

Bill moved to end minimum drug sentences

Judges would have more discretion when sentencing certain drug offenders under a bill advanced by the Legislature March 8.

Currently, the mandatory minimum sentences for Class IC and Class ID felonies are five and three years, respectively. LB447, as introduced by Omaha Sen. Ernie Chambers, would eliminate the mandatory minimum sentences for these felonies.

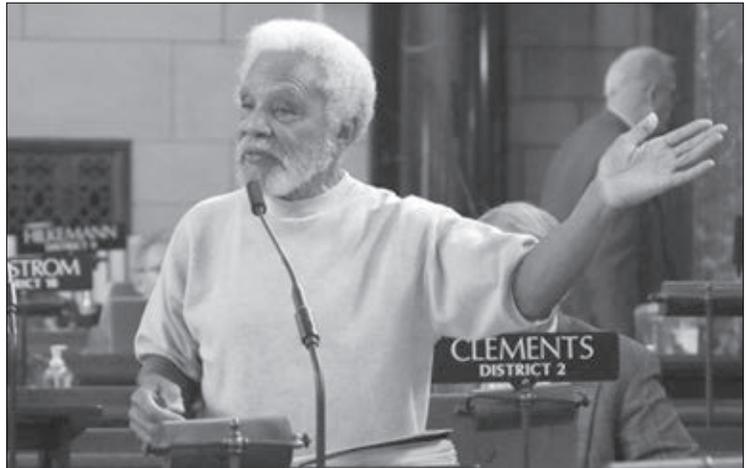
A person convicted of a Class IC felony is subject to a sentence of five to 50 years in prison and three to 50 years for a Class ID felony.

Those serving a mandatory minimum sentence are ineligible for the state Department of Correctional Services' "good time" program, which automatically reduces sentences by 50 percent.

Chambers said mandatory minimum laws are fiscally irresponsible and do little to deter criminal activity.

"When all those so-called 'tough on crime' bills were put into law, all it did was increase the number of people locked up," he said. "It increased expenses to such an extent that even conservatives began to attack these laws from the standpoint of cost alone."

Sen. Patty Pansing Brooks of Lincoln supported the bill, saying eliminating mandatory minimum sentences did not inherently eliminate the ability to effectively punish habitual criminals or people who commit violent crimes.



Sen. Ernie Chambers said judges must have the discretion to consider all relevant factors before sentencing.

"It's about making sure our prisons aren't filled with people who don't necessarily need to be there," she said. "[Mandatory minimums] are about deciding our judicial system is not capable of making the determination of what's the most appropriate sentence.

Omaha Sen. Bob Krist also supported LB447. He said an inmate serving a mandatory minimum sentence has less incentive to behave properly and pursue rehabilitation, creating a more chaotic prison environment.

"The less mandatory minimums we have and the more ability we have to rehabilitate people and help them meet parole

(continued page 2)

Breast density notification bill advanced

Lawmakers gave first-round approval March 8 to a bill that would require mammography patients to be notified of their breast density.

Omaha Sen. Joni Craighead, sponsor of LB195, said the bill was inspired by Cheri Rauth — an Omaha woman who received a diagnosis of Stage IV breast cancer within eight months of her 15th normal mammogram.



Sen. Joni Craighead

The bill would require all health care facilities that perform mammography to include in the summary of the mammography report the patient's individual breast tissue classification based on the Breast Imaging Reporting and Data System established by the American College of Radiology.

Breast density can complicate the reading of a mammogram, Craighead said, and women should know if they have the characteristic. Twenty-eight states have laws relating to breast density notification, she said, and 11 more

are considering similar legislation.

"The information would be provided to raise awareness of the impact of breast density on cancer detection and to encourage patients to discuss this issue as well as other breast cancer risk factors with their health care provider to decide if further screening options may be required," Craighead said.

Sen. Sara Howard of Omaha supported the bill, saying it would benefit women who don't know that they have dense breasts and don't realize that they should be asking more questions

(continued page 2)

Bill moved to end minimum drug sentences

(continued from front page)

requirements earlier, the better behavior and the less chaos and riotous conduct we'll see," he said.

Citing concerns about vague sentencing guidelines, Hastings Sen. Steve Halloran opposed the bill. He said senators should look at the broad range of sentences in statute, rather than mandatory minimums. Two criminals committing the same Class IC felony could receive anywhere between five and 50 years, Halloran said.

"I trust judges but I think sometimes we afford them too much discretion," he said. "Sometimes we don't narrowly define enough within the law sentencing guidelines."

Elkhorn Sen. Lou Ann Linehan introduced an amendment that would replace the bill. The amendment instead would eliminate mandatory minimum sentences for Class IC and ID drug offenses only, specifically for manufacturing between 28 and 139 grams of cocaine, heroin or methamphetamine with the intent to distribute.

Linehan said the amendment would help address both prison over-

crowding and the state's budget deficit, while also prioritizing public safety.

"I absolutely believe in putting the 'bad guys' in prison for a very long time, but I don't see the purpose of mandatory minimums for someone who has committed a nonviolent drug crime," she said.

Sen. Mike Groene of North Platte supported the amendment, saying he did not believe first-time nonviolent offenders automatically should be sentenced to three years.

"I don't believe that we'll [lose] the ability to throw away the 'bad guy' in the long term," he said. "I'm a fiscal conservative and support law and order, but most of these drug offenses are not violent."

Opposing the amendment and the bill was Lincoln Sen. Mike Hilgers, who said it cast too broad a stroke, as it would apply to very serious criminals.

"This is not possession of marijuana ruining someone's life," Hilgers said. "This is manufacturing and distributing cocaine, heroin and meth."

Senators voted to adopt the Linehan amendment 29-9 and advanced the bill to select file on a 25-22 vote. ■

Breast density notification bill advanced

(continued from front page)

of their health care providers.

"The testimony on this bill was incredibly compelling," Howard said. "We heard from women [diagnosed with cancer] who never knew that their breasts were dense and who had received mammograms that were fine."

Sen. Merv Riepe of Ralston expressed concern about the mandatory nature of the bill.

"When you have mandatory reporting you also open yourself up — from a health care provider standpoint — to contingent liability," he said.

Craighead offered an amendment, adopted 38-0, which removed a requirement that a facility notify the state Department of Health and Human Services each time it makes changes to the notice requirement.

"This mandate on health care facilities does not create a duty of care or legal obligation beyond the duty to provide notice [to the patient]," she said.

Following adoption of the amendment, LB195 was advanced to select file 38-1. ■

UNICAMERAL UPDATE

The Unicameral Update is a free, weekly newsletter published during the legislative session. It is produced by the Clerk of the Legislature's Office through the Unicameral Information Office. For print subscriptions, call 402-471-2788 or email uio@leg.ne.gov. Visit us online at Update.Legislature.ne.gov and follow us on [Twitter.com/UnicamUpdate](https://twitter.com/UnicamUpdate).

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MEET THE SENATOR

Father follows son's footsteps to Capitol

With the exception of his college years, Sen. Steve Erdman has lived in Morrill County his entire life. The new senator went so far as to move in with his grandparents at the age of 16, when his parents moved to Washington state, in order to stay in western Nebraska.

It's been a good fit.

A life-long farmer, Erdman briefly thought he wanted to be an engineer and took the preparatory coursework while attending Nebraska Western Junior College.

"Then I realized that I'd have to spend every day inside," he said. "That was the end of that."

Instead, with the help of an uncle, Erdman began a 42-year career working the land. At one point, all three of his and wife Cathy's sons also were involved in the operation. A significant drought in 2002 and low commodity prices in 2004 caused the two oldest sons to rethink their career paths, however — a choice the senator understood.

"It's a hard life. It's very rewarding, but it's a hard life," he said.

To balance that life, Erdman became deeply involved in 4-H and FFA while his sons grew up. Craig, Philip and Nicholas all excelled in the programs, he said, and there was no shortage of pride in their achievements.

"But, we didn't take time for vacations — family trips or that sort of thing — during those years," he said. "You can't really do that as a family farmer, but those programs taught our sons and many other young people that hard work and responsibility really pay off."

Erdman's first foray into public service was inspired by his family. Concerned with the quality of his sons' education, he decided that it was time to "put up, or shut up," so he ran for a seat on the board of their Class 1 school.

