

## Automatic cuts to top state income tax rates proposed

Cuts to Nebraska's top individual and corporate income tax rates would be tied to projected economic growth under a bill heard Feb. 20 by the Revenue Committee.

LB615, introduced by Lincoln Sen. Mike Hilgers, would require the state tax commissioner to cut the top individual income and corporate tax rates—currently 6.84 percent and 7.81 percent, respectively—if projected state revenue growth is at least 3.5 percent and the state's cash reserve fund holds at least \$500 million. The cuts would occur in four annual steps until the rates reach 5.99 percent.

Each time the conditions for a rate cut are met, the state treasurer would transfer \$75 million from the cash reserve to the property tax credit cash fund.

Assuming the bill's requirements for a rate cut are met each year, the state Department of Revenue estimates that LB615 would reduce state income tax revenue by \$15.7 million in fiscal year 2019-20, an additional \$71.6 million in FY2020-21 and a further \$158.3 million in FY2021-22.



Sen. Mike Hilgers said cuts to the state's top individual and corporate income tax rates would grow Nebraska's economy and could be included in a larger tax reform proposal.

Hilgers said the bill would provide additional property tax credits to agricultural producers and homeowners while also making the state's top tax rates more attractive to individuals and businesses. He said elements of LB615 should be considered along with other proposals to reform the state's tax code this session.

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## Update to American civics requirements debated

After several hours of first-round debate spanning three days, lawmakers ended the week without voting on a bill that would update social studies requirements for Nebraska schools.

Peru Sen. Julie Slama, sponsor of LB399, said the bill would be the first major revision to the state's civic education standards since the Americanism statutes' adoption in 1949. The

law requires school boards to appoint three members to a committee on Americanism, which approves textbooks used in the teaching of American history and government.

The newly named committee on American civics would be required



Sen. Julie Slama

to hold at least two public meetings annually and ensure that the district's social studies curriculum is accessible to the public.

It also would ensure that the district's curriculum aligns with state social studies standards and "teaches and assesses foundational knowledge in civics, history, economics, financial literacy and geography."

Slama said some Nebraska stu-

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# Automatic cuts to top state income tax rates proposed

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Joseph Young testified in support of the bill on behalf of the Nebraska Chamber of Commerce and Industry, the National Federation of Independent Businesses in Nebraska, the Nebraska Bankers Association and the Lincoln Chamber of Commerce. He said Nebraska's high corporate and individual income tax rates make it uncompetitive with other states when trying to retain and attract people and businesses.

"We are in a fierce battle, obviously, for people and jobs in the state of Nebraska," Young said. "The more we can do to make Nebraska competitive, the better off we will be in years to come, even if it's at a slower rate than all of us would like."

Nicole Fox, director of government relations at the Platte Institute, also testified in support, saying the bill is a fiscally responsible solution to the state's "detrimentally high" tax rates. She said the rate cut triggers in LB615 do not guarantee tax cuts but only enable rate reductions when projections show that economic growth would offset a reduction in tax revenue.

"We would, however, caution the

committee [against] using triggers based on expected growth and would rather see triggers based on actual receipts to ensure a safeguard against an overly optimistic forecast," Fox said.

Testifying in opposition to the bill was Renee Fry, executive director of OpenSky Policy Institute. Fry said LB615 would deplete the state's cash reserve and cut state tax revenue at a time when economists are predicting a recession. Similar automatic tax cuts led to a budget crisis in Oklahoma after falling oil prices caused an unexpected reduction in tax revenue, she said.

Most of the bill's benefits would accrue to the wealthiest Nebraskans, Fry added. Once fully implemented, she said, the bill would give an average tax cut of \$7,800 per year to the top 1 percent of income earners, \$94 per year to those with middle incomes and \$11 per year for the lowest earners.

John Hansen, president of the Nebraska Farmers Union, also testified in opposition. By cutting state income tax revenue, he said, LB615 would increase Nebraska's overreliance on property taxes to fund K-12 education.

"This [bill], in our view, makes an already unfair and regressive state tax system worse," Hansen said.

The committee took no immediate action on the bill. ■

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# Update to American civics requirements debated

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dents graduate from high school not knowing basic facts about the nation's history or government, such as the three branches of government or the difference between a state senator and a U.S. senator.

"I'm not saying with this bill that all school districts in Nebraska are doing a bad job of civics education—far from it," she said. "Most schools are doing an excellent job, but there are some where other subjects have forced civics education into the background."

LB399 also would add to the list of days on which schools are required to conduct patriotic exercises, such as Dr. Martin Luther King, Jr.'s birthday and Native American Heritage Day.

The bill would eliminate the current criminal penalty for violating the Americanism statutes' provisions.

As introduced, LB399 would require school districts to administer the 100-question civics portion of the U.S. Citizenship and Immigration Services naturalization exam to students no later than eighth grade and again no later than 11th grade. A student's score would be given to his or her parents or guardians.

A pending Education Committee amendment would remove the requirement that districts administer the exam and instead would make it one of three options a district would have to include in its curriculum.

A district also could require a student to attend or participate in a meeting of a public body and then complete a project or paper demonstrating what he or she learned or complete a project, paper or class presentation on a person, event or related topic from American history.

Lincoln Sen. Patty Pansing Brooks thanked Slama for addressing Education Committee members' concerns about requiring schools to administer the naturalization exam. The committee amendment would improve the social studies statutes by removing the existing criminal penalty and including curriculum options that encourage civic engagement, she said.

"Is it perfect? No ... but the beauty of what we do is to strive to make something better," Pansing Brooks said.

Bennington Sen. Wendy DeBoer said she would support the bill on general file but would work with Slama to change some of its language before the second round of debate. It is "vitally important" that students learn about American history and government, DeBoer said, but those lessons should be nuanced and clear about the nation's flaws.

"We owe our students some education on the messy world of our civic life together, imperfect as it is, so they can perhaps do better than us," she said.

Columbus Sen. Mike Moser also supported the bill, saying it is more important than ever that students understand American history.

"If we have no historical reference and we don't know how we got where we are, then we can't have a legitimate chance ... to move forward," he said.

Sen. Kate Bolz of Lincoln proposed an amendment Feb. 20, adopted 31-0, to strike a current requirement that the Americanism committee is to "assure themselves as to the character of all teachers employed and their knowledge and acceptance of the American

form of government." She said vetting of teachers is best handled through the existing contracting process.

Another Bolz amendment would have removed a provision in current law stating that neglect of the Americanism statutes is a dereliction of duty and cause for dismissal of any school employee or appointed official. It failed on a vote of 19-27.

Omaha Sen. Ernie Chambers filed a series of amendments and motions in order to delay a vote on the bill. Chambers said the Americanism statutes should be repealed because they require teaching a version of American history that does not embrace all Americans, especially black Americans.

Sen. Megan Hunt of Omaha also opposed the committee amendment and the bill. She expressed skepticism about requiring the teaching of patriotic sentiments because patriotism can mean different things to different people.

The Legislature adjourned for the week before voting on the committee amendment or LB399. The bill is scheduled for further debate Feb. 26. ■

# MEET THE SENATOR

## New senator is always learning

There are moments when Sen. Wendy DeBoer catches herself mid-sentence. She's earned four advanced degrees, and is pursuing a fifth, and knows she can give more details in response to a question than the asker might have expected.

"This is nerdy, but that's who I am," she said.

DeBoer, who lives in Bennington, has never stopped learning. That relentless pursuit of knowledge, plus a career change, has led to the following academic resume:

- B.A. in English and economics, Hastings College;
- J.D., University of Nebraska College of Law;
- M.A. in English literature, University of Nebraska Omaha;
- M.A. in theology, Lutheran School of Theology;
- M.Phil in religious studies, Syracuse University.

She hopes to finish her PhD in philosophy of religion, but, "I can't work on it right now," she said, gesturing at a desk covered in legislative bills.

DeBoer, who attends Holy Cross Lutheran Church in Omaha, considered going to seminary to become a pastor, but instead chose law. Seminary, though, kept calling. She considered leaving the legal profession, but was in the midst of an environmental case and didn't feel right about stepping away. When it quickly settled out of court, DeBoer made the move.

"A week later I was in an English master's class in a different state," DeBoer said. "I felt that calling, and I couldn't ignore it any longer."

She's been either a student or a teacher, usually both, ever since. One area of emphasis included 20th Century Christian thought focusing on hope and eschatology—the study of the end of the world.

The 1960s were an inflection point when cultural views of authority and morality began to change, DeBoer said.

"The 20th Century was the first time that humans were aware that they could easily blow themselves up very quickly. We could bring about the end of the world ourselves. It had a profound effect about how we think about the distant future because that distant future got a lot closer," she said.

One issue DeBoer thinks about often is the caustic nature of modern politics. Tribalism and name-calling were reasons she became a candidate.

"There's only a certain number of times you can say



Sen. Wendy DeBoer and her nieces enjoy some reading time.

'somebody ought to do something about that' before you say, 'wait, maybe I should do something about that,' " she said.

She began thinking about running for office after returning to Omaha from Syracuse in 2016. She'd always come home during summers breaks, but this time it was for good.

"I was always trying to get back here. It just had to be the right time," DeBoer said. ■

**BANKING, COMMERCE & INSURANCE**



**Real estate license changes advance**

Lawmakers gave first-round approval Feb. 19 to a bill that would make changes to education requirements for new real estate licensees in Nebraska.

