



Sen. Anna Wishart said changes are needed for facilities to provide the best care possible.

## Assisted living updates amended, advanced

Lawmakers amended and advanced a bill Feb. 21 intended to improve the services provided by Nebraska assisted living facilities.

Lincoln Sen. Anna Wishart, sponsor of LB439, said the bill was the result of several years of work by assisted living facility providers, consumers and employees on how to better serve the state's aging population.

She said the "basic flaw" in current law is that it effectively bans nurses employed by assisted living facilities from providing simple health care services to residents. State law was designed to create a "bright line" between nursing and assisted living facilities, she said, but the result has been that nurses are unable to provide brief, temporary care in assisted living facilities.

Currently, nurses employed by a

facility may assess residents and are required to oversee the management of medications, Wishart said, but this is the limit of their ability to practice.

"We need a statutory framework that allows assisted living facilities to effectively meet the needs of their residents," she said, adding that the bill would not require a facility to hire nurses if they do not already employ them.

A Health and Human Services Committee amendment, adopted 36-0, replaced the bill. As amended, LB439 would permit an assisted living facility nurse to provide nursing care to residents on a part-time, intermittent basis. Such care is defined as less than 10 hours each week for each resident, with a predictable end time within a 21-day period.

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## Bill would ease regulations for certain broadband partnerships

Members of the Transportation and Telecommunications Committee heard testimony Feb. 20 on a bill that could expedite the expansion of broadband internet service in rural Nebraska.

LB1113, introduced by Fremont Sen. Lynne Walz, would exempt from current Public Service Commission regulations any partnership between a public entity and a private company that provides high-speed broadband internet service.



Sen. Lynne Walz

Walz said 51 percent of Nebraska's rural population does not have access to broadband. Rural communities soon will require high-speed internet not only to stay competitive, she said, but to grow and change.

"It has become increasingly clear that affordable and reliable internet access is no longer a luxury, but a necessity," Walz said. "This would empower local officials to partner with the private sector to invest in their communities and build a platform that would allow them to build and grow."

The bill would exempt these partnerships from regulations that prohibit any fiber lease agreement that is set at less than the market rate or requires that at least 50 percent of a political subdivision's profits be

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## Assisted living updates amended, advanced

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The bill also would require assisted living facilities to disclose in writing if brief nursing care is available in their facility and would update a variety of definitions.

Seward Sen. Mark Kolterman offered an amendment, adopted 35-0, intended to eliminate any fiscal impact on the state. The amendment directs that any expenses that result from the bill would be paid from the Nebraska Health Care Cash Fund for fiscal year 2018-19 and FY2019-20. He said that any future expenses could be included in the regular budgeting process.

Kolterman said that the care of nearly half of the Nebraskans in nursing homes is paid for by the state, so any measure that encourages greater utilization of assisted living facilities—which are much less expensive—would provide long-term savings.

“When this bill came along, this seemed like a great opportunity to save some money,” he said.

The bill advanced to select file on a 38-0 vote. ■

## Bill would ease regulations for certain broadband partnerships

(continued from front page)

remitted to the Nebraska Internet Enhancement Fund.

Kristen Gottschalk, representing the Nebraska Rural Electric Association, spoke in favor of the bill. She said having access to high-speed internet is no longer about being able to stream movies or play video games.

Reliable internet access is an important tool to keep business alive in rural Nebraska, Gottschalk said.

“Every new piece of agricultural equipment that comes from manufacturers now has a modem that is designed to connect to the internet,” she said. “But most of the modems go unused because they cannot connect.”

Also supporting the bill was David Young, fiber infrastructure manager for the city of Lincoln. He said public-private agreements would facilitate affordable, competitive and robust internet connections across the state.

“By encouraging public entities to partner with the public sector, we will be able to drive down the costs of deploying broadband to both rural and urban areas,” Young said.

Eric Carstenson, president of the Nebraska Telecommunications Association, opposed the bill. He said a bill introduced earlier this session would create a broadband task force to study and consider public-private partnerships. The Legislature should wait to act until the results of that study are clear, Carstenson said.

“Government competition in the private telecommunications industry will chill future investment,” Carstenson said. “But we should continue to look at new and innovative ways to achieve that public-private partnership.”

The committee took no immediate action on the bill. ■

## UNICAMERAL UPDATE

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**Insurance producer, public adjuster requirements amended, advanced**

A bill that would amend state law related to insurance producers was amended and advanced to final reading Feb. 22.

LB743, introduced by Omaha Sen. Brett Lindstrom, would create regulations for public adjusters—individuals who provide compensated assistance to an insured in the filing and settlement of a property claim against an insurer—through adoption of the National Association of Insurance Commissioners model law.



Sen. Brett Lindstrom

Omaha Sen. Burke Harr offered an amendment on select file that would incorporate into the bill provisions of his LB220. Harr said the amendment would provide protections for consumers who assign their property insurance rights or benefits to a contractor following a loss.

Among other provisions, the amendment would:

- expand the definition of a residential contractor;
- provide that an assignment of rights or benefits to a residential contractor may authorize the contractor to be named as a copayee for payment of benefits under a property and casualty insurance policy;
- expand notice provisions in order to inform an insured homeowner that with an assignment, the residential contractor

- would be entitled to pursue any rights or remedies that the insured homeowner has under the insurance policy; and
- require that the itemized description of the work, materials, labor, fees and total amount to be paid be furnished to the insured and insurer prior to commencement of repair or replacement work.

The amendment also specifies that the itemized description would not limit the insured or a residential contractor from identifying other goods and services necessary to complete repairs or replacements.

Lindstrom supported the amendment, saying it would ensure that homeowners understand what is happening if they assign their rights to a roofing company that makes repairs following a hailstorm, for example.

“[This] provides a notification that the roofing company would have to provide to the customer or client that if you sign this—if you assign this claim to us—you essentially are eliminating some of the rights that you have as the claimant on the claim itself,” Lindstrom said. “It doesn’t change the assignment process.”

The Harr amendment was adopted 35-0.

Among other provisions, LB743 also would:

- establish criteria for resident and nonresident public adjusters;
- provide for administration of exams and licensure requirements;
- create a continuing education requirement for public adjusters;
- eliminate a pre-licensing requirement for insurance producers;
- require public adjusters to secure a minimum \$20,000 surety bond;

- provide criteria for a business entity to become a public adjuster in Nebraska;
- remove a paper certificate requirement for insurance producer continuing-education activities and limit approval of those activities to four years; and
- prohibit an individual from acting as a public adjuster without being licensed in accordance with the act, misrepresenting that they work for an insurer or entering an agreement to repair property that the adjuster was engaged to adjust.

Following adoption of a technical amendment offered by Lindstrom on a 35-0 vote, the bill was advanced to final reading by voice vote.



**Bill to improve tax incentive audits amended, advanced**

A bill intended to improve legislative performance audits of the state’s tax incentive programs was amended and advanced to final reading Feb. 22.

LB936, introduced by the Legislative Performance Audit Committee, would make a number of changes to the Legislative Performance Audit Act. The act requires the Legislative Audit Office to conduct performance audits that review state agency programs in order to evaluate the agency’s success in effectively implementing legislative intent.

Among other changes, the bill would extend from three to five the number of years between audit reviews of tax incentive programs. The bill also would require that audits analyze the cost per full-time worker and whether

job growth in businesses receiving tax incentives is at least 10 percent above industry average.

In addition, the bill would define a high-quality job as one that averages at least 35 hours of employment per week and earns wages at least 10 percent higher than the statewide industry sector average.

Lincoln Sen. Kate Bolz offered an amendment on select file that would further refine the wage portion of the definition of a high-quality job. The amendment would change the definition to wages that are at least 10 percent higher than the statewide industry sector average and that equal or exceed 110 percent of the Nebraska average weekly wage if the job is in a county with a population of less than 100,000 inhabitants, or 120 percent of the Nebraska average weekly wage if the job is in a county with a population of more than 100,000 inhabitants.