Erdman later served on the Bayard School Board for 12 years, and that service led to 12 years on the Morrill County Board of Commissioners and many additional boards. The ability to see issues that needed addressed and tackle them head-on was what he liked best about being a county commissioner.

The work of a state senator has proven challenging in that regard, Erdman said. He recalled the one piece of advice offered by his middle son, Philip, when the elder Erdman was considering running for a seat in the Unicameral.

"He said, 'Don't do it!'" Erdman laughed, explaining that Philip — who served as a Nebraska state senator from 2001-09 — was concerned that his dad would find it difficult to adjust to the pace of the legislative process. "He thought it would aggravate me to stand around. He was right."

The other challenge, he said, is reconciling the interests of the urban and rural parts of the state.

"It goes both ways," he said. "It's difficult to understand the different priorities and to find common ground between what's good for your district and what's good for the entire state."

Erdman spends as much time as possible with his nine grandchildren: four in Lincoln, four in Kearney and one in Gering.

When asked if there is a politician that will serve as a role model for him while at the Legislature, Erdman answered immediately.

"Yep — and his name is Philip," he said with obvious pride. "There isn't a day that goes by that someone doesn't come up to me and tell me that Philip helped them. He made a real difference and I'd like to think that I could too." ■



Sen. Erdman displays his catch of the day at Lake Minatare in western Nebraska.

APPROPRIATIONS

More funding sought for education grant program

The Appropriations Committee heard testimony March 7 on a bill that would provide additional funds for the Expanded Learning Opportunity (ELO) Grant Program Act.

LB270, sponsored by Omaha Sen. Rick Kolowski, would appropriate an additional \$750,000 in state general funds in fiscal year 2017-18 and FY2018-19 to the state Department of Education to be used for the ELO program.



Sen. Rick Kolowski

The competitive grant program currently receives \$250,000 annually in state funds to provide educational and enrichment opportunities for K-12 youth when they are not in school. Grants require a one-to-one match from community partners.

Kolowski said ELOs have focused on science, technology, engineering and math (STEM) programming, health and wellness, career exploration, community engagement and agriculture. ELOs are especially important in Nebraska, he said, which has one of the highest rates in the nation of children with both parents in the workforce. In 2016, he said, the program funded 11 projects that served 1,489 students across the state.

“These programs are an investment in our future and will save the state money,” he said. “We have volumes of data over a longitudinal time period that would show you the differences this makes in the lives of those kids [and] their families,” Kolowski said.

Jeff Cole testified on behalf of Beyond School Bells, the statewide ELO network, in support of the bill. A young person spends 80 percent of their waking hours outside of a formal classroom environment, he said, so it’s important to provide positive learning experiences during those hours that will enhance regular classroom learning.

According to a national study, he said, ELOs have been successful in the state in helping young people develop an identity as STEM learners. That foundation is important to inspire young people to become creative problem solvers and set them on the right path for their futures, he said.

“Nebraska youth showed the highest gains in the nation in these important measures of how participation in ELO STEM activities support the development of a strong STEM identity and interest in STEM careers,” Cole said.

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

Funds sought to house prisoners in local jails

The Appropriations Committee heard testimony March 6 on a bill that would fund an effort to house prison inmates in local jails for work release purposes.

Omaha Sen. John McCollister, sponsor of LB378, said it would modify and extend for one year a program that otherwise would expire at the end of the current fiscal year in June. The program was designed in 2014 to ease overcrowding at state facilities, he said, but was not limited to any specific set of inmates.



Sen. John McCollister

The bill would appropriate \$5

million in general funds to the state Department of Correctional Services to be used to house prisoners classified as community corrections inmates in county jails where their parole or release would be located.

McCollister said the program likely would not need the entire \$5 million. Inmates on work release in Lincoln and Omaha pay \$12 a day into the system, he said, and LB378 could operate in a similar manner. In addition, he said, the program would provide flexibility for the department to address overcrowding and provide benefits to inmates.

“If a person is about to re-enter society, allowing them to find a job in their home community and re-establish family ties will help them achieve success,” he said.

Doug Koebernick, inspector general of the Nebraska correctional system, testified in support of the bill, saying several rural counties have space available and have expressed interest in participating in the program. He suggested the possibility of a pilot program that could involve fewer inmates with a lower cost to the state, noting that the original program at one time included more than 200 inmates.

“If a local jail has beds that are free and could be used for work release, this could continue to relieve pressure on the state correctional system while also providing enhanced opportunities for inmates to transition into their home communities,” Koebernick said.

The bill also would require the state Board of Parole to provide quarterly reports to the governor and the Legislature regarding the number of inmates housed at county jails for work release purposes, how many have been paroled to those communities and whether the work release opportunities led to continued employment of parolees.

The department would be required to report regarding plans for use of

future appropriations and work release needs in relation to community corrections construction.

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

Bill would continue student tech funding

A program designed to provide information technology (IT) skills to Nebraska high school and community college students would receive continued funding under a bill heard March 7 by the Appropriations Committee.

LB465, introduced by Syracuse Sen. Dan Watermeier, would appropriate \$500,000 in fiscal year 2017-18 and FY2018-19 to the state Department of Education for the Nebraska Information and Technology Initiative.



Sen. Dan Watermeier

Watermeier said the initiative – which is a public/private partnership between the department, Nebraska Career and Technical Education, Microsoft and Certiport – began as a pilot project in 2014 to enhance IT skills in Nebraska schools.

Currently 85 Nebraska high schools and 12 community colleges participate in the initiative, he said, with a waiting list of schools wishing to join. He said LB465 is necessary to make sure that the momentum for IT skill acquisition among Nebraska students and teachers does not come to a halt.

“The number of students receiving certificates in programs like Word, PowerPoint, Excel and Access has tripled from year one to two [of the program] and we are on pace to do the same this year,” Watermeier said. “The IT initiative has already made a major impact on students and teachers

in its short lifespan.”

Ricardo Diaz, a Hastings High School student who has earned four IT certifications, testified in support of the bill. Earning his first certification inspired him to enroll in a technology fundamentals class, he said, which provided more advanced insight into computer science.

“Earning these certifications was like a spark for me,” Diaz said. “This has really opened my eyes and I know that I have been equipped with a good, solid set of skills and now have the foundation to be successful with whatever I decide to pursue.”

Terri Teideman, testifying on behalf of Southeast Community College, also supported the bill. Teideman said that as a computer applications instructor for 35 years, she believed such a course eventually would become obsolete because students would know how to use computer applications. However, she said, many high school graduates in Nebraska today do not know how to attach a file to an email.

“All jobs require a knowledge of technology and applications,” Teideman said. “Employers expect graduates to be technology literate. If we want to promote Nebraska as the Silicon Valley of the plains, we need to make sure that students at all levels of education have the very best technology skills possible.”

No one testified against LB465 and the committee took no immediate action on the bill.



Telehealth insurance bill advances

Lawmakers gave first-round approval March 6 to a bill that would prohibit

insurance providers from excluding coverage for a service based solely on its deliverance through telehealth.

Seward Sen. Mark Kolterman, sponsor of LB92, said the bill would require health insurance companies to cover any service provided via telehealth if the service is covered for an in-person consultation.



Sen. Mark Kolterman

Kolterman said telehealth is particularly important to ensure timely delivery of health services – including primary care, specialist consultations and patient monitoring – to vulnerable populations in rural areas and those who are low-income or have mobility impairments.

“It’s time for Nebraska to expand telehealth services across the state and eliminate any doubt for doctors and patients that those services are covered by insurance,” he said.

A Banking, Commerce and Insurance Committee amendment, adopted 33-0, clarifies that the bill would not apply to policies that provide coverage for a specified disease or other limited-benefit coverage.

Lincoln Sen. Patty Pansing Brooks supported the bill, saying telehealth has been vital in isolated rural areas such as the Pine Ridge Hospital near Whiteclay, Nebraska. Once a tower was placed nearby, she said, the hospital was able to connect via telehealth with the Mayo Clinic and other facilities to provide much needed supplemental support to their efforts to address behavioral health issues.

Sen. Bob Krist of Omaha also supported the bill, saying it would help to fill gaps in the state’s behavioral health provision due to a lack of providers. A therapist can be on one side of the state and provide services to a patient

on the other side, he said, and the state should ensure that the services are covered.

