

# BILL SUMMARY

January 31, 2017

## 2017 Nebraska State Volunteer Firefighter's Association and Nebraska Fire Chief's Association Bill Analysis & Disposition Form

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 27 Murante Gov't-Military & Veterans Affairs Hearing 1/19/2017	<b>AUDITOR LATE FEE ASSESSMENTS</b>  Would authorize late fee of \$20 per day, maximum of \$2,000 per delinquency, for every political subdivision failing to file interlocal agreements with state auditor (would apply to fire protection districts). Would also change filing date from December 31 to September 20.	Neutral	In Committee
LB 36 Harr Gov't-Military & Veterans Affairs Hearing 1/20/2017	<b>ADMINISTRATIVE PROCEDURE ACT/AGENCY REVIEW OF OCCUPATIONAL CREDENTIALS</b>  Would require state agencies to review rules and regulations pertaining to the issuance of occupational credentials and to complete and release a critical assessment document (a statement developed by an agency which lacks the force of law but provides a critical analysis of the significance and necessity of the agency's rules and regulations pertaining to the issuance of all occupational credentials). Would require reviews beginning January 1, 2018 and every year thereafter. Would require a critical assessment document to state and explain a) the health, well-being or consumer protection purpose of the rule or regulation with respect to the issuance of occupational credentials; b) the protection provided by the rule or regulation with respect to the issuance of occupational credentials; c) a review and determination that the rule or regulation has achieved the purpose in a cost-effective manner without unduly inhibiting entrepreneurship and commerce; and d) a description, including an estimated quantification, of the fiscal impact on state agencies, political subdivisions, and regulated persons of the rule or regulation.	Watch	In Committee
LB 40 Hilkemann Transportation Hearing	<b>PROHIBIT CELL PHONE USE BY SCHOOL BUS DRIVER</b>  Would prohibit use of cell phone whenever school bus is in motion. Would not apply if driver communicating with law enforcement or emergency services.	Support	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 41 Hilkemann Transportation Hearing	<b>MAKE CHILD SAFETY SEAT VIOLATION PRIMARY OFFENSE</b>  Would make violation of child safety seat enforcement from a secondary offense to a primary offense and increase fine for the infraction from twenty-five dollars to fifty dollars.	Watch	In Committee
LB 42 Hilkemann Transportation Hearing	<b>INCREASE AGE FOR USE OF CHILD SAFETY SEAT AND ADOPT CERTAIN FEDERAL SAFETY PROVISIONS</b>  Would move age from six years to eight years of age for all children required to use child safety seat in vehicle and occupy the rear seat of the vehicle if available. Would also require children up to two years of age to use a rear-facing child safety seat until child outgrows the manufacture's height or weight requirements.	Watch	In Committee
LB 43 Hilkemann Transportation Hearing	<b>CHANGE DOUGLAS COUNTY 911 SERVICE SURCHARGES</b>  Would remove exception of excluding Douglas County from ability to increase uniform service surcharge for 911 service an additional fifty cents per month and also limit that monthly uniform service charge shall not exceed one dollar per month. Would also remove limitations for Douglas County capping wireless surcharge at fifty cents and allow seventy cents, like other counties.	Watch	In Committee
LB 83 Blood Transportation Hearing 2/6/2017	<b>Allow physician medial directors emergency lights</b>  Would allow physician medical director use of red lights or blue lights on motor vehicle while in route to fire or other emergency, upon authorization in writing by county sheriff.	NONE	In Committee
LB 88 Blood Health & Human Services Hearing	<b>TEMPORARY CREDENTIALS FOR MILITARY SPOUSES</b>  Would authorize Department of HHS, upon the recommendation of the appropriate board to issue a temporary credential to a military spouse complying with specified requirements pending issuance of the applicable credential under the Uniform Credentialing Act.	Support	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 89 Hughes Gov't-Military & Veterans Affairs Hearing 1/19/2017	<b>BUDGET HEARING NOTIFICATION</b>  Would change requirement for publication of notice of public hearing for budget from five days prior to date set for the hearing to four calendar days. For purposes of notice, four calendar days include day of publication but not day of hearing.	Neutral	In Committee