“The amendment just raises the bar a little bit in terms of how we are evaluating what it means to be a high-quality job,” Bolz said. “What we have heard and learned from economic development research in a number of places and ways is that Nebraska needs to focus on job quality—and wages are a part of that.”

Heartwell Sen. John Kuehn, chairperson of the Performance Audit Committee, supported the amendment.

“It helps further clarify and give guidance to the Performance Audit Committee in terms of how to assess these incentive programs,” he said.

Sen. Sue Crawford of Bellevue also spoke in favor of the change, saying it would help focus audit efforts on making sure that the \$200 million the state invests annually in incentive programs is resulting in the kind of jobs that lawmakers intended.

“What you measure is what you

get,” Crawford said. “We want to make sure that these jobs are also increasing our Nebraska wage.”

Following adoption of the Bolz amendment on a 33-0 vote, the bill advanced to final reading by voice vote.

### Lawmaker pay increase proposed

The Executive Board considered a measure Feb. 21 that seeks to increase the pay of Nebraska lawmakers.

LR295CA, sponsored by Omaha Sen. Tony Vargas, would place a proposed amendment to the Nebraska Constitution on the 2018 general election ballot to raise state senators’ pay to 50 percent of the Nebraska median household income.



Sen. Tony Vargas

If approved, lawmakers’ salary would be adjusted every two years according to U.S. Bureau of the Census income data. Currently, the \$12,000 annual salary earned by lawmakers is set in the state constitution and cannot be changed without a constitutional amendment and vote of the people. It was last increased in 1988.

Vargas said the current salary, which is augmented by a per diem or mileage when applicable, is significantly below that of states with similar costs of living. He noted that a 2017 National Conference of State Legislatures survey found that the average annual salary for a state lawmaker is approximately \$35,500, excluding per diems and expenses.

Giving voters a chance to revisit the issue of state senator pay could lead to a broader range of representation in the Legislature, he said.

“Nebraska boasts [of a] citizen Legislature,” Vargas said. “But can

we really say that honestly, when so many of our fellow Nebraskans are essentially precluded from serving in office due to this financial barrier?”

Testifying in support of the measure, John Hansen of the Nebraska Farmers Union agreed. Serving in the Legislature involves a significant, year-round time commitment, he said, and senators should be compensated at a rate that encourages a diverse membership.

“We are completely out of line with what other [elected] positions pay, with what other state’s pay and with what other positions in our state pay relative to the responsibilities and obligations that come with this very important job,” Hansen said.

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

### Legislative oversight sought for mental health facilities

The Legislature would create a special committee to look into state-licensed care facilities under a measure considered by the Executive Board Feb. 21.

Fremont Sen. Lynne Walz, sponsor of LR296, said Nebraskans who struggle with persistent and severe mental illness deserve better treatment than they are receiving from facilities that are licensed by the state Department of Health and Human Services.



Sen. Lynne Walz

She said that many facilities across the state are not providing residents with the most basic medical and nutritional needs. However, she said, the DHHS licensure inspection system requires only that up to 25 percent of a random sample of facilities be



inspected at least every five years.

Walz said the result is that underperforming facilities can fly below the department's radar for years. When violations are discovered, she said, the small fines incurred do not reflect the severity of the mistreatment.

This system has led to a crisis in which a resident at a state-licensed facility in Palmer died in September after three days of severe illness, she said.

"The [proposed] committee would investigate the systematic failures of the Nebraska Department of Health and Human Services in ensuring people with mental illness receive the necessary services and supports in the most integrative setting," Walz said.

The State-Licensed Care Facilities Investigative Committee would be composed of seven members of the Legislature. The committee would be supplied with staff and have the ability to hire outside legal counsel, consultants and investigators, as well as the authority to hold hearings and issue subpoenas.

Dianne DeLair, senior staff attorney at Disability Rights Nebraska, testified in support of the measure. The incident in Palmer is not an isolated one, she said, calling conditions at several facilities across the state "deplorable."

The Palmer facility remained open despite repeated violations dating back to 2012, she said, and the state's actions have been insufficient given that vulnerable people's lives are in danger.

"That [does not] help that veteran who spent the last hours of her life begging to go the hospital," DeLair said. "When people start dying, we need to take action."

Also testifying in support was volunteer Mark Munger, who described the living conditions of the mentally ill man he advocated for in Lincoln at a state-licensed facility. The smell

from the communal bathroom was "overwhelming," he said.

"No one, and I mean no one, should be expected to live like that," Munger said, "It's third-world conditions in the world's richest country."

Jenifer Roberts Acierno, deputy director of the DHHS division of public health, opposed the measure. She said the department currently receives oversight from several committees of the Legislature as well as the federal government. Findings and recommendations made by those entities are taken seriously, she said.

In addition, Roberts Acierno said, the current inspection process allows time for issues to be corrected before a facility loses its license to operate. That process is especially important for residential facilities, she said, because of limited alternative housing options.

"While the concern resulting in LR296 is understood, the committee and the work called for would be duplicative," Roberts Acierno said.

The board took no immediate action on the measure.



**Periodic review of occupational licensing laws discussed**

Senators debated a bill on general file Feb. 20 that would require the Legislature to regularly review Nebraska's occupational licensing laws.

As introduced by Sen. Laura Ebke of Crete, LB299 would create a legislative office responsible for reviewing proposed legislation that would en-



Sen. Laura Ebke

act or modify occupational licensing regulations to ensure that they are the least restrictive means of achieving the regulation's ends. It also would require ongoing legislative review of occupational regulations and legislation.

Fifty years ago, Ebke said, only 5 percent of occupations required a license, compared to 25 percent today. It makes sense to require a license if it improves public health and safety, she said, but in other cases the Legislature should allow market-based competition to weed out bad practitioners. LB299 would not alter any current licensing requirements, Ebke added, and any changes to those requirements would have to go through the regular Legislative process.

The bill also would accelerate the process by which those with criminal histories could determine whether their conviction would disqualify them from obtaining an occupational license, Ebke said.

"This is a bill that could help us chip away at recidivism in our prisons and stop the return-to-prison pipeline by increasing the opportunities for success for those who are being released," she said.

A pending Government, Military and Veterans Affairs Committee amendment would require legislative committee staff to evaluate the effects of proposed legislation on occupational licensing, compare it with policies enacted in other states and to issue a report on that legislation to the relevant committee. Staff could request that proponents of legislation that would enact or modify occupational regulations to submit evidence of present, significant and substantiated harm to Nebraska consumers.

Each standing committee also would be required to review and analyze one-fifth of the occupational regulations under the committee's

jurisdiction every five years.

A person with a criminal conviction could petition an occupational board at any time for a determination as to whether the person's conviction would disqualify him or her from obtaining a license. A person's criminal history would be disqualifying only upon a felony conviction if it is listed as a disqualifying offense in the law governing the occupational regulation or if the board concludes that public safety outweighs the person's right to pursue an occupation.

The board would be required to make its determination within 90 days of receiving a petition and could charge no more than \$100 for each petition.

Sen. Sue Crawford of Bellevue agreed that the Legislature should periodically review its occupational licensing laws to remove barriers to employment. However, she filed an amendment that would exclude the approximately 100 health professions currently covered by the state Department of Health and Human Services' credentialing review program—also called the 407 process—from most of the committee amendment's provisions.

The 407 process reviews proposals for changes in scope of practice or for new credentialing of health professions. A technical review committee, the state Board of Health and the director of the Division of Public Health evaluate the proposals to determine whether they would benefit public health and welfare. They then submit reports to the Legislature's Health and Human Services Committee to assist them in evaluating bills related to credentialing.

Crawford said neither the department nor the Health and Human Services Committee have the staff necessary to conduct the number of occupational licensing reviews that

would be required under Ebke's proposal.

"I don't think it's doable for our committee to review this many professions every five years," she said.

The Crawford amendment failed on a 24-10 vote. The Legislature adjourned for the day before voting on the committee amendment or the bill.

### **Bill would send Cather, Chief Standing Bear to U.S. Capitol**

Two different icons would represent Nebraska at the U.S. Capitol under a bill discussed by the Government, Military and Veterans Affairs Committee Feb. 21.