“The medical profession defines our lack of psychological and psychiatric treatment across the state as an emergency,” he said. “Behavioral and mental health and substance abuse are on the top of the list of things that need corrected in this state.”

LB92 advanced to select file on a 34-0 vote.

BUSINESS & LABOR

Workers’ comp reimbursement bill stalls

A bill that would require employers to cover the cost of a second medical opinion for employees’ work-related injuries was bracketed March 6, making it unlikely to be debated again this session.

An employee filing a workers’ compensation claim currently must submit to a medical exam by a physician chosen by the employer or its insurer. Under LB181, introduced by Grand Island Sen. Dan Quick, an employee that disputed the initial medical findings could seek a second opinion from a physician of the employee’s choice.

The employee would be reimbursed for the associated costs of the second examination by either the employer or its insurer.

Quick said he was injured on the job and was told he must return to work while still taking prescribed narcotics. He said he could have sought a second opinion but would have had to pay for it himself.



Sen. Dan Quick

“This bill may not solve all the problems but it’s a start to try and create a level playing field to allow employees to recover with dignity,” he said.

Bellevue Sen. Carol Blood supported the bill, saying it is in the best interests of employers to ensure the health and well-being of the people who keep their business running.

“Both the business and the employee benefit if the employee is well and physically able to do the job,” she said. “If the employee is hurt at work and unable to get the care, how does that benefit anybody?”

Sen. John Kuehn of Heartwell opposed the bill. He said LB181 is unnecessary because employees already can use a personal physician for the initial visit, if the employee has an established relationship with the physician. Implying that a physician chosen by an employer would provide inherently biased medical information is unfair, Kuehn said.

“Physicians, regardless of who they’re employed by, still have to meet their statutory guidelines set forth by scope of practice statutes,” he said. “We have dedicated health care professionals in all areas who are working and treating patients on the job and their first and foremost concern is the standard of care for the patient.”

Quick filed a motion to bracket the bill by unanimous consent until Jan. 10, 2018. The body obliged.

The motion effectively ends debate on LB181 for the 2017 session.

Workers’ comp drug formulary proposed

The Workers’ Compensation Court would adopt an evidence-based drug formulary under a bill heard by the Business and Labor Committee March 6.

Under LB408, introduced by Kearney Sen. John Lowe, the court would adopt the list of approved prescription drugs categorized as Schedule II, III, IV or V to be dispensed in connection with workers’ compensation claims.



Sen. John Lowe

Lowe said a similar formulary adopted in Texas has led to a decrease in cost, number of prescriptions written and number of workers’ compensation claims for drugs that require pre-authorization. Texas has seen a subsequent increase in the use of prescription drugs that are safer and more effective, he said.

“We have all seen the stories in the news recently that detail the horrific opioid problem,” Lowe said. “Adopting [LB408] would be one tool to help Nebraska minimize this risk because the formulary will improve the way opioids are prescribed.”

Claimants would not need pre-authorization for drugs listed on the formulary. Pre-authorization from the workers’ compensation insurer, risk management pool or individual insurer would be required for drugs not listed or for those included on the formulary but not recommended.

The bill also would allow a claimant to appeal a denial of payment for any drug not listed on the formulary or listed as not recommended.

Robert Hallstrom, representing Nebraskans for Workers’ Compensation Equity and Fairness, supported the bill. He said that even though drug formularies adopted in other states have led to cost savings, the real benefit of the bill is returning injured workers back to work much more quickly.

“We’ve seen in other states that it has had a positive impact, particularly with regard to return-to-work

outcomes and costs savings along the way,” Hallstrom said.

Interventional pain physician Phil Essay also spoke in favor of the bill. He said overdose deaths resulting from opioids – categorized as Schedule II drugs – have quadrupled between 1999 and 2015, rising from 36 to 150 deaths annually. The vast majority of people who overdose on opioids are working professionals, Essay said.

“Chronic pain nationwide has not changed in the last 15 years and yet the number of prescription sales [for opioids] has quadrupled,” he said. “There is a direct correlation between the number of medications released from the pharmacy and the number of unintended opioid deaths.”

Opposing the bill was Dr. David Durand, representing the Nebraska Medical Association. He said physicians need considerable flexibility in serving the state’s aging workforce. Adopting a drug formulary would limit that flexibility and make it harder for physicians to provide the best treatment possible, Durand said.

“It’s not unusual for a patient to have multiple drug allergies that already limit choice,” he said. “Waiting for an independent medical evaluation of a non-formulary drug, which can take weeks or months, is not a satisfactory option.”

John Corrigan, representing the Nebraska AFL-CIO, also opposed LB408. He said placing limits on the medical care workers can receive is not aligned with the original intent of workers’ compensation.

“Workers’ compensation is designed to benefit the injured worker,” Corrigan said. “Having a system that creates an impediment to a doctor’s treatment is not beneficial to [workers].”

The committee took no immediate action on the bill.

EDUCATION

Commission proposed to review school financing

A new commission would be tasked with conducting an in-depth review of how Nebraska funds public schools under a bill heard by the Education Committee March 6.

LB484, introduced by Omaha Sen. Rick Kolowski, would create the School Financing Review Commission to examine the option of using income and sales taxes to fund public schools and to examine school financing methods used in other states to avoid an overreliance on property taxes. The commission also would explore options for funding pre-kindergarten services and college- and career-readiness programs.

The commission would submit a progress report to the Legislature by Dec. 31, 2017. A final report with recommendations would be due Dec. 1, 2018, to the governor, the State Board of Education and the Legislature.

Kolowski said a commission is needed to help the Legislature make difficult changes to the complex formula that distributes more than \$1 billion per year to the state’s public schools.

“We have heard from taxpayers and educators that we need to explore a new way to fund our schools,” he said. “The formula is not equitable to property taxpayers and does not ensure that all of our students get the high-quality education that they deserve.”

The commission’s 20 members, including three senators, one repre-

sentative of the governor, the state property tax administrator and school representatives, would be appointed by the commissioner for education. The commission would disband Dec. 31, 2016, unless the Legislature extends it

On or before July 1 of each even-numbered year beginning in 2020, the commission would report on the adequacy of school funding sources.

The Legislature would appropriate at least \$100,000 to the commission to carry out its duties.

Larry Scherer of the Nebraska State Education Association testified in support of the bill, saying that it would be the first step on the path to a better school funding system. He said the proposed commission should look for ways to balance state funding with local funding, particularly property taxes. Input and support from businesses and the agriculture community would be critical to the commission’s work, Scherer added.

“It’s time to go back to the beginning and reinvent something that works for our state – something that works for our schools,” he said.

Renee Fry of the OpenSky Policy Institute also testified in support of the bill, saying the commission would be the best way to address the state’s overreliance on property taxes to fund public education. She said valuations on agricultural land have increased more than 230 percent since 2007, compared to 31 percent for commercial property and 19 percent for residential. This increase in resources led to a decrease in the number of rural districts receiving state equalization aid, from 81 percent in 2009 to 31 percent this year.

At the same time, Fry said, urban districts face growing enrollment and increasing numbers of students in poverty. State aid is not as predictable or



Sen. Rick Kolowski

stable as property tax revenue, making it difficult for those schools to create budgets, she said.

“Our K-12 funding formula in Nebraska is complex and more than a quarter of a century old,” Fry said. “While tweaks have been made along the way, the level of frustration about the formula from both urban and rural districts signifies that it is time for a new formula.”

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

Retention, intervention proposed for struggling early readers

Third-graders who struggle with reading would be held back unless they qualify for an exemption under a bill heard by the Education Committee March 7.

LB651, introduced by Elkhorn Sen. Lou Ann Linehan, would require school districts to offer an accelerated reading intervention program to students in kindergarten through third grade who are identified as having a reading deficiency based on local or statewide assessments.

Linehan said many school districts assess students’ reading ability in early grades, but not all do. LB651 is not intended to hold children back, she said, but to ensure that schools identify and help students with reading disabilities at an early age.

“For a generation, I have been frustrated that we have kids who are cognitively able but are not being taught how to read,” Linehan said. “We fail them miserably and we fail them early.”

Under the bill, a student with

reading deficiencies would receive an individual reading improvement plan developed by the teacher, principal, other school staff and the student’s parents.

Beginning with school year 2019-20, if the student scores below grade level on the third-grade statewide reading assessment, the student would be retained in third grade unless he or she qualifies for an exemption.

