

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

**April 16, 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**

<b>Bill No.</b>	<b>Bill Description</b>	<b>Status</b>
LB109  Bolz	Require the position classification plan and salary or pay plan for state employees to include certain classifications  <b>Public Employer Impact:</b> The bill would require the State to 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.	1/10/2019 Date of Introduction  1/14/2019 Referred to Government, Military and Veteran Affairs Committee  2/4/2019 Notice of Hearing for 1/14/2019  3/19/2019 Bolz priority Bill
LB110  Wishart	Adopt The Medical Cannabis Act  <b>Employer Impact:</b> The bill would allow individuals with certain qualifying medical conditions to apply for enrollment in the state’s medical cannabis registry (which would be created pursuant to the Act). The bill would also reconcile state criminal laws to permit the use and possession of cannabis pursuant to the Act.  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,	1/10/2019 Date of Introduction  1/11/2019 Wishart priority bill  1/14/2019 Referred to Judiciary Committee  1/17/2019 Notice of Hearing for 1/25/2019  1/25/2019 Wishart AM21 filed

	<p>legally possess 72 ounces or less of edible marijuana, and legally possess eight ounces or less of marijuana in his or her residence.</p> <p>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.</p> <p>The bill requires the division to register up to 10 marijuana producers and up to 10 processors 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.</p> <p>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.</p> <p>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.</p> <p><b>1/25/2019 Amendment:</b></p> <p>As amended, a new state regulatory agency – the Cannabis Enforcement Department – would be tasked with reviewing and approving applications for medical cannabis use.</p>	
<p>LB84  Wayne</p>	<p>Amend federal taxable income for corporations and fiduciaries</p> <p><b>Employer Impact:</b> 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)</p>	<p>01/10/2019 Date of Introduction</p> <p>01/14/2019 Referred to Revenue Committee</p> <p>01/16/2019 Notice of hearing for 01/23/2019</p>

	months of the individual's employment with the taxpayer. The total deduction shall not exceed \$20,000.	
LB50  Vargas	Change individual income tax brackets and rates  <b>Employer Impact:</b> This bill adds a 5 <sup>th</sup> income bracket with an additional 1% tax rate, and adds an additional 1-2% tax to taxpayer's Nebraska taxable income in excess of one million dollars.	01/10/2019 Date of Introduction  01/14/2019 Referred to Revenue Committee  01/16/2019 Notice of hearing for 01/23/2019  01/24/2019 Hunt name added
LB217  Pansing- Brooks	Prohibit retaliation against employees for communicating about wages  <b>Employer Impact:</b> 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.	01/11/2019 Date of Introduction  01/15/2019 Referred to Business and Labor Committee  01/29/2019 Notice of Hearing for February 11, 2019  02/21/2019 Placed on General File with AM387  02/21/2019 Business and Labor AM387 filed  03/05/2019 Cavanaugh name added  03/14/2019 Business and Labor AM387 adopted  03/14/2019 Advanced to Enrollment and Review Initial  03/14/2019 Blood name added  03/15/2019 Hansen, M. name added  03/19/2019 Placed on Select File with ER49  03/19/2019 Enrollment and Review ER49 Filed

		<p>03/28/2019 Hansen, M. AM946 filed</p> <p>04/02/2019 Hansen, M. AM1168 filed</p> <p>04/03/2019 Enrollment and Review ER49 adopted</p> <p>04/03/2019 Hansen, M. AM946 withdrawn</p> <p>04/03/2019 Hansen, M. AM1168 withdrawn</p> <p>04/03/2019 Hansen, M. AM1184 filed</p> <p>04/03/2019 Hansen, M. AM1184 adopted</p> <p>04/03/2019 Advanced to Enrollment and Review for Engrossment</p> <p>04/04/2019 Placed on Final Reading with ST13</p> <p>04/11/2019 Passed on Final Reading 46-1-2</p> <p>04/11/2019 President/Speaker signed</p> <p>04/11/2019 Presented to Governor on April 11, 2019</p>
LB19 Briese	<p>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</p> <p><b>Employer Impact:</b> 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.</p>	<p>01/10/2019 Date of Introduction</p> <p>01/14/2019 Referred to Business and Labor Committee</p> <p>02/08/2019 Notice of Hearing for March 18, 2019</p> <p>03/01/2019 Notice of Hearing for March 18, 2019 (cancel)</p> <p>03/01/2019</p>

