



## Nebraska Legislative Bills Introduced 2019 (106th Legislature)

January 15, 2019 Update

Prepared by Jackson Lewis, P.C.

Christopher Hoyme, Principal, Jackson Lewis (Legislative Director Nebraska SHRM)

Attorneys at Jackson Lewis
Amanda Fray
Caitlin Ellis
Amy Thompson
Brock Pohlmeier
Sarah Barnhill
Elizabeth Evans
Catherine Cano

Bill No.	Bill Description	Status
LB109	Require the position classification plan and salary or pay plan for	1/10/2019
D - I -	state employees to include certain classifications	Date of Introduction
Bolz	Public Employer Impact: The bill would require the State to	1/14/2019
	include several corrections officer positions in the position classification plan and the salary or pay plan for each fiscal year, starting with the fiscal year 2021-2022. The positions include: Corrections corporal I, II, and III; Corrections sergeant I, II, and III; and Corrections unit caseworker I, II, and III. Each of the foregoing positions would be assigned to a different pay grade within the salary or pay plan.	Referred to Government, Military and Veteran Affairs Committee
LB110	Adopt The Medical Cannabis Act	1/10/2019
		Date of Introduction
Wishart	Employer Impact: The bill would allow individuals with certain	4/44/0040
	qualifying medical conditions to apply for enrollment in the state's medical cannabis registry (which would be created	1/11/2019 Wishart priority bill
	pursuant to the Act). The bill would also reconcile state criminal	Wishart phonty bill
	laws to permit the use and possession of cannabis pursuant to	1/14/2019
	the Act.	Referred to Judiciary Committee
	Registered patients would be permitted to legally consume marijuana, possession three ounces or less of marijuana on his or her person, legally possess six or fewer mature marijuana plants, legally possess six or fewer seedling marijuana plants, legally possess one ounce or less of concentrated marijuana, legally possess 72 ounces or less of edible marijuana, and	

	legally possess eight ounces or less of marijuana in his or her residence.	
	Qualifying conditions include cancer (with certain symptoms or treatment side effects), glaucoma, HIV, Tourette's syndrome, amyotrophic lateral sclerosis, seizures (including epilepsy), severe and persistent muscle spasms (including multiple sclerosis), terminal diseases (with certain symptoms or treatment side effects), Hepatitis C, Huntington's disease, Lupus, Parkinson's disease, Lyme disease, spinal cord injury or disease, Opioid addition, Post-Traumatic Stress Disorder; anxiety; or other illness for which cannabis provides relief as determined by the health care practitioner.	
	The bill requires the division to register up to 10 marijuana producers and up to 10 processers in each congressional district in Nebraska for the production of all cannabis within Nebraska by Nov. 1, 2020. A producer would be required to start supplying cannabis to processors on or before May 1, 2021. Processors would be required to supply cannabis to dispensaries on or before May 1, 2021.	
	Although the bill prohibits landlords and schools from refusing to enroll or lease to a registered patient, it does not contain similar provisions for employers.	
	The bill does not permit any person to: undertake any tasks under the influence of cannabis that would constitute negligence or professional malpractice; possess or use cannabis on a school bus or van, on the grounds of any preschool or primary or secondary school, in any adult or juvenile correctional facility or on the grounds of any child care facility or home day care; vaporize cannabis on any form of public transportation, anywhere where the smoke could be inhaled by a nonpatient minor child, in any public place including a place of employment; or operate a motor vehicle, aircraft, train, or boat, or work on transportation property, equipment or facilities while under the influence of marijuana.	
LB84	Amend federal taxable income for corporations and fiduciaries	01/10/2019
Wayne	Employer Impact: The bill would allow a reduction of federal taxable income for employers paying wages to employees convicted of a felony. For tax years beginning on or after January 1, 2020, federal taxable income for corporations is reduced by 65% of wages paid by the taxpayer to individuals convicted of a felony in Nebraska or any other state. The deduction only applies to wages paid during the first twelve (12)	Date of Introduction  01/14/2019 Referred to Revenue Committee  01/16/2019 Notice of hearing for 01/23/2019
	months of the individual's employment with the taxpayer. The total deduction shall not exceed \$20,000.	
LB50	Change individual income tax brackets and rates	01/10/2019 Date of Introduction
Vargas	Employer Impact: This bill adds a 5 <sup>th</sup> income bracket with an additional 1% tax rate, and adds an additional 1-2% tax to	01/14/2019 Referred to Revenue Committee

	taxpayer's Nebraska taxable income in excess of one million dollars.	01/16/2019 Notice of hearing for 01/23/2019
LB217 Pansing-	Prohibit retaliation against employees for communicating about wages	
Brooks	Employer Impact: This bill adds a provision to the Nebraska Wage Payment and Collection Act that prohibits employers from retaliating against an employee because the employee inquired, discussed or disclosed comparative compensation information for the purpose of determining whether the employer is compensating any employee in a manner that provide equal pay for equal work.	
	The bill provides an exception when an employee who has authorized access to wage information of other employees as a part of such employee's job functions discloses the wages of such other employees to an individual who does not otherwise have authorized access to such information, unless such disclosure is in response to a charge or complaint or in furtherance of an investigation, proceeding, hearing, or other action, including an investigation conducted by the employer.	
LB19 Briese	Allow withholding from public of reports of injury under the Nebraska Workers' Compensation Act as prescribed and provide duties for the Nebraska Workers' Compensation Court	01/10/2019 Date of Introduction
	Employer Impact: This bill adds a provision to Neb. Rev. Stat. § 84-712.05 of the Nebraska Workers' Compensation Act that requires the lawful custodian of records to withhold from the public any injury reports filed with the Nebraska Workers' Compensation Court pursuant to Neb. Rev. Stat § 48-144.01.	01/14/2019 Referred to Business and Labor Committee