Students could be exempted if they score at or above grade level on an alternative standardized reading test or complete a portfolio demonstrating mastery of third grade reading standards. Students with disabilities, students with limited English proficiency and students who had been retained in a previous grade also could be exempted.

Additionally, schools would be required to provide summer reading camps offering at least 70 hours of instruction to students scoring below grade level on the third-grade statewide reading assessment.

Christy Hovanetz, senior policy fellow for the Foundation for Excellence in Education, testified in support of the bill. She said the Florida-based foundation has worked with 35 states that have adopted reading policies for students in kindergarten through third grade. Assessment, early parent notification and research-based intervention are key in helping struggling students learn how to read, Hovanetz said.

States that implemented a majority of the foundation’s reading policy recommendations have improved their scores on a national assessment, she said, and students who are retained in their current grade to address a reading disability go on to have more confidence in their abilities.

Testifying in opposition to the bill was Gina Miller of Omaha. She

said the bill would not give parents enough control over whether a child is retained or what intervention services a child receives.

“I do not believe that this should be state law,” Miller said. “It should be handled at a local school district through policy, practice and correct curriculum – things that can be molded and shaped by parents and school officials as necessary – not a stringent, unyielding, sometimes misapplied law.”

Chad Dumas, director of learning for Hastings Public Schools, also testified in opposition to the bill, saying that research shows that retention hurts student achievement. Many schools already take steps to assess and assist students with reading disabilities, he added.

“Is it the Legislature’s place to mandate such specific practices for each school? I don’t believe it is,” Dumas said.

Dr. Patti Gubbels, a Norfolk Public Schools board member, also testified in opposition to the bill. She said student scores on the state’s third grade reading assessment have improved over the last five years, which is evidence that reading instruction in lower elementary grades is working. Gubbels said LB651 represents a one-size-fits-all approach that does not address variances in how students learn.

“Educational professionals are in the best position to make decisions for reading with the specific children they work with on a daily basis,” Gubbels said. “Reading teachers, reading specialists [and] reading coaches design instruction, interventions and reading assessments that best meet the needs of every child in their care.”

The committee took no immediate action on the bill.



Sen. Lou Ann Linehan

EXECUTIVE BOARD

Whiteclay public health task force advanced

Lawmakers gave first-round approval March 9 to a bill that would create a special task force to research the public health implications of alcohol sales on the Whiteclay community.

The unincorporated village of Whiteclay, Nebraska is home to four liquor stores despite having a population of only 11 people. Although alcohol is banned on the Pine Ridge Reservation, a large number of tribal members travel the two miles across the South Dakota border to patronize Whiteclay's liquor stores.

High rates of alcoholism, fetal alcohol syndrome and poverty among members of Pine Ridge have combined to create a public health emergency, said Lincoln Sen. Patty Pansing Brooks.

She introduced LB407 to examine the impact of alcohol sales in White-



Sen. Patty Pansing Brooks

clay and its surrounding communities and make recommendations to the Legislature on how to solve the economic and social issues facing the area. Members of the task force would collect, examine and analyze data on fetal alcohol syndrome rates, access to treatment services and the risk of alcoholism for children raised in the area.

Pansing Brooks said the four stores in Whiteclay sell 3.5 million cans of high-alcohol malt liquor annually. Inaction by the state is affecting people of all ages, she said, adding that 25 percent of all babies born on the reservation suffer from fetal alcohol syndrome.

"Both our actions and inactions in Nebraska are having devastating effects on the people of Pine Ridge," she said. "We have to help the people who are being harmed by this public health emergency and we must not continue turning a blind eye to this vulnerable population."

Gordon Sen. Tom Brewer supported the bill. He said many of the surrounding communities do not want to see the alcohol stores in Whiteclay shut down because it could cause the problem to spread to their area. An entire generation has been lost to alcoholism and another is in the process of being lost if the Legislature fails to act, Brewer said.

"We're poisoning a group of people that we've forced onto a piece of land and we're not taking action because the problem could spread to surrounding communities," he said. "Ignoring the problem and ignoring the people and just accepting it as inevitable is not the right answer."

Sen. John Lowe of Kearney also supported the bill, saying concern for the state's people should outweigh any concerns for the rights of small business owners.

"It's up to us to take a stand and make that decision that business is not more important than our people," he said.

An Executive Board amendment, adopted 45-0, changed the proposed membership of the task force to include only legislative members. As amended, the task force would include the chairpersons of the Legislature's State-Tribal Relations, Health and Human Services, Appropriations and Judiciary committees. A second additional member of the State-Tribal Relations Committee also would serve on the task force.

Pansing Brooks introduced another amendment, adopted 27-10,

that further removed representatives from the state Department of Health and Human Services and Department of Economic Development that were initially proposed as non-voting, ex officio members of the task force. She said she did so reluctantly, noting that both departments asked to be excluded.

"I know there are many good people in both departments who could bring their expertise to this issue," Pansing Brooks said, but she acknowledged that the removal of the two representatives would eliminate the bill's \$9,500 cost.

Senators advanced the bill to select file on a 42-0 vote.

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Electoral winner-take-all bill considered

The Government Military and Veterans Affairs Committee heard testimony March 9 on a bill that would reinstate a winner-take-all system for allocating Nebraska's presidential electoral votes.

Currently, the winner of Nebraska's statewide popular vote receives two Electoral College votes. Since 1996, the state's three congressional districts also award one electoral vote each based on the popular vote winner in each district. Maine is the only other state to use this system.

LB25, introduced by Gretna Sen. John Murante, would reinstate a winner-take-all system and award all five electoral votes to the winner of the



Sen. John Murante

state's popular vote. Attempts in the last

three legislative sessions to roll back the option to split the state's Electoral College votes have been narrowly defeated.

Murante said the time is right to finally pass a bill moving Nebraska back to a winner-take-all system, which he said better reflects the founders' intent regarding how presidents should be chosen. The founders understood that states have common interests and cultures, he said, and should speak with one voice in presidential elections.

"I believe that winner-take-all is consistent with that philosophy," he said. "In my view, the spirit of the constitution is violated with our current system."

Nebraska Secretary of State John Gale testified in support of the bill, saying winner-take-all would maximize the state's influence in presidential elections. Because Nebraska shares similar values with neighboring small states, he said, it is in voters' interest not to split their electoral votes.

"It maximizes our power in presidential elections," Gale said, adding that other states have not followed Nebraska's lead because they recognize the importance of consolidating their electoral power into a unified voice.

Kenny Zoeller, executive director of the Nebraska Republican Party, also supported the bill. Calling the current system a "political ploy" to make the state's 2nd Congressional District a swing district, he said it unfairly prioritizes a small group of voters.

"This inequality has further exacerbated the urban-rural divide within our state just for the hopes of having a presidential candidate visit Omaha once every four years" Zoeller said.

Former Lincoln public school teacher Judy Martindale testified in opposition, saying the current system is analogous to electing the state's governor by one vote from each of Nebraska's 49 legislative districts.

"From the farmlands to the city, we all should have a voice in who we want to lead our country, and we should have equal say in electing our president regardless of where we live," Martindale said.

Former state senator DiAnna Schimek, who sponsored the legislation establishing Nebraska's current system, also testified against the bill. She said the ability for a state to split its electoral votes, as Nebraska did in 2008, can serve as a "safety valve" when there are political differences between districts within a state.

"One of the main reasons that I introduced the bill is that I thought it would give people some sense of their own power," Schimek said. "It would give them a sense that their vote really did count."

The committee took no immediate action on LB25.



Medicaid expansion considered

The Health and Human Services Committee heard testimony March 8 on a bill that would authorize Medicaid expansion in Nebraska. Similar attempts in the last five years have failed to win legislative approval.

LB441, introduced by Lincoln Sen. Adam Morfeld, would require the state Department of Health and Human Services (DHHS) to amend Nebraska's Medicaid state plan to cover the newly eligible population under the Patient Protection and Affordable Care Act (ACA).

Morfeld said the bill would expand

eligibility to low-income adults ages 19 to 65. The inclusion of this population would provide health coverage for uninsured childless adults earning up to 133 percent of the Federal Poverty Level. In 2016, he said, that amount for an individual was \$11,880 in income per year, or \$990 per month.

