required to establish a regional outreach center that maintains a toll-

free hotline.

Elizabeth Lay, Platte County deputy county attorney, testified in support of the bill, saying the current system does not serve the state well.

Counties are obligated to deal with individuals who are mentally ill, she said, while also considering public safety. If mental illness is driving an individual's criminal behavior, she said, proper treatment is essential as a long-term solution.

"We're trying to ensure that the treatment is primary so that person can go back into society and live a productive life," Lay said. "Prison doesn't accomplish that."

Elizabeth Hurst of the Nebraska Hospital Association also testified in support of the bill. Approximately 10 of the nearly 100 hospitals in Nebraska have specially designated mental health units, she said, which is insufficient to adequately address the state's mental health needs.

The result, Hurst said, is that hospitals with contracts to provide mental health care to EPC detainees often refuse individuals because the facility lacks the specially trained staff required to provide proper treatment.

Sheri Dawson, DHHS director of the division of behavioral health, testified in a neutral capacity. The department has contracted for a comprehensive behavioral health needs assessment, she said, which will be completed by June 30. Failing to wait for the results of the study could result in establishment of crisis centers in areas of the state that would be duplicative and costly, she said.

"I believe LB998 is premature, as services outlined in this bill should be considered in light of [that study]," Dawson said.

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

## JUDICIARY

### Invasion of privacy provisions considered

Members of the Judiciary Committee heard testimony on a bill Feb. 25 that would prevent invasions of privacy by certain unmanned aircraft.

LB720, introduced by Heartwell Sen. John Kuehn, would require the express written consent of landowners before images, video or sound could be captured by an unmanned aircraft operating less than 200 feet above a property. The bill would not regulate the mere use of unmanned aircraft.



Sen. John Kuehn

A person found to be capturing images, video or sound without prior written consent would be liable for damages for invasion of privacy.

Kuehn said 45 states considered similar legislation in 2015.

"The legal ramifications of drones become more significant as the technology is more widely adopted," he said. "[LB720] strikes an important balance between consumer rights to use the technology as well as maintaining the right of people to be protected from the unintentional, unknown or even malicious use of the technology."

Adam Houston, a weather researcher, testified in opposition to the bill. He said his team's severe-storm research could be hampered by the bill.

"Unfortunately it's not possible for us to request permission ahead of time," he said, noting that his team cannot always know when a severe storm will occur. "We want to make sure the policy doesn't overstep the potential use of this technology."

The bill would not limit the ability of law enforcement or other government agencies from lawfully operating an unmanned aircraft in the airspace directly above private property.

No proponent testimony was provided.

### Protections for student journalists proposed

A bill heard by the Judiciary Committee Feb. 25 would provide protections to student journalists.

LB885, introduced by Hyannis Sen. Al Davis, would extend to postsecondary student journalists the full right to exercise freedom of speech and press provided to professional members of the media.

Davis said not protecting the rights of student journalists is an affront to their education.

“There have been instances of higher education institutions retaliating against student journalists and their advisors who wrote pieces critical of the administration,” he said. “College students have a unique view and may find opportunities to tell important stories that could slip past professional journalists.”

The bill would not protect any expression by the student journalist that is libelous or slanderous, constitutes an unwarranted invasion of privacy, violates state or federal law or incites students to engage in an unlawful act.

Allen Beermann, representing the Nebraska Press Association, testified in support of the bill. He said student journalists must have adequate training before they enter the workforce.

“It’s important for young people becoming working journalists to un-

derstand the responsibility they have to ethics, honesty and fair reporting by enjoying the privileges under the First Amendment,” he said. “The best way to learn those responsibilities is to have those responsibilities.”

Omaha North student Madison Pohlman also supported the bill. She said her decision to stay in Nebraska for journalism school hinges on her ability to freely practice her profession.

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

### Bill would open grand jury proceedings to public

Grand jury proceedings would be subject to increased transparency under a bill heard by the Judiciary Committee Feb. 24.