		Notice of Hearing for March 25, 2019
LB249 Howard	Change of statute of limitations for civil actions arising from a sexual assault  <b>Employer Impact:</b> The bill provides that, for civil sexual assault claims that arise following the effect date of the act or were not time-barred as of the effective date of the act, there will be no time limitation for the victim of sexual assault to bring a civil claim against an individual or individuals directly causing an injury by violating Nebraska's sexual assault laws.	1/14/2019 Date of Introduction  1/16/2019 Referred to Judiciary Committee  1/17/2019 Blood name added  2/05/2019 Notice of Hearing for February 22, 2019
LB254 McCollister	Adopt the Fair Chance Hiring Act  <b>Employer impact:</b> The bill prohibits employers with 15 or more employees, and employment agencies, from asking an applicant, orally or in writing, about their criminal record or history. This prohibition includes any inquiry on an employment application unless and until the employer or employment agency has determined that the applicant meets the minimum employment qualifications for the position.  The employer or employment agency may inquire about an application's employment history, pre-qualification determination, only if (1) the applicant is applying for a position where a criminal history record information check is required by state or federal law, or (2) state or federal law specifically disqualifies any applicant with a criminal background, and (3) the inquiry or request for disclosure is limited to the types of criminal offenses that the employer or employment agency is required to conduct or that would necessarily disqualify the applicant.	1/14/2019 Date of Introduction  1/16/2019 Referred to Business and Labor Committee  1/28/2019 Notice of Hearing for February 4, 2019  2/14/2019 Placed on General File  2/20/2019 Hansen, B. AM384 filed  2/20/2019 Hansen, B. AM384 adopted  2/20/2019 Advanced to Enrollment and Review Initial  2/26/2019 Placed on Select File with ER40  2/26/2019 Enrollment and Review ER40 filed  03/07/2019 Enrollment and Review ER40 adopted  03/07/2019 Advanced to Enrollment and Review for Engrossment  03/12/2019 Placed on Final Reading

<p>LB271 Morfeld</p>	<p>Change Provisions Relating to Releases, Covenants Not to Sue, or Similar Agreements on Joint and Several Liability</p> <p><b>Employer Impact:</b> The bill provides that any release, covenant not to sue, or similar agreement, entered into by a claimant and the liable person/party shall not abrogate the joint and several liability of any other person or persons that may also be liable for the same claim.</p>	<p>1/15/2019 Date of Introduction</p> <p>1/17/2019 Referred to Judiciary Committee</p> <p>1/23/2019 Notice of Hearing for 2/1/2019</p>
<p>LB272 Morfeld</p>	<p>Adopt the Apprenticeship Training Program Tax Credit Act</p> <p><b>Employer Impact:</b> The bill would allow taxpayers who plan to employ one or more apprentices as part of a qualified apprenticeship training program to apply to receive tax credits under the Apprenticeship Training Program Tax Credit Act.</p> <p>The tax credit will equal one dollar multiplied by the total number of hours during the following year worked as part of the qualified apprenticeship training program, not to exceed for any individual apprentice (1) \$2,000, or (2) fifty percent of the total wages expected to be paid to the apprentice during the following calendar year, whichever is less.</p> <p>The tax credit will be a nonrefundable credit against the income tax imposed by the Nebraska Revenue Act of 1967.</p>	<p>1/15/2019 Date of Introduction</p> <p>1/17/2019 Referred to Revenue Committee</p> <p>1/24/2019 Notice of Hearing for February 1, 2019</p>
<p>LB408 Quick</p>	<p>Amend Nebraska Workers' Compensation Act regarding compensation of a personal representative of an injured employee</p> <p><b>Employer Impact:</b> This bill adds a provision to Neb. Rev. Stat. § 48-122.01 to change compensation to be paid upon the death of an employee. If there is no spouse, child, or other dependent entitled to benefits, \$25,000 shall be paid to the personal representative of the deceased employee's estate.</p>	<p>01/18/2019 Date of Introduction</p> <p>01/23/2019 Referred to Business and Labor Committee</p> <p>02/08/2019 Notice of Hearing for March 4, 2019</p>
<p>LB448 McDonnel</p>	<p>Amend Nebraska Workers' Compensation Act as it relates to burial expenses of an injured employee</p> <p><b>Employer Impact:</b> This bill changes a provision in the Nebraska Workers' Compensation Act regarding the amount to be paid for reasonable expenses of a burial following the death of an injured employee, which was previously capped at \$10,000.</p> <p>The reasonable expenses of a burial are not to exceed an amount equal to fourteen times the state average weekly wage determined pursuant to § 48-121.02 for the calendar year in which the death occurred. The employer cannot deduct from the reasonable burial expenses any amount paid for compensation or medical expenses. These expenses shall be paid to dependents, or if no dependents to the employee's personal representative.</p>	<p>01/18/2019 Date of Introduction</p> <p>01/23/2019 Referred to Business and Labor Committee</p> <p>02/08/2019 Notice of Hearing for March 4, 2019</p>
<p>LB305 Crawford</p>	<p>Adopt the Healthy and Safe Families and Workplaces Act</p>	<p>01/15/2019 Date of Introduction</p>