Additionally, he said, the bill would provide coverage to Nebraskans who fall into the "coverage gap" - those who earn too much to qualify for Medicaid, but too little to qualify for insurance premium tax credits under the ACA. Approximately 90,000 Nebraskans would benefit from the bill, he said, as people have in the 32 other states that have pursued Medicaid expansion.

"For far too long we have stalled in taking decisive action to ensure hard-working Nebraskans have affordable health care without providing any meaningful alternatives," Morfeld said. With a new plan in Congress that would allow for Medicaid expansion at current federal match rates until 2020, he said, the time to take action is now.

"We can make it work in our state, we just need to have the political courage to make it happen," Morfeld said.

The bill would require DHHS to submit a state plan amendment to provide Medicaid benefit coverage for the newly eligible group that would include all mandatory and optional coverage under the current state Medicaid plan in effect Jan. 1, 2017, and any additional wraparound benefits required under federal law.

James Goddard of Nebraska Appleseed testified in support of the bill, saying the state should take advantage of the opportunity to expand Medicaid, even if only for a few years. The future of the ACA is unclear, he said, but the need for access to health care is not.

"Right now, thousands of Nebraskans are locked out of our health care system because they fall in the Medic-



Sen. Adam Morfeld

aid gap,” Goddard said. “These are our friends and neighbors, our state’s farmers and ranchers and those that work for low-wages for employers that don’t provide health insurance.”

Diana LaCroix of Omaha, whose husband died of pancreatic cancer five months after being diagnosed, also supported the bill. LaCroix said the couple did not qualify for Medicaid or subsidies and did not have health insurance as a result.

“If he had access to health insurance at the first sign of his symptoms, he could have gotten earlier screenings and specialized treatments,” LaCroix said. “He might have survived or least had a longer lifespan.”

Also testifying in support of the bill, Jordan Rasmussen of the Center for Rural Affairs said people in rural areas of the state are at a disadvantage in accessing health care due to lack of providers and other economic factors.

Many small businesses, which are prevalent in rural communities, do not offer health insurance, she said, which increases out-of-pocket costs for health coverage. As a result, she said, providers in rural areas are forced to provide uncompensated care, which threatens the viability of rural hospitals.

“This inability to access adequate health care not only places individuals in peril but also the rural communities they call home,” she said. “When a hospital closes, an economic and social void is left in the community.”

Calder Lynch, DHHS director of Medicaid and Long-term Care, testified in opposition to the bill on both fiscal and public policy grounds. He said that expanding Medicaid as outlined in the bill would cost Nebraska nearly \$600 million in new state spending during the first 10 years – a figure that does not include funding for provider rate increases to ensure access to those newly granted coverage.

In addition, he said, new enrollees would be matched at a federal rate of roughly 90 percent, while current Medicaid recipients are funded at a significantly lower match rate. This would create an imbalance in how federal resources are applied toward caring for the most vulnerable Nebraskans, he said.

“I believe that it would be more prudent for the state to continue participating in the national conversation regarding the plans for repeal and replacement of the ACA and then make decisions about making changes to the program after we have a clear picture of the path ahead,” Lynch said.

The committee took no immediate action on LB441.



Notification system proposed for handgun denial

The Judiciary Committee heard testimony March 8 on a bill that would aid law enforcement agencies in preventing illegal gun ownership.

Currently, a person applying for a concealed carry permit from the Nebraska State Patrol or a certificate to purchase, lease, rent or receive transfer of a handgun from a law enforcement agency must submit to a criminal background check.

LB520, introduced by Lincoln Sen. Matt Hansen, would create a notification system to alert law enforcement officials whenever a person prohibited from owning a handgun applies for a handgun purchase or concealed carry permit.

Hansen said the bill would help law

enforcement officials more effectively enforce handgun regulations and ensure community safety.

“This does not change who is prohibited from possessing handguns or change or add any penalties,” he said. “It simply [would] implement an effective system for alerting the law enforcement community.”

Any notification of application denial would be forwarded to the Nebraska Crime Commission, which then would determine which agencies should receive information of the denial, including the Office of the Attorney General, U.S. Attorney for the District of Nebraska, county attorneys and law enforcement agencies with relevant jurisdiction to the denied application.

The bill would require annual reports on the number and final disposition of denials.

Mo Neal, representing Nebraskans Against Gun Violence, testified in support of the bill. She said the system created under LB520 would assist the state in collecting important data.

“[This bill] would set us on a path toward accumulating data to conduct important research,” she said. “It’s a start to helping prevent more and more crimes.”

Opposing the bill was Dick Clark, representing the Nebraska Firearm Owners Association. He said some people may not know they are prohibited from owning or possessing a handgun. The proposed reporting system could attach a stigma to unwitting citizens.

“This is a person who is following the law and dutifully asking their local law enforcement official if they are legally allowed to own a firearm,” Clark said. “The fact that they apply for a certificate does not mean the person is attempting to own a firearm to violate the law.”

The committee took no immediate action on the bill.



Sen. Matt Hansen

Restitution sought for wrongfully incarcerated

Financial restitution would be available for people who serve prison time despite their innocence under a bill heard by the Judiciary Committee March 9.

LB656, introduced by Lincoln Sen. Roy Baker, would allow an innocent individual wrongfully incarcerated for a felony offense to seek benefits under the Nebraska Claims for Wrongful Conviction and Imprisonment Act.



Sen. Roy Baker

Political subdivisions and individual claimants also could apply for financial restitution with the State Claims Board if the final damages awarded by a federal court exceed the financial resources of the relevant political subdivision.

A successful claimant under the bill would be a person who is unable to file a claim against the state or a political subdivision in state court but who obtains a final federal judgment for damages arising from violation of his or her constitutional rights.

Baker said he brought the bill in response to the \$28.1 million in damages awarded to the six men and women wrongfully convicted of the beating death of a Beatrice woman in 1985, commonly referred to as the "Beatrice 6." The six sued Gage County in federal court after they were exonerated by DNA evidence.

Following denial of an insurance claim to pay for the damages, Gage County could face bankruptcy if forced to pay the judgment.

Don Schuller, a farmer and resident of Gage County, testified in support of the bill. He said if the county were forced to pay the judgment, it would disproportionately impact agricultural

land owners who already pay 63 percent of property taxes in the county.

"It's been said that the people of Gage County are responsible for the actions of the people they elect to office," he said. "The people of Gage County are just as innocent as the Beatrice 6, but some expect us to pay for the errors of our elected officials."

Lyle Koenig, an attorney who originally represented wrongly convicted JoAnn Taylor at trial, also supported the bill. He said five of the six defendants accepted plea deals and admitted guilt to avoid going to trial and potentially receiving the death penalty. Had the death penalty not been threatened, Koenig said, the defendants might not have accepted deals.

"It was the law of Nebraska, not a local ordinance, that is largely responsible for the predicament Gage County currently is in," he said. "Had there been no death penalty, which is state law, this case would have been tried and an acquittal would have been a distinct possibility."

The bill also would rename the act as the Nebraska Claims for Wrongful Conviction or Incarceration Act.

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

Bill would clarify concealed weapon transport

Members of the Judiciary Committee heard testimony March 8 on a bill that would clarify the correct method of transporting a concealed firearm.

LB666, introduced by Kearney Sen. John Lowe, would allow concealed carry permit holders to transport a firearm if it is unloaded and in the



Sen. John Lowe

manufacturer's packaging or a case specifically designed for the storage or transport of firearms.

Lowe said the state Supreme Court previously found that a concealed carry permit holder would be in violation of the concealed carry law if a weapon is in a person's immediate reach, including in a locked glove box. The bill would clarify how concealed firearm owners can ensure they are following the law, he said.

"Many fear they could be in violation of Nebraska's concealed carry laws simply for transporting their guns," Lowe said.

Dick Clark, representing the Nebraska Firearm Owners Association, spoke in favor of the bill. He said a person walking out of a store with a firearm in its factory packaging is in violation of the law, under the court's interpretation. LB666 would establish a clear, unambiguous legal standard for people to follow, Clark said.

"It's arguably only the discretion of the police and prosecutors that prevent people from being charged today," he said. "This would distinguish everyday, normal behavior from the illegal activity the statute was intended to prohibit."

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



Revamped business tax credit program proposed

The Revenue Committee heard testimony March 8 on a bill that would replace Nebraska's current business tax incentive program.