LB 104 Bolz Judiciary Hearing 2/9/2017	<b>AUTHORIZE SURROGATE TO MAKE HEALTH CARE DECISIONS</b>  Would authorize a surrogate, as defined in bill, to make health care decisions for patient if patient lacks capacity and no agent or guardian has been appointed. Adult or emancipated minor may personally designate any individual to act as a surrogate by personally informing supervising health care provider. In absence of designation or unavailability of designee, person listed in bill may act as surrogate. Provides default mechanisms authorizing surrogate to be an adult who had exhibited special care and concern for patient, familiar with patient's personal values, and who is reasonably available to act as a surrogate.	Oppose	In Committee
LB 127 Groene Gov't-Military & Veterans Affairs Hearing 2/2/2017	<b>REQUIRE PUBLIC NOTICE OF MEETING</b>  Would require notice of each public body meeting to be published in newspaper and may also be provided by other appropriate method designated by public body. Public body must record methods and dates of such notice in its minutes.	Neutral	In Committee
LB 130 Urban Affairs Urban Affairs Hearing 1/24/2017	<b>SEPARATE ANNEXATION LAWS INTO SEPARATE SECTIONS</b>  Would separate into different sections of law in the event of annexation of sanitary and improvement district, fire protection district, and road improvement district.	Support	In Committee
LB 156 Friesen Transportation Hearing	<b>REPEAL 911 SERVICE SYSTEM ACT TERMINATION DATE</b>  Would outright repeal section of statute which calls for termination of the 911 Service System Act on June 30, 2018.	Support	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 157 Friesen Transportation Hearing	<b>CHANGE PREPAID WIRELESS SURCHARGE</b>  Would add an additional factor in determining prepaid wireless surcharge, presently there are only two factors.	Watch	In Committee
LB 212 Hansen Business & Labor Hearing 1/23/2017	<b>ADOPT IN THE LINE OF DUTY COMPENSATION ACT</b>  Would create In the Line of Duty Compensation Act for firefighters and members of law enforcement. Firefighter includes paid or volunteer fire department member in Nebraska including a member of a rescue squad associated with a paid or volunteer fire department, and a member of an emergency medical services ambulance squad. For deaths occurring during 2018, compensation of \$50,000 and in 2019, and each year thereafter, equal to amount of compensation from previous year increased by percentage increase, if any in Consumer Price Index. Persons entitled to receive compensation shall be those designated by person killed in line of duty. If no person designated, then paid in accordance with a will left by the law enforcement officer or firefighter, if no person designated or no will left, compensation paid as follows: surviving spouse, if no surviving spouse then to surviving descendant of the decedent per stripes. If neither surviving spouse nor surviving descendants, then paid to parents of decedent or parent and then paid to others as stated in bill. To receive compensation, application filed with compensation administrator within one year after date of death and include information as set forth in bill.	Support	In Committee
LB 244 Bolz Business & Labor Hearing	<b>WORKERS' COMPENSATION - MENTAL-MENTAL INJURIES AND ILLNESSES</b>  Would extend the ability to recover benefits for mental injury and mental illness unaccompanied by physical injury to “frontline state employees” (an employee of the Department of Correctional Services or the Department of Health and Human Services whose duties involve regular and direct interaction with high-risk individuals). Under current law, only “first responders” are allowed to recover benefits for mental injuries and mental illness unaccompanied by physical injury.	Neutral	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 279 Hilkemann Transportation Hearing	<b>REQUIRE LAP-SHOULDER BELTS ON SCHOOL BUSES</b>  Would require each school bus manufactured after the effective date to be equipped with lap-shoulder belts. Would also clarify that nothing required in the act would be construed to increase or decrease liability of school district for failure of or misuse of seatbelt by injured passenger or other, nor increase or decrease liability of school district in continued operation of a school bus without lap-shoulder belts.	Watch	In Committee