<p><b>Employer Impact:</b> This bill adopts the Healthy and Safe Families and Workplace Act, which requires employers to provide paid sick and safe time off to part time and full time employees. This bill applies to all private employers that employ for four (4) more persons at any one time, excluding any employees who more no more than twenty weeks (20) in any calendar year.</p> <p>Under the bill, employees would accrue a minimum of one (1) hour of sick and safe time for every thirty (30) hours works. Such employees would not accrue more than forty (40) hours of paid and sick leave per year unless the employer selects a higher limit. Employees exempt from overtime are assumed to work forty (40) hours in each work week, unless their normal work week is less than forty (40) hours, in which case paid sick and safe leave accrues based upon that normal week. Employees will be entitled to use accrued paid sick and safe time beginning on the sixteenth (16) calendar day following commencement of employment. Remaining paid sick and safe time would be carried over to subsequent calendar years.</p> <p>Employers with a paid leave policy, such as paid time off, who make a sufficient amount of paid leave available, which may be used for the same purposes as under the Act, are not required to provide additional paid sick and safe time.</p> <p>The bill does not require employers to pay out unused, accrued sick and safe time upon the employee's termination, resignation, retirement or other separation. The bill provides provisions regarding employees transferring divisions and for employees rehired within six (6) months. Employers can loan paid sick and safe time in advance.</p> <p>The bill provides a list of reasons employees can use paid sick and safe time including, the employee's mental or physical illness, injury or health condition; care of family member with mental or physical illness injury, or health condition; and absences necessary due to domestic abuse, domestic assault, sexual, assault or stalking, if the leave, with some limitations.</p> <p>The bill provides procedures to verify the need for leave and guidelines for verification, including permissible documentation. It also provides confidentiality, required disclosure, and anti-retaliation provisions.</p> <p>The bill provides optional administrative remedies and also allows an aggravated person to file directly in court to</p>	<p>01/17/2019 Referred to Business and Labor Committee</p> <p>01/28/2019 Notice of Hearing for February 4, 2019</p> <p>03/07/2019 Placed on General File with AM592</p> <p>03/07/2019 Business and Labor AM592 filed</p>
---	--



	<p>recover unpaid sick and safe leave and attorney's fees. The bill also provides penalties for violations of not more than five hundred dollars (\$500) for the first offense, and not more than five thousand dollars (\$5,000) for the second and subsequent offenses.</p>	
<p>LB306 Crawford</p>	<p>Change provisions relating to good cause for voluntarily leaving employment under the Employment Security Law</p> <p><b>Employer Impact:</b> This bill provides that an employee has good cause for separating employment – therefore is <u>not</u> disqualified for unemployment insurance – if the employee separated from employment to care for a family member with a serious health condition. The bill also provides definitions for “family member” and “serious health condition.”</p>	<p>01/15/2019 Date of Introduction</p> <p>01/17/2019 Referred to Business and Labor Committee</p> <p>01/18/2019 Notice of Hearing January 28, 2019</p> <p>01/31/2019 Placed on General File with AM71</p> <p>01/31/2019 Business and Labor AM71 filed</p> <p>02/06/2019 Business and Labor AM71 pending</p> <p>02/07/2019 Business and Labor AM71 adopted</p> <p>02/07/2019 Advanced to Enrollment and Review Initial</p> <p>02/08/2019 Placed on Select File</p> <p>02/08/2019 McCollister named added</p> <p>02/13/2019 Advanced to Enrollment and Review for Engrossment</p> <p>02/22/2019 Placed on Final Reading</p> <p>03/01/2019 Failed on Final Reading 20-15-14</p> <p>03/01/2019 Crawford MO19 Reconsider the vote on the final passage of the bill filed</p>