LB557, introduced by Sen. Burke Harr of Omaha, would replace the

current Nebraska Advantage Act with the Great Opportunities Nebraska Act, a system of tax credits for businesses meant to encourage new companies to relocate in Nebraska and to retain and expand existing businesses.



Sen. Burke Harr

Harr said the new program would have a simpler application process than the Nebraska Advantage Act and would give companies a clearer understanding of what requirements they must meet to receive tax credits.

“What this bill is meant to do is provide clarity and consistency so that when a business is promoted to come here they know what they should and shouldn’t do and they know what is expected of them,” he said.

Harr said the new program focuses on attracting high-wage jobs to the state, which he said would be an effective way to grow Nebraska’s economy at a time of almost full employment and a large budget deficit.

Like the Nebraska Advantage Act, the new program would use a tiered system of credits based on a business’ level of investment and the number of jobs it creates. Credits would be in the form of investment credits, sales tax refunds, property tax exemptions or compensation credits based on an employee’s hourly wage.

The new act would create an additional seventh tier of credits that could be granted to companies investing at least \$1 million and hiring at least five new employees at 150 percent of the state median hourly wage or by hiring 10 new workers at that wage level.

Businesses eligible for a credit under LB557 would include those in agricultural research and development, manufacturing, data processing, financial services, warehousing and distribu-

tion, software development, renewable electricity generation and others.

The state tax commissioner would have 30 days to review applications for the credits and an additional 10 days to offer a written agreement on the project after the application is approved.

The tax commissioner also would be required to submit an annual report to the Legislature that would include a list of agreements signed during the previous year, the amount of credits used, the number jobs created, projected state revenue gains and losses as a result of the program and other information.

The state Department of Revenue estimates that state tax revenue would decrease by \$9.6 million in fiscal year 2018-19 if the bill is passed. By FY2027-28, state tax revenue would decrease by approximately \$219 million.

Randy Thelen, senior vice president of economic development at the Greater Omaha Chamber of Commerce, testified in support of the bill. He said the Nebraska Advantage Act’s complexity makes it difficult for companies to apply for credits and ultimately makes the state less competitive when trying to attract new businesses.

“Simplicity sells,” he said. “This is a complex program for us to sell.”

Phil Kozera, executive director of Bio Nebraska Life Sciences Association, also testified in support of the bill. Kozera said Nebraska’s biotechnology sector is poised to become a driving economic force because of the state’s agricultural expertise, low energy costs and good transportation infrastructure.

“When we look at competitive advantages that we have, that final piece ... that’s missing in our expansion and recruitment of these types of companies is a competitive incentive package,” he said.

Biotechnology companies make large capital investments and create high-paying jobs, Kozera said, but

most do not create enough jobs to qualify for credits under the current incentive program. Those companies would qualify for credits under the new program’s Tier 7, he said.

Renee Fry, executive director of the OpenSky Policy Institute, testified in opposition to the bill. Fry said recent research found little correlation between business incentives and unemployment or economic growth. The research also found that Nebraska’s business incentives are 79 percent higher than the national average and that the state could reduce its incentives by \$80 million and remain competitive with other states, she said.

Fry also expressed concern that the proposed program, which has no sunset date, could strain the state’s budget in the future.

“We’re really concerned that LB557 might expand our obligations without having a clear benefit for the state,” she said.

The committee took no immediate action on the bill.

Four-year cap on property valuations proposed

A property’s assessed value would remain the same for four years under a bill heard by the Revenue Committee March 9.

LB576, sponsored by Gordon Sen. Tom Brewer, is intended to curb increases in property taxes. Brewer brought an amendment to the hearing that would replace the bill. Under the amendment, a property’s assessed value on Jan. 1, 2019, would be the same as its assessed value on Jan. 1, 2018, plus the cost of any improvements made during the year



Sen. Tom Brewer

and minus the assessed value of any improvements that were removed.

The same valuation method would be used each year through Jan. 1, 2022.

Brewer said many Nebraskans feel that the Legislature is not doing enough to reduce high property taxes. LB576 would force lawmakers to resolve the problem in the next two years, before the bill's four-year cap on valuations begins, he said.

"My bill doesn't lower property tax, but it does make every other idea designed to do so a lot easier to implement if the body understands that the clock is ticking on this issue," Brewer said.

Doug Kagan of Nebraska Taxpayers for Freedom testified in support of the bill, saying that the state's current property valuation system is archaic and needs updating. Kagan said LB576 would send a message to county assessors and local taxing authorities that the Legislature is serious about stopping valuation spikes like those seen in recent years.

"We believe that LB576 will provide a cooling-off period for this escalation and offer the Unicameral sufficient time to legislate comprehensive property valuation reform," he said.

John Chatelain of the Metropolitan Omaha Property Owners Association also testified in support of the bill, saying that real estate valuations in Nebraska are out of control. He said higher property taxes force landlords to raise rents on tenants.

"If this is not a perfect bill," Chatelain said, "it at least buys the state some time in order to figure out what is going on with the real estate valuation process and the real estate tax increases."

Nathan Habel of Lincoln also testified in support. He said he could give the bill tepid approval because it could start the process of addressing chronic problems with the state's property tax system. However, he added, it only

would freeze valuations at their 2018 level, not lower them.

"I think it does little to affect the fact that the rate is unreasonable," Habel said. "It's way too high and is too much of a burden on families."

Frank Weberg of Wausa also testified in support of LB576. Weberg, whose company sells farmland and manages land for absentee owners, said declining commodity and livestock prices, combined with high valuations on agricultural land, make it difficult for owners to pay their property taxes. For example, he said, the property taxes on a 240-acre tract the company manages are nearly 30 percent of the owner's rental income.

"We're not suggesting anything at this time besides asking you to pass LB576 and give yourselves time to come up with a more equitable real estate taxing system," Weberg said.

Testifying in opposition to the bill was Christy Abraham of the League

of Nebraska Municipalities. She said municipalities often see increased expenses, such as rising health care costs or aging infrastructure, that are beyond their control. LB576 could force them to cut services such as public parks, libraries and swimming pools or look for other sources of revenue.

"If property taxes were frozen, cities may need to look at shifting some of their taxes to other things such as occupation and sales taxes," Abraham said.

Jack Cheloha, a lobbyist for the city of Omaha, also testified in opposition. Cheloha said the city faces rising costs for wages, health care and even the price of asphalt used to fill potholes. Freezing valuations could force the city to cut jobs and public services, he said.

"Our elected officials are very mindful of property tax," Cheloha said. "In fact, that's almost always their No. 1 concern relative to budgets."

The committee took no immediate action on the bill. ■

FIND LEGISLATIVE DOCUMENTS

Committee hearing schedules, daily agendas and more can be viewed using the calendar on www.NebraskaLegislature.gov.

Clicking the "Calendar" link on the left side of the website's home page will open a calendar that is constantly updated with new information.

January 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					01	02
03	04	05	06 Day 1 104th Leg. 2nd Session	07 Day 2 104th Leg. 2nd Session	08 Day 3 104th Leg. 2nd Session	09
10	11 Day 4 104th Leg. 2nd Session	12 Day 5 104th Leg. 2nd Session	13 Day 6 104th Leg. 2nd Session	14 Day 7 104th Leg. 2nd Session	15 Day 8 104th Leg. 2nd Session	16
17	18	19 Day 9 104th Leg. 2nd Session 5 Hearings	20 Day 10 104th Leg. 2nd Session 6 Hearings	21 Day 11 104th Leg. 2nd Session 6 Hearings	22 Day 12 104th Leg. 2nd Session 6 Hearings	23