The National Statuary Hall Collection, established by Congress in 1864, houses two statues that represent important historical figures from each state. Statues of Julius Sterling Morton and William Jennings Bryan currently represent Nebraska.

Federal legislation passed in 2000 authorized states to request that one or both statues be replaced by the Joint Committee on the Library of Congress.

LB807, introduced by Omaha Sen. Burke Harr, would direct the Nebraska secretary of state to submit a request to approve the replacement of the Morton statue with one of Pulitzer Prize-winning author Willa Cather.



Sen. Burke Harr

Harr said Cather is an internationally renowned artist whose writing defined an important part of the state's history.

"She's a great representation of what life was like when you had different immigrant communities coming together to build this great state," he said.

A National Statuary Hall Selection

Committee composed of members of the Nebraska Hall of Fame Commission would be tasked with selecting a sculptor for the statue and securing funding.

Peg O'Dea Lippert of Papillion spoke in favor of the bill. She said Cather wrote about the struggles and triumphs of many immigrant communities without judgment and put Nebraska on the literary map.

"I think it's time for women to be represented at the Capitol," O'Dea Lippert said. "Let's reclaim our literary heroine, honor the women of our state and place Willa Cather in the Capitol to proudly represent Nebraskans."

Sen. Tom Brewer of Gordon filed an amendment to similarly replace the statue of William Jennings Bryan with one of Chief Standing Bear. His amendment also would clarify that the costs associated with replacing both statues would be paid for through private donations.

Brewer said the bravery of Chief Standing Bear suing the federal government for legal recognition of Native Americans' humanity should be memorialized and celebrated as part of the state's proud history.

"For the sake of those who come to our nation's Capitol and to Statuary Hall, to see a diversity is critical to understanding the history of our state," he said.

Also supporting the bill was Judi gaiashkibos, executive director of the Nebraska Commission on Indian Affairs. She said it is time that Nebraska's diversity is accurately represented by the statues in the U.S. Capitol.

"Nebraska just recently celebrated our sesquicentennial, so it seems only appropriate to celebrate our first peoples," gaiashkibos said.

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

**Judicial review proposed for contested procurement decisions**

The Government, Military and Veterans Affairs Committee heard testimony Feb. 21 on a bill that would provide an appeal mechanism as part of the state contract procurement process.

Currently, if a company is not awarded a state agency contract for services, the company can protest the decision with the state Department of Administrative Services. That agency reviews the protest and makes a final determination regarding its validity.

Under LB814, introduced by Columbus Sen. Paul Schumacher, a protest of a contract awarded in certain cases would be considered a contested case under the Administrative Procedure Act and could be subject to judicial review.



Sen. Paul Schumacher

Schumacher brought an amendment to the hearing that would specify that only contracts of \$1 million or greater would be subject to the bill's provisions.

Schumacher said the process currently in place is inherently unfair because DAS is the same agency that awards contracts and reviews protests of those awards. Assembling a sophisticated bid is time consuming and expensive, he said, meaning large companies may not offer bids if they feel the process is unfair.

"It seems to have the consequence of having large national bidders, who normally would bid for state contracts, shying away from placing bids in small states like Nebraska," Schumacher said. "This offers an expedited procedure in which provides for some review of the agency's action."

David Karnes supported the measure on behalf of IT Alliance for Public Sector, saying the bill would assure all vendors that the procurement process is open, transparent, fair and competitive.

"This would provide an important mechanism to ensure good business practices for the state and due process rights for vendors," he said. "It would help protect all stakeholders and the taxpayers' interest in Nebraska to get the most open, fair and competitive process."

Doug Wilken, assistant general counsel to DAS, opposed the bill. He said a protracted appeal process could delay the execution of important contracts by at least 60 days. Additionally, Wilken said, appeals decisions by different judges could create confusion for state agencies.

"This could lead to conflicting rulings and perhaps bad legal precedent if the agencies do not have experience responding to bid protests," he said.

The committee took no immediate action on the bill.

**Bill would prohibit certain campaign finance donations**

Candidates for public office would be subject to a new campaign finance restriction under a bill discussed by the Government, Military and Veterans Affairs Committee Feb. 22.

LB817, introduced by Omaha Sen. Ernie Chambers, would prevent a campaign committee from donating funds to another campaign committee. Chambers said when a person makes a political donation, it is with the intent that the money be spent in support of that specific candidate.



Sen. Ernie Chambers

"When they give a candidate a donation, it's for that candidate," he said. "They're not saying they trust that candidate to substitute his will for their will" by using the money to support a different candidate.

Jack Gould of Common Cause Nebraska supported the bill. Nebraska law originally prohibited such transfers, he said, but a bill passed in the 1980s carved out an exception for purchasing tickets to political campaign fundraisers.

"The original intent of the bill was that you would give that money to charity or keep it for your own use in a future campaign," he said. "There was no thought to the fact that people would begin to buy tickets to political fundraisers."

Also supporting the bill was Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission. He said the intent of the original Accountability and Disclosure Act was, in part, to prevent a sitting politician from donating to a candidate for the same legislative body who might then be beholden to him.

Some are taking advantage of the fundraiser exception to donate large sums of money to other candidates, Daley said.

"More and more people have transferred large amounts of money but because it was for a fundraising event, it is within the confines of the statute," he said. "Instead of buying a single ticket, people started sponsoring an entire table or buying 'gold level' tickets."

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

**Election communication disclosure bill considered**

Certain election communications would be subject to disclosure under

a bill heard by the Government, Military and Veterans Affairs Committee Feb. 22.

Bellevue Sen. Sue Crawford, sponsor of LB839, said the bill was a revision of legislation she introduced last year. She said the bill would close a loophole in current law that allows



Sen. Sue Crawford

groups to attempt to influence campaigns under the guise of providing educational materials.

“Electioneering communications are materials that are targeted at the electorate of a candidate that are distributed right before an election,” Crawford said. “These communications allude to a candidate without explicitly recognizing the election or their candidacy and therefore [currently] do not have to be reported.”

As introduced, the bill would define electioneering communications as those that are:

- publicly distributed 60 days immediately preceding an election;
- refer to a clearly identified candidate; and
- are directed at the electorate of the office sought by that candidate.

The definition would exclude voter guides, communications about pending legislation, candidate debates or communications by organizations to recognized members.

The bill would require an individual who makes an electioneering communication of more than \$250 to file a report with the Nebraska Accountability and Disclosure Commission within two days.

Crawford said she would bring an amendment to raise the reporting amount to \$1,000 and change the time

frame to cover materials distributed within 30 days of an election.

Jack Gould of Common Cause Nebraska testified in favor of the bill, saying it could help protect candidates from “shadowy” organizations that run attack ads in the final days of a campaign when candidates lack the time or resources to respond.

“These kinds of organizations have deep pockets and can attack at any time and destroy someone’s character,” Gould said, adding that the bill would require reporting from these organizations without infringing on their free speech rights.

Also testifying in support was Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission. He said the bill would ensure that activity that is identical in purpose is treated substantially the same under the state’s campaign laws.

For example, he said, a mailer about a candidate that mentions the upcoming election or suggests voting for the candidate must report to the commission. One that does not mention the election or suggest voting for the candidate—but contains all the same information otherwise—does not.

Currently, he said, there is nothing about the second mailer that is reportable under Nebraska law.

“The purpose [of LB839] is to disclose who’s talking, who they’re talking about and how much they spent,” Daley said.

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

**Bill would eliminate voting restrictions for felons**

Members of the Government, Military and Veterans Affairs Committee heard testimony Feb. 22 on a bill that

would more quickly restore voting rights for felons.

Currently, a person automatically regains his or her voting rights two years after completion of a felony sentence, including parole. LB1027, introduced by Omaha Sen. Justin Wayne, would eliminate this waiting period.



Sen. Justin Wayne

Wayne said people who participate in the political process are 30 percent less likely to reoffend in the future. Voting helps people become more engaged in their communities, he said, which benefits everyone.