Currently, the death of a person while in police custody automatically is investigated by a grand jury. LB1055, introduced by Omaha Sen. Ernie Chambers, would require grand juries to create a report explaining the jury’s findings in the event it returns no indictment following an investigation.

Chambers said the secretive nature of the current process has fostered deep public distrust of law enforcement.

“There have been any number of police killings presented to grand juries to investigate police misconduct,” he said. “In many of those incidents, often the grand jury would not hand down an indictment and nothing would be made public from those proceedings.”

Chambers brought an amendment to the bill, which would replace its original provisions. It calls for grand jury reports, decisions not to indict

and transcripts of the proceedings to be filed with the court to be available for public review.

Additionally, the prosecuting attorney would select a team of three peace officers trained to investigate homicides. At least two of the officers chosen must be from agencies other than that which is being investigated. The team would file a report of its findings with the prosecuting attorney for review.

Douglas County Attorney Don Kleine supported the bill. He said it would make the current grand jury process more open while also protecting sensitive information like the names of grand jurors.

“[LB1055 as amended] would ensure that in the investigative process, it won’t just be an agency investigating itself,” Kleine said. “It would allow transparency with regard to the public’s ability to review a transcript and what’s taken place with the grand jurors without disturbing the process itself.”

Joe Kelly, Lancaster County attorney, also supported the bill. He suggested the committee add a provision preventing members of the public from copying or reproducing aspects of a grand jury report, including crime scene and autopsy photos.

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



Sen. Al Davis



Sen. Ernie Chambers



### Hedging transaction authority for power agencies advances

Certain public power districts could engage in hedging transactions on commodity futures under a bill advanced by lawmakers Feb. 25.

LB897, introduced by Omaha Sen. Brett Lindstrom, would authorize any



power-generating agency that operates in a regional transmission organization to participate in hedging transactions for fuel, power or energy.



Sen. Brett Lindstrom

The agency could use no more than 5 percent of its annual gross revenue averaged over the previous three years for the transactions. It could use only funds designated for the investments—not facilities or other assets—and the agency’s governing body would have to authorize any hedging agreement.

Lindstrom said certain public power districts should have the authority to use hedging transactions as a financial tool to mitigate risk by locking in the prices of fuel, power and energy futures. This would allow agencies to keep electricity prices low, he said.

After adopting a technical amendment, senators voted 34-0 to advance the bill to select file.

### Mountain lion hunting ban requested

Hunting of mountain lions would be prohibited in Nebraska under a bill heard by the Natural Resources Committee Feb. 25.

LB961, introduced by Omaha Sen. Ernie Chambers, would end the state Game and Parks Commission’s authority to establish a hunting season for mountain lions.

Current law allows Nebraskans at least 12 years old to hunt antelope, elk, mountain sheep and mountain lions. Those between 12 and 15 may hunt those animals under the supervision of someone who is at least 19 and holds a valid hunting permit. LB961 would remove mountain lions from those provisions.

A similar bill introduced by Cham-

bers in 2014 was vetoed by then-Gov. Dave Heineman. The state’s first mountain lion hunting season was held that year, but the commission has authorized no hunting since then due to the large number of females killed that year.

Chambers said that year’s legal hunting took five cats and 11 others were killed by illegal hunting, traps and auto accidents. Ten of the 16 cats killed that year were females, he said.

Mountain lions were native to the state but disappeared from Nebraska by the late 1800s due to settlers’ efforts to exterminate them. Mountain lions returned to Nebraska in the early 1990s and have established breeding populations in three areas in the northwest part of the state. The commission estimates that about 20 animals live in the Pine Ridge area.

Chambers said there have been no documented mountain lion attacks on humans or livestock since the animals returned to the state in the early 1990s. There are so few lions that the commission should be able to preserve them and ensure public safety without relying on hunting, a practice designed only to raise revenue and provide hunters with the “thrill” of killing, he said.

“These animals don’t just belong to hunters,” Chambers said. “These animals are of interest to all of the citizens of this state.”