LB 299 Ebke Gov't-Military & Veterans Affairs Hearing	<b>ADOPT OCCUPATIONAL BOARD REFORM ACT</b>  Would create the Office of Supervision of Occupational Boards with purpose to increase economic opportunities, promote competition, and encourage innovation. Would identify broad categories of individuals obtaining occupational license, specialty occupational license for medical reimbursement, or government certification or state recognition of individual's personal qualifications. Would authorize Office of Supervision of Occupational Boards to review and approve or reject any proposed rule, regulation, policy, enforcement action, or other regulatory action prior to adoption, promulgation, or implementation. Would require scheduled and regular review of rules and regulations.	Watch	In Committee
LB 327 Speaker Scheer Appropriations Hearing	<b>MAINLINE BUDGET BILL</b>  Section 32. Agency No. 12. State Treasurer: Program No. 117. Mutual Finance Assistance Act. MFO funding for FY 2017-18 \$4,000,000 and same amount for FY 2018-19. Section 78. Agency No. 21. State Fire Marshal: Program No. 340 - Training Div. FY 2017-18 total \$924,812 and in FY 2018-19 total \$936,560. Section 164. Agency No. 51 - University of Nebraska: Program No. 781- University Administration. There is included in the appropriation to this program for FY 2017-18 an estimated \$2,804,862 General Funds and in FY 2018-19 the same amount, for the Nebraska Forrest Service Program.	Watch	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 365 Blood Gov't-Military & Veterans Affairs Hearing 2/2/2017	<b>PUBLIC RECORDS FEES FOR NONRESIDENTS</b>  Would allow additional fees to be charged for non-residents of Nebraska for public records.	Watch	In Committee
LB 368 Lowe Transportation Hearing 2/6/2017	<b>REPEAL MOTORCYCLE HELMET LAW</b>  Would (a) prohibit a person from operating a motorcycle or moped on any highway in Nebraska unless wearing eye protection; (b) prohibit any person under the age of 6 years from being a passenger on a motorcycle or moped; and © would exempt individuals at least 21 years of age from the motorcycle helmet requirement.	Oppose	In Committee
LB 371 Crawford Judiciary Hearing 2/1/2017	<b>REPEAL CONDEMNATION AUTHORITY OF STATE FIRE MARSHAL</b>  Would eliminate condemnation authority of the State Fire Marshal.	Watch	In Committee
LB 402 Hilkemann Health & Human Services Hearing	<b>NEBRASKA REGULATION OF HEALTH PROFESSIONS ACT</b>  Would change provisions of the Nebraska Regulation of Health Professions Act, (scope of practice).	Watch	In Committee
LB 404 Groene Transportation Hearing 1/31/2017	<b>REQUIRE TWO PERSON TRAIN CREW</b>  Would require two person crews on any train or light engine used in the movement of freight. Willful violations would result in fines. Public Service Commission charged with enforcement.	Support	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 438 Howard Revenue Hearing	<b>CIGARETTE TAX</b>  Would provide for increase of cigarette tax and distribution of funds. Would direct distribution of funds from the Nebraska Healthcare Cash Fund as designated in the bill, including, among others, \$1,500,000 for ST Segment Elevation Myocardial Infarction (STEMI) and stroke cardiac monitors in training; \$1 million to the Simulation In Motion-Nebraska Program of UNMC; \$750,000 for Nebraska Emergency Medical Services Workforce Development; and \$500,000 for Nebraska Local Firefighters Training. Would increase cigarette tax from 64 cents per package to \$2.14. Would also increase amount placed in General Fund from the cigarette tax from 49 cents to \$1.24. Would increase the amount placed in the Nebraska Healthcare Cash Fund from \$1,250,000 annually to \$61,250,000.	Support	In Committee
LB 440 Wishart Judiciary Hearing 3/2/2017	<b>RESCUE TRAPPED ANIMAL IN MOTOR VEHICLE</b>  Would provide immunity from criminal or civil liability for damage to motor vehicle for a person who causes damage to a motor vehicle in order to remove and rescue an animal locked or trapped in such vehicle. Would limit conditions in which immunity would flow, including requirement that the responding person has contacted either local law enforcement, the fire department, an animal control agency, or an emergency 911 service operator prior to forcible entry of the vehicle.	Watch	In Committee