<p>LB311</p> <p>Crawford</p>	<p>Adopt the Paid Family and Medical Leave Insurance Act</p> <p><b>Employer Impact:</b> This bill provides paid family and medical leave to be paid from a fund consisting of private donations, money transferred to the fund by the Legislature, and contributions from covered employers. In no case will the contributions from a covered employer exceed one percent of gross wages paid to covered individuals by such employer.</p> <p>This bill provides that, beginning July 1, 2021, a covered individual may take up to 12 weeks a year of <u>paid</u> family and medical leave to 1) to care for a new child of the during first year following birth, adoption, or placement through foster care; or 2) the covered individual has a serious health condition, including pregnancy, that makes the covered individual unable to perform the functions of his/her position.</p> <p>A covered individual is able to take up to 6 weeks a year paid leave to 1) care for family member who has serious health condition; 2) care for a family member or next of kin that is a covered service member for a covered reason; or 3) qualifying exigency leave.</p> <p>A covered employee is eligible for leave if he has been employed by a covered employer for twenty-six or more consecutive <u>weeks</u>. The monetary amount the employee receives during leave depends on the employee's weekly wage. The amount an employee can receive in any week is capped at 66% of the state average weekly wage. The bill provides the frequency and method that leave benefits must be paid.</p> <p>The bill also provides the procedure to file an initial claim for paid family and medical. The employee files the initial claim with the commission on a provided form. The bill provides the type of information needed and that can be requested. The commission informs the employer of the request and then makes a determination of the employee's eligibility. If eligible, the commission pays the employee. Employees do have the right to appeal an ineligibility decision. <i>It does not appear that employers have the right to appeal a decision.</i></p> <p>The commission will let the employee know before leave terminates. If the employee does not return after leave, the employee protections in section 8 do not apply. Section 8 provides that, upon return to work from leave, the employee is entitled to be restored to his same or equivalent position.</p>	<p>01/15/2019 Date of Introduction</p> <p>01/17/2019 Referred to Business and Labor Committee</p> <p>01/18/2019 Hilkemann name withdrawn</p> <p>01/28/2019 Notice of Hearing for February 4, 2019</p> <p>03/07/2019 Placed on General File with AM570</p> <p>03/07/2019 Business and Labor AM570 filed</p> <p>03/12/2019 Cavanaugh priority bill</p> <p>03/19/2019 Business and Labor AM570 pending</p> <p>03/19/2019 Business and Labor AM570 pending</p> <p>03/19/2019 Chambers MO26 Recommit to the Business and Labor Committee filed</p> <p>03/19/2019 Chambers MO26 withdrawn</p> <p>03/19/2019 Slama FA24 filed</p> <p>03/19/2019 Slama FA24 pending</p> <p>03/20/2019 Slama FA24 pending</p>
------------------------------	---	--

	<p>During leave, the covered employee shall maintain any health benefits as long the employee continues to pay his share of the cost of such health benefits during leave.</p> <p>An employer cannot require a covered individual to exhaust his accrued vacation or sick time prior to taking paid family medical leave.</p> <p>This bill also provides anti-interference, anti-discrimination, and anti-retaliation provisions. Additionally, it provides rules regarding family and medical leave for servicemen and for intermittent leave.</p> <p>The commission has the ability to conduct investigations into violations. The administrative penalty for a violation will not exceed five hundred dollars for the first violation and not than five thousand dollars in the case of a second or subsequent violation.</p> <p>A covered employer that provides a paid leave that is at least as generous of the leave provided under the bill can apply for an exemption. There are additional rules if exempted.</p> <p>The employer can require the employee to take the leave concurrently with certain other types of leave.</p> <p>Each covered employee must provide written notice of the Act to each covered individual at hiring and annually thereafter, display and maintain a poster in the work place, in addition to other notice and disclosure requirements.</p>	
<p>LB361 Hansen</p>	<p>Prohibit retaliation under the Nebraska Wage Payment and Collection Act and the Wage and Hour Act</p> <p><b>Employer Impact:</b> This bill amends sections 48-1205, 48-1206, 48-1207, 48-1208, 48-1209, and 48-1228 to the Nebraska Fair Employment Practices Act to prohibit employers from retaliating against an employee for filing a complaint or for testifying, assisting, or participating in an investigation, proceeding, or action concerning a violation of the Nebraska Wage and Payment and Collection Act.</p>	<p>1/16/2019 Date of Introduction</p> <p>1/18/2019 Referred to Business and Labor Committee</p> <p>1/29/2019 Notice of Hearing for February 11, 2019</p> <p>02/14/2019 Placed on General File with AM289</p> <p>02/14/2019 Business and Labor AM289 filed</p> <p>02/20/2019</p>