Patricia Fuller spoke in support of the bill. She said mountain lions are a keystone species that prevent populations of deer and elk from growing too large for their habitat to support. Wyoming, Colorado and Washington, states with much larger mountain lion populations, have reduced conflicts between mountain lions and humans by expanding educational outreach programs and emergency response plans, Fuller said.

“Random culling via sport hunting will not make Nebraskans safer,”

she said.

Tim McCoy, deputy director of the state Game and Parks Commission, testified against the bill, saying that the commission’s goal is the long-term preservation of mountain lions in Nebraska. No game species the commission has managed has become endangered, he said, and hunting permits provide funding for conservation and research efforts.

“We have a long-standing expertise in terms of managing game species in this state,” McCoy said. “We believe we should maintain that authority to manage mountain lions like we do other species.”

McCoy said the commission is conducting a multi-year study of mountain lion populations using radio collars and DNA analysis of the animals’ droppings. He said the commission will evaluate whether to hold another hunting season in 2018 after completing a study of the current population.

Scott Smathers, executive director of the Nebraska Sportsmen’s Foundation, also spoke in opposition to the bill, saying it would strip the commission of a useful tool for managing the state’s mountain lion population.

“The elimination of using hunting permits represents a serious threat to science-based management and the sustainability of other wildlife populations in the state,” he said.

The committee took no immediate action on the bill.



### Omaha school retirement bill expanded, advanced

Lawmakers expanded the scope of a bill that would make changes to the

Omaha school employee retirement plan before advancing it from general file Feb. 25.

As introduced last session by former Sen. Jeremy Nordquist, LB447 would make the following governance changes to the Class V (Omaha) School Employees Retirement (OSERS) Act:

- create independent investment authority for the board of trustees;
- place retirement system employees under the control of the board of trustees;
- remove board of education members from the board of trustees; and
- provide for election of trustees by members of the retirement system.

A Retirement Systems Committee amendment, adopted 34-0, replaced the bill and inserted provisions of LB448 as amended during general file debate in 2015. That bill, also sponsored by Nordquist, stalled on select file and was bracketed by unanimous consent.

Omaha Sen. Heath Mello, who introduced the bill for debate this session, said the committee amendment represented negotiation and compromise reached over the interim by all impacted parties. Taken together, he said, the provisions are an important step toward eventually merging the OSERS plan with the state school employees plan.

“The reality is that reforming public pensions is difficult work,” Mello said. “There is a lot of work that still lies ahead.”

The amendment would place the OSERS staff under the control of the OSERS board of trustees and



Sen. Heath Mello

allow the board to appoint the OSERS administrator and oversee the administrator and staff. It also would transfer investment authority for OSERS funds to the state treasurer, the Nebraska Investment Authority and the state investment officer.

State funding also would change under the amendment. If the state appropriates funds for an actuarially required contribution (ARC) in the school employee plan, and the OSERS plan also has an ARC, the Omaha Public School District (OPS) could request a public hearing before the Appropriations Committee to request additional state funding to pay its ARC.

If the committee recommends payment of the additional funding, and it is approved by the Legislature, the school plan ARC would be computed as a percent of payroll and the state would contribute to OSERS the lesser of the same percent of payroll that was paid to the school plan or the percent of OSERS members’ compensation needed to the meet the OSERS plan ARC.

Seward Sen. Mark Kolterman, chairperson of the Retirement Systems Committee, explained that Omaha taxpayers currently are responsible for any ARC payments to the OSERS plan, while the state is legally responsible for ARC payments to the school employee plan.

Kolterman said the amendment would address concerns he raised last session regarding state responsibility for future ARC payments to the OSERS plan.

“Last year this payment would have been made automatically—that’s what I objected to,” he said. “[Now] the entire legislative body would have to approve the payment.”

Mello supported the change, noting that past ARC payments to the OSERS plan have not been paid in full annually by OPS. Calling the millions in unpaid

ARC obligations “alarming,” he said more state oversight is necessary.