LB384, introduced by Fremont Sen. Lynne Walz, would prohibit an individual with a broker's license from acting as a designated broker for another licensee unless he or she has taken additional courses post-licensure, including:



Sen. Lynne Walz

- real estate trust accounting;
- brokerage finance;
- business ethics; and
- risk management.

The Nebraska Real Estate Commission could extend the post-licensure coursework requirement deadline for up to six months under a hardship provision.

The bill also would require that an applicant for a broker's or salesperson's license complete six class hours in a commission-approved course related to professional practice and standards, and 12 hours in an approved real estate knowledge and skills class within 180 days of being issued a license.

As introduced, LB384 also would have increased from two to five the number of years of experience that a broker's license applicant must have as a licensed salesperson or broker.

A Banking, Commerce and Insurance Committee amendment, adopted 31-1, removed that provision.

Walz said the issues addressed in the bill resulted from a report issued by the National Association of Realtors.

"One of the items identified in the report is that the industry has an issue with part-time agents who do not have the necessary training to properly provide services to their clients," she said. "This bill is an attempt to remedy that situation here in Nebraska."

Bayard Sen. Steve Erdman questioned the need for more education for licensees. He said the state should be removing barriers rather than adding unnecessary requirements.

"It appears that this is a way for the real estate people to eliminate some of the competition," he said. "I think we're making it more difficult than it needs to be."

Walz said the bill is intended to be a consumer protection measure, not a barrier to individuals who wish to enter the real estate profession. She cited instances of new agents failing to complete necessary paperwork during real estate transactions and other problems.

"Buyers and sellers should be able to put their trust in a realtor who is educated and who is well informed," Walz said.

Senators advanced the bill to select file on a 33-1 vote.

**BUSINESS & LABOR**



**Bill to delay background checks advanced**

Senators gave first-round approval Feb. 20 to a bill that would require a prospective employer to evaluate a job applicant's qualifications without an initial check of his or her criminal history.

LB254, introduced by Sen. John McCollister of Omaha, would bar

certain employers and employment agencies from asking about a job applicant's criminal history until the employer or agency determines whether



Sen. John McCollister

the applicant meets the minimum qualifications of the position. The requirement would apply to businesses with 15 or more employees.

McCollister said the bill would let job applicants move on and begin again after they have paid their debt to society.

"We have nothing to fear from the changes proposed by LB254," he said. "It simply would allow an applicant who may have made a mistake in his or her past to get a foot in the door."

Blair Sen. Ben Hansen introduced an amendment, adopted 36-1, which instead would require an employer that asks an applicant to disclose his or her criminal history to afford the applicant the opportunity to explain a past conviction or other criminal history.

The amended bill would not apply to the state of Nebraska, local governmental agencies or political subdivisions.

"I like the intent of this bill," Hansen said. "However, I felt it puts an undue burden on employers by forcing them to ... play psychologist with each applicant to explain why he or she did what they did."

Sen. Suzanne Geist of Lincoln supported the amendment, which she said eased her concerns regarding the practical application of the bill's provisions.

"As a society, we need to change our perspective about allowing former inmates to enter the workforce," Geist said. "This will help reintegrate inmates back into society and reduce recidivism."

Thurston Sen. Joni Albrecht opposed the bill, saying that it did not make sense to have different rules for different employers.

“Everybody should be able to tell you what the issues were in their past [in order to] be able to come to work for an employer,” she said.

Senators voted 39-2 to advance LB254 to select file.

## EDUCATION

### Mental health services registry for schools proposed

The state Department of Education would provide schools with a list of mental health services available to students and families under a bill heard Feb. 19 by the Education Committee.

Introduced by Fremont Sen. Lynne Walz, LB727 would require the department, in consultation with the state Department of Health and Human Services, to provide school districts with a registry of state and local mental health resources for students and families by geographic area.

The bill would require the registry to be updated at least once a year and include both school-based services and outside services. Walz said the Nebraska Family Helpline at Boys Town already produces and updates such a registry through a contract with DHHS.

LB727 also would require each school district to designate one or more mental health points of contact for each school building or other division as determined by the district.



Sen. Lynne Walz

The point of contact could be an administrator, school nurse, school psychologist or other designated school employee.

Each point of contact would be trained in mental health issue identification and would have knowledge of local service providers and other resources. The point of contact would facilitate access to mental health services during the school day “whenever possible.”

The bill would require each school district to report its designated mental health points of contact to the state Department of Education before the beginning of each school year.

Walz said schools are the best place to identify children who need mental health support and to connect those children and their families with the services they need.

“Having an individual ... at a school who can identify warning signs and point someone in the right direction is necessary to help schools provide the most conducive learning environment possible,” she said.

Stacie Higgins, president-elect of the Nebraska Association of School Boards, testified in support of the bill on behalf of the NASB, the Nebraska Council of School Administrators and the Nebraska State Education Association. She said student access to mental health care is a growing problem for schools of every size across the state.

LB727 and its coordination of resources would be a “huge benefit” to schools as they help students deal with the death of a parent, violence in the home, an eating disorder or other mental health issue, Higgins said.

“Many would argue that it’s not the school’s job to be the one to find that care for students,” she said, “but when the issues ... present themselves at school, impact their learning and the learning of those around them, it

becomes something that the schools need to address.”

Jack Moles, executive director of the Nebraska Rural Community Schools Association, also testified in support. School districts need guidance and resources to help students with mental health problems, he said, but the association is concerned that the bill would provide no funding for districts to carry out its requirements.

“Normally we would be in opposition to a bill that did not provide for funding,” Moles said, “but this is just too important of an issue to us to be in opposition because of that.”

Lee Todd of Lincoln testified in opposition to LB727, saying it would violate parental rights and waste money. He said parents have primary responsibility for caring for their children, not schools. Institutions such as churches also can help if parents choose not to, he added.

The committee took no immediate action on the bill.

## EXECUTIVE BOARD

### Correctional system oversight, children’s commission changes proposed

The Executive Board heard testimony Feb. 20 on two bills that would expand legislative oversight of the state’s correctional system and bring the Nebraska Children’s Commission under the administration of the Legislature.

Under LB313, introduced by Lincoln Sen. Kate Bolz, the Office of the Inspector General of the Nebraska Correctional System



Sen. Kate Bolz

would expand its oversight to include the state's regional centers. The three regional centers are public psychiatric hospitals that provide sex offender programs and other services.

Bolz said the bill would provide an independent form of inquiry for concerns regarding the actions of individuals and agencies responsible for the supervision, treatment and release of people in the regional centers.

Among other provisions, the bill would authorize the inspector general to investigate allegations or incidents of possible misconduct, violations of state law or rules and regulations and death or serious injury.

"This bill is brought, in part, because the regional center system has faced some growing personnel and facility challenges in recent history," Bolz said, including turnover and vacancy rates, increased staff and patient assaults and the placement of children in the facilities.

Ron Glover, a regional center employee who said he is on leave due to a traumatic brain injury resulting from an assault suffered while on duty, testified in support of the bill.

Glover called the lack of regional center oversight "exceptionally offensive" and encouraged passage of the bill to ensure that the state Department of Health and Human Services is held accountable for how the facilities are operated.

Sheri Dawson, director of the DHHS Division of Behavioral Health, testified in opposition. The state's regional centers are hospitals and treatment facilities, not correctional facilities, she said, and should be governed and overseen as such.

In addition, Dawson said, the Office of the Public Counsel already has the power to investigate cases of serious injury or death and other situations.

"It's unclear what cannot already be addressed by current law and current practice," she said.

Doug Koebernick, inspector general of the Nebraska correctional system, testified in a neutral capacity. Adding oversight of the state's regional centers to the office's duties would require hiring additional staff, he said.

"Currently, I am on office of one person," Koebernick said, which oversees more than 2,300 employees and approximately 5,500 incarcerated individuals in 10 correctional facilities.

Also considered was LB330, introduced by Bolz, which would eliminate the July 2019 termination date for the Nebraska Children's Commission. Bolz said the commission was established in 2012 in response to the state's failed attempt to privatize Nebraska's child welfare system.

Under the bill, the commission would become a permanent forum for collaboration among state, local, community, public and private stakeholders in child welfare and juvenile justice programs and services. The bill also would streamline the commission's duties and shift its administration to the Legislature.

"I argue that there is a need for a permanent, collaborative forum to bring together [entities] and provide strategic problem-solving for a variety of children's services and systems," Bolz said.

Chris Jones, policy analyst for the commission, testified in support of the bill. Since its creation, she said, the commission has kept the Legislature informed about how best to create policy to serve Nebraska's children and families and should continue to do so.

"In this era of term limits, I believe there is great value in this commission," Jones said.

Matt Wallen, director of the DHHS Division of Children and Family Ser-

vices, opposed LB330. The state's child welfare system has changed significantly since the commission was founded, he said, and continuing it would be duplicative of many other existing collaborative entities.

"It was a very different time and a very different system at that time," Wallen said. "We've made significant improvements, with many more still to come."

The committee took no immediate action on either proposal.

### Medicaid expansion task force proposed

The Legislature would create a task force to oversee implementation of Medicaid expansion in Nebraska under a bill heard by the Executive Board Feb. 22.

Lincoln Sen. Adam Morfeld, sponsor of LB631, said the measure would ensure that the will of Nebraska voters is carried out. An initiative petition effort to expand Medicaid coverage was approved by voters in the 2018 general election.