		<p>Business and Labor AM289 adopted</p> <p>02/20/2019 Advanced to Enrollment and Review Initial</p> <p>02/26/2019 Placed on Select File</p>
LB362 Hansen	<p>Require payment of unpaid wages for violations of the Nebraska Wage Payment and Collection Act</p> <p><b>Employer Impact:</b> This bill amends section 48-1234 to the Nebraska Wage Payment and Collection Act to require an employer, who is issued a citation for a possible violation of the Nebraska Wage Payment and Collection Act to pay to any employees that were the subject of the violation underlying such citation any unpaid wages due to such employees and found to be owing by the commissioner.</p>	<p>1/16/2019 Date of Introduction</p> <p>1/18/2019 Referred to Business and Labor Committee</p> <p>1/29/2019 Notice of Hearing for February 11, 2019</p>
LB418 Cavanaugh	<p>Change provisions relating to certain medical debt collection involving workers' compensation</p> <p><b>Employer Impact:</b> This bill amends the Collection Agency Act to prevent collection agencies from attempting to collect debts for medical bills alleged to be covered under Nebraska's workers' compensation laws while the case is pending before the Nebraska Workers' Compensation Court. The bill further harmonizes the existing provisions of the law with the proposed amendments.</p>	<p>1/18/2019 Date of Introduction</p> <p>1/23/2019 Referred to Business and Labor Committee</p> <p>02/08/2019 Notice of Hearing for March 4, 2019</p> <p>03/19/2019 Business and Labor priority bill</p> <p>04/04/2019 Hansen, M. name added</p> <p>04/15/2019 Placed on General File with AM1266</p> <p>04/15/2019 Business and Labor AM1266 filed</p>
LB 428 Friesen	<p>Change provisions relating to eligibility for benefits under Nebraska's unemployment compensation statute</p> <p><b>Employer Impact:</b> This bill amends the unemployment compensation statute to require the commissioner to waive certain eligibility requirements for individuals attached to a regular job with an employer with a North American Industry Classification System code of 237310, Highway, Street and</p>	<p>January 18, 2019 Date of Introduction</p> <p>January 23, 2019 Referred to Business and Labor Committee</p> <p>02/08/2019</p>

	<p>Bridge Construction. For a period of not less than 120 days, such individuals would not be required to register for work at an employment office, actively search for work or report at an employment office.</p>	<p>Notice of Hearing for March 25, 2019</p> <p>03/01/2019 Notice of Hearing for March 25, 2019 (cancel)</p> <p>03/01/2019 Notice of Hearing for March 18, 2019</p> <p>03/19/2019 Business and Labor priority bill</p> <p>03/27/2019 Wayne MO40 indefinitely postpone pursuant to Rule 6, Sec. 3(f) filed</p> <p>03/28/2019 Placed on General File with AM758</p> <p>04/09/2019 Wayne MO40 withdrawn</p> <p>04/09/2019 Business and Labor AM758 adopted</p> <p>04/09/2019 Hansen, M. FA41 filed</p> <p>04/09/2019 Hansen, M. FA41 adopted</p> <p>04/09/2019 Advanced to Enrollment and Review Initial</p> <p>04/11/2019 Placed on Select File with ER77</p> <p>04/11/2019 Enrollment and Review ER77 filed</p>
<p>LB359 Hansen, M.</p>	<p>Change provisions relating to service of citations for violations in the Employment Security Law and Nebraska Wage Payment and Collection Act and relating to appointment of the meatpacking industry worker rights,</p>	<p>01/16/2019 Date of Introduction</p> <p>01/18/2019</p>

	<p>amending §§ 48-618, 48-619, 48-621, 48-622.03, 48-649.03, 48-652, 48-1234, and 48-2213.</p> <p><b>Employer Impact:</b> The proposed amendment would allow money payable to the Unemployment Compensation Fund, currently deposited into the clearing account, to be also used to offset future benefit draws from the unemployment trust fund.</p>	<p>Referred to Business and Labor Committee</p> <p>01/18/2019 Notice of hearing for 01/28/2019</p> <p>01/31/2019 Placed on General File</p> <p>02/06/2019 Advanced to Enrollment and Review Initial</p> <p>02/08/2019 Placed on Select File</p> <p>02/13/2019 Advanced to Enrollment and Review for Engrossment</p> <p>02/22/2019 Placed on Final Reading</p> <p>03/01/2019 Dispensing of reading at large approved</p> <p>03/01/2019 Passed on Final Reading 44-0-5</p> <p>03/01/2019 President/Speaker signed</p> <p>03/04/2019 Wayne explanation of vote</p> <p>03/12/2019 Approved by Governor on March 07, 2019</p>
<p>LB667 Vargas</p>	<p>Adopt the Youth Opportunities in Learning and Occupations Act to grant funding to employers that provide training opportunities to young people between the ages of sixteen and twenty-four years.</p> <p><b>Employer Impact:</b> The proposed bill would award grants to employers seeking to secure training for young people for demand occupations in a particular industry, or to nonprofit corporations that do business in Nebraska and provide to young people soft-skills training, career counseling, or other programming related to career readiness.</p> <p>Beginning in fiscal year 2019-2020 and each fiscal year after, the Commissioner of Labor shall award grants in equal amounts to each congressional district. If there are not sufficient qualified applicants in any congressional district, the commissioner may award the unused grant funds to another congressional district.</p>	<p>01/23/2019 Date of Introduction</p> <p>01/25/2019 Referred to Business and Labor Committee</p> <p>01/28/2019 Notice of Hearing for 02/04/2019</p>