LB 444 Walz Judiciary Hearing 2/3/2017	<b>PROHIBIT CITY OR COUNTY FROM CANCELING HEALTH INSURANCE FOR LAW ENFORCEMENT</b>  Would prohibit city or county offering individual or family health insurance to law enforcement officers from canceling health insurance for law enforcement officer who suffers serious bodily injury from assault occurring on duty that results in officer falling below minimum number of work hours needed to maintain regular health insurance. Would provide cancellation if officer does not return to employment within 12 months after date of injury.	Neutral	In Committee
LB 445 Chambers Executive Board Hearing 2/2/2017	<b>PROHIBIT MEALS/BEVEREAGES TO SENATORS AT STATE CAPITOL</b>  Would prohibit any lobbyist or group of lobbyists while the legislature is in session from providing meals and beverages anywhere in the State Capitol building.	Oppose	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 450 Chambers Judiciary Hearing 3/15/2017	<b>PATIENT CHOICE AND END OF LIFE ACT</b>  Would adopt the Patient Choice at End of Life Act.	Neutral	In Committee
LB 471 Kolowski Transportation Hearing 2/2/2017	<b>USE OF CELL PHONE-PRIMARY ACTION</b>  Would repeal language making enforcement of use of cell phone while driving as a secondary action.	Support	In Committee
LB 479 Groene Gov't-Military & Veterans Affairs Hearing 1/26/2017	<b>ADD SPECIFIC JOINT ENTITY TO BUDGET ACT</b>  Would require a joint entity created pursuant to Interlocal Cooperation Act that receives funds generated under section 2-3226.05 (river-flow enhancement funds) to be included in definitions of governing body subject to the Nebraska Budget Act. Would require budget hearing to be held on separate day from regularly scheduled meeting and would require 30-day delay from time of budget hearing to adoption of budget statement.	Watch	In Committee
LB 487 Morfeld Judiciary Hearing 3/15/2017	<b>IMMUNITY FOR DRUG OVERDOSE WITNESSES</b>  Would provide exception to certain crimes for persons witnessing or experiencing drug overdoses and provide protection from civil liability, administrative action, or criminal prosecution for emergency responders and peace officers as a result of commission or omission arising out of care of person apparently experiencing opioid-related overdose unless, willful, wanton, or grossly negligent.	Support	In Committee
LB 510 Ebke Gov't-Military & Veterans Affairs Hearing	<b>RESTRICT INSTALLMENT CONTRACTS FOR PURCHASE OF REAL OR PERSONAL PROPERTY BY POLITICAL SUBDIVISIONS</b>  Would prohibit political subdivision with statutory authority to enter into instalment contracts for purchase of real or personal property to have total outstanding obligations for instalment	Watch	In Committee



<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 569 Friesen Education Hearing	<b>ESTABLISH COMMUNITY COLLEGE TASK FORCE AND SUNSET COMMUNITY COLLEGE LEVY AUTHORITY</b>  Would establish nine member Community College Task Force to evaluate duplication of educational services and funding sources for community colleges. Would require Task Force to report on its findings and recommendations for alternative funding for community colleges. The Task Force would terminate January 1, 2020. Would also terminate levying authority of community colleges effective January 1, 2020.	Watch	In Committee
LB 577 Hilgers Judiciary Hearing 3/3/2017	<b>ASSAULT ON PEACE OFFICER, FIREFIGHTER, OR OUT OF HOSPITAL EMERGENCY CARE PROVIDER BY AMBUSH</b>  Would create new criminal offense of assault on peace officer, firefighter, or out of hospital emergency care provider by ambush while such defined person is engaged in performance of official duties. Would define ambush as attack without warning from a concealed position or approach unsuspecting victim and attack unexpectedly and intentionally or knowingly cause serious bodily injury. Would establish penalty as Class IB felony with a minimum term of 40 years imprisonment and fined up to \$100,000.	Support	In Committee