“The only way that you solve pension problems going forward is by best practices,” Mello said, which includes full annual payment of ARC obligations.

The amendment would limit the state service annuity and medical cost of living increase in the Omaha plan to individuals who were members prior to July 1, 2016. It also would raise the normal retirement age for Omaha school members from 62 to 65.

In addition, school plan members would no longer be able to work up to 20 hours per week while receiving the disability benefit. An employee hired after July 1, 2016, no longer would be able to vest with half year of service credit if he or she is at least 65.

Kolterman said the changes would result in significant cost savings to both the OSERS and school employee plans.

The amendment also would incorporate provisions of three additional bills.

LB805, introduced by Mello, would require each political subdivision that has a defined benefit plan to conduct an actuarial experience study at least every four years.

LB922, introduced by Kolterman, would adjust the terms of the Public Employee Retirement Board (PERB) so that no more than two members would be appointed or reappointed in any one year. It also would clarify procedures for filling a vacated term.

LB986, introduced by the Retirement Systems Committee, would add new duties for the Nebraska Public Employees Retirement Systems executive director, the PERB and the actu-



Sen. Mark Kolterman

ary regarding experience studies and annual evaluation reports.

Hyannis Sen. Al Davis supported the bill and the amendments, saying the state needs to manage retirement funds in a way that is beneficial to Omaha school employees and all Nebraska taxpayers. He said LB447 would provide greater stability to the OSERS plan and more closely align it with the state school employee plan.

“It is our responsibility to make necessary changes and to make sure that the plans are fully funded,” Davis said.

Following the 26-0 adoption of a Kolterman technical amendment, the bill advanced to select file 32-0.

## REVENUE

### Homestead exemption for remarried spouses of veterans advances

Lawmakers advanced a bill Feb. 22 that would allow a veteran’s surviving spouse to retain his or her homestead exemption after remarrying.

Under current state law, surviving spouses of veterans who died on active duty or were honorably discharged and drew disability compensation are eligible to retain the veterans’ homestead exemption only if they do not remarry. LB683, introduced by Omaha Sen. Joni Craighead, would allow a surviving spouse to retain the exemption if he or she remarries after age 57.



Sen. Joni Craighead

Craighead made the bill her priority bill this session. She said it would align Nebraska statute with federal law, which currently preserves home-

stead benefits for veterans’ surviving spouses who remarry.

“Our servicemen and women write a blank check when they agree to protect our nation,” Craighead said, “and we should not as a state strip their family members of benefits set out for them by federal law.”

Senators voted 39-0 to advance the bill to select file.

### Access to tax incentive data advanced

Senators advanced a bill Feb. 23 that would ensure the Legislative Audit Office’s access to data necessary for conducting performance audits of tax incentive programs.

LB1022, introduced by the Legislative Performance Audit Committee, would give the office direct access to all agency databases containing relevant program information. The bill would allow the office to request confidential state Department of Revenue data and remove current provisions giving the speaker of the Legislature and the chairperson of the committee access to confidential data in certain circumstances.

Syracuse Sen. Dan Watermeier, chairperson of the Legislative Performance Audit Committee, said the audit office must have access to confidential taxpayer data to perform thorough evaluations of state programs. The bill would not change existing privacy protections, he said, and auditors would be allowed to review confidential tax records only at the state Department of Revenue. The office would be prohibited from including any information in its reports that could identify individual taxpayers, he said.



Sen. Dan Watermeier

Senators adopted a technical amendment and voted 29-0 to advance the bill to select file.

## URBAN AFFAIRS

### Additional economic development disclosure advanced

Businesses would be required to disclose additional information before applying for certain local economic development programs under a bill advanced by lawmakers Feb. 23.

The provisions of LB1059, introduced by Bellevue Sen. Sue Crawford, would apply to businesses seeking economic development incentives under the Local Municipal Economic Development Act or contracts using tax increment financing (TIF).