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
Albrecht	LB506	Albrecht	General File	Adopt the Compassion and Care for Medically Challenging Pregnancies Act
Baker	LB122	Pansing Brooks	General File	Provide for family member visitation petitions
Blood	LB88	Blood	General File	Provide for temporary credentials under the Uniform Credentialing Act for military spouses
Bolz	LB173	Morfeld	General File	Prohibit discrimination based upon sexual orientation and gender identity
Bostelman	LB144	Friesen	Referral	Change agricultural and horticultural adjusted valuations for calculating state aid to schools
Brasch	LB338	Brasch	Referral	Adopt the Agricultural Valuation Fairness Act
Brewer	LB340	Murante	Referral	Transfer powers and duties from Division of Veterans' Homes of Department of Health and Human Services to Department of Veterans' Affairs
Briese	LB265	Friesen	Referral	Provide for a minimum amount of state aid based on the number of students in a local system
Chambers	LB447	Chambers	General File	Change penalty provisions relating to criminal conspiracy and certain drug-related offenses
Clements	LB222	Stinner	General File	Change membership and provide, change, and eliminate powers and duties of the Nebraska Tourism Commission
Craighead	LB195	Craighead	General File	Require notification following mammography as prescribed
Crawford	LB225	Crawford	Referral	Change provisions relating to alternative response to a report of child abuse or neglect and provide duties for the Department of Health and Human Services
Ebke	LB34	Ebke	Referral	Change filing requirements for partisan candidates
Erdman	LB432	Erdman	Referral	Eliminate provisions of the Nebraska Budget Act relating to allowances for delinquent taxes and anticipated litigation
Friesen	LB640	Groene	Referral	Change provisions of the Property Tax Credit Act and provide school district property tax relief
Geist	LB271	Hilgers	General File	Authorize the Department of Roads to assume certain responsibilities under federal environmental laws and provide for limited waiver of the state's sovereign immunity
Groene	LB595	Groene	Referral	Provide for the use of physical force or physical restraint or removal from a class in response to student behavior
Halloran	LR6	Ebke	General File	Resolution to Congress for convention of the states to propose amendments to the U.S. Constitution
Hansen	LB259	Hansen	Referral	Provide for competency determinations in cases pending before county courts
Harr	LB248	Harr	General File	Adopt the Youth Opportunities in Learning and Occupations Act
Hilgers	LB68	Hilgers	Referral	Prohibit certain regulation of firearms, ammunition, and firearm accessories by counties, cities, and villages as prescribed
Hilkemann	LB91	Hilkemann	General File	Change provisions relating to infant health screenings
Howard	LB223	Kuehn	Referral	Change provisions relating to prescription drug monitoring
Hughes	LB535	Hughes	Referral	Provide an exception for filing a statement with the register of deeds when recording an oil, gas, or mineral lease
Kolowski	LB484	Kolowski	Referral	Create the School Financing Review Commission
Kolterman	LB92	Kolterman	Select File	Require health carriers to provide coverage for certain services delivered through telehealth
Krist	LB9	Krist	General File	Adopt the Radon Resistant New Construction Act

SENATOR PRIORITY BILLS (CONTINUED)

Priority	Bill	Introducer	Status	One-line description
Kuehn	LB661	Kuehn	Referral	Provide for confidentiality of information relating to performing a lethal injection
Larson	LB291	Larson	Referral	Adopt the Special Economic Impact Zone Act
Lindstrom	LB337	Smith	Referral	Change income tax rates and provide for deferrals of the rate changes
Linehan	LB651	Linehan	Referral	Adopt the Nebraska Reading Improvement Act
Lowe	LB368	Lowe	General File	Change helmet provisions, change passenger age limits, and require eye protection for operators of motorcycles and mopeds
McCollister	LB358	McCollister	Referral	Change income eligibility provisions relating to the Supplemental Nutrition Assistance Program
McDonnell	LB578	McDonnell	Referral	Change medicaid reimbursement provisions relating to ground emergency medical transportation
Morfeld	LB641	Morfeld	General File	Create a Bioscience Innovation Program
Murante	LR1CA	Murante	Referral	Constitutional amendment to require voter identification
Pansing Brooks	LB158	Pansing Brooks	General File	Change provisions relating to appointment of counsel for juveniles
Quick	LB181	Quick	General File	Provide for reimbursement to employees for certain medical examinations under the Nebraska Workers' Compensation Act
Riepe	LB417	Riepe	Referral	Change and eliminate provisions relating to public health and welfare
Scheer	LB376	Scheer	General File	Donate property to the Northeast Community College Area
Schumacher	LB268	Schumacher	Referral	Change court and other provisions relating to medical assistance reimbursement
Smith	LB161	Friesen	General File	Change a carryover period under the Nebraska Advantage Act
Stinner	LB233	Smith	General File	Change revenue and taxation provisions
Vargas	LB427	Vargas	General File	Require breastfeeding accommodations for student-parents
Walz	LB444	Walz	General File	Prohibit cities and counties from canceling health insurance coverage for injured law enforcement officers
Watermeier	LB44	Watermeier	Referral	Adopt the Remote Seller Sales Tax Collection Act
Wayne	LB75	Wayne	General File	Provide for restoration of voting rights upon completion of a felony sentence or probation for a felony
Williams	LB496	Stinner	General File	Define and redefine terms under the Community Development Law
Wishart	LB622	Wishart	Referral	Adopt the Medical Cannabis Act

COMMITTEE PRIORITY BILLS

Priority	Bill	Introducer	Status	One-line description
Agriculture	LB276	Albrecht	General File	Change provisions relating to hybrid seed corn and provide enforcement powers and judicial remedies
Agriculture	LB600	Agriculture	Referral	Change various provisions of the Livestock Brand Act relating to the Nebraska Brand Committee
Appropriations	LB611	Stinner	Referral	Require state agencies to provide a federal funding inventory
Appropriations	LB356	Bolz	Referral	Create the Civic Engagement Cash Fund and state intent relating to fund transfers
Banking, Commerce & Insurance	LB148	Schumacher	General File	Change provisions of the Securities Act of Nebraska
Banking, Commerce & Insurance	LB72	Schumacher	General File	Provide for governmental unit bond priority under the Nebraska Governmental Unit Security Interest Act and rename the act
Business & Labor	LB203	Kuehn	Select File	Change provisions relating to maximum annual unemployment benefits and disqualification for benefits and authorize electronic notice
Business & Labor	LB518	Williams	General File	Adopt the Rural Workforce Housing Investment Act and transfer funds from the Affordable Housing Trust Fund
Education	LB409	Groene	Referral	Change the base limitation and local effort rate for school districts

COMMITTEE PRIORITY BILLS

Priority	Bill	Introducer	Status	One-line description
Education	LB512	Education	Referral	Change provisions related to education
Executive Board	LB539	Krist	General File	Change investigation and report provisions relating to the Office of Inspector General of the Nebraska Correctional System
Executive Board	LB207	Krist	General File	Change provisions relating to powers and duties of the Office of Inspector General of Nebraska Child Welfare
General Affairs	LB470	Larson	Indefinitely Postponed	Change provisions of the Nebraska County and City Lottery Act relating to the manner of play of keno, use of electronic tickets, and authorized methods of payment
General Affairs	LB632	Larson	Referral	Change provisions relating to the Nebraska Liquor Control Act and music licensing agencies
Government, Military & Veterans Affairs	LB644	Government, Military & Veterans Affairs	Referral	Provide, change, and eliminate provisions governing boards, commissions, and similar entities
Government, Military & Veterans Affairs	LB451	Murante	Referral	Change various provisions relating to elections as prescribed
Health & Human Services	LB335	Riepe	Referral	Change provisions relating to a child care market rate survey
Health & Human Services	LB333	Riepe	Referral	Eliminate an independent review of denial of aid to the disabled
Judiciary	LB487	Morfeld	Referral	Provide exception to certain crimes for persons witnessing or experiencing drug overdoses and provide protection from civil liability for emergency responders and peace officers administering naloxone
Judiciary	LB289	Pansing Brooks	General File	Change provisions and penalties relating to pandering, human trafficking, labor trafficking, and sex trafficking and prohibit solicitation of a trafficking victim
Performance Audit	LB210	Watermeier	General File	Change standard and quality control provisions relating to legislative performance audit
Performance Audit	LB543	Watermeier	Referral	Change provisions relating to applications and reporting requirements under the Nebraska Advantage Act
Legislature's Planning Committee (Contingent upon the adoption of the permanent rules)	LB373	Schumacher	Referral	Change and eliminate revenue and taxation provisions
Natural Resources	LB182	Hughes	General File	Change powers and duties of the Department of Environmental Quality under the Drinking Water State Revolving Fund Act
Natural Resources	LB566	Natural Resources	General File	Adopt the Interstate Wildlife Violator Compact
Retirement	LB30	Kolterman	Referral	Provide for a cash balance benefit plan by cities of the metropolitan and primary classes for certain police officers or firefighters as prescribed
Retirement	LB415	Kolterman	Referral	Provide and change notification requirements and duties and benefits for certain retirement system members, change certain annuity and disability benefit provisions, and provide duties for school districts and the Public Employees Retirement Board relating to retirement
Revenue	LB217	Harr	Referral	Change provisions relating to the accrual of interest on denied and reduced homestead exemptions
Revenue	LB461	Smith	Referral	Correct references to a federal act in a revenue statute
State-Tribal Relations	LB407	Pansing Brooks	General File	Create and provide duties for the Whiteclay Public Health Emergency Task Force
Transportation & Telecommunications	LB263	Transportation & Telecommunications	Referral	Change provisions relating to vehicle certificates of title, registration, and license plates and provide for implementation of an electronic dealer services system by the Department of Motor Vehicles
Transportation & Telecommunications	LB339	Friesen	General File	Merge the Department of Aeronautics into the Department of Roads and rename as the Department of Transportation
Urban Affairs	LB590	Crawford	General File	Change state building code provisions
Urban Affairs	LB625	Larson	General File	Change the Property Assessed Clean Energy Act

COMMITTEE HEARINGS

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

Monday, March 13

Appropriations

Room 1524 - 1:30 p.m.

