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# Senator Sue Crawford Legislative Report

104th Legislature - First Session (2015)

## Committees:

- Urban Affairs, Chair
- Business and Labor
- Health and Human Services
- State-Tribal Committee
- Midwest Higher Education Commission, Executive Committee
- ACCESSNebraska Special Investigative Committee

## Office Staff:

- Kaitlin Reece, Legislative Aide
- Courtney Breitreutz, Administrative Aide & Committee Clerk
- Trevor Fitzgerald, Committee Legal Counsel

It is a pleasure and an honor to serve you in the Nebraska Unicameral. This report reviews major accomplishments of the first session of the 104th Legislature. In this session, the Legislature passed a responsible budget package that made investments in education, corrections, and services for our most vulnerable citizens and increased money available for property tax relief while keeping state spending growth at 3.1%, one of the lowest growth rates in the last 30 years.

One of the most challenging tasks for me this year was a series of amendments that I successfully got added to one of the prison reform bills (LB 605) to protect counties from potential cost shifts and strengthen the reimbursement language of the bill. Last interim, I led a study of unfunded mandates to counties and I was committed to fighting undue cost shifts in major legislation this session.

The 2015 bill I sponsored that received the most media attention was a bill to grant patients with intractable epilepsy access to a non-psychoactive cannabis oil through a University of Nebraska Medical Center research project (LB 390). This bill passed by a wide margin and we have been working with UNMC since its passage as they get the project up and running. This bill was one of the 14 bills that I led to passage this past year; 10 were bills that I introduced and 4 were Urban Affairs bills that I led as chair of that committee. These bills reduce unnecessary regulations, increase transparency, support and support veterans, protect public safety, improve government effectiveness, and enhance economic development for municipalities. While these 14 bills make important improvements in the state, none of them required state budget spending.

This end of session report highlights key accomplishments of the past session. It includes summaries of my bills that passed, my Urban Affairs Committee work, and other major legislative actions of the Legislature over the session. It also reports on our community engagement and internship programs and previews studies we will be conducting over the interim.

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## *Crawford Bills Enacted*

### *Reducing Unnecessary Regulations*

One of my priorities as a senator has been working to ensure that state regulations truly protect the health and safety of our citizens and do so in a cost effective manner. Last year I successfully led the passage of two bills to establish a regulation complaint process and bring added transparency to our state regulation process. Last year I also introduced a bill to remove an unnecessary regulation in the Nurse Practitioner laws in Nebraska. Nationally the Federal Trade Commission, the National Governor's Association, and the Institute of Medicine have all called for the elimination of restrictions like the one that we had in Nebraska that allowed a physician to determine whether a Nurse Practitioner could practice in the state. However, despite the fact that the bill to remove this regulation passed by a large margin, Governor Heineman vetoed it. Since the bill passed on the last day of session, we were unable to override the veto last year. I brought the bill back this session as LB 107 and it passed easily early in the session. **LB 107** eliminates the requirement that Nurse Practitioners secure a contract with a physician to practice in the state.

### *Increasing Transparency*

I have also focused on improving transparency. In my first year, one of my bills established a state contract database. Now at [www.statecontracts.nebraska.gov](http://www.statecontracts.nebraska.gov), citizens can review all current state contracts. To keep this effort sustainable, I brought a bill this year to allow the database to follow established record retention policies. **LB 541** adds record retention provisions to the Taxpayer Transparency Act.

My other transparency bill ensures that before a family buys a home in a Sanitary and Improvement District (SID) they are notified that that the home is not in the city, which means they will have limited access to city services and will not be able to vote in city elections. **LB 420** requires acknowledgement of notice that a home resides in a SID prior to purchase (passed as an amendment to LB 324).

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### *Supporting Veterans*

Three of my bills that passed this year address veteran issues. The first two focus on recruiting and retaining veterans in our state and integrating veterans into our workforce. **LB 109** updates state policy that provides in-state tuition to veterans and spouses who move to Nebraska. **LB 272** creates a private sector veteran hiring preference option for businesses in Nebraska.

The third bill, LB 146, helps veteran groups and funeral homes work together to ensure a dignified burial for the cremated remains of veterans that have gone unclaimed. **LB 146** establishes process for veteran's organizations to inter unclaimed veteran remains in a veteran cemetery.

### *Protecting Public Safety*

Although most of the attention on LB 390 focused on its provisions for patients with intractable epilepsy, the final bill also contained two key public safety components. **LB 390** updates synthetic marijuana laws to include new substances seen as threats to our youth (originally introduced as part of LB 326) and it allows first responders to use naloxone to assist in drug overdose cases (Originally introduced as LB 546).