	<p>No more than one-half of the funds allocated to a particular congressional district shall be awarded to employers.</p> <p>The Commissioner will give priority to programs, services, or training that results in employment, and no money shall be used for capital construction. Appeals of a decision of the Commissioner shall be in accordance with the Administrative Procedure Act.</p> <p>The Department of Labor shall adopt rules and regulations to carry out the Act. The rules and regulations will include, but not be limited to, application timelines and requirements, guidelines for evaluating applications, a plan for evaluating the effectiveness of programs, services, and training that receive funding, and a reporting process for grant recipients.</p> <p>The proposed funding for fiscal year 2019-20 is twenty million dollars.</p>	
<p>LB 714 Crawford</p>	<p>Adopt the Nebraska Industrial New Job-training Act affecting employers engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, operating e-fulfillment centers, or providing services. The term employer does not include any business engaged in retail, health, or professional services or any business which closes or substantially reduces its operation in one area of the state and relocates substantially the same operation to another area of the state.</p> <p><b>Employer Impact:</b> An employer may apply to the Department of Economic Development for approval of a project. A project is a training arrangement which is the subject of an agreement entered into between a community college and an employer in which the community college provides services and other assistance to the employer. The application shall contain the name of the employer, the community college to be involved in the project, the services and other assistance to be provided by the community college, the number of jobs to be created, and the average wage expected to be paid for such new jobs.</p> <p>If the Department finds that the project will result in new jobs with an average wage that is more than the Nebraska average wage, the project will provide industry-approved training, and the project will comply with the requirements of the Nebraska Industrial New Job-Training Act, the department shall approve the project. Once approved, the community college may enter the agreement with the employer and the community college must notify the Department of Revenue of the agreement as soon as possible.</p> <p>Agreements must include: provisions addressing how project costs will be paid, provisions requiring that the costs of on-the-job training for employees shall not exceed fifty percent of the annual gross payroll costs for such employers, the number of new jobs to be created including the number of full-time versus part-time jobs, and the level of wages and benefits to be paid, and any payments required to be paid by the employer.</p>	<p>01/23/2019 Date of Introduction</p> <p>01/25/2019 Referred to Revenue Committee</p> <p>03/06/2019 Notice of Hearing for March 15, 2019</p>

	<p>If an agreement requires any payment to be made by an employer, any amounts due from the employer shall be a lien upon the employer's business property until paid and have equal precedence with ordinary taxes. The payments cannot be divested by a judicial sale. Property subject to the lien may be sold for sums due and delinquent at a tax sale, with the same forfeitures, penalties, and consequences as for the nonpayment of ordinary taxes. The purchaser obtains the property subject to the remaining payments due.</p> <p>The amount of new job withholding payments shall be based on the wages paid to employees in the new jobs. For an employee with a rate of pay that is less than two hundred percent of the Nebraska average wage, the new job withholding payment shall be equal to one and one-half percent of the gross wages paid to the employee. For an employee with a rate of pay of at least two-hundred percent of the Nebraska average wage, the payment shall be an amount equal to three percent of the gross wages paid to the employee.</p> <p>The employer shall pay the new job withholding payments out of the amount of funds withheld from the employees' wages for state withholding taxes. The new job withholding payments shall be paid directly to the community college to be allocated to and paid into a special fund of the community college to finance the project.</p> <p>If the amount of the new job withholding payments is more than the withholding taxes actually owed by the employer to the Department of Revenue, the employer shall receive a credit against other withholding taxes due from the employer in the amount of the difference. The employer must certify to the Department of Revenue that the new job withholding payments are in accordance with the agreement. The community college will certify the amount paid by the employer to the Department of Revenue.</p> <p>Community colleges will report agreements to the Department of Economic Development, who will submit annual reports to the Revenue Committee of the Legislature.</p>	
<p>LB604 Lindstrom</p>	<p>Creates a High Wage Jobs and Capital Investment Creation fund. Authorizes High Wage Jobs and Capital Investment Creation Fund entities, defines terms, to provide grants, loans, and economic assistance to such entities.</p> <p><b>Impact:</b> Provide grants, loans, and economic assistance to entities which provide funding or invest in rural and small businesses.</p> <p>High Wage Jobs and Capital Investment Creation Fund entity applicants must demonstrate the following criteria: Entity is a rural business investment company under 7 U.S.C. 2009cc or a small business investment company under 15 U.S.C. 681, and the entity and its affiliates have received equity investments from</p>	<p>01/23/2019 Introduced</p> <p>01/25/2019 Referred to Business and Labor Committee</p> <p>01/28/2019 Notice of Hearing for February 4, 2019</p> <p>02/04/2019 Kolterman name added</p>