Agency 25: Health & Human Services (Operations, Medicaid and Long Term Care, Public Health, Veterans Homes Divisions) LB513 (Hilkemann) Appropriate funds to provide a base rate increase for certain hospital services as prescribed

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB292 (Larson) Authorize series limited liability companies under the Nebraska Uniform Limited Liability Company Act LB551 (Walz) Change qualifications for certain real property appraiser credentials LB594 (Groene) Require a limited liability company seeking a tax benefit to file an amended certificate of organization

Business & Labor

Room 2102 - 1:30 p.m.

LB420 (McCollister) Adopt the Fair Chance Hiring Act LB473 (Walz) Require rest periods for employees LB436 (Ebke) Change the definition of employer to exclude franchisors for purposes of certain labor statutes

Tuesday, March 14

Appropriations

Room 1524 - 1:30 p.m.

Agency 25: Health and Human Services (Division of Developmental Disabilities, Children and Family Services, Behavioral Health) LB189 (Howard) Appropriate funds to the Department of Health and Human Services for recruitment and retention of caseworkers LB205 (Krist) Designate funds appropriated to the Department of Health and Human Services for state aid LB206 (Krist) Appropriate funds to the Department of Health and Human Services for developmental disability services LB493 (Krist) Appropriate funds to maintain the Network of Care

Education

Room 1525 - 1:30 p.m.

LB630 (Larson) Adopt the Independent Public Schools Act

LB650 (Linehan) Change provisions for teaching certificates LB568 (Erdman) Change provisions related to temporary teaching certificates

Wednesday, March 15

Appropriations

Room 1003 - 1:30 p.m.

LB356 (Bolz) Create the Civic Engagement Cash Fund and state intent relating to fund transfers Agency 69: Neb. Arts Council Agency 84: Dept. of Environmental Quality Agency 71: Neb. Energy Office Agency 33: Game & Parks Commission AM494 to LB331

Executive Board

Room 2102 - 12:00 p.m.

LR46 (Larson) Provide the Executive Board of the Legislative Council appoint a special committee to develop a climate action plan

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB277 (Wayne) Change population requirements for election precincts LB619 (Wayne) Permit certain counties to conduct elections by mail LB316 (Murante) Change election provisions relating to technology and funding

Health & Human Services

Room 1510 - 1:30 p.m.

LB120 (Schumacher) Provide for Medical Assistance Act coverage for family planning services as prescribed LB578 (McDonnell) Change medicaid reimbursement provisions relating to ground emergency medical transportation

Judiciary

Room 1113 - 1:30 p.m.

LB405 (Baker) Change provisions relating to DNA samples, DNA records, and thumbprints under the DNA Identification Information Act LB435 (Ebke) Change provisions relating to escape LB450 (Chambers) Adopt the Patient Choice at End of Life Act LB622 (Wishart) Adopt the Medical Cannabis Act

Revenue

Room 1524 - 1:30 p.m.

LB374 (Schumacher) Provide an income tax credit for corporate income taxes paid and change sunset dates under the Nebraska Advantage Act LB467 (Krist) Change provisions relating to certain tax incentive programs LB543 (Watermeier) Change provisions relating to applications and reporting requirements under the Nebraska Advantage Act LB565 (McCollister) Require the posting of tax incentive information under the Taxpayer Transparency Act

Thursday, March 16

Appropriations

Room 1003 - 1:30 p.m.

Agency 40: Neb. Motor Vehicle Licensing Board Agency 17: Dept. of Aeronautics Agency 27: Dept. of Roads Agency 47: Neb. Educational Telecommunications Commission

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB163 (Vargas) Require additional polling places prior to elections in certain counties LR15CA (Morfeld) Constitutional amendment prohibiting requiring a voter to present identification prior to voting

Health & Human Services

Room 1510 - 1:30 p.m.

LB360 (Kolterman) Adopt the Surgical Technologist Registry Act LB439 (Wishart) Change licensure and regulation provisions for assisted-living facilities

Judiciary

Room 1113 - 1:30 p.m.

LB527 (Morfeld) Provide for subpoena of records in certain cases LB529 (Harr) Authorize county courts sitting as probate courts in cases of guardianship to authorize abortions in judicial by-pass cases LB145 (Hansen) Provide for a hearing to determine financial ability to pay fines and costs and traffic citations and provide for community service LB395 (Morfeld) Change provisions

COMMITTEE HEARINGS

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

relating to conditions of and ability to post bail

LB615 (Wayne) Provide for expungement of criminal history record information in cases of arrests based upon mistaken identity

Revenue

Room 1524 - 1:30 p.m.

LB592 (Crawford) Change the tax incentives available under the Nebraska Advantage Act

LB613 (Wayne) Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act

LR17CA (Wayne) Constitutional amendment to eliminate requirements that property taxes be levied by

valuation uniformly and proportionately

Friday, March 17

Appropriations

Room 1003 - 1:30 p.m.

LB524 (Walz) Appropriate funds to supplement financial assistance from the Nebraska Internet Enhancement Fund

LB621 (Wayne) Appropriate funds to the Public Service Commission

LB149 (Stinner) Reduce a Legislative Council appropriation

Agency 7: Governor

Agency 8: Lieutenant Governor

Agency 9: Secretary of State

Agency 10: Auditor of Public Accounts

Agency 12: State Treasurer

Agency 14: Public Service Commission

Agency 3: Legislative Council

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB111 (Hansen) Provide for nonpartisan election of county officers

LB139 (Crawford) Authorize change to nonpartisan election of county officers

LB183 (Hughes) Authorize change of nomination and election provisions for county officers

Health & Human Services

Room 1510 - 2:00 p.m.

LB649 (Pansing Brooks) Prohibit additional services or populations under the Medicaid managed care program

LB552 (Walz) Provide for the Children's Connection program

Judiciary

Room 1113 - 2:00 p.m.

LB491 (McCollister) Create the offense of fraudulent misrepresentation of a service animal and provide penalties

LB424 (Ebke) Provide for earned time and discontinue use of good time in the Department of Correctional Services

LB585 (Linehan) Change provisions relating to dangerous dogs, seizure of animals, and animal control authorities

LB562 (McCollister) Require a monthly

report from the Department of Correctional Services as prescribed

Revenue

Room 1524 - 1:30 p.m.

LB361 (Kolowski) Exempt sales of clothing and footwear from sales and use taxes as prescribed

LB438 (Howard) Increase cigarette and tobacco taxes as prescribed and provide for the distribution of funds ■

HEARING ROOMS

Hearing Room	Committee	Meeting Days
2102 (G)	Agriculture	Tu
1524 (B)	Appropriations	M, Tu
1003 (A)	Appropriations	W, Th, F
1507 (E)	Banking, Commerce & Insurance	M, Tu
2102 (G)	Business & Labor	M
1525 (C)	Education	M, Tu
1510 (D)	General Affairs	M
1507 (E)	Government, Military & Veterans Affairs	W, Th, F
1510 (D)	Health & Human Services	W, Th, F
1113 (F)	Judiciary	W, Th, F
1525 (C)	Natural Resources	W, Th, F
1525 (C)	Nebraska Retirement Systems	(Meets at noon as scheduled)
1524 (B)	Revenue	W, Th, F
1113 (F)	Transportation & Telecommunications	M, Tu
1510 (D)	Urban Affairs	Tu



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