The state now is required to expand eligibility to adults age 19 to 64 whose incomes are 138 percent of the federal poverty level or below.

"LB631 was introduced to ensure that the implementation is successful and efficient," Morfeld said, adding that it is important for legislative stakeholders and others to be part of the process.

The Medicaid Expansion Task Force would include as voting members the chairperson or designee of the Appropriations, Health and Human Services and Judiciary committees, as well as three members of the Legisla-



Sen. Adam Morfeld

ture chosen by the Executive Board.

Seven nonvoting members would include health care providers and advocates as well as hospital, business and government representatives. Non-voting members would be appointed by the Executive Board.

Morfeld said that he would consider adding representatives of the state's federally-qualified health centers and the state Department of Health and Human Services.

The task force would hold at least three public hearings, with at least one in each congressional district, and submit a report to the Legislature annually beginning Dec. 1, 2019. The task force would terminate on Dec. 1, 2020, unless reauthorized by the Legislature.

Josue Gutierrez, a physician representing the Nebraska Academy of Family Physicians and the Nebraska Medical Association, testified in favor of LB631.

"We see this task force as an opportunity to provide a [way for] physicians and professionals who are on the front lines of our patient care to collaborate together with legislators to share their expertise," Gutierrez said.

Andy Hale of the Nebraska Hospital Association also testified in support of the bill. Rollouts of other major Medicaid changes in the past have proven disruptive and expensive for the state's hospitals, he said.

Given that expansion is estimated to bring an additional 94,000 Nebraskans into the state's Medicaid system, Hale said, planning is crucial and should include a broad range of stakeholders.

Matthew Van Patton, director of the DHHS Division of Medicaid and Long-term Care, testified in opposition to the bill. The division is making good progress toward implementation, he said, and a "duplicative" level of legisla-

tive oversight would slow that progress and stretch resources even thinner.

"The creation of a Medicaid expansion task force will not help in implementing this program," Van Patton said, adding that the division's website provides a sufficient level of transparency regarding the expansion process.

The committee took no immediate action on LB631.



**Bills seek changes in state contracting**

The Government, Military and Veterans Affairs Committee heard testimony Feb. 20 on two bills that would change state contracting rules.

Sen. Tom Brewer of Gordon introduced LB151, which would adopt the Government Neutrality in Contracting Act. Under the bill, a request for bids could not require or prohibit contractors or subcontractors from entering into or adhering to a collective bargaining agreement.



Sen. Tom Brewer

Brewer said the proposal would prohibit the state or any political subdivision from giving preference to union or non-union contractors when it accepts bids for contracts. He said he was unaware of any situation in which the state had done so.

"We just want to make sure the state isn't playing favorites," Brewer said.

David Chapin, chairperson of Associated Builders and Contractors, testified in favor of the bill. He said LB151 could prevent the state from entering into a project labor agreement—

a collective bargaining agreement that details the terms of the contract before bidding begins. Such agreements drive up costs, he said.

"It's a free-market issue," Chapin said.

Electrical contractor Jay Buchanan also testified in favor of LB151. He said project labor agreements discriminate against the majority of workers who are non-union.

"It spits in the face of fair and open competition," Buchanan said, adding that 24 states have outlawed project labor agreements.

Felicia Hilton of the North Central States Regional Council of Carpenters spoke against the bill. She said project labor agreements generally are used for large construction projects, like a football stadium, and are a valuable tool for states and municipalities.

"There's nothing in state law that encourages or discourages use of these type of agreements, and it should stay that way," Hilton said. "It makes no sense to ban the state from using this tool."

Also testifying against the bill was Susan Martin of the Nebraska State AFL-CIO. Project labor agreements provide clear boundaries and expectations for a project, Martin said, leading to higher productivity and better pay for workers.

"The use of PLAs does not restrict competition by shutting out non-union contractors," Martin said. "PLAs simply create a level playing field for all contractors by standardizing labor conditions on a project."

The committee also considered LB21 introduced by Seward Sen. Mark Kolterman. The bill would allow a company to formally protest if it failed to secure a state contract that exceeds \$5 million. The state De-



Sen. Mark Kolterman



partment of Administrative Services would create a protest procedure that would include a hearing within 60 days of a formal protest being filed.

Kolterman said the current appeal process is flawed, causing contractors to refuse to do business in the state.

“By not allowing judicial review, it puts Nebraska at a disadvantage,” Kolterman said.

Attorney Tom Kenny spoke in favor of LB21. It would fill in gaps in Nebraska’s bidding process, he said, and safeguard taxpayer money.

“We have large contractors come to us and say ‘what do you mean you don’t have a protest process?’ ” Kenny said. “That differs from other states, significantly.”

Also testifying in favor of LB21 was Kerry Winterer, former CEO of the state Department of Health and Human Services. Currently, he said, appeals are decided solely by the state Department of Administrative Services. As a result, in the past appeals often led to lawsuits, he said, causing the agency to delay a project while litigation worked its way through the courts.

“[Under LB21] litigation may well decline in the future as court precedents are set,” Winterer said.

Bo Botelho, interim CEO of DHHS, testified against the bill. He said the current appeal process takes three to six weeks, and allows a contractor to submit evidence and cross examine witnesses, “just like a court.”

Botelho added that LB21 would increase the likelihood of litigation and delay projects.

The committee took no immediate action on either bill.

**Bill would document federal funds**

The Government, Military and Veterans Affairs Committee heard

testimony Feb. 21 on a bill that would create an inventory of all state agencies that receive federal money.

LB337, introduced by Sen. John Stinner of Gering, would require the state Department of Administrative Services to create a list of all state agencies receiving federal funds, document requirements associated with federal grants and develop a contingency plan in case of a reduction in federal funding.



Sen. John Stinner

“The attempt behind this legislation is to provide a reporting mechanism to hedge against any fiscal stress further down the road,” Stinner said. “It’s imperative we understand the complexities around any federal program.”

Sarah Curry of the Platte Institute testified in support of the bill. There are 33 state agencies that receive federal dollars, including eight that rely on federal funds for more than 50 percent of their budgets, Curry said.

She said the recent partial federal government shutdown demonstrated the need for better accounting and planning.

“The scary part is that state government officials didn’t know the details of the federal funding, so it was very difficult to prepare. States cannot clearly see where federal money is going in their state,” Curry said, “and Nebraska is no exception.”

State budget administrator Gerry Oligmueller testified against the bill. Reporting on requirements associated with federal funds is important, he said, but LB337 would conflict with current law and create added costs.

“Biennial budget instructions issued to state agencies, boards and commissions specifically require

reporting on the use of federal funds to the governor and the Legislature,” Oligmueller said.

The committee took no immediate action on LB337.



**Licensure fee waiver advanced**

Senators advanced a bill from general file Feb. 21 that would waive initial licensing fees for a variety of health professions under the Uniform Credentialing Act.

LB112, introduced by Omaha Sen. Sara Howard, would waive initial licensing fees for individuals who:



Sen. Sara Howard

- are 18 to 25;
- have a household income less than 130 percent of the federal poverty level or are enrolled in a state or federal assistance program; and
- are active duty services members or their spouses, honorably discharged veterans or their spouses and un-remarried surviving spouses of deceased service members.

Howard said that an estimated 8,000 to 9,000 Nebraskans could take advantage of the waiver.

She said a study by the Institute for Justice reported that the average licensing fee for low- and medium-income occupations was \$209.

“Many individuals who are looking at paying this fee, especially for the first time, might be fresh out of school and likely facing the burden of paying off student loans,” Howard said.

Sen. Steve Erdman of Bayard ques-

tioned whether the bill would result in people outside the three designated groups paying more for their licenses. Howard said any increase would be negligible.

“The amount of impact of having someone get into their job quicker and then start paying income taxes into our state general fund is exponentially larger than the modest amount that we collect on licensing fees,” she said.

Senators voted 28-0 to advance LB112 to select file.

### Family planning bill introduced

Family planning services would be covered by Medicaid under a bill considered by the Health and Human Services Committee Feb. 22.

Sen. Anna Wishart of Lincoln introduced LB498, which would direct the state Department of Health and Human Services to submit a state plan amendment to the federal Centers for Medicare and Medicaid by Sept. 1, 2019, to include medical assistance for family planning services to individuals with an income at or below 194 percent of the federal poverty level.



Sen. Anna Wishart

The bill defines family planning services as:

- all family planning methods approved by the U.S. Food and Drug Administration;
- screening and treatment for preinvasive cervical and breast cancers;
- interpersonal violence screening and prevention;
- follow-up family planning appointments and counseling;
- treatment of conditions routinely diagnosed during a family

planning visit, such as a urinary tract infection or sexually transmitted infections;

- preventive services such as vaccination against the human papillomavirus;
- treatment of a major medical complication resulting from a family planning appointment; and
- insertion of a long-acting contraceptive.

The bill explicitly bars the use of state funds to pay for elective abortion services.

Wishart said that states with Medicaid coverage of comprehensive family planning services save money in the long run. In addition, she said, the federal government match would pay for 90 percent of the cost to implement LB498.

“The essence of this bill is to allow someone of lower income the best access to health care,” Wishart said. “It also allows them to interface with a health care provider.”

Tiffany Seibert Joekel of the Women’s Fund of Omaha testified in favor of the bill. She said providing access to contraceptives affords women greater economic stability.

“Decades of research shows that better access to family planning helps women to decide if and when to start a family,” Seibert Joekel said. “We’re not forcing these services on anyone. This is about making sure all Nebraskans have some level of access to health care.”