LB 578 McDonnell Health & Human Services Hearing	<b>MEDICAID REIMBURSEMENT FOR GROUND EMERGENCY MEDICAL TRANSPORTATION</b>  Would provide supplemental funding for Medicaid ground emergency medical transportation services. Would calculate supplemental reimbursement as being equal to the amount of federal financial participation received as a result of claims submitted. Would make participation in the supplemental reimbursement voluntary and would describe enrollment procedures for participating entities. Would require provider to meet two conditions of eligibility by: providing ground emergency medical transport services to Medicaid managed care enrollees and is owned or operated by state, city, county, rural or suburban fire protection district, hospital district, federally recognized Indian tribe, or other unit of government. Would also provide for voluntary participation in intergovernmental transfer program to obtain increase reimbursement, similar to above description for ground transport.	Support	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 607 Kintner Revenue Hearing	<b>HOMESTEAD EXEMPTION FOR CERTAIN FIRST RESPONDERS</b>  Would authorize 100 percent homestead property exemption for a first responder, including a volunteer firefighter or volunteer out of hospital emergency care provider, who is being compensated from state or political subdivision or is receiving workers' compensation benefits because of a 100 percent disability received in the line of duty.	Support	In Committee
LB 612 Wayne Transportation Hearing	<b>REQUIRE 911 ACCESS FOR INTERNET PROTOCOL-ENABLED SERVICES</b>  Would require internet protocol-enabled service to have direct access to 911 call without additional code, digit, prefix, postfix, or trunk-access code. Would authorize public service commission to grant a one year waiver of the requirements if conditions met. Would require telecommunications company that does not comply with requirements of bill to place instructional sticker next to telephone that it is unable to directly dial 911 and provide instructions for accessing 911.	Support	In Committee
LB 623 Wishart Judiciary Hearing 3/3/2017	<b>CHANGE PROVISIONS REGARDING ASSAULT ON PUBLIC SAFETY OFFICER</b>  Would clarify definition of public safety officer (includes firefighter or out of hospital emergency care provider, among others), for purposes of assault on public safety officer.	Support	In Committee
LB 627 Larson Transportation Hearing	<b>OPERATION OF AUTONOMOUS MOTOR VEHICLES</b>  Would authorize the operation of autonomous motor vehicle by person with valid operator's license.	Watch	In Committee

<b>Bill Introducer Committee Hearing Date</b>		<b>Position</b>	<b>Status</b>
LB 631 Larson General Affairs Hearing 2/6/2017	<b>CREDIT CARD PAYMENT FOR GAMING ACTIVITIES</b>  Would allow payment of gaming activities thorough use of credit card. Would also require pickle card operator to purchase, lease or rent dispensing device at not less than cost plus 10 percent, plus maintenance costs. Would also permit payouts from gross proceeds to be in range of 65 percent to 85 percent, current highest amount is 80 percent. Would also increase the amount available to be retained by licensed pickle card operator from 30 percent to 35 percent.	Watch	In Committee
LB 638 Bostelman Judiciary Hearing 3/3/2017	<b>ENHANCEMENT OF CRIMINAL PENALTIES BASED UPON VICTIM'S EMPLOYMENT</b>  Would increase penalty to next higher classification prescribed for the offense for crimes against person, person's property, or person's association with person employed as peace officer, probation officer, firefighter, emergency responder, out of hospital emergency care provider, local correctional employee, employee of Department of Correctional Services, employee of Department of HHS if the person committing the offense is a dangerous sex offender under the Sex Offender Commitment Act, or a healthcare professional.	Support	In Committee
LB 644 Government, Military and Veterans Affairs Committe Judiciary Hearing	<b>PROVIDE, CHANGE, AND ELIMINATE PROVISIONS GOVERNING BOARDS, COMMISSIONS, AND SIMILAR ENTITIES</b>  Would eliminate all references to board of emergency medical services in statute (see Sections 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31). Would also outright repeal all provisions of law concerning Critical Incident Stress Management Act (See	Oppose	In Committee
LB 646 Pansing Brooks Executive Board Hearing 2/6/2017	<b>EXTREME WEATHER PREPAREDNESS TASK FORCE AND STRATEGIC PLAN</b>  Would create task force, consisting of legislators to develop strategic action plan related to pests, drought, floods, high winds, impacts of extreme weather events or climate change. Task force to submit strategic action plan on or before December 15, 2017, to Governor and Legislature.	Watch	In Committee