“This is not a Republican or Democrat issue,” Wayne said. “When you’ve done your time, you should be able to participate.”

Supporting the bill was Karen Bell-Dancy, executive director of the YWCA of Lincoln. Voting is one way for released persons to reconnect to society, their community, family and neighbors, she said.

“Through decades of hard work, the right to vote has become more inclusive, however there is much yet to be done,” Bell-Dancy said. “We feel that eliminating the waiting period is in their best interests and that of our community.”

Jack Gould of Common Cause Nebraska also spoke in favor of the measure. The temporary revocation of voting rights is not part of a punitive sentence, he said, and should not continue to hang over someone’s head.

“When a judge sentences someone to a punishment, it’s not the place of the state to pile on and that’s what’s happened in the past,” Gould said.

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



**Bill would prohibit certain state employee political activity**

State employees would be limited in their political activities under a bill considered Feb. 22 by the Government, Military and Veterans Affairs Committee.

Under LB1129, introduced by Heartwell Sen. John Kuehn, a state employee could not hold office in a political club or party. While on state time, in his or her official capacity or using government resources of any kind, a state employee also could not:



Sen. John Kuehn

- campaign for or against a candidate;
- make a campaign speech;
- collect campaign contributions;
- wear political buttons;
- sell tickets to a political fundraising function;
- develop or distribute campaign materials or communications;
- organize or manage a political rally or meeting;
- circulate petitions for a candidate or a ballot initiative;
- work to register voters for one party only; or
- use any digital medium to communicate about party politics, a candidate for office or a ballot initiative, unless required in the performance of his or her official duties.

Violations would be a Class I misdemeanor—which carries a maximum penalty of not more than one year in prison, a \$1,000 fine or both—and would be reported to the state attorney general for investigation. A state employee convicted of such a violation would be removed from employment.

Kuehn said the provisions are

based closely on the Hatch Act, which applies to executive branch employees at the federal level. Nebraska already has specific prohibitions on state employees participating in political activity on state time, he said, and the bill simply would enumerate and specify those prohibitions.

“There is not a nefarious attempt to stifle free speech—to somehow punish or silence someone’s political view,” Kuehn said. “A process that is clear and provides specific guidelines is always better than one that is less.”

Frank Daley, executive director of the Nebraska Accountability and Disclosure Commission, testified in support of the bill, calling it a “clarifying piece of legislation.”

Daley acknowledged, however, that use of the words “campaign” and “political” in the bill might be problematic as they currently are not defined under accountability and disclosure law.

Stephen Ramsay questioned the need for the bill. Testifying in opposition, he said current prohibitions on political activity by state employees are clear and known by those who work for state government. He said the addition of prohibitions on holding office in a political club is broad enough to encompass a local National Rifle Association chapter or a group promoting bike lanes.

“What state and federal employees do on their own time and with their own resources is their business,” he said. “To suggest otherwise is to deny them their most basic constitutional and civil rights—and this law goes much further by actively criminalizing such activity.”

Patricia Wonch Hill, testifying on behalf of the Nebraska State Conference of the American Association of University Professors, also opposed LB1129, which she called “excessively restrictive.”

For example, she said, university professors do not work traditional hours or have clear delineation between work and non-work time. One fear is that professors and others simply would not engage in any political activity out of fear of possibly spending a year in prison if found to be in violation of the bill.

“And this seems to be the point of this bill—to discourage political participation by the tens of thousands of state employees of Nebraska,” Wonch Hill said.

Sue Martin, a 26-year employee of the state of Nebraska, also opposed the bill. Restricting an individual’s ability to hold office in a club outside of their work time is a violation of the First Amendment right to free assembly, she said.

“What I do with my off-duty time should not be dictated by my employer,” Martin said.

The committee took no immediate action on the bill.



**Regulations proposed for unmanned aircraft**

Members of the Judiciary Committee heard testimony Feb. 23 on a bill that would regulate the use of unmanned aircraft systems in several areas of statute.

LB693, introduced by Bellevue Sen. Carol Blood, would broaden the legal definition of intrusion to include the viewing of another person in a state of undress directly or through electronic means.



Sen. Carol Blood

Violation of this provision would be a Class I misdemeanor. Subsequent violations would be a Class IV felony.

Blood said the bill would make Nebraskans safer during a time when technology is advancing too quickly for people to keep up. The bill would bring Nebraska in line with the 41 other states that have passed similar legislation, she said.

“This won’t hamper the good things drones can do for us,” Blood said, “but it will ensure that if someone is using one of these devices to intentionally harass anyone, they will be held accountable.”

The sharing or distribution of video or images obtained through electronic means would be a Class IIA felony under the bill. If the defendant is 19 or older and the victim is less than 18, the defendant would be required to register under the Sex Offender Registration Act.

Any person who intentionally causes an electronic device—including an unmanned aircraft—to enter the property of another in order to secretly peep into the dwelling of another person would be guilty of a Class I misdemeanor.

The bill would prohibit operation of an unmanned aircraft within a horizontal distance of 500 feet or a vertical distance of 300 feet above any penal institution. Operation of an unmanned aircraft carrying a deadly weapon also would be prohibited. Violation of these provisions would be a Class I misdemeanor for a first offense and a Class IV felony for any subsequent offense.

The definition of interference with hunting, trapping, or fishing would be expanded to include using an unmanned aircraft to interfere with such activities. A person who engages in such interference would be charged with a Class III misdemeanor.

Additionally, LB693 would create the additional following offenses:

- unmanned aircraft harassment by a registered sex offender—a Class I misdemeanor for a first offense and a Class IV felony for a subsequent offense;
- first degree criminal trespass by unmanned aircraft—a Class I misdemeanor;
- second degree criminal trespass by unmanned aircraft—a Class III misdemeanor for a first offense and a Class II misdemeanor for a subsequent offense;
- flying an unmanned aircraft above a critical infrastructure facility or school—a Class I misdemeanor;
- interference with a police cordon—a Class II misdemeanor; and
- livestock harassment through the use of a motor vehicle, dog or unmanned aircraft—a Class II misdemeanor or a Class I misdemeanor if the harassment causes serious injury or death to the animal.

Duane Gangwish, representing the Nebraska Cattlemen Association, spoke in support of the measure. He said that livestock harassment can detrimentally impact the health of individual animals as well as entire herds.

“Emerging technologies hold the potential to revolutionize things affecting Nebraska agriculture,” Gangwish said. “However, these promising tools may cause significant harm to our animals when used with nefarious or reckless intent.”

Opposing the bill was Nathan Trail, representing the Consumer Technology Association. Federal regulations already in place would preempt and render statewide legislation unnecessary, he said.

“This would contribute to a confus-

ing patchwork of regulations across the country,” Trail said. “We also already have current privacy and trespassing laws that would cover these issues in Nebraska.”

Dave Poole, representing Oracle Aviation, also spoke in opposition to the measure. He said it would significantly hamper a growing industry in Nebraska.

“Several universities and colleges in Nebraska are building drone training programs in an effort to really make Nebraska a national leader in the commercial drone operation space,” Poole said. “This bill would be a significant hindrance to that educational endeavor.”

The committee took no immediate action on the bill.

**Cost-free consumer protections passed**

Lawmakers passed a bill Feb. 23 that ensures free credit monitoring to consumers following a data security breach.

LB757, introduced by Lincoln Sen. Adam Morfeld, prohibits a credit-monitoring agency from charging fees to place, temporarily lift or remove a security freeze following a data breach similar to the one experienced by Equifax in 2017.



Sen. Adam Morfeld

A security freeze places a hold on a person’s credit report, preventing identity thieves from opening fraudulent credit accounts using stolen information.

Any individual or commercial entity conducting business in Nebraska that owns, licenses or maintains data including personal information will be required to implement reasonable security measures to safeguard that

information. A third-party service provider that receives personal information from an individual or commercial entity also will be required to implement such security measures.

The bill authorizes the state attorney general to prosecute a violation of the bill's security provisions as a violation of the Consumer Protection Act.