Heather Younger, representing Family Health Services Inc., also testified in favor of LB498. She said her organization often serves single, working mothers who are struggling financially.

“The problem they have is that their kids are covered but they will fall under the sliding-fee scale and

still have to pay,” Younger said, “But with this bill they’d be covered under Medicaid.”

Also testifying in favor of LB498 was physician Katherine Lessman. She said contraceptives are a critical part of a woman’s health care.

“I’m a Christian whose job it is to understand and teach female reproductive physiology and its complications,” Lessman said. “When used as they typically are in the office and hospital setting, our contraceptive medicines and devices do not damage or destroy the uterus. The family planning expansion we’re discussing today does not cause abortion but rather it prevents it more effectively than almost anything we can do.”

Marion Miner, testifying on behalf of the Nebraska Catholic Conference, opposed the bill. Miner said LB498 would lead to risky sexual behavior and increase the number of abortions in Nebraska.

“Numerous studies from sources across the ideological spectrum, and across many years, have illustrated that greater access to contraception does not reduce unintended pregnancy and abortion, but in fact tends to increase abortion,” Miner said.

Miner added that some family planning methods like hormonal contraceptives that are covered by the FDA are tantamount to abortion.

Teresa Kenney, a nurse practitioner, also testified against the bill. Kenney said some intrauterine devices are dangerous and can lead to injury and death. The devices often fail, she said, which can lead to an abortion. In addition, she said, hormonal birth control has side effects including decreased sex drive and depression.

“Women who are socially or economically disadvantaged deserve better,” Kenney said. “I believe it is wrong to treat any woman contrary to

the dignity and respect she deserves.”

Testifying on behalf of the state DHHS Division of Medicaid and Long-Term Care, Thomas “Rocky” Thompson said the bill could cost the state \$1.4 million in fiscal year 2020-21. LB498 potentially would expand family planning services to approximately 15,500 people not currently eligible for Medicaid coverage, Thompson said.

The committee took no immediate action on the bill.

## JUDICIARY



### Sexual assault survivor protections sought

The Judiciary Committee heard testimony Feb. 22 on a bill that would create a sexual assault survivor’s bill of rights.

Under LB43, introduced by Lincoln Sen. Kate Bolz, a survivor of sexual assault would be guaranteed the right to consult with a sexual assault advocate during any physical examination or interview by a peace officer, prosecutor or defense attorney.



Sen. Kate Bolz

Bolz said the bill does not create new rights, but articulates the rights that survivors already have.

“Learning more about what resources are available and steps to take following sexual violence can help calm victims in a difficult time and may increase and encourage reporting,” she said. “LB43 offers consistent guidelines for providing the support and information that should be offered to every victim of sexual assault.”

The bill would require that any

medical professional, peace officer, prosecutor or defense attorney provide a survivor written documentation of his or her rights before conducting an initial physical examination or interview. A survivor also would have the right to be interviewed by a peace officer of the gender of his or her choosing, if the request could be reasonably accommodated.

A medical provider conducting a physical exam after a sexual assault would be required to contact the appropriate law enforcement agency and the agency would be required to retain any forensic evidence for 20 years.

Evidence collected from a sexual assault physical examination could not be used to prosecute a survivor for any misdemeanor crimes or offenses under the Uniform Controlled Substances Act.

Robert Sanford, representing the Nebraska Coalition to End Sexual and Domestic Violence, spoke in support of the bill. He said the Rape, Abuse & Incest National Network reported that victims of sexual assault do not report for a variety of reasons, including fear of retaliation, a belief that the police would not help or that the assault was not important enough to report.

“Advocates provide victims of sexual assault with information about the investigation and legal process, but they also provide them with the emotional support needed to tell a law enforcement officer, prosecutors and others involved in the process what happened to them,” Sanford said.

University of Nebraska at Kearney student Kristen Tomjack also supported LB43. Sexual assault does not discriminate, she said, and can happen to anyone regardless of gender, age or ethnicity.

“This would give survivors a small sense of control in their lives, which they’ve lost,” Tomjack said. “Having a

document that details resources, options and instructions for requesting information is invaluable in the hands of the one who needs it.”

Representing the Nebraska Criminal Defense Attorneys Association, Spike Eickholt opposed the bill. The provision of LB43 that requires access to an advocate is unnecessary, he said, because advocates already can and sometimes do sit with victims during depositions.

“Creating an automatic statutory right is arguably going to interfere with our ability to do our jobs,” Eickholt said.

The committee took no immediate action on the bill.

### Wrongfully incarcerated could file claim with state

The state of Nebraska could be financially liable for certain federal judgements under a bill considered Feb. 21 by the Judiciary Committee.

Under LB474, sponsored by Adams Sen. Myron Dorn, a person who obtains a final federal court judgement for damages arising from a wrongful conviction or incarceration due to a violation of constitutional rights could file a claim against the state for payment of those damages, if the amount exceeds the available financial resources of the political subdivision.



Sen. Myron Dorn

The bill also would allow the political subdivision to file a claim with the state for payment of such damages independently of the successful claimant.

Dorn said he brought the bill in response to the \$28.1 million in damages awarded to the six men and women wrongly convicted of the beating death of a Beatrice woman in 1985, commonly referred to as the “Beatrice

Six.” The six individuals sued Gage County in federal court after they were exonerated by DNA evidence.

“Throughout the last several years ... the message has been that the state would not entertain any financial assistance until a final judgement was awarded,” Dorn said.

Erich Tiemann, Gage County Board of Supervisors chairman, spoke in support of the bill. Gage County has increased its property tax rates to the maximum levy to pay the settlement, he said, which will negatively impact farmers and stunt economic development.

“We’ve maxed out our ... property taxes and will maintain at that level for the better part of the decade, if not longer, depending on valuations,” Tiemann said.

Gage County farmer Art Nietfeld testified in favor of the bill, saying he most likely would pay an additional \$10,000 in property taxes each year to pay for the settlement.

“While I believe the Beatrice Six were done a very grave injustice, I also believe the wrong group of people will be paying for [it],” he said.

Lyle Koenig, an attorney who originally represented wrongfully-convicted Ada JoAnn Taylor at trial, also supported LB474.

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.

“The civil justice system has decided they’re entitled to \$28 million, but if nobody pays it, they’re still victims,” he said. “If Gage County can’t pay it, then there’s an additional injustice imposed upon these people.”

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

### Pet safety bill considered

People would be responsible for keeping their pets safe in extreme weather under a bill heard by the Judiciary Committee Feb. 20.

Under LB548, sponsored by Omaha Sen. Sara Howard, any person who leaves a household pet restrained, unsheltered or unattended during a severe weather event or natural or manmade disaster would be guilty of a Class I misdemeanor.



Sen. Sara Howard

A Class I misdemeanor carries a penalty of up to one year of imprisonment, a \$1,000 fine or both.

Howard said the bill would create consequences for people who neglect to provide proper care for their pets.

“When humans are entrusted with the care of animals, that includes looking out for their well-being,” she said. “Many animals, because they’re domesticated, are not able to handle [extreme temperatures].”

Misty Christo, representing the Nebraska Rescue Council, supported the bill. She said current law offers no protection for chained animals during extreme weather events.

“This is a carefully considered and crafted bill ... designed to solve the problem of Nebraska pets dying during severe weather and natural disasters,” Christo said.

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

### Documentation could be required for assistance animals

Landlords could require written documentation of a tenant’s disability before allowing an assistance

animal on their property under a bill considered Feb. 20 by the Judiciary Committee.

LB553, introduced by Elmwood Sen. Robert Clements, would permit landlords to require written verification from a licensed Nebraska health service provider of a tenant’s disability and the need for an assistance animal.



Sen. Robert Clements

Clements said some tenants have sought online verification letters for their pets to avoid paying pet deposits and similar pet fees.

“This [bill] seeks to address the problem of people going on the internet to pay for a verification letter stating that they need an emotional support animal when they don’t suffer from a disability,” he said.

Gene Eckel, representing the Nebraska Association of Commercial Property Owners, supported the bill.

“We strongly support the rights of disabled persons to seek reasonable accommodations but abuse is a problem for landlords,” Eckel said. “Without the clarity in this law, landlords are subject to costly legal challenges ... to dispute lawsuits from [bad] actors.”

Opposing the bill was Brad Meurrens, public policy director for Disability Rights Nebraska. A landlord could not identify an unseen disability in order to demand verification without invasive, possibly illegal questioning, he said.

“We don’t approve or endorse people trying to ‘game’ the system,” Meurrens said. “However, the goals [of LB553] can largely be achieved through education and enforcement of existing federal law.”

The committee took no immediate action on the bill.

**Bill would curb residential solar energy bans**

Residents governed by homeowners associations could not be prohibited from taking advantage of solar energy under a bill discussed by the Judiciary Committee Feb. 21.

LB621, introduced by Omaha Sen. Rick Kolowski, would prohibit an HOA from adopting or enforcing clauses that prevent a homeowner from installing a solar energy system on his or her home or buildings.



Sen. Rick Kolowski

Altering an HOA covenant requires approval by 100 percent of property owners, Kolowski said, so making changes from within an association is very difficult.

“Cities and federal agencies offer incentives and tax benefits for the installation of solar energy and other renewable energy systems,” he said. “Yet it’s common for homeowners associations to ban solar energy systems.”

