### Legislative Activity pertinent to Environmental, Health, and Safety Professionals

As of: March 12, 2016 [changes since last report highlighted in yellow]

<table>
<thead>
<tr>
<th>Unicameral Bill / Constitutional Amendment</th>
<th>Status</th>
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</table>
| **LB28 – Adopt the Radon Resistant New Construction Act**
LB28 mandates that the DHHS create rules and regulations to regulate radon resistant residential new construction. [Editor’s Note: Creates a licensed “Radon Mitigation Specialist” as well as a “Radon Resistant New Construction Task Force” – Our CIH brethren should take note to ensure their designation is protected – there is no mention of a CIH in this bill. AM1741 brings in the Urban Affairs Committee as part of this – why??? Idk. HHS is still the main department handling this. Amendments have pushed the date back on the implementation of this. Task Force to be finished with is work by 2017 for the Unicameral to take up any legislation in 2018.] | Feb 3 Krist AM1986 filed  
Feb 3 Krist AM1788 filed  
Dec 21 Title printed, Carryover bill  
May 26 Crawford AM1741 filed  
Mar 11 HHS AM708 filed  
Mar 11 Placed on General File with AM708  
Feb 18 Krist AM368 filed  
Feb 10 Notice of hearing for February 27, 2015  
Jan 12 Referred to HHS Committee  
Jan 08 Date of introduction |
| **LB31 – Eliminate motorcycle and moped helmet requirements**
Currently, all motorcycle or moped operators are required to wear protective helmets on public highways. LB31 would repeal the motorcycle helmet requirement and provides operators with the choice. Committee decided on the following: Currently the section requires that no person shall operate or be a passenger upon a motorcycle of moped unless such person is wearing an approved protective helmet. The section is amended to provide that any person at least 21 years of age or older shall be exempt from the requirement to wear a protective helmet. Additionally, the amendment provides that any person operating a motorcycle or moped shall wear eye protection. "Eye protection" is defined by the committee amendment as glasses that cover the orbital region of the face, a protective face shield attached to a helmet, goggles, or a windshield attached to the motorcycle or moped. | Dec 21 Title printed, Carryover bill  
Mar 23 Bloomfield MOS6 failed  
Mar 23 Bloomfield MOS6 Invoke cloture filed  
Mar 23 Hillemann AM942 pending  
Mar 23 Hillemann AM942 pending  
Mar 23 Hillemann AM939 withdrawn  
Mar 20 Hillemann AM942 filed  
Mar 20 Schumacher AM973 filed  
Mar 20 Groor AM954 filed  
Mar 20 Chambers MOS5 withdrawn  
Mar 20 Chambers MOS5 Bracket until June 5 filed  
Mar 20 Hillemann AM939 pending  
Mar 20 Hillemann AM939 filed  
Mar 20 Baker AM870 lost  
Mar 20 Baker AM870 pending  
Mar 20 Baker AM870 filed  
Mar 20 Trans and Tele AM359 pending  
Mar 19 Hillemann MOS5 failed  
Mar 19 Hillemann MOS5 Bracket until June 5 filed  
Mar 19 Transportation and Tele AM359 pending  
Mar 09 Transportation and Tele AM359 filed  
Mar 09 Placed on General File with AM359  
Feb 24 Bloomfield priority bill  
Jan 29 Notice of hearing for February 09  
Jan 28 Schilz name added  
Jan 28 Murante name added  
Jan 28 Larson name added  
Jan 28 Coash name added  
Jan 27 Hughes name added  
Jan 26 Schumacher name added  
Jan 26 Morfeld name added  
Jan 26 McCoy name added  
Jan 26 Krist name added  
Jan 26 Davis name added  
Jan 26 Schnoor name added  
Jan 26 Kintner name added  
Jan 26 Groene name added  
Jan 26 Ebke name added  
Jan 12 Referred to Trans and Tele Committee  
Jan 08 Date of introduction |
<p>| <strong>LB34 - Adopt the Carbon Monoxide Safety Act</strong> | Approved by the Governor on March 18, 2015 |</p>
<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status and Details</th>
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</thead>
<tbody>
<tr>
<td>LB133</td>
<td>Change interest rate provisions on certain Nebraska Workers' Compensation Court awards.</td>
<td>Mar 09 Indefinitely postponed&lt;br&gt;Dec 21 Title printed, Carryover bill&lt;br&gt;Feb 02 Notice of hearing for February 23, 2015&lt;br&gt;Jan 12 Referred to Business and Labor Committee&lt;br&gt;Jan 09 Date of introduction</td>
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<td>LB134</td>
<td>Change provisions relating to first injury reports under the Nebraska Workers' Compensation Act.</td>
<td>Mar 09 Indefinitely postponed&lt;br&gt;Dec 21 Title printed, Carryover bill&lt;br&gt;Feb 02 Notice of hearing for 02/23/2015&lt;br&gt;Jan 12 Referred to Business and Labor Comm&lt;br&gt;Jan 09 Date of introduction</td>
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<td>LB158</td>
<td>Deny compensation under the Nebraska Workers’ Compensation Act in situations of false representation.</td>
<td>Mar 09 Indefinitely postponed&lt;br&gt;Dec 21 Title printed, Carryover bill&lt;br&gt;Feb 02 Notice of hearing for 03/02/2015&lt;br&gt;Jan 14 Referred to Business and Labor Comm&lt;br&gt;Jan 12 Date of introduction</td>
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<td>LB174</td>
<td>Redefine nonpoint source control systems under the Wastewater Treatment Facilities Construction Assistance Act.</td>
<td>Dec 21 Title printed, Carryover bill&lt;br&gt;Jan 15 Notice of hearing for 01/22/2015&lt;br&gt;Jan 14 Referred to Natural Resources Committee&lt;br&gt;Jan 12 Date of introduction</td>
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<tr>
<td>Bill Number</td>
<td>Action Taken</td>
<td>Notes</td>
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<td>LB181</td>
<td>Change rotating and flashing light provisions for motor vehicles.</td>