The bill's provisions apply only to third-party contracts entered into after the bill's enactment and protections against data breaches apply only to computerized data.

LB757 does not provide a private cause for action in the case of a data breach.

Senators passed the bill on a 46-0 vote.



**Pay raise proposed for oil and gas commissioners**

The Natural Resources Committee heard testimony Feb. 22 on a bill that would increase the pay of commissioners who serve on the Nebraska Oil and Gas Conservation Commission, which regulates the oil and natural gas exploration and production industry in the state.

The three commissioners each receive \$50 for each day devoted to the business of the commission. Their pay is capped at \$2,000 per year. Each commissioner also is reimbursed for necessary travel and other expenses.

LB713, introduced by Sen. Steve Erdman of Bayard, would increase commissioners' pay to \$500 per day and no more than \$6,000 per year. Beginning in December 2020, and



Sen. Steve Erdman

every five years thereafter, the director of the commission could recommend to voting members an increase or decrease in their compensation.

Erdman said the commission should have the authority to increase commissioners' pay because the body's funding does not come from the state's general fund. Additionally, he said, the commissioners' per diem has not been increased in decades.

"My concern is that it's been a long time since they've seen a compensation increase," Erdman said.

The commissioners can meet up to 12 times per year. According to the commission, its expenses would increase by \$16,200 per fiscal year, assuming that the commissioners meet each month.

Dana Wreath, president of the Nebraska Petroleum Producers Association, testified in support of the bill. Wreath, who is also vice president of Wichita-based Berexco, said that Nebraska has one of the best oil and gas regulatory systems of the eight states in which his company operates. The current \$50 a day is not enough to compensate commissioners for their time, he said.

"I don't think we want to disincentive people or—perhaps even worse—have a situation where the only people who want to be on the commission have some particular ideological axe to grind," Wreath said.

John Rundel, a current commissioner, also testified in support. He said each commissioner is self-employed and must take time away from his business and family to work for the commission. Rundel said he drives approximately four hours from his home in Trenton to Sidney, where the commission holds hearings, which sometimes results in a 12- to 14-hour day.

Few people have the technical expertise required to be a commissioner, he added, and the low pay could fur-

ther reduce the pool of applicants for any future openings.

"I think anything we can do to make it easier for someone to serve is in the benefit of the state of Nebraska and for the oil and gas commission," Rundel said.

Bill Sydow, director of the commission, provided neutral testimony on the bill. He said the conservation tax levied on oil and gas producers to fund the commission's operations could cover the proposed pay increase. While the commissioners can meet up to 12 times annually, Sydow said, six meetings a year is the average. Commissioners do not get paid if they do not attend or if the commission does not meet.

Sydow said that commissioners need a variety of technical knowledge and experience. The commission acts as a quasi-judicial body, he said, which means that it must conduct its public hearings under the same rules as a district court. The commission can approve applications for projects costing millions of dollars, and commissioners need a good grasp of Nebraska law, as well as state rules and regulations, he added.

"Our commission and our commissioners I would put against anybody in the United States," Sydow said. "As a team, we're that good."

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

**Renewable energy production standard proposed**

Certain public power districts would be required to produce no less than 20 percent of their electricity from renewable sources under a bill heard by the Natural Resources Committee Feb. 21.

Under LB722, introduced by Omaha Sen. Justin Wayne, a public power district having within its chartered

territory more than 50 percent of the counties in Nebraska would produce no less than 20 percent of its electricity from one or more renewable energy resources as of July 1, 2020. Those resources would include solar energy, wind energy, hydropower, methane gas, nonhazardous biomass and geothermal energy.



Sen. Justin Wayne

According to the Nebraska Power Review Board, which authorizes and oversees electric generation and transmission facilities in the state, the Nebraska Public Power District is the only utility that would be affected by the bill.

Wayne said that solar and wind energy are the future of energy production in the country, but Nebraska's public power utilities are not moving quickly enough to adopt more renewable energy sources.

"Nearly 30 states have some kind of renewable energy production standards in place for their utilities," he said, "and Nebraska should follow suit."

James Cavanaugh, speaking on behalf of the Nebraska chapter of the Sierra Club, testified in support of the bill. Recent advances in battery technology allow the large-scale storage of electricity generated by wind farms and solar arrays, he said, speeding the nation's transition to renewable energy sources over the next 10 to 20 years. The question is not whether the state will transition away from fossil fuels to generate electricity, Cavanaugh said, but how quickly.

Aside from environmental concerns, he added, the state also should consider the economic benefits of using more renewable energy. Facebook would not have located its new data center near Papillion if it could not get 100 percent of its electricity from

renewable sources.

"More renewable energy projects will bring more good jobs to Nebraska," he said.

Testifying in opposition to the bill was John McClure, vice president of NPPD. The utility's customers received 17 percent of their electricity from wind and solar generation in 2017, he said, and wind energy will make up a larger and larger portion of the electricity generated in the Southwest Power Pool, a group of utilities and power generation companies that oversees electricity infrastructure in 14 states, including Nebraska.

However, the SPP already has an excess supply of electricity generation, McClure said. Additionally, NPPD estimates that it would cost between \$20 million and \$30 million per year to meet the proposed requirement.

"We don't think mandating NPPD to add more generation to its resource mix is in the best interest of our customers," he said. "It does not save them money—it increases their cost."

John Hoke, speaking on behalf of the Nebraska Rural Electric Association, also testified in opposition to the bill. As manager of the Niobrara Valley Electric Membership Corporation, an NPPD wholesale customer, Hoke said the corporation is concerned that requiring NPPD to generate a set amount of electricity from renewables would increase costs for ratepayers.

"Forcing them to add unneeded generation is only going to increase the cost of power to every wholesale and retail customer of NPPD," he said.

The committee took no immediate action on the bill.

### Property tax offset for streamflow projects passed

The Legislature gave final approval Feb. 23 to a bill that is meant to reduce

the impact of streamflow augmentation projects on county tax rolls.

LB758, introduced by Venango Sen. Dan Hughes, authorizes state natural resources districts and interlocal entities that buy land for the development of a streamflow aug-



Sen. Dan Hughes

mentation project to make voluntary payments in lieu of property taxes to the county where the project is located.

The amount of the payments may not exceed the property taxes that would have been paid if the land were subject to taxation.

The bill addresses the loss of property tax revenue to counties under the Rock Creek Augmentation Project and the Nebraska Cooperative Republican Platte Enhancement project. Both projects help the state meet streamflow requirements under the 2003 Republican River Compact, which allocates the use of surface water between Colorado, Kansas and Nebraska.

The bill requires NRDs or joint entities that acquire private land for the purpose of developing and operating a streamflow augmentation project to give public notice of the project, including an estimate of the amount of water to be pumped and the project's timeframe.

It also requires a public hearing on the project and the input of county officials and adjoining landowners on ways to mitigate the project's effects on the county.

Additionally, NRDs and interlocal entities are required to publish an annual report on the project's finances and activities, including the amount of water pumped and the amount of revenue gained from land leases. NRDs and interlocal entities must



submit those leases to the county assessor within 30 days after the lease's effective date.

The bill passed on a 45-0 vote.

## REVENUE

### Sales tax exemption proposed for feminine hygiene products

The Revenue Committee heard testimony Feb. 21 on a bill that would create a state sales and use tax exemption for feminine hygiene products.

Omaha Sen. Mike McDonnell, sponsor of LB798, said tampons and menstrual pads, cups and sponges should be exempt from state sales and use taxes because they address a biological need. He said his proposal is an opportunity for a conversation about the state's current tax exemptions, which include those for escort services, shoe shining, bail bonding, wedding planning and tattoo and body modification.



Sen. Mike McDonnell

"If escort services and tattoo services are tax exempt, while other services such as pest control are not," McDonnell said, "then exempting feminine hygiene products has merit."

Megan Mikolajczyk, associate general counsel and senior political affairs manager of Planned Parenthood of the Heartland, testified on the bill. She said no one should be financially burdened simply because of her reproductive functions. Period products are a necessity for women of child-bearing age, Mikolajczyk added, and necessities should not be taxed.