Matt Gregory, representing the Nebraska Farmers Union, supported the bill. Homeowners associations should not be a barrier to clean, renewable energy, he said.

“Nebraska needs to be doing more to encourage and promote renewable energy, specifically solar and wind [energy],” Gregory said. “This would allow homeowners to be a part of the solution to climate change while saving money on their electric bills.”

Scott Williams of Omaha also spoke in favor of LB621. We live in an era increasingly impacted by global climate change, he said, and the negative consequences will continue to be felt in agriculture-based states like Nebraska.

“Nebraska is blessed with abundant

wind and solar resources,” Williams said. “We need support, not barriers.”

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



**Sales tax turnback proposed to pay for water, sewer projects**

An increasing percentage of state sales tax revenue would be turned back to municipalities and utilities to pay for water and sewer infrastructure projects under a bill heard Feb. 22 by the Revenue Committee.

LB242, introduced by Omaha Sen. Brett Lindstrom, would require the state to pay each political subdivision, sewer utility or water utility a percentage of the state sales tax imposed and collected on sewer and potable water fees.



Sen. Brett Lindstrom

“Being able to provide water and sewer [services] is critical to our economic development, sanitation and living standards for all Nebraskans,” Lindstrom said, “and unfortunately these projects are very expensive.”

The turnback rate would be 2 percent on sales taxes imposed between July 1, 2019, and June 30, 2021, and would increase incrementally to 4 percent.

The funds could be used to pay for infrastructure improvements related to constructing, upgrading, redeveloping or replacing sewer and water infrastructure facilities; the redevelopment or replacement of obsolete water or sewer facilities; or the repayment of bonds issued for such work.

The state Department of Revenue

estimates LB242 would reduce state sales tax revenue by \$463,000 in fiscal year 2019-20. That would increase to \$1.3 million by FY2023-24.

Lindstrom said he would introduce an amendment that would adjust the turnback rate to reduce the proposal’s cost.

Donna Garden, assistant director of the city of Lincoln’s transportation and utilities department, testified in support of the bill. She said Lincoln spends more than \$6 million a year to maintain its water system and another \$2 million a year on its wastewater system. Lincoln water and wastewater projects are funded solely by ratepayers, Garden said.

“These same ratepayers pay sales tax on the water and wastewater services that they receive,” she said. “This bill allows for more of those hard-earned dollars to fund the services that they are counting on for their families and their businesses.”

Also testifying in support was Omaha city council member Aimee Melton. She said Omaha has raised sewer fees significantly to pay for a federally-mandated combined sewer overflow project, which could cost up to \$3 billion.

“The state does get a windfall from the sales tax on the assessment that we have to do,” Melton said. “We are just asking for some assistance in turning back some of these funds.”

Rodney Storm, Blair city administrator, also testified in support, saying all Nebraska communities struggle with the cost of replacing aging water and sewer infrastructure. He said LB242 would help cities pay for that maintenance and for expansion projects that would drive state economic growth.

“We’re here to ask you for a partnership,” Storm said.

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

### Property tax “circuit breaker” proposed

Nebraskans whose property taxes are high relative to their incomes could apply for a refundable income tax credit under a bill heard Feb. 21 by the Revenue Committee.

Under LB420, introduced by Lincoln Sen. Kate Bolz, qualifying residential homeowners and renters as well as agricultural and horticultural landowners could apply to the state Department of Revenue for the credits for tax years beginning Jan. 1, 2020.



Sen. Kate Bolz

The credits would go to those who own agricultural or horticultural land used in a farming operation that has a federal adjusted gross income of less than \$350,000 in the most recent taxable year. A qualifying agricultural taxpayer could receive a credit equal to the amount of property taxes paid on his or her land during the most recently completed taxable year minus 7 percent of his or her federal AGI.

An individual whose principal residence is in Nebraska and who has a federal AGI of less than \$100,000 for someone who is married filing jointly or \$50,000 for any other filer also would qualify. Qualifying homeowners and renters could receive a credit of between \$300 and \$1,200 depending on their income.

Bolz said 18 states use “circuit breakers” similar to the one in LB420 to trigger an income tax credit when a person’s property taxes exceed a certain percentage of his or her income.

“LB420 targets property tax relief to those who need it more, both residential property taxpayers and modest sized farm operations,” she said.

The department could certify

up to \$107.6 million in credits for agricultural taxpayers each year. The bill would limit credits for residential taxpayers to \$82.7 million each year. If the total amount of credits calculated for applications received in any year exceeds those caps, the department would reduce the credits by a proportionate amount.

The department expects that the cap would be exceeded each year, resulting in an annual estimated reduction in general fund revenue of \$190 million beginning with fiscal year 2020-21.

Tiffany Friesen Milone, policy director at OpenSky Policy Institute, testified in support of the bill. The final report of the Legislature’s Tax Modernization Committee and a 2014 Revenue Committee report on property taxes both recommended using circuit breakers to offset property taxes, Friesen Milone said.

Jordan Rasmussen, policy manager for the Center for Rural Affairs, also testified in support. She said the value of a home or property does not always relate to the owner’s income and ability to pay the associated property taxes. Circuit breakers offset this regressivity by providing relief to those who pay a higher proportion of property taxes relative to their household income, Rasmussen said.

While it would provide significant savings for those who qualify for the credits, she added, LB420 would not correct the state’s heavy reliance on property taxes to fund K-12 education and other government services.

“In order for a property tax circuit breaker to provide the greatest benefit to ... the state’s rural communities,” Rasmussen said, “additional state revenues and a broader rebalancing of Nebraska’s tax system will be required.”

Suzan DeCamp also testified in

support of the bill on behalf of AARP Nebraska. Because property taxes are imposed on non-liquid assets, she said, it can be difficult for those with limited liquid incomes, such as older Nebraskans, to afford them. That is especially true for those whose home valuations have increased, DeCamp said.

“Many who may now be retired do not have the income to afford the yearly increases in their property taxes, especially while also meeting their basic needs for food, medicine and utilities,” she said.

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



### Bill would require voter approval for wireless taxes

Municipalities could levy additional taxes on wireless services only with voter approval under a bill considered Feb. 19 by the Transportation and Telecommunications Committee.

LB550, introduced by Omaha Sen. Tony Vargas, would require a municipality to secure voter approval before imposing a local sales tax on wireless services. Vargas said other Midwestern states provide the same services at a much lower cost to consumers.



Sen. Tony Vargas

“Not only does Nebraska have the fourth highest tax rate in the country when it comes to cell services, it is far and away the highest in the region,” he said. “Why are Nebraska taxes so much higher than every other state?”

The bill would make additional

changes to taxes and fees imposed on wireless services, including:

- lowering the enhanced wireless 911 surcharge from 70 cents to 35 cents;
- eliminating the prepaid wireless surcharge; and
- exempting wireless service from a surcharge used to fund the state's telecommunications relay system.

Chris Peterson, representing T-Mobile, spoke in support of the bill. Nebraska's wireless tax burden is exceedingly high, he said.

"At a time when carriers are expanding and improving their networks ... high taxes deter business growth and expansion," Peterson said. "Curtailing these high taxes would reduce business uncertainty."

Norman Weberka of Brainard opposed the bill. The enhanced wireless 911 surcharge will fund important technological advances in the way the deaf and hard of hearing community interact with first responders, he said.

"Several years ago, Nebraska took action to establish a relay system statewide so deaf people would have access to phone services," Weberka said. "But if they don't have the money to make those services accessible, the deaf and hard of hearing community may be in the dark again."

Representing the Nebraska Public Service Commission in opposition to the bill was Commissioner Tim Schram. LB550 would reduce funding for public safety and next-generation 911 by 22 percent, he said, while providing minimal tax relief to consumers.

"This would turn back the clock on the Legislature's unanimous decision last year to move forward with next-generation 911 services in Nebraska," he said.

The committee took no immediate action on the bill.

### Grant funds proposed for 211 service

The Transportation and Telecommunications Committee heard testimony Feb. 19 on a bill that would provide grant funding to a statewide health and human services referral program.

Currently, the Telecommunications Relay System Act levies a surcharge on telephone lines in Nebraska to provide specialized equipment for qualified deaf, hard of hearing and speech-impaired individuals.

LB641, introduced by Omaha Sen. Mike McDonnell, would allocate a portion of that surcharge to provide a \$300,000 annual grant to the 211 Information and Referral Network.



Sen. Mike McDonnell

The network is a free hotline that connects Nebraskans with non-emergency health and human services, McDonnell said, and currently is administered by United Way of the Midlands.

Much of the funding for 211 comes from charitable donations in Omaha, where United Way of the Midlands is located, he said.

"211 serves as a catalyst between people looking for help and those looking to help them," McDonnell said. "Right now, 211 is vulnerable to a downturn in the economy and changes in the philanthropic community."

The grant would be used to create a website to educate users about and connect them with available services. The grant also could be used to provide 24/7 service through telephone and online access.

The Nebraska Public Service Commission would accept applications

from potential providers each year and approve a program administrator based on its ability to update the information and referral services annually, geographically index such services by county and meet all accreditation standards set by the Alliance of Information and Referral Systems.

Pamela Schwalb, chief operating officer of United Way of the Midlands, supported LB641. She said current reliance on Omaha-area philanthropy makes the statewide service vulnerable to changes in local contributions.

"It is the most comprehensive source of local human and social services information in the state," Schwalb said. "Sustaining the infrastructure of 211 is safeguarding a vital statewide service."