	<p>investors who are not affiliates of the applicant in an amount equal to a least seventy-five million dollars.</p> <p>The bill establishes how funds are to be administered and distributed and defines the responsibilities for the High Wage Jobs Capital Investment Creation Fund entities and the director of the fund.</p>	
LB644 McDonnell	<p>Amend 48-611, to adopt the Nebraska Workforce Diploma Act.</p> <p>Intended to promote workforce development through the creation of the Nebraska Workforce Diploma Program.</p> <p>Program providers will administer workforce diploma programs as defined by the act to participants who are at least twenty-two years of age and have not previously earned a high school diploma or high school equivalency diploma.</p> <p><b>Impact:</b> Program providers will be reimbursed for meeting defined milestones, through the submission of monthly invoices until all funds appropriated for the workforce diploma program are exhausted. It is the intent of the legislature to appropriate two million five hundred thousand dollars each fiscal year for the fiscal years 2019-2020 and 2020-2021 to the Department of Labor to carry out the Nebraska Workforce Diploma Act.</p>	<p>01/23/2019 Introduced</p> <p>01/25/2019 Referred to Business and Labor Committee</p> <p>01/31/2019 Notice of Hearing for February 11, 2019</p>
LB511 Brewer	<p>Authorize adjustments to state employee work schedules to participate in approved youth mentoring programs</p> <p><b>Employer Impact:</b> This bill allows an agency head or other designated management personnel to adjust the work schedule of a state employee by up to one hour per week to permit such employee to participate in an approved youth mentoring program. This bill does not require the leave to be paid.</p> <p>This bill also provides procedures for requesting adjusted work schedule and defines "state employee." The Director of Personnel is charged with developing a process and criteria for approving youth mentoring programming. The bill provides screening criteria.</p>	<p>01/22/2019 Introduced</p> <p>01/24/2019 Referred to Government, Military and Veterans Affairs Committee</p> <p>02/04/2019 Notice of Hearing for February 14, 2019</p> <p>02/11/2019 La Grone name added</p> <p>02/21/2019 McDonnell name added</p> <p>03/05/2019 Government, Military and Veterans Affairs priority bill</p> <p>03/13/2019 Placed on General File with AM672</p> <p>03/13/2019 Government, Military and Veterans Affairs AM672 filed</p> <p>03/18/2019</p>

		<p>Government, Military and Veterans Affairs AM672 adopted</p> <p>03/18/2019 Advanced to Enrollment and Review Initial</p> <p>03/25/2019 Placed on Select File with ER56</p> <p>03/25/2019 Enrollment and Review ER56 filed</p> <p>04/11/2019 Brewer AM1113 filed</p>
LB526 McDonnell	<p>Change provisions relating to compensation for temporary disability under the Nebraska Workers' Compensation Act</p> <p><b>Employer Impact:</b> This bill changes the provisions regarding workers' compensation payments for temporary disabilities. Under the bill, compensation for temporary disability continues until the later of (a) any permanent disability, as measure by permanent impairment for a scheduled member injury, has been determined or, in the event a claim payable under a loss of earning capacity, until a loss of earning capacity evaluation has been issued or (b) thirty days after the employee has been given notice as provided in subsection 6 of the section. Subsection 6 provides that compensation for temporary disability shall only cease after 30 days notice. Upon termination of compensation, the employer must provide copies of the evidence it relied on in making the determination to cease benefits. If the employer relied on evidence from outside of the treating physicians, the employee shall be entitled to seek a medical finding from an independent medical examiner, chosen by the employee and paid for by the employer.</p>	<p>01/22/2019 Introduced</p> <p>01/24/2019 Referred to Business and Labor Committee</p> <p>02/08/2019 Notice of Hearing for March 4, 2019</p>
LB535 Cavanaugh	<p>Prohibit employment discrimination by qualified businesses under the Nebraska Advantage Act</p> <p><b>Employer Impact:</b> This bill adds the requirement that to be a qualified business for a tier 1, 2, 3, 4, 5, or 6 project under the Act, the business cannot discrimination against any employee or applicant for employment because of race, color, religion, sex, disability, marital status, national origin, sexual orientation, or gender identity.</p>	<p>01/22/2019 Introduced</p> <p>01/24/2019 Referred to Revenue Committee</p> <p>03/06/2019 Notice of Hearing for March 15, 2019</p> <p>03/15/2019 McCollister name added</p> <p>03/15/2019 Pansing Brooks name added</p>
LB627 Pansing Brooks	<p>Amendments to prohibit discrimination based upon sexual orientation and gender identity in employment, public accommodation, and housing. Define "gender identity" as "the actual or perceived appearance, expression, identity, or behavior of an individual, whether or not that appearance, expression, identity, or behavior is different from that traditionally or stereotypically</p>	<p>1/23/2019 Introduced</p> <p>1/25/2019 Referred to Judiciary Committee</p>