Sen. Sue Crawford

Crawford said the bill is designed to address the intersection between state incentives and local development incentives. She said state tax credits can include a refund of a municipality’s local option sales tax, which is not always evident to a municipality before awarding local incentives for the same project.

“In some cases, municipalities have gone months without local option sales tax revenue because of those refunds,” she said. “It is critical that municipalities facing a decision to award local development incentives know if state incentives for the same project would force them to lose [that revenue.]”

Before applying for special incentives, a business must certify:

- whether it has filed or intends to file an application to receive

tax incentives under the Nebraska Advantage Act for the same project;

- whether such application includes or will include a refund of the municipality's local option sales tax revenue;
- a good faith estimate of the total amount of tax incentives the business expects to receive under the Nebraska Advantage Act for any application; and
- whether such application has been approved.

An Urban Affairs Committee amendment, adopted 28-0, incorporated provisions of two related bills.

LB860, originally introduced by Venango Sen. Dan Hughes, would authorize a municipality to use funds from a Local Municipal Economic Development plan for workforce housing. Currently funds



Sen. Dan Hughes

from such plans may be used only for low- and moderate-income housing.

Lincoln Sen. Colby Coash supported the bill and amendment, saying there already is precedent for making changes to existing Local Option Municipal Economic Development plans.

"These plans are one of the most effective tools we've given municipalities to encourage growth and development," Coash said. "The Legislature has continually added things that become qualifying projects under the process which weren't considered when the city initially went to the voters and asked for those funds."

Originally introduced by Lincoln Sen. Matt Hansen, LB808 would allow a municipality to amend an existing Local Municipal Economic Development plan to add or remove a qualifying business if recommended by its citizen advisory review committee.



Sen. Matt Hansen

tee. The provisions would require a public hearing and a supermajority vote—two-thirds of members—by the municipality's governing body.

Columbus Sen. Paul Schumacher said the provisions of LB808 were disingenuous to voters who approved only specific language and projects when approving a local option sales tax and were promised a popular vote to approve future changes. He introduced an amendment that would have required a unanimous vote by a municipality's governing body, rather than a supermajority.

"We're replacing a vote of the people here with a vote of a city council or a citizen advisory committee," he said. "That's not the deal that was originally made with the voters when they initially approved the language. I don't think taking voters out of the loop is a good idea."

The Schumacher amendment failed on a 12-18 vote.

Senators advanced the bill to select file on a 28-2 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 during the current legislative session.

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

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

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

The registration deadline is May 15.





# SPEAKER 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. Senator and Committee priority bills were printed in last week's Unicameral Update.

Priority	Bill	Introducer	Status	One-line description
Speaker Hadley	LB235	Howard	General File	Adopt the Consumer Protection in Eye Care Act
Speaker Hadley	LB465	B. Harr	General File	Adopt the Electronic Notary Public Act
Speaker Hadley	LB549	Campbell	Referral	Adopt the Health Care Transformation Act
Speaker Hadley	LB580	Murante	General File	Adopt the Redistricting Act
Speaker Hadley	LB686	Chambers	General File	Provide for the publication and distribution of the Constitution of Nebraska
Speaker Hadley	LB716	Kolowski	Referral	Provide and eliminate provisions regarding pedestrians and bicyclists
Speaker Hadley	LB721	Baker	General File	Adopt the Surgical First Assistant Practice Act
Speaker Hadley	LB742	Hansen	General File	Change county population thresholds
Speaker Hadley	LB756	Performance Audit	Referral	Terminate the Nebraska long-term care savings plan
Speaker Hadley	LB768	Garrett	Referral	Provide for Choose Life License Plates
Speaker Hadley	LB803	Retirement	General File	Change disposition of court docket fees as prescribed
Speaker Hadley	LB804	Hilkemann	Referral	Adopt the Investigational Drug Use Act
Speaker Hadley	LB829	B. Harr	Referral	Adopt the Revised Uniform Fiduciary Access to Digital Assets Act (2015)
Speaker Hadley	LB835	Mello	Referral	Change provisions relating to consumer protection
Speaker Hadley	LB837	Scheer	General File	Change provisions relating to premium taxes and quarterly statements under the Surplus Lines Insurance Act
Speaker Hadley	LB851	McCollister	Referral	Change the Taxpayer Transparency Act
Speaker Hadley	LB901	Kolterman	General File	Change dental assistant and licensed dental hygienist provisions
Speaker Hadley	LB930	Scheer	Referral	Change provisions relating to statewide assessments and college admission testing as prescribed
Speaker Hadley	LB962	Fox	General File	Change requirements for the practice of acupuncture
Speaker Hadley	LB994	Davis	Referral	Change provisions under the Motor Vehicle Registration Act relating to financial responsibility as applied to nonresident owners
Speaker Hadley	LB1000	Mello	Referral	Require certain law enforcement agencies to adopt policies on the use of body-worn cameras, provide that recordings from such cameras are not public records, and prohibit certain conduct involving such recordings
Speaker Hadley	LB1033	Campbell	General File	Create an advisory committee relating to persons with disabilities within the Department of Health and Human Services
Speaker Hadley	LB1083	Williams	General File	Adopt the Next Generation Business Growth Act and change funding for tax credits under the Community Development Assistance Act
Speaker Hadley	LB1098	Morfeld	Referral	Increase legal services fees as prescribed
Speaker Hadley	LB1106	Garrett	Referral	Change civil forfeiture provisions as prescribed