<td>Approved by the Governor on March 16, 2015</td>
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<td>LB270</td>
<td>Create and eliminate funds administered by the Department of Labor.</td>
<td>Approved by the Governor on February 24, 2016</td>
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<td>LB276</td>
<td>Exempt certified independent contractors from the Nebraska Workers' Compensation Act. The purpose of Legislative Bill 276 is to establish a process for an individual to apply to the Department of Labor in order to be a certified independent contractor. If an individual becomes a certified independent contractor they would be exempt from all requirements to be covered under a policy of workers' compensation insurance pursuant to the Nebraska Workers' Compensation Act and would be precluded from obtaining any benefits under the act. The costs of the program would be covered by the fees charged to the individuals. LB276 also establishes that an individual would be guilty of a Class II misdemeanor if they provide false information during the application process. [Editor’s note: This will be interesting. Right now, if a contractor/sub-contractor does not have Work Comp, they can go onto the Work Comp of the company that contracted them and the company didn’t know (which is why insurance companies insist that you get a Certificate of Insurance from all vendors)].</td>
<td>Jan 28 Johnson name added&lt;br&gt;Jan 28 Watermeier name added&lt;br&gt;Jan 27 Gloor name added&lt;br&gt;Jan 27 Lindstrom name added&lt;br&gt;Jan 25 Coash name added&lt;br&gt;Jan 22 Schilz name added&lt;br&gt;Jan 19 Davis name added&lt;br&gt;Jan 15 Krist name added&lt;br&gt;Jan 15 McCollister name added&lt;br&gt;Dec 21 Title printed, Carryover bill&lt;br&gt;Feb 18 Kolterman name added&lt;br&gt;Feb 02 Notice of hearing for February 23, 2015&lt;br&gt;Jan 15 Referred to Business and Labor Committee&lt;br&gt;Jan 14 Date of introduction</td>
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<td>LB306</td>
<td>Change the Conveyance Safety Act Currently, licensed elevator mechanics are required to make the construction, operation, inspection, testing, maintenance and repair of conveyances in Douglas, Lancaster and Sarpy Counties. LB 306 would make the same requirement consistent for the all of Nebraska. Licensed elevator mechanics are not required for repair in dwellings, but inspections are required upon installations and transfers of property. The Conveyance Safety Act does not apply to conveyances that are used for agricultural purposes.</td>
<td>Dec 21 Title printed, Carryover bill&lt;br&gt;May 27 Crawford name added&lt;br&gt;May 27 Mello name added&lt;br&gt;Feb 02 Notice of hearing for February 09, 2015&lt;br&gt;Jan 16 Referred to Business and Labor Committee&lt;br&gt;Jan 15 Date of introduction</td>
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<td>LB313</td>
<td>Update certain references to federal regulations regarding motor vehicles and motor carriers.</td>
<td>Approved by the Governor on March 12, 2015</td>
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| LB328      | Change provisions of the Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act. LB 328 would clarify that certain investigation and inspection activities are allowed uses of the Private Onsite Wastewater Treatment System Certification and Registration Cash Fund, and that professional engineers and environmental health specialists licensed and registered in Nebraska are eligible to work on private onsite wastewater treatment systems. | Approved by Governor on March 03, 2016  
Feb 29 Present to Governor on Feb 29, 2016  
Feb 29 Speaker signed  
Feb 29 Passed on Final Reading 46-0-3  
Feb 19 Placed on Final Reading  
Feb 17 Advanced to E&R for Engrossment  
Feb 5 Placed on Select File  
Feb 4 Advanced to E&R initial  
Feb 4 Chambers MO173 withdrawn  
Feb 4 Chambers MO173 to indefinitely postpone filed  
Feb 4 Chambers MO172 withdrawn  
Feb 4 Chambers MO172 Recommit to Natural Resources Committee filed  
Feb 4 Chambers FA84 withdrawn  
Feb 4 Chambers FA84 filed  
Feb 4 Chambers MO171 withdrawn  
Feb 4 Chambers MO171 to indefinitely postpone filed  
Dec 21 Title printed, Carryover bill  
Mar 04 Placed on General File  
Jan 27 Notice of hearing for 02/04/2015  
Jan 16 Referred to Natural Resources Committee  
Jan 15 Date of introduction |
| LB363      | Provide time limits and penalties for late medical payments under the Nebraska Workers’ Compensation Act. LB 363 requires that medical payments payable under the Nebraska Workers' Compensation Act shall be payable within 30 days after notice has been given or within 30 days after the entry of a final order, award, or judgment of the compensation court. It adds 50 percent to the payable amount if the medical payment is delinquent thirty days or more. | Mar 09. Indefinitely postponed  
Dec 21 Title printed, Carryover bill  
Feb 02 Notice of hearing for March 02, 2015  
Jan 16 Referred to Business and Labor Committee  
Jan 15 Date of introduction |
| LB373      | Change provisions regarding school bus safety. LB 373 would require every school bus manufactured on or after the effective date of the act and purchased on or after January 1, 2016, for the transport of Nebraska school children, to be equipped with lap-shoulder belts sufficient for each passenger to use a separate belt. Students riding in buses equipped with lap-shoulder belts would be required to wear the belts at all times while the bus is in operation. | Dec 21 Title printed, Carryover bill  
Feb 24 Kolterman name added  
Jan 29 Notice of hearing for Feb 23, 2015  
Jan 16 Referred to Trans & Tele Committee  
Jan 15 Date of introduction |