Representing the Nebraska Public Service Commission, Commissioner Mary Ridder also spoke in support of the bill.

"The 211 information and referral system is a valuable service for consumers seeking to obtain assistance with a wide range of needs," she said. "While we support the goals of LB641 to provide a stable funding source ... we ask that the surcharge is clearly labeled [on phone bills] so that people know exactly where their money is going."

Oposing the bill was Michelle Weber, representing Nebraska Advocacy Group. She said it would divert the surcharge for something completely unrelated to the original Telecommunications Relay System Act.

"We do not oppose the 211 program, but we do object to the funding source proposed in the bill," Weber said. "It adds pressure to the surcharge system at a time when our state is attempting to address other surcharge priorities."

The committee took no immediate action on the bill.

**Bill seeks to ban call spoofing**

The Transportation and Telecommunications Committee heard testimony Feb. 19 on a bill that would prevent telemarketers from knowingly manipulating caller ID information.

LB693, sponsored by Hastings Sen. Steve Halloran, is intended to target companies that use caller ID to make it appear as though phone calls are from a trusted number—a process known as “spoofing.”



Sen. Steve Halloran

As originally introduced, the bill would have prohibited any person from selling or renting a phone number to an out-of-state entity unless the telephone number is publicly listed and could be verified by a telecommunications provider.

Halloran brought an amendment to the committee that would replace the original bill.

As amended, LB693 would prohibit any person working in connection with a telecommunications service or internet-enabled voice service from causing a caller ID service to knowingly provide misleading or inaccurate information with the intent to defraud, harm or wrongfully obtain anything of value.

The bill would not harm legitimate telemarketers, Halloran said, but rather help the industry and protect the people of Nebraska.

“The changing of the number and source location identification poses a significant risk to the person receiving the call, but also the person or business [whose number] has been spoofed,” he said.

The bill’s provisions would not apply to authorized law enforcement activity or a court order that authorizes

caller ID manipulation. The Nebraska Public Service Commission would be authorized to impose administrative penalties on violators of the act, not to exceed \$2,000.

Meghan Stoppel, director of the state attorney general’s Consumer Protection Bureau, supported the bill. Spoofing protections exist at the federal level, she said, but neither federal nor state law gives the Nebraska attorney general adequate enforcement or investigatory tools such as subpoena power.

“Caller I.D. spoofing per se is not unlawful and almost any attempt to make it so would be challenged and be struck down,” Stoppel said. “LB693, as amended, gives the enforcement authority to the attorney general, in addition to the PSC, and fills a gap that currently exists in Nebraska law.”

Eric Carstenson, representing the Nebraska Telecommunications Association, opposed the bill. He suggested that the Legislature wait for federal lawmakers to approve similar legislation that currently is pending.

“It would be a problem to have a patchwork of different state regulations ... which are more difficult to manage from state to state,” Carstenson said.

The committee took no immediate action on the bill.

**URBAN AFFAIRS**

**Incentives sought for affordable housing development**

A bill that would provide incentives for construction of low-income housing was considered Feb. 19 by the Urban Affairs Committee.

LB136, introduced by Sen. Justin Wayne of Omaha, would incentivize affordable housing projects by providing residential density in-

creases and regulatory concessions, as well as incentives for developments that include a certain percentage of income-restricted rental units for low-income residents.



Sen. Justin Wayne

The bill would apply to metropolitan-, primary- and first-class cities.

Wayne said that incentives could include, for example, waiving parking ratio requirements or reducing construction site requirements.

“Rather than by using the financial incentives to encourage affordable housing [construction] this bill will provide regulatory incentive to do so,” Wayne said.

Executive Director of the Nebraska Housing Developers Association, Matthew Cavanaugh, testified in favor of the bill. LB136 would reduce construction costs that have risen sharply in recent years making many new houses too expensive for low-wage earners, he said.

“Increasing the approved density of units allowed on a development gives a developer the ability to spread the fixed cost of land, utilities, legal work, marketing and other [expenses] across more units,” Cavanaugh said.

Also speaking in support of LB136 was Renee Just of Nebraska Appleseed. She said more than half of Nebraska households are cost-burdened, or paying more than 30 percent of their income for housing, including more than 20,000 in Lincoln.

Just said the bill would help ease the “affordable-housing crisis” in Nebraska.

Chad Nabity, regional planning director for the city of Grand Island, testified against the bill. He said density bonuses are appropriate in high-transit areas, but not in smaller cities



like Grand Island. LB136 also would be onerous for cities, he said.

“It is a complete slam on local control,” Nabity said.

Also testifying in opposition was Lynn Rex of the League of Nebraska Municipalities. Rex said she agreed with the goal of creating more affordable housing, but could not support a bill that “guts” local planning ordinances.

“The better approach is to have the developers come to the city, [and] work with the municipality on how best to implement an affordable housing process,” Rex said.

The committee took no immediate action on the bill.

### Bill to expand land banks considered

The Urban Affairs Committee heard testimony Feb. 19 on a bill that would allow municipalities throughout Nebraska to create or join land banks.

LB424, introduced by Grand Island Sen. Dan Quick, would allow any municipality in Nebraska to join an existing land bank—a tax-exempt political subdivision that acquires, manages and develops vacant and tax-delinquent properties—under the Nebraska Municipal Land Bank Act.



Sen. Dan Quick

Currently, only municipalities in Douglas and Sarpy counties are eligible under state law to create land banks.

Under the bill, only a metropolitan class city could create a stand-alone land bank. Currently, Omaha is the state’s only metropolitan class city. Other municipalities wishing to create a land bank would be required to join

together using the state’s Interlocal Cooperation Act.

The bill also specifies that a land bank is prohibited from levying property taxes.

Land banks, Quick said, are a way to address two issues facing cities—abandoned or blighted properties and a lack of affordable housing.

“Land banks are designed specifically to address the large amount of problem properties that the private market has abandoned,” Quick said.

Marty Barnhart of the Omaha Municipal Land Bank testified in favor of the bill. Land banks can help lower housing costs in a number of ways, Barnhart said, including removing liens against a property that in some cases exceed a house’s value.

He highlighted several formerly blighted properties in Omaha that were acquired and renovated by the land bank and are now occupied.

Chad Nabity, regional planning director for the city of Grand Island, also testified in favor of the bill. As a house ages, its value and that of neighboring properties is eroded, Nabity said.

He added that there are 197 houses in Grand Island that are believed to be vacant.

Also speaking in favor of the bill was Norfolk Mayor Josh Moenning. He said a land bank would help add affordable homes to his growing community and would reduce the time police spend patrolling abandoned buildings.

“Omaha has used this tool quite effectively,” he said. “We are here today to ask that other Nebraska cities be afforded the same restorative neighborhood revitalizing tools.”

Coby Mach of the Lincoln Independent Business Association testified against the bill. He said it would allow a land bank to acquire properties instead of private developers.

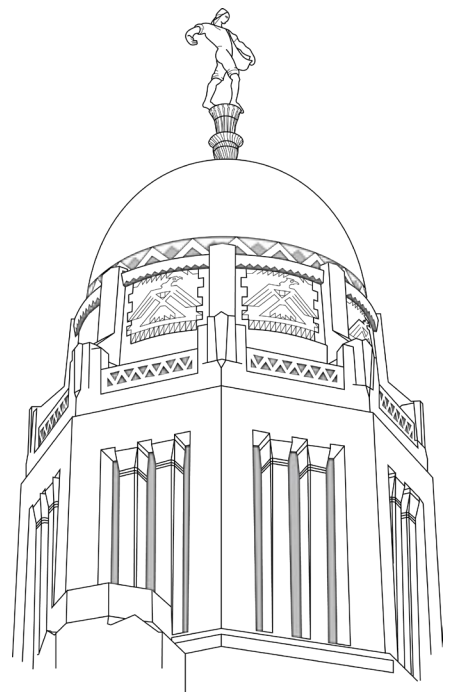
“The private sector will have to compete directly with the land bank without being afforded the same tax breaks or benefits,” Mach said. “Maybe we should provide incentives to the private sector rather than expand government.”

Ann Post testified against LB424 on behalf of the Homebuilders Association of Lincoln. She said the bill would reduce property taxes collected by a municipality. Post said there are other ways of improving blighted properties, such as tax liens or donating a property to a nonprofit.

Also testifying against the bill was Jessica Shelburn of Americans for Prosperity. She called land banks a “risky, big-government” venture.

“Unfairly competing with the private sector is not the proper role of government,” Shelburn said.