"Exempting period products from sales tax certainly does not destroy all the systems of oppression perpetuat-

ing gender inequity," she said. "But passing this legislation would demonstrate that the Legislature recognizes the existence of those systems and is willing to work to dismantle them."

Lillie Cox, a research fellow at the OpenSky Policy Institute, provided neutral testimony on the bill. She said eight other states have adopted similar exemptions on the grounds that tampons and menstrual pads are medical products and that states typically do not tax other items in that category, such as prescription drugs. Opponents say, however, that all consumer goods—both luxuries and necessities—should be taxed.

Cox said Nebraska's tax structure is out of date because it exempts many services from sales tax, even though the economy has moved from primarily goods-based to primarily services-based.

"It is nonsensical that we have sales tax exemptions for candy and soda but not for tampons," Cox said. "However, creating an exemption for feminine hygiene products probably makes more sense as part of a long-overdue comprehensive overhaul of sales tax exemptions than it does as one component of a piecemeal approach."

No further testimony was provided, and the committee took no immediate action on the bill.

### Increased TERC filing fee proposed

The Revenue Committee heard testimony Feb. 23 on a bill that would increase the filing fee for appeals and petitions to the Tax Equalization and Review Commission.

The three-member commission hears appeals of the decisions of county boards of equalization on taxation, valuation or assessment of real or personal property. The current filing fee for each appeal or petition is \$25.

LB937, sponsored by Gering Sen.

John Stinner, would create a new fee structure. For each appeal or petition regarding the taxable value of real property, the fee would be \$40 for a parcel with a taxable value of less than \$250,000. The fee would increase in increments up to \$100 for a parcel with a taxable value of at least \$1 million. The fee for any other appeal or petition would be set at \$40.



Sen. John Stinner

Stinner said that the filing fees currently cover only 5 percent of the commission's operating budget, with the remainder coming from the state's general funds. The fee structure proposed in LB937 would increase that to 10 percent, he said.

Raising filing fees for properties with higher taxable values would deter large corporations with multiple locations from filing annual valuation protests on those properties as part of a strategy to reduce costs, Stinner added. For example, he said, he easily could file a protest every year for each of the eight locations that his bank operates.

"Every year I could have a tax protest for 25 bucks—\$200 is what I've got at risk," Stinner said. "That doesn't make a whole lot of sense to me."

Rob Hotz, a TERC commissioner, testified in support of the bill, saying the current filing fee has been in place for more than 20 years. He said the base fee would be increased for inflation and that the new fee structure would be less regressive because parcels with lower values would have a lower filing fee than those with higher values. The change would generate an additional \$50,000 in fees each year, Hotz added.

Also testifying in support of the bill was Tom Placzek, speaking on behalf of the Nebraska Association of County Officials. He said the current filing fee

is so low that many property owners file a protest without a strong intention to follow through. In Platte County, Plazcek said, approximately 10 to 20 percent of those who file a protest do not show up at their TERC hearing.

“You just spend hours and hours and hours on each one of these cases, and then to not have anybody show up is disheartening,” he said.

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

## TRANSPORTATION & TELECOMMUNICATIONS

### Proposal to remove abandoned vehicles approved

A bill expediting the removal of abandoned vehicles was passed by lawmakers Feb 23.

Under LB275, introduced by Venango Sen. Dan Hughes, a private property owner can have an abandoned vehicle removed from his or her property if the vehicle has been left for at least seven days.

The property owner can contact law enforcement, who then will contact a towing company to have the vehicle removed.

The private towing company will be responsible for notifying local law enforcement of a removal within 24 hours, if initiated by a private property owner.

The bill passed on a 45-0 vote.

### Bridge weight limit signage change approved

Lawmakers passed a bill Feb. 23

requiring that the weight limitations of county bridges be posted only in certain situations.

Under LB310, introduced by Henderson Sen. Curt Friesen, a sign indicating the carrying capacity of a county-maintained bridge would be required only if its carrying capacity is less than the limit prescribed in state statute.

A person who drives an overweight vehicle over a bridge or a culvert wider than 60 inches cannot recover damages from the county for any resulting injury or accident.

The bill passed on a 45-0 vote.

### Bill would prevent internet content limitations

The Transportation and Telecommunications Committee heard testimony Feb. 20 on a bill that would prohibit broadband internet service providers from restricting legal internet activity.

LB856, introduced by Lincoln Sen. Adam Morfeld, would protect net neutrality by prohibiting internet providers from blocking customers from accessing lawful content, applications, services or devices.

Morfeld said a December 2017 decision by the Federal Communications Commission to end net neutrality continues to negatively impact the hundreds of thousands of Nebraskans who use the internet each day.

“Whether Nebraskans utilize the internet to engage in online marketplaces or receive news, equal access to

the internet is crucial as Nebraska continues to grow into the 21st century,” he said. “If we allow internet companies to limit access to products and ideas, we’re hurting all Nebraskans.”

The bill would prevent service providers from creating “fast lanes” for certain customers, which prioritize delivery of one customer’s data over another’s. Providers could not impair or degrade lawful internet traffic based on the content, application or service used or unreasonably interfere or disadvantage the ability of users to select, access or use broadband internet service or the ability of any third party to make and provide content to such users.

Finally, disclosure of an internet provider’s network management practices, performance and commercial terms of service would be made public so that users could determine if the provider is in compliance with the provisions of the bill.

In states with inconsistent internet availability like Nebraska, the decision to repeal net neutrality would have an even more disproportionate impact on some residents, said Common Cause Executive Director Gavin Geis. Some rural residents struggle just to access high-speed internet, he said.

“Without net neutrality, theoretically there could be tiered services for farmers, for accessing farm data,” Geis said. “Certain types of access could be served at a different rate or a certain pricing scheme.”

Echoing those concerns was John Hansen, representing the Nebraska Farmers Union. He said most rural residents have little to no competition for the services they receive. If an internet service provider decides to provide only tiered services or block certain websites, Hansen said, there would be little remedy available.

“You usually have one provider and



Sen. Curt Friesen



Sen. Dan Hughes



Sen. Adam Morfeld

your opportunity to shop elsewhere is very limited,” he said. “As the [industry] continues to consolidate, we are fearful that this decision will cost us more and more as [time] goes on.”

Opposing the bill was Gerry Keegan of CTIA, representing the wireless communication industry. He

said regulations enacted by the FCC in 2015 to protect net neutrality actually hurt the telecommunications industry’s ability to invest in and maintain networks in rural America.

Adopting the provisions of LB856 would create an inconsistent legislative framework that would do more harm

than good, Keegan said.

“As people cross state borders, they will have different regulations placed upon them,” he said. “This patchwork of state laws would be untenable for mobile broadband users.”

The committee took no immediate action on the bill. ■

# COMMITTEE HEARINGS

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

## Monday, February 26

### Business & Labor

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

LB1096 (Hilgers) Change provisions relating to state vehicles and workers’ compensation claims, tort claims, and other claims against the state  
 LB950 (Albrecht) Provide for payment of claims against the state  
 LB951 (Albrecht) Deny claims against the state  
 LB991 (Bolz) Create the Nebraska Integrated Education and Training Grant Program  
 LB1134 (Vargas) Adopt the Nebraska Worker Adjustment and Retraining Notification Act  
 LB1109 (Harr) Create the Grow Nebraska Through Quality Employment Strategic Partnership

### Education

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

LB1033 (Murante) Eliminate learning communities  
 LB1125 (Groene) Change school finance base limitation and local effort rate provisions

### General Affairs

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

LB747 (Thibodeau) Provide for bottle clubs under the Nebraska Liquor Control Act  
 LB679 (Krist) Change the distribution of taxes remitted to the Charitable Gaming Operations Fund

## Tuesday, February 27

### Government, Military & Veterans Affairs

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

Appointment: Roger Dixon - Nebraska Tourism Commission

Appointment: Matthew J. DiVito - State Emergency Response Commission  
 LB1115 (Murante) Provide population requirements for establishing district boundary lines for legislative districts, Supreme Court districts, and certain political subdivisions