# COMMITTEE HEARINGS

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

## **Monday, February 29**

### **Appropriations**

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

AM2236 to LB537 - Appropriate funds relating to natural resources

### **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

LB938 (rehearing) (Smith) Adopt the 911 Service System Act and transfer funds from the Enhanced Wireless 911 Fund to the 911 Service System Fund

## **Tuesday, March 1**

### **Education**

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

*Appointment:* Goldschmidt, Pete - Technical Advisory Committee for Statewide Assessment

*Appointment:* Schmailzl, Randy - Nebraska Educational Telecommunications Commission

## **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

### **Health & Human Services**

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

*Appointment:* Sitorius, Michael A. - Rural Health Advisory Commission

*Appointment:* Kent, Mary J. - Rural Health Advisory Commission  
LR415 (Riepe) Urge the Nebraska congressional delegation to support and co-sponsor Senate Bill 1989 entitled Primary Care Enhancement Act of 2015

LB842 (K. Haar) Change admission and graduation provisions relating to barber schools and colleges

LB905 (Ebke) Adopt the Commission on Fathers, Men, and Boys Establishment Act of 2016

### **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**

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

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

*Appointment:* Jordening, Polly - State Emergency Response Commission

*Appointment:* Ziebarth, James J. - Accountability and Disclosure Commission

*Appointment:* Deiml, Keith - State Emergency Response Commission

*Appointment:* Plouzek, Kimberly - State Emergency Response Commission

*Appointment:* Tessman, Brian - State Personnel Board

*Appointment:* Toner, Edward A. - Chief Information Officer

*Appointment:* Peetz, Jeffery T. - Accountability and Disclosure Commission

### **Health & Human Services**

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

*Appointment:* Wells, Roger - Rural Health Advisory Commission

*Appointment:* Craig, John A. E. - Rural Health Advisory Commission

*Appointment:* Schroeder, Rebecca - Rural Health Advisory Commission  
LB674 (Krist) Provide financial compensation for care for disabled persons by family as prescribed  
LB697 (Howard) Provide for a medicaid state plan amendment application relating to functional family therapy

### **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

## **Friday March 18**

### **Transportation & Telecommunications**

**Room 1525 - 1:00 p.m.**

*Appointment:* Tagge, Darold - Board of Public Roads Classifications and Standards

*Appointment:* Kramer, Lisa - Board of Public Roads Classifications and Standards

*Appointment:* Gerrard, LeRoy - Board of Public Roads Classifications and Standards ■

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Sen. Jerry Johnson speaks to students from his district who visited the Capitol Feb. 25.