[Editor’s note: This has been tried before. One has to be careful about seat belts in school buses – they can become weapons].
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<tr>
<td>LB388</td>
<td>Provide annual adjustments for total disability income benefits under the Nebraska Workers' Compensation Act. LB388 would simply apply the same formula used to calculate the maximum benefits to the actual award of benefits on an annual basis.</td>
<td>Mar 09 Indefinitely postponed</td>
<td>Dec 21 Title printed, Carryover bill Feb 02 Notice of hearing for March 02, 2015 Jan 16 Referred to Business and Labor Committee Jan 15 Date of introduction</td>
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<tr>
<td>LB480</td>
<td>Change provisions relating to computing compensation under the Nebraska Workers' Compensation Act.</td>
<td>Approved by Governor on May 27, 2015</td>
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<td>LB493</td>
<td>Adopt the Healthy and Safe Families and Workplaces Act. The intent of LB 493 is to require businesses to provide employees a minimum of one hour of paid sick and safe time for every 30 hours worked, up to 40 hours per year. [Editor's note: highly doubtful this will pass.]</td>
<td>Mar 09 Indefinitely postponed</td>
<td>Dec 21 Title printed, Carryover bill Feb 02 Notice of hearing for Feb 09, 2015 Jan 22 Referred to Business and Labor Committee Jan 20 Date of introduction</td>
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<td>LB517</td>
<td>Prohibit certain uses of interactive wireless communication devices while driving. LB 517 states no person shall operate a motor vehicle on a highway while holding an interactive wireless communication device in order to talk, listen, view, record, or transmit images or text, play games, or otherwise access any data. LB 517 does not apply to emergency situations, persons acting within the performance of their official duties, including: law enforcement, member of a fire department, or the operator of an emergency vehicle, or a person in a motor vehicle which is stopped on the side of or off of a highway. A violation of LB 517 will result in 3 point infraction.</td>
<td>Approved by Governor on May 29, 2015</td>
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<td>LB540</td>
<td>Adopt updated international building code standards.</td>
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<td>LB556</td>
<td>Waive workers' compensation as the exclusive remedy if an employer is willfully negligent. LB556 would, at the option of the employee, make the exclusive remedy protection for the employer inapplicable in cases where the Nebraska Workers’ Compensation Court has made a determination that the injury is due to the willful negligence of the employer. [Editor’s note: highly doubtful this will pass.]</td>
<td>Dec 21 Title printed, Carryover bill Feb 02 Notice of hearing for Feb 23, 2015 Jan 23 Referred to Trans &amp; Tele Committee Jan 21 Date of introduction</td>
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**LB597 - Adopt the Contract Carrier Safety Act.**