The committee took no immediate action on LB424. ■



# COMMITTEE HEARINGS

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

## **Tuesday, Feb. 26**

### **Agriculture**

#### **Room 1524 - 1:30 PM**

LB201 (McCollister) Prohibit certain unlawful acts as prescribed relating to the Weights and Measures Act  
LB229 (Groene) Prohibit certain unlawful acts as prescribed under the Weights and Measures Act  
LB157 (Brewer) Provide for voluntary registration, duties for the Department of Agriculture, and a cause of action under the Nebraska Apiary Act  
LB382 (Geist) Change the Dog and Cat Purchase Protection Act

### **Appropriations**

#### **Room 1003 - 1:30 PM**

LB293 (Speaker Scheer) Provide, change, and eliminate provisions relating to appropriations  
LB294 (Speaker Scheer) Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2021  
LB295 (Speaker Scheer) Appropriate funds for salaries of members of the Legislature  
LB296 (Speaker Scheer) Appropriate funds for salaries of constitutional officers  
LB297 (Speaker Scheer) Appropriate funds for capital construction and property acquisition  
LB298 (Speaker Scheer) Repeal funds and authorize, provide, change, and eliminate fund transfer provisions  
LB299 (Speaker Scheer) Change Cash Reserve Fund provisions

### **Banking, Commerce & Insurance**

#### **Room 1507 - 1:30 PM**

LB603 (Lindstrom) Change automatic teller machine fees  
LB407 (Lindstrom) Grant in-state credit unions powers of out-of-state credit unions as prescribed  
LB453 (Clements) Provide for hearings on credit union membership expansion applications

### **Education**

#### **Room 1525 - 1:30 PM**

LB675 (Groene) Change provisions relating to education

LB346 (Wishart) Change special education reimbursements  
LB165 (Hunt) Adopt the Too Young to Suspend Act

### **Transportation & Telecommunications Warner Chamber - 1:30 PM**

LB461 (Friesen) Eliminate certificates of public convenience and necessity and permits for common and contract motor carriers and provide a permit process for regulated motor carriers  
LB51 (Vargas) Change license applications, prohibited acts, and franchise restrictions under the Motor Vehicle Industry Regulation Act  
LB366 (Bostelman) Change registration fee for alternative fuel-powered motor vehicles  
LB698 (Bostelman) Change load provisions and penalties for commercial motor vehicles and commercial trailers  
LB325 (Bostelman) Provide for motor vehicle tax exemptions for one hundred percent service-connected disability compensation rated veterans and dependency and indemnity compensation recipients

### **Urban Affairs**

#### **Room 1510 - 1:30 PM**

LB492 (Wayne) Adopt the Regional Metropolitan Transit Authority Act  
LB476 (McCollister) Eliminate a sunset provision relating to certain retail sales of natural gas by a metropolitan utilities district  
LB574 (Brewer) Change a provision relating to regular meetings of a metropolitan utilities district  
LB445 (McDonnell) Require a city of the metropolitan class to provide an annual budget report relating to use of any occupation tax levied and collected

## **Wednesday, Feb. 27**

### **Appropriations**

#### **Room 1003 - 1:30 PM**

Agency 45: Board of Barber Examiners  
Agency 30: State Electrical Board  
Agency 74: Neb. Power Review Board  
Agency 41: State Real Estate Commission  
Agency 53: Real Property Appraiser Board

Agency 63: Neb. Board of Public Accountancy  
Agency 58: Board of Engineers and Architects  
Agency 59: Board of Geologists  
Agency 62: State Board of Examiners for Land Surveyors  
Agency 66: Abstracters Board of Examiners  
Agency 73: State Board of Landscape Architects

### **Executive Board**

#### **Room 1525 - 12:00 PM**

LB572 (Walz) Provide authority for the public counsel over an assisted-living facility  
LB598 (Walz) Provide the Public Counsel with access to data from the Adult Protective Services Central Registry  
LB599 (Walz) Provide data to the Public Counsel from the Division of Children and Family Services of the Department of Health and Human Services  
LB600 (Walz) Change a time limit relating to the authority of the deputy public counsel for institutions

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

#### **Room 1507 - 1:30 PM**

Appointments: Richard Grauerholz, Tim Hofbauer, Trent D. Kleinow - State Emergency Response Commission  
LB626 (Pansing Brooks) Create the position of veterans' workforce development coordinator in the Department of Labor  
LB144 (Hughes) Provide for voter approval of nonpartisan nomination and partisan election of county officers

### **Health & Human Services**

#### **Room 1510 - 1:30 PM**

Appointments: Kyle Klammer, Cheryl Hunt - Neb. Rural Health Advisory Commission  
LB220 (Wishart) Change provisions regarding vending facility programs in state buildings for blind vendors  
LB248 (Howard) Change terminology relating to hearing-impaired persons

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB133 (Pansing Brooks) Change

# COMMITTEE HEARINGS

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

provisions relating to structured programming and deferral of parole  
 LB262 (DeBoer) Change membership and duties of long-term restrictive housing work group  
 LB286 (McCollister) Create the Coordinated Reentry Council  
 LB331 (Bolz) Change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration  
 LB365 (Crawford) Adopt the Health Care Directives Registry Act  
 LB739 (Vargas) Change procedures and requirements for use of restrictive housing of inmates

## Natural Resources

### Room 1525 - 1:30 PM

Appointment: Mark Czaplewski - Neb. Natural Resources Commission  
 LB374 (Brewer) Provide for raptor permits for wildlife abatement

## Revenue

### Room 1524 - 1:30 PM

LB303 (Lindstrom) Change the amount of relief under the Property Tax Credit Act  
 LR8CA (Linehan) Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions  
 LB506 (Briese) Adopt the Property Tax Request Limitation Act  
 LB482 (Erdman) Provide for an adjustment to the assessed value of destroyed real property

## Thursday, Feb. 28

### Appropriations

#### Room 1003 - 1:30 PM

Agency 52: State Fair Board  
 Agency 39: Neb. Brand Committee  
 Agency 56: Neb. Wheat Board  
 Agency 61: Neb. Dairy Industry Development Board  
 Agency 86: Dry Bean Commission  
 Agency 88: Corn Development, Utilization and Marketing Board  
 Agency 92: Neb. Grain Sorghum Board

### Executive Board

#### Room 1525 - 12:00 PM

LB636 (Stinner) Create the Financial Condition of Counties and

Municipalities Task Force  
 LB681 (Hilgers) Change provisions relating to legislative subpoenas  
 LB713 (Vargas) Provide for long-term accountability from the Legislative Fiscal Analyst

### Government, Military & Veterans Affairs Room 1507 - 1:30 PM

LB522 (Linehan) Name and change the purpose of the County Civil Service Commission Act, change provisions relating to commission membership and duties, and provide for appointment of a human resources director  
 LB524 (Dorn) Change provisions relating to annexations under the Nebraska Budget Act  
 LB525 (Dorn) Change provisions relating to the sale of county land in fee simple  
 LB736 (Murman) Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities

### Health & Human Services

#### Room 1510 - 1:00 PM

Division of Developmental Disabilities Briefing

### Health & Human Services

#### Room 1510 - 1:30 PM

LB323 (Crawford) Change eligibility provisions under the Medical Assistance Act for certain disabled persons  
 LB570 (Walz) Change provisions relating to an advisory committee and a strategic plan for services for persons with disabilities  
 LB540 (Walz) Eliminate the termination date of a developmental disability service

### Judiciary

#### Warner Chamber - 1:30 PM

LB54 (Lowe) Change provisions relating to carrying a concealed weapon  
 LB58 (Morfeld) Adopt the Extreme Risk Protection Order Act  
 LB198 (Halloran) Change provisions relating to use of a deadly weapon to commit a felony and prohibit use of a facsimile firearm to commit a felony

LB343 (Halloran) Adopt the School Safety Rapid Response Option Act and authorize schools to allow employees to carry concealed handguns  
 LB275 (M. Hansen) Require notification when persons prohibited by state or federal law attempt to obtain a handgun purchase permit or concealed handgun permit  
 LB582 (Brewer) Change provisions relating to possession of a stolen firearm

### Natural Resources

#### Room 1525 - 1:30 PM

Appointment: Donald P. Batie - Neb. Natural Resources Commission  
 LB580 (Hilkemann) Change provisions relating to landfill disposal fees and rebates under the Integrated Solid Waste Management Act  
 LB632 (Hughes) Clarify a statutory reference relating to rural water districts

## Revenue

### Room 1524 - 1:30 PM

LB473 (Dorn) Change revenue and taxation provisions relating to judgments against public corporations and political subdivisions, authorize certain loans, and provide powers and duties to the State Treasurer  
 LB710 (Cavanaugh) Change provisions relating to tobacco including sales, crimes, a tax increase, and distribution of funds  
 LB493 (Wayne) Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act  
 LB529 (Groene) Change provisions relating to a property tax exemption for hospitals

## Friday, March 1

### Appropriations

#### Room 1003 - 1:30 PM

LB100 (Wayne) State intent relating to an appropriation to the Nebraska State Historical Society  
 LB225 (Quick) Appropriate funds to the Nebraska State Historical Society  
 Agency 54: Neb. State Historical Society  
 Agency 23: Dept. of Labor  
 Agency 37: Workers' Compensation Court

# COMMITTEE HEARINGS

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

Agency 77: Commission of Industrial Relations  
Agency 85: Neb. Public Employees Retirement Board  
Agency 54: Neb. State Historical Society

## **Government, Military & Veterans Affairs Room 1507 - 1:30 PM**

LB637 (Stinner) Authorize sales of tourism promotional products by the Nebraska Tourism Commission  
LB583 (Hilgers) Provide powers for certain counties under the Transportation Innovation Act  
LB414 (Brandt) Change county highway superintendent duties as prescribed and eliminate an annual report requirement  
LB633 (Wishart) Change provisions relating to real property owner information available to the public

## **Health & Human Services Room 1510 - 1:30 PM**

LB468 (Walz) Prohibit additional services and populations under the medicaid managed care program  
LB571 (Walz) Provide for a data base of grievance procedures from assisted-living facilities  
LB597 (Walz) Require reporting of incidents and development of policies for assisted living facilities