### Health & Human Services

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

*Department of Health and Human Services Compliance Hearing as required by Neb. Rev. Stat. 84-901.01*

### Judiciary

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

LB680 (Krist) Adopt the Interstate Placement for Involuntarily Admitted Patients Agreement Act  
 LB690 (Blood) Adopt the Counterfeit Airbag Prevention Act  
 LB1126 (Bolz) Adopt the Sexual Assault Survivors’ Bill of Rights Act

### Revenue

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

LB759 (Hughes) Eliminate a sales and use tax exemption relating to zoos and aquariums  
 LB996 (Crawford) Change defined terms and other provisions of the Nebraska Advantage Act  
 LB1023 (Schumacher) Change sunset dates on certain tax incentive programs  
 LB1021 (Schumacher) Eliminate certain sales and use tax exemptions  
 LB941 (Wayne) Change the calculation of the tax on the average wholesale price of gasoline  
 LB1026 (Wayne) Authorize issuance of highway bonds, create a fund, and change existing highway funding provisions

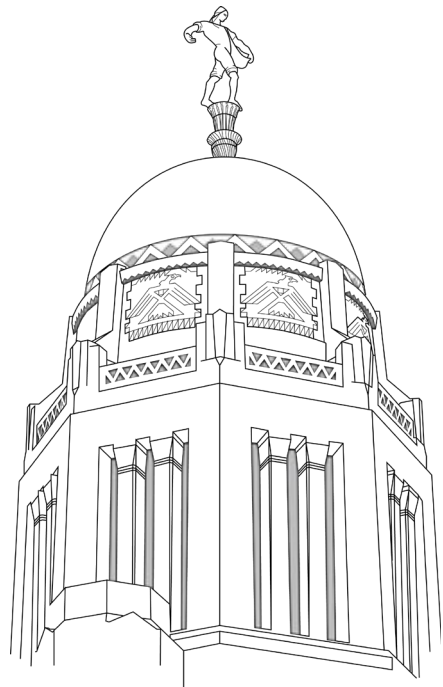
LB1088 (Wayne) Adopt the Nebraska Education Formula and the Remote Seller Sales Tax Collection Act, terminate the Tax Equity and Educational Opportunities Support Act and the Property Tax Credit Act, and eliminate certain tax exemptions

## Tuesday, March 6

### Health & Human Services

#### Room 1510 - 12:00 p.m.

Appointment: Michael Aerni - Foster Care Advisory Committee  
 Appointment: Noelle Petersen - Foster Care Advisory Committee ■



# 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 PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Albrecht	LB1040	Albrecht	Provide for certificates of nonviable birth
Baker	LB710	Baker	Change provisions relating to civil claims of four thousand dollars or less
Blood	LB685	Blood	Provide a funding priority for special-needs military dependents under the Developmental Disabilities Services Act
Bolz	LB998	Walz	Create the Collaborative School Behavioral and Mental Health Program
Bostelman	LB902	Bostelman	Authorize the withholding from the public of information regarding firearm registration, possession, sale, or use
Brasch	LB1069	Brasch	Change provisions related to the Committee on Americanism
Brewer	LB1054	Brewer	Change provisions relating to hearings before the Nebraska Power Review Board and electric generation using wind
Briese	LB1084	Briese	Adopt the Property Tax Request Limitation Act, provide sunset dates for certain tax exemptions and incentives, and change other revenue and taxation provisions
Chambers	LB449	Chambers	Repeal the Black-Tailed Prairie Dog Management Act
Clements	LB773	Clements	Change intimidation by telephone call provisions and prohibit intimidation by electronic message
Crawford	LB589	Crawford	Provide for depositions of a child victim or child witness
Ebke	LB299	Senator Ebke	Adopt the Occupational Board Reform Act and change procedures for rules and regulations
Erdman	LB829	Erdman	Adopt the Property Tax Relief Act
Friesen	LB1103	Friesen	Provide a minimum amount of state aid for each school district
Geist	LB993	Friesen	Create the 911 Service System Advisory Committee and change the 911 Service System Act and eliminate the act's termination date
Groene	LB640	Groene	Change provisions of the Property Tax Credit Act and provide school district property tax relief
Halloran	LB1058	Halloran	Adopt the Faithful Delegate to Federal Article V Convention Act
Hansen	LB986	Hansen	Adopt the Neighborhood Improvement District Act and change provisions relating to special assessments for other improvement or development districts as prescribed
Harr	LB1108	Harr	Authorize certain tax credits, change the sales tax rate, and provide for school foundation aid and certain grant programs
Hilgers	LB1119	Riepe	Adopt the Direct Primary Care Pilot Program Act
Hilkemann	LB42	Hilkemann	Change occupant protection system provisions for children and adopt certain federal safety provisions
Howard	LB931	Howard	Provide requirements for opiate prescriptions
Hughes	LB1009	Murante	Provide a super-two rural highway classification and change maximum highway speed limits as prescribed
Kolowski	LB838	Wishart	Change provisions relating to the Indoor Tanning Facility Act
Kolterman	LB439	Wishart	Change licensure and regulation provisions for assisted-living facilities
Krist	LB368	Lowe	Change helmet provisions, change passenger age limits, and require eye protection for operators of motorcycles and mopeds
Kuehn	LB1130	Kuehn	Provide a disclosure requirement for certain tax-exempt organizations under the Nebraska Political Accountability and Disclosure Act
Larson	LR1CA	Murante	Constitutional amendment to require voter identification
Lindstrom	LB738	Lindstrom	Change revenue and taxation provisions relating to an adjustment to income for social security benefits
Linehan	LB295	Smith	Adopt the Opportunity Scholarships Act and provide tax credits



Priority	Bill	Introducer	One-line description
Lowe	LB389	Friesen	Adopt the Small Wireless Facilities Act
McCollister	LB776	McCollister	Provide requirements for inmate access to telephone or videoconferencing systems in county and city jails
McDonnell	LB913	McDonnell	Change provisions relating to assault with a bodily fluid against a public safety officer
Morfeld	LB757	Morfeld	Change provisions of the Credit Report Protection Act and the Financial Data Protection and Consumer Notification of Data Security Breach Act of 2006
Murante	LB1115	Murante	Provide population requirements for establishing district boundary lines for legislative districts, Supreme Court districts, and certain political subdivisions
Pansing Brooks	LB158	Pansing Brooks	Change provisions relating to appointment of counsel for juveniles
Quick	LB1132	Pansing Brooks	Provide a procedure to set aside convictions of victims of sex trafficking and to expunge related records
Riepe	LB1034	Riepe	Change facility standards for school-age child care programs
Scheer	LB845	Briese	Provide for supportive services relating to child custody
Schumacher	LR269CA	Schumacher	Constitutional amendment to authorize the Legislature to delegate complete or partial sovereignty to one area of the state
Smith	LB947	Smith	Adopt the Nebraska Property Tax Cuts and Opportunities Act, change income tax rates, and eliminate certain exemptions and credits
Stinner	LB98	Friesen	Extend certain levy authority for natural resources districts
Thibodeau	LB948	Murante	Change and eliminate provisions relating to rules and regulations
Vargas	LB194	Vargas	Change provisions of the Credit Services Organization Act, Delayed Deposit Services Licensing Act, and Nebraska Installment Loan Act
Walz	LB1113	Walz	Provide an exception for leasing dark fiber or providing broadband, Internet, telecommunications, or video services by an agency or political subdivision of the state
Watermeier	LB44	Watermeier	Adopt the Remote Seller Sales Tax Collection Act
Wayne	LB990	Wayne	Create the offense of possession of a firearm by a prohibited juvenile offender
Williams	LB496	Stinner	Define and redefine terms under the Community Development Law
Wishart	LB989	Wishart	Authorize testing of autonomous vehicles by a city of the primary class on its roadways

## FIND YOUR SENATOR

If you want to know which legislative district you live in, [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov) provides an easy tool for locating your district and senator.