### *Serving Children*

The two bills that I expect to have the most direct positive difference in the lives of children and their families are LB 219 and LB 390. **LB 219** provides a clear legal framework for parents and judges to use to protect the interests of a child when a divorced or legally separated parent is deployed. **LB 390** establishes a research pilot program at the University of Nebraska Medical Center for patients with intractable epilepsy to access low-THC cannabidiol, or CBD oil, under the supervision of a neurologist.

### *Improving Government Effectiveness*

Two of the bills I carried clarify and update core local government policies. **LB 540** updates the state building code, which protects the life, health, property, and public welfare of Nebraskans by adopting minimum public safety standards for buildings in the

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state. Maintaining an up-to-date state building code also ensures the use of modern and innovative construction techniques.

Another bill in this category, LB 266, clarifies a previous inconsistency in the law. Since bills pass and get added to statute one by one, sometimes inconsistencies develop. In this case, it was the enforcement authority of municipal governments to regulate nuisances in their extraterritorial zoning jurisdiction. **LB 266** clarifies the authority of municipalities to enforce nuisance ordinances within their extraterritorial zoning jurisdiction. It is up to municipalities to decide whether to use this authority.

### *Urban Affairs Bills*

#### *Committee Bills*

As the chair of the Urban Affairs Committee, it is my responsibility to usher to passage the bills that the committee agrees should be introduced as Urban Affairs Committee bills. This session, committee members supported four bills as committee bills, all four of which passed.

- LB 149 Adjusts Sanitary and Improvement District (SID) election deadlines to fit county election office work schedules.
- LB 150 Clarifies qualifying projects under the Local Option Economic Development Act.
- LB 151 Requires banks to get information on foreclosed properties to cities that request it promptly, so that municipalities can more quickly address problems created by vacant properties in neighborhoods.
- LB 152 Allows municipalities to borrow directly from banks and building and loan associations under prescribed conditions with required public notice.

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## *Key Actions in the Legislature in 2015*

### ***Budget Bills***

In Nebraska, the Legislature must adopt a biennial budget during the first year of a two-year session. The spending growth in the final budget is 3.1% over the next biennium, which is the third lowest in the last 15 biennial budgets. There are many components to the budget bills; however, some key investments in the 2015 budget include:

- Fully funding the school funding formula (TEEOSA);
- Increasing funding for ACE scholarships that have yielded remarkably high college completion rates for low-income students;
- Funding for early childhood and high ability learners programs; and
- Funding for additional behavioral health providers and programming within the Department of Correctional Services.

### ***Taxes***

This year, the Legislature made some progress on tackling a persistent problem: property taxes. This included increasing the Property Tax Relief Fund to \$409 million over the next two years and approval of a personal property tax exemption on the first \$10,000 of personal property (LB 259), which will provide approximately \$60 million dollars of additional property tax relief over the next 4 years.

These tax bills are in addition to the major tax cuts the Legislature has passed in the last decade. According to a recent Open Sky Policy Institute report<sup>1</sup>, these tax cuts provided nearly \$580 million in tax relief this year, with income tax cuts comprising just over half of the total tax relief. By 2024, these tax cuts will exceed \$840 million a year. Bills that I have had a chance to vote on since I have been in the Legislature<sup>2</sup> provided \$467 million of tax relief this year.

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<sup>1</sup> Chuck Brown. "Policy Brief: Legislature Has Reduced Taxes Significantly in Past Decade." *Open Sky Policy Institute*. March 30, 2015. <http://www.openskypolicy.org/policy-brief-legislature-has-reduced-taxes-significantly-in-past-decade>

<sup>2</sup> LB 308 (2013), LB 96, 987 and 905 (2014), LB 259 and 661 (2015)

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The most difficult tax vote for many of us this year was LB 610. LB 610 provides for a gradual increase in the gas tax and directs those funds to the state, counties, and municipalities for roads and bridges. This change is supported by several organizations, including the Nebraska Trucking Association, Nebraska Farm Bureau, and even the conservative Platte Institute. As fuel economy has increased, several states have found that they need to increase their tax per gallon to sustain investments in this vital infrastructure. In Nebraska, the gas tax's spending power has declined more than 8 cents in the last 16 years.<sup>3</sup> When fully implemented, LB 610 will bring \$1.8 million each year to Sarpy County for infrastructure and almost  $\frac{3}{4}$  of a million to Bellevue for our infrastructure needs.<sup>4</sup>

I am continuing to work with the Revenue Committee on a smaller tax relief package for military retirees that addresses what I see as the most egregious element of our current policy, which is that military retirees who have already chosen to live in Nebraska don't qualify. In discussions this year, the chair of the Revenue Committee made it clear that the discussion is not over and I will continue to push for changes in our tax policy for military retirees next session.

### ***Making Government Work Better***

This session, the Legislature passed a series of bills with the underlying aim to make government—and government programs—work better.