## **Judiciary Warner Chamber - 1:30 PM**

Appointments: Michelle Schindler, Shawn Eatherton, Thomas Parker - Crime Victims Reparations Committee  
LB395 (M. Hansen) Change landlord's power of possession provisions in cases of domestic violence  
LB396 (M. Hansen) Change landlord and tenant provisions relating to continuances and rental deposits  
LB433 (M. Hansen) Change provisions relating to return of tenant's deposits and damages  
LB434 (M. Hansen) Change landlord and tenant provisions relating to three-day notice to quit and to create a right of redemption for tenants  
LB435 (M. Hansen) Change provisions relating to retaliatory conduct by a landlord  
LB689 (Cavanaugh) Prohibit

discrimination by a seller or landlord on the basis of sexual orientation, gender identity, or citizenship status in any real estate transaction or lease

## **Revenue Room 1524 - 1:30 PM**

LB162 (Hunt) Impose sales and use taxes on certain services  
LB507 (Briese) Impose sales tax on certain services and eliminate sales tax exemptions  
LB508 (Briese) Impose sales and use taxes on certain services, eliminate sales tax exemptions, and use the increased revenue for property tax credits.  
LB614 (Crawford) Change revenue and taxation provisions  
LB441 (McCollister) Change provisions relating to certain sales and use tax refund deductions and applicability to municipalities as prescribed

## **Monday, March 4 Appropriations**

**Room 1524 - 1:30 PM**  
LB425 (Hilkemann) Appropriate funds to the Board of Regents of the University of Nebraska  
LB552 (McDonnell) Change appropriations relating to the Nebraska Tree Recovery Program  
LB562 (Stinner) State intent relating to University of Nebraska facilities and appropriations  
Agency 51: University of Nebraska System

## **Banking, Commerce & Insurance Room 1507 - 1:30 PM**

LB15 (Blood) Adopt the Children of Nebraska Hearing Aid Act  
LB501 (Hunt) Require insurance coverage for in vitro fertilization procedures  
LB316 (Kolterman) Adopt the Pharmacy Benefit Fairness and Transparency Act

## **Business & Labor Room 1003 - 1:30 PM**

LB526 (McDonnell) Change provisions relating to compensation for temporary disability under the Nebraska Workers' Compensation Act

LB448 (McDonnell) Change provisions relating to compensation for burial expenses under the Nebraska Workers' Compensation Act  
LB487 (La Grone) Require the Nebraska Workers' Compensation Court to adopt an evidencebased drug formulary  
LB418 (Cavanaugh) Change provisions relating to certain medical debt collection involving workers' compensation  
LB364 (Quick) Change provisions relating to a limit on fees under the Nebraska Workers' Compensation Act  
LB408 (Quick) Change provisions relating to compensation paid upon the death on an employee under the Nebraska Workers' Compensation Act

## **Education Room 1525 - 1:30 PM**

LB120 (Crawford) Require teacher and school staff to receive training on behavioral and mental health  
LB416 (Friesen) Change distribution of funds from the temporary school fund and from fines and licenses  
LB104 (Linehan) Change distribution of the Nebraska Education Improvement Fund  
LB650 (Wayne) Adopt the Teach for Nebraska Program Act and change provisions relating to the Nebraska Education Improvement Fund and the Excellence in Teaching Cash Fund

## **General Affairs Room 1510 - 1:30 PM**

Appointment: Harry Hoch - Neb. Liquor Control Commission  
LB137 (Blood) Adopt the Fantasy Contests Act and provide a gambling exception  
LB149 (Quick) Change provisions relating to vapor products  
LB397 (Briese) Change provisions relating to tobacco and other nicotine products and tobacco manufacturers  
LB734 (Hunt) Provide for licensure of charter bus services under the Nebraska Liquor Control Act

## **Transportation & Telecommunications Warner Chamber - 1:30 PM**

LB39 (Hilkemann) Change provisions relating to occupant protection system

# COMMITTEE HEARINGS

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enforcement and change certain violations from secondary to primary enforcement

LB40 (Hilkemann) Change provisions related to provisional operator's permits, LPD and LPE learner's permits, and interactive wireless communication devices

LB620 (Kolowski) Provide for enforcement of violations relating to use of handheld wireless communication devices as a primary action

LB634 (Hilkemann) Require three-point safety belt systems for school vehicles as prescribed

## **Tuesday, March 5**

### **Agriculture**

#### **Room 1003 - 1:30 PM**

LB45 (Chambers) Repeal the Black-Tailed Prairie Dog Management Act

LB304 (Crawford) Exempt certain operations from the definition of a food establishment under the Nebraska Pure Food Act

LB732 (Vargas) Adopt the Mobile Food Unit Act and change fees for a mobile food unit

### **Banking, Commerce & Insurance**

#### **Room 1507 - 1:30 PM**

LB228 (Hughes) Prohibit certain insurance practices relating to a person's status as a living organ donor

LB619 (Kolowski) Require coverage under insurance policies for mental health services delivered in schools

LB569 (Morfeld) Adopt the Out-of-Network Consumer Protection, Transparency, and Accountability Act

### **Education**

#### **Room 1525 - 1:30 PM**

LB432 (Groene) Include tax-increment financing valuation in adjusted valuations for purposes of state aid to schools and change school district levy authority

LB671 (Linehan) Provide for sparsity aid in the Tax Equity and Educational Opportunities Support Act

LB674 (Linehan) Change the base limitation for school districts

LB534 (Cavanaugh) Require public

postsecondary educational institutions to conduct an annual sexual assault climate survey

### **Transportation & Telecommunications**

#### **Warner Chamber - 1:30 PM**

LB611 (Brandt) Require train crews of at least two individuals

LB401 (Quick) Adopt the Midwest Interstate Passenger Rail Compact

LB521 (McDonnell) Change and eliminate provisions relating to automated vehicles

### **Urban Affairs**

#### **Room 1510 - 1:30 PM**

LR14CA (Wayne) Constitutional amendment to authorize municipalities to pledge property taxes for up to twenty years if more than one-half of the property in a redevelopment project is extremely blighted

LB648 (Wayne) Change the Community Development Law

LB721 (Lindstrom) Provide for insurance eligibility for spouses and dependents of deceased or disabled firefighters of cities of the first-class

LB564 (Bolz) Change the Civic and Community Center Financing Act

LB731 (Hunt) Change provisions relating to new or updated comprehensive plans adopted by municipalities

LB520 (McDonnell) Provide requirements for safety standards and operating procedures for road

construction and maintenance in cities of the metropolitan class

## **Wednesday, March 6**

### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB179 (Hilgers) Authorize the appeal of certain motions as final orders

LB231 (Pansing Brooks) Change provisions relating to legal defense of juveniles

LB352 (Morfeld) Provide requirements relating to the use of jailhouse informants

LB377 (DeBoer) Provide for voidability of certain releases from liability

LB595 (Albrecht) Change Office of Dispute Resolution to Office of Restorative Justice and Dispute Resolution and change powers and duties of the office

LB690 (Cavanaugh) Adopt the Healthy Pregnancies for Incarcerated Women Act

## **Thursday, March 7**

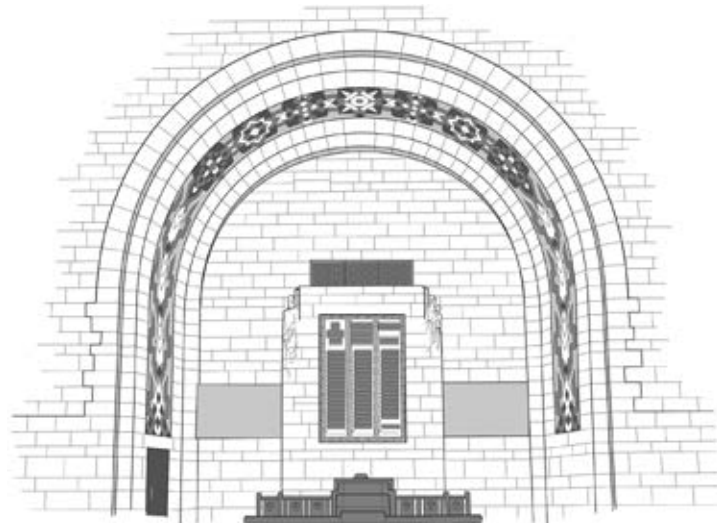
### **Judiciary**

#### **Warner Chamber - 1:30 PM**

LB44 (Chambers) Eliminate the death penalty and change provisions relating to murder in the first degree

LB207 (Morfeld) Create a Death Penalty Defense Standards Advisory Council

LB238 (Pansing Brooks) Change requirements for witnessing death penalty executions ■



# LEGISLATIVE GLOSSARY

**“A” Bill** - see Appropriation Bill.

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

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

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

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

**Bill** - see Legislative Bill.

**Bracket** - to delay consideration of a bill.

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

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

**Chair** - the presiding officer.

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

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

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

**“E” Clause** - see Emergency Clause.

**E&R** - see Enrollment and Review.

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

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

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

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

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

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

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

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

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

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

**Indefinitely Postpone (IPP)** - to kill a bill.

**Interim** - the period between regular legislative sessions.

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

**IPP** - see Indefinitely Postpone.

**Journal** - see Legislative Journal.

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

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



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

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

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

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

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

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

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

**Override a Veto** - see Veto Override.

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

**Presiding Officer** - the senator currently presiding over legislative proceedings.

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

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

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

**Resolution** - see Legislative Resolution.

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

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

may be printed in the Legislative Journal.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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