Enter your full address into the “Find Your Senator” search field located on the right side of the home page. This opens a map that shows your legislative district and a picture of your senator, along with a link to that senator’s web page. This page includes senators’ contact information and links to their biography and photos. It also provides a list of committees they serve on and the bills they’ve introduced.

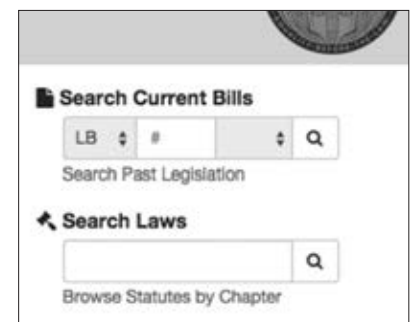


## SEARCH FOR BILLS

Learn more about bills considered by the Unicameral by logging on to [www.NebraskaLegislature.gov](http://www.NebraskaLegislature.gov).

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

You also can search current laws using the keyword search found below the bill search.



# COMMITTEE PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Agriculture	LB477	McCollister	Prohibit certain unlawful acts as prescribed relating to the Weights and Measures Act
Agriculture	LB808	Harr	Change provisions relating to community gardens and seed libraries
Appropriations	LB775	Stinner	Adopt the State Park System Construction Alternatives Act
Appropriations	LB861	Watermeier	Require that certain prosecution costs be paid by the state
Banking,	LB743	Lindstrom	Adopt the Public Adjusters Licensing Act and change continuing education and
Commerce & Insurance			prelicensing education provisions
Banking,	LB750	Williams	Change provisions relating to mortgage licensing, recording of real property
Commerce & Insurance			instruments, and rights and duties of secured creditors
Business & Labor	LB953	Albrecht	Change provisions relating to lump-sum settlements under the Nebraska
			Workers' Compensation Act
Business & Labor	LB791	Ebke	Change Nebraska State Patrol employees' bargaining rights
Education	LB778	Groene	Require voter approval for school district building fund levies
Education	LB1081	Education	Change education provisions regarding reporting, penalties, residency, boundaries,
		Committee	priority schools, subpoena authority, poverty, and limited English proficiency
Executive Board	LB744	Executive Board	Adopt the Legislative Qualifications and Election Contests Act
Executive Board	LB1078	Crawford	Require reporting of sexual abuse allegations as prescribed
General Affairs	LB921	Lowe	Create a licensing exception under the State Electrical Act for certain farm
			building construction
General Affairs	LB1120	Larson	Change provisions of the Nebraska Liquor Control Act and music licensing provisions
Government,	LB1015	Briese	Allow withholding from public of reports of injury under the Nebraska Workers'
Military & Veterans Affairs			Compensation Act that reveal an employee's identity
Government,	LB1065	Murante	Permit use of electronic poll books and use of digital images for confirmation of
Military & Veterans Affairs			the voter's identity
Health & Human	LB793	Riepe	Eliminate provisions relating to specialized services under the Developmental
Services			Disabilities Services Act
Health & Human	LB731	Williams	Provide for licensure of remote dispensing pharmacies
Judiciary	LB841	Pansing Brooks	Provide duties relating to correctional overcrowding emergencies
Judiciary	LB670	Krist	Change membership, powers, and duties of the Nebraska Coalition for Juvenile Justice
Performance	LB935	Performance	Facilitate tax incentive performance audits by requiring certain application
Audit		Audit	materials, reporting, and data retention for certain tax incentive programs
Performance	LB936	Performance	Change provisions relating to tax incentive performance audits under the
Audit		Audit	Legislative Performance Audit Act
Natural Resources	LB758	Hughes	Provide for voluntary payments in lieu of taxes on water augmentation project
			lands as prescribed
Natural Resources	LB1008	Bostelman	Increase amounts of liquidated damages for certain violations of the Game Law
Retirement	LB548	Lindstrom	Provide for the consolidation of the Class V school employees' retirement system
			and the School Employees Retirement System of the State of Nebraska
Retirement	LB1005	Kolterman	Change county and school retirement provisions
Revenue	LB1089	Smith	Change provisions relating to confidential tax information, refundable income tax
			credits, and homestead exemptions
Revenue	LB1090	Smith	Change provisions relating to inflation adjustments, personal exemptions, and
			standard deductions
State-Tribal	LB807	Harr	Provide for replacement of a statue in the United States Capitol
Relations			
Transportation &	LB994	Friesen	Create the Rural Broadband Study Task Force, change provisions relating to the
Telecommunications			Nebraska Telecommunications Universal Service Fund, and change
			powers and duties of the Public Service Commission as prescribed
Transportation &	LB909	Bostelman	Change motor vehicle titling and registration provisions, assembled and kit
Telecommunications			vehicle provisions, and the branding of certificates of title as
			reconstructed or replica
Urban Affairs	LB873	Urban Affairs	Change provisions relating to cities of particular classes and villages, correct
			and include references as prescribed, and eliminate obsolete provisions
			and repeal definitions
Urban Affairs	LB874	Urban Affairs	Change the Community Development Law

# SPEAKER PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Speaker Scheer	LB104	Bolz	Provide for a surrogate to make health care decisions
Speaker Scheer	LB117	Hilkemann	Adopt the Investigational Drug Use Act
Speaker Scheer	LB379	Harr	Create the Willa Cather Historical Building Cash Fund and provide for a transfer of funds
Speaker Scheer	LB596	Groene	Exempt equine massage therapy from credentialing and regulation under the Veterinary Medicine and Surgery Practice Act
Speaker Scheer	LB697	Ebke	Change certain district court judicial district boundaries
Speaker Scheer	LB702	Kolterman	Change provisions relating to children's health care coverage and Nebraska IV-D child support program modification procedures
Speaker Scheer	LB714	Howard	Provide a procedure for judicial emancipation of a minor
Speaker Scheer	LB724	Wayne	Provide for segregation of keno funds, electronic fund transfers, and deposit of gross proceeds by a sales outlet location as prescribed
Speaker Scheer	LB729	Wayne	Allow claims arising out of misrepresentation or deceit under the Political Subdivisions Tort Claims Act and State Tort Claims Act
Speaker Scheer	LB741	Lindstrom	Change provisions relating to real property appraisers
Speaker Scheer	LB745	Watermeier	Require notice relating to certain refunds of local sales and use taxes
Speaker Scheer	LB751	Performance Audit	Change agency duties with respect to adoption of rules and regulations
Speaker Scheer	LB760	Hughes	Change the Volunteer Emergency Responders Incentive Act
Speaker Scheer	LB803	Stinner	Change provisions related to kindergarten, early childhood education, and the Step Up to Quality Childcare Act
Speaker Scheer	LB827	Lowe	Provide for disposition of property of members of veterans' homes and change state personnel system exemptions for the Department of Veterans' Affairs
Speaker Scheer	LB865	Crawford	Change provisions relating to passage of ordinances by cities and villages
Speaker Scheer	LB901	Bostelman	Require Director of Aeronautics to consult with the Military Department in certain structure permitting decisions
Speaker Scheer	LB903	Linehan	Change provisions relating to the Long-Term Care Ombudsman Act
Speaker Scheer	LB906	Williams	Change provisions relating to Schedule I controlled substances
Speaker Scheer	LB923	Morfeld	Provide immunity for certain law enforcement employees administering naloxone and change provisions relating to immunity for persons reporting or experiencing alcohol overdoses
Speaker Scheer	LB940	Friesen	Change provisions of the Civic and Community Center Financing Act relating to fund use, grant request limits, property sale restrictions, and grant application priority
Speaker Scheer	LB957	Lowe	Provide procedures for choosing a method of payment for payments under the Nebraska Workers' Compensation Act
Speaker Scheer	LB1091	Smith	Update references to the Internal Revenue Code
Speaker Scheer	LB1098	Hilgers	Change dollar threshold for certain purchasing requirements under the County Purchasing Act
Speaker Scheer	LB1121	Larson	Adopt the Nebraska Uniform Protected Series Act



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High school students visited the Nebraska Capitol from Syracuse and observed the Unicameral from the south balcony of the legislative chamber.