- LB 607 and LB 81 Enables vulnerable families to move more smoothly to self-sufficiency and reduce the risk of child neglect.

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<sup>3</sup> Chuck Brown. "Policy Brief: The Gas Tax and Inflation." Open Sky Policy Institute. April 10, 2015. <http://www.openskypolicy.org/policy-brief-the-gas-tax-and-inflation>

<sup>4</sup> By 2020, Sarpy County will receive \$1,817,221 and Bellevue will receive \$803,786. Provided by the Nebraska Department of Roads' City and County Officials' Info. <http://www.transportation.nebraska.gov/city-county/>

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- LB 605 Changes Nebraska's criminal justice system to reduce recidivism, alleviate overcrowding and protect public safety.

One key provision here is new mandatory post-release supervision requirements to support the work of law enforcement in protecting the public. I also worked extensively with Senator Mello, the bill's introducer, and members of the Judiciary committee to reduce the potential fiscal impact of LB 605 on counties.

### *Senate Office Programs*

#### ***Internship Program***

This session marked the third term for our internship program; over the years we have hired six interns. As a political science professor, it is important to me that our office provide valuable experience for college students through our internship program. During the legislative session term, interns help with a variety of tasks including tracking legislation currently before the body, drafting congratulatory legislative resolutions, and assisting with weekly mailings. During the interim, interns work closely with staff as we work on interim studies and prepare legislation for next session.

#### ***Community Engagement***

In a representative democracy like ours, it is extremely important that citizens engage in the legislative process. This engagement can occur in a variety of ways--voting, contacting an elected official about an issue, providing written or oral testimony at a bill or regulation hearing, and staying up-to-date on the issues at the city, county, state and federal level. I use social media and email to get information to citizens to encourage them to get involved and to respond when they contact me about issues or concerns.

I also engage with the community through town hall meetings. At these meetings I update attendees on current events in the legislature and then set aside time for meeting with constituents one-on-one. This past session, we held town hall meetings at Bellevue University and Mission Middle School. This summer I will be at the Bellevue Farmer's Market June 27 and July 25 and I will be at the park after the Arrows to



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Aerospace Parade on August 15. Additionally, we will hold another town hall meeting this fall.

One of my favorite ways to connect with the community is meeting with the classes who come to the Capitol and visiting classrooms throughout the district to help teach students about the Legislature. The Unicameral Information Office also offers many resources for teachers and students. Contact Courtney in my office at [\(402\)471-2615](tel:4024712615) to schedule a school visit or to take advantage of these materials.

During session, I also enjoy recruiting pastors for Chaplain of the Day and facilitating their visits to Lincoln. Each morning the Legislature begins with a prayer offered by the Chaplain of the Day or a fellow senator. If you are a member of the clergy or know someone interested in participating in this program, please contact Courtney in my office at [\(402\)471-2615](tel:4024712615).

### *Upcoming Interim Studies*

Interim study resolutions are in-depth policy analyses conducted by senators and legislative staff between sessions. Committees will meet to prioritize interim study resolutions before the end of session to determine which studies will receive a hearing. Below are a few interim studies that I introduced this session. A complete list of interim studies can be found here: [\[click\]](#).

- LR 155 Examines current and potential economic development tools available to municipalities in Nebraska (introduced by the Urban Affairs Committee).
- LR 174 Examines issues surrounding the state energy code, including the potential role that updating the energy code could play in helping Nebraska find a more cost-effective way to meet future federal regulations adopted by the Environmental Protection Agency.
- LB 185 Examines barriers to credentialing for licensed mental health practitioners, psychiatric nurse practitioners and psychiatrists who have completed their training and are provisionally licensed.
- LB 222 Studies issues related to family and medical leave. Specifically, the study will examine the current availability of paid and unpaid family and medical leave

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in Nebraska as well as policies in other states that establish or encourage paid family and medical leave.

- LB 223 Evaluates strategies and ideas to ensure more adults who complete basic adult education move onto and complete postsecondary education.

If you are interested in getting involved in one of the interim studies listed here, please contact my legislative aide Kaitlin at (402) 471-2615 or [kreece@leg.ne.gov](mailto:kreece@leg.ne.gov).

### *Next Year*

As you can see, 2015 has been a busy and productive year. I look forward to working hard on several issues next year that we were not able to resolve, including changes in the Learning Community and in our campaign finance laws.

Please do not hesitate to contact my office with questions or suggestions. Because new bills must be introduced in the first 10 days of session, it is never too early to start discussions on potential legislation for next year.

Also, contact our office with concerns about state government programs and regulations. We work to resolve many of these issues throughout the year, sometimes without needing to pass a bill.

Thank you again for the opportunity to serve you. My staff and I stand ready to assist you.