LB597 adopts the Contract Carrier Safety Act, which is intended to set minimum standards for railroad contract carrier regulation and safety. LB597 requires a contract carrier transporting railroad employees to maintain uninsured and under-insured motorist coverage of $500,000 for each passenger in each vehicle. LB597 also requires a contract carrier to maintain an insurance policy of $500,000 per person for bodily injury or death, up to a maximum of $5 million for each vehicle.

The Public Service Commission will enforce the Contract Carrier Safety Act, and any violation of the Act will be subject to a civil penalty of up to $2,000 for each violation. [Editor’s note: for businesses the haul railroad crews, they must have increased limits of liability]

**LB611 - Require private employers to use the E-Verify Program.** Legislative Bill 611 would amend Section 4-114 to extend the current Nebraska requirement for public employers and contractors to use the federal E-Verify program, which is used to confirm the citizenship or immigration status of employees, to also require private employers to use the federal E-Verify program to confirm such legal status of their employees, beginning January 1, 2016.

**LB743 – Clarify compensation for shoulder injuries under the Nebraska Workers’ Compensation Act.** Loss or loss of use of an arm does not include injuries to the shoulder regardless of the location of residual impairment, and therefore injuries to the shoulder shall be compensated pursuant to subdivisions (1) and (2) of this section. [Editor’s Note: Shoulder injuries will be compensated at 2/3 AWW for 300 weeks]

**LB887 - Extend sunset of the Petroleum Release Remedial Action Cash Fund.** LB 887 would extend the date for eligible reimbursement claims under the Petroleum Release Remedial Action Act from June 30, 2016 to June 30, 2020. The Petroleum Release Remedial Action Reimbursement Fund was established to help pay remediation costs of owners and operators of facilities that have leaking petroleum tanks.
### LB1005 - Provide for an evidence-based drug formulary under the Nebraska Workers' Compensation Act

To provide for an evidence-based drug formulary adopted by the Nebraska Workers’ Compensation Court and includes prescription drugs listed in Schedules II, III, IV and V. If a drug prescribed by the doctor is not on the formulary, pre-authorization is required from the WC insurer, pool, or self-insurer.

<table>
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<th>Date</th>
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<tr>
<td>Jan 27</td>
<td>Notice of hearing for February 08, 2016</td>
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<td>Jan 20</td>
<td>Referred to Business and Labor Comm</td>
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<td>Jan 15</td>
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### LB1101 - Require the Department of Environmental Quality to examine the status of solid waste management programs

To require a study to examine the status of solid waste management programs; to create an advisory committee; to require reports; to provide for costs; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

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<tr>
<td>Feb 21</td>
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<tr>
<td>Feb 01</td>
<td>Notice of hearing for February 11, 2016</td>
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