	<p>associated with the individual's assigned sex at birth.” Defines “sexual orientation” as “actual or perceived homosexuality, heterosexuality, or bisexuality.</p> <p><b>Employer Impact:</b> The proposed amendment would add gender identity and sexual orientation as protected classes within the meaning of the Nebraska Fair Employment Practice Act, thus making it unlawful for employers to discriminate against individuals based upon sexual orientation and gender identity in hiring and employment.</p>	<p>1/30/2019 Notice of Hearing for February 7, 2019</p> <p>02/19/2019 Placed on General File</p> <p>03/04/2019 Pending</p> <p>03/04/2019 Cavanaugh name added</p> <p>03/05/2019 Pending</p> <p>03/05/2019 Pending</p> <p>03/05/2019 Chair ruled there had not been full and fair debate on the advancement of the bill</p> <p>03/05/2019 Motion to overrule the chair failed</p>
LB577 Vargas	<p>Provides additional powers to the Commissioner of Labor related to investigations under and violations of the Employee Classification Act</p> <p><b>Employer Impact:</b> contractors violating the Employee Classification Act may be ordered to cease performance of services on a site where a violation is being investigated or has been identified when the health, safety, and welfare of the general public is threatened.</p>	<p>01/22/2019 Introduced</p> <p>01/24/2019 Referred to Business and Labor Committee</p> <p>02/08/2019 Notice of Hearing for March 18, 2019</p> <p>03/01/2019 Notice of Hearing for March 18, 2019 (cancel)</p> <p>03/01/2019 Notice of Hearing for March 18, 2019</p>
LB383 Quick	<p>Provide for an annual adjustment to the minimum wage</p> <p><b>Employer Impact:</b> Every employer would be required to pay his or her employees a minimum wage of \$9 per hour until April 1, 2020. By January 31, 2020, and on or before every January 31 thereafter, the State Treasurer would be required to adjust the minimum wage to reflect the average annual percentage change in the consumer price index for the most recent five-year period for which data is available. Annual increases could not exceed</p>	<p>01/17/2019 Introduced</p> <p>01/22/2019 Referred to Business and Labor Committee</p> <p>01/29/2019</p>

	3.5%, and would be effective on April 1 of the year of the adjustment.	Notice of Hearing for February 11, 2019
LB400	<p>Change the minimum wage for persons compensated by way of gratuities</p> <p><b>Employer Impact:</b> Persons compensated by way of gratuities, such as waitresses, waiters, hotel bellhops, porters, and shoeshine persons, must be paid at the minimum rate of \$2.13 until January 1, 2020. From January 1, 2020 to January 1, 2021, such tipped persons must be compensated at a rate of 40% of the state minimum wage. Such tipped persons must be compensated at 50% of the state minimum wage rate for wages paid on or after January 1, 2021.</p>	<p>01/17/2019 Introduced</p> <p>01/22/2019 Referred to Business and Labor Committee</p> <p>01/29/2019 Notice of Hearing for February 11, 2019</p> <p>02/21/2019 Placed on General File</p> <p>03/13/2019 Pending</p> <p>03/13/2019 Halloran AM578 filed</p> <p>03/13/2019 Halloran AM578 pending</p> <p>03/13/2019 Wishart FA22 filed</p> <p>03/13/2019 Wishart FA22 pending</p> <p>03/13/2019 Halloran AM579 filed</p> <p>03/13/2019 Halloran AM580 filed</p> <p>03/13/2019 Halloran AM581 filed</p> <p>03/13/2019 Halloran AM582 filed</p> <p>03/13/2019 Halloran AM583 filed</p> <p>03/13/2019 Halloran AM584 filed</p> <p>03/13/2019 Halloran AM585 filed</p> <p>03/14/2019 Wishart FA22 pending</p> <p>03/14/2019</p>

		<p>Chair ruled there had not been full and fair debate on FA22</p> <p>03/14/2019 Chambers MO24 Recommit to Business and Labor Committee filed</p> <p>03/14/2019 Chambers MO24 withdrawn</p> <p>03/14/2019 Hunt MO25 Bracket until March 15, 2019 filed</p> <p>03/14/2019 Hunt MO25 pending</p>
--	--	--

4837-7138-2917, v. 1