

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT**  
**LB191**

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**Hearing Date:** Monday March 06, 2023  
**Committee On:** Business and Labor  
**Introducer:** Halloran  
**One Liner:** Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 7 Senators Blood, Halloran, Hansen, B., Hunt, Ibach, McKinney, Riepe  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Testimony:**

**Proponents:**

Senator Steve Halloran  
Eric Sutton  
Bob Hallstrom  
Brian Bradley

**Representing:**

District 33  
Nebraskans for Workers Compensation Equity  
Lincoln Chamber of Commerce  
Independence Insurance Agents of NE

**Opponents:**

Brody Ockander  
Michael Dowd  
John Lingo  
Nick Grandgenett  
Mike Dyer

**Representing:**

Nebraska Association of Trial Attorneys  
AFL-CIO  
Self  
Nebraska Appleseed  
Self

**Neutral:**

Jill Schroeder

**Representing:**

Nebraska Workers Compensation Court

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 191 makes reportable injuries arising out of and in the course of employment filed with the Nebraska Workers' Compensation Court confidential and not open to public inspection or copying for a period of sixty (60) days after the date of filing, except as otherwise provided and as necessary for the Nebraska Workers' Compensation court to administer and enforce other provisions.

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**Explanation of amendments:**

AM1330 includes a striking provision of LB191 in its entirety and also includes provisions of LB267, LB460, LB639, LB671, LB666, LB427, and amended provisions of LB249.

LB267 provides for the prioritization of resources for the protection of critical infrastructure utility workers during any civil defense emergency. The prioritization of resources includes; access to personal protective equipment, medical screening, testing, preventative health services, medical treatment, and the administration of vaccines in the event of an emergency involving a severe threat to human health.

**SECTION BY SECTION SUMMARY:**

Section 1: Identifies the Critical Infrastructure Utility Worker Protection Act

Section 2: Definitions Section

Section 3: Describes the purpose of the Act: Provides protection to utility workers in an emergency/disaster, providing access to essential equipment, health services, and medical treatment/vaccines. Authorizes federal and state aid to utility workers in the event of emergency/disaster.

Section 4: Requires utilities to maintain a confidential list of critical infrastructure utility workers and to be made available to the Nebraska Emergency Management Agency on request.

Section 5: In the event of a disaster, the Governor ensures utility workers are provided proper equipment and medical services approved by the federal Food and Drug Administration and to provide any available funding for utility workers in accordance with Federal rules and regulations.

Motion to include LB 267 into AM1330

Vote Results: 7-0-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator Blood, Senator McKinney.

Voting Nay: None

Present Not Voting: None

Testifiers Information about LB 267 can be found on the Committee Statement to LB267.

LB 460 relates to mental health injuries or mental illnesses for Nebraska's first responders pursuant to the Nebraska Workers Compensation Act. The bill provides for reimbursement by the Department of Health and Human Services for the cost of mental health examinations and resilience training to the extent not reimbursed by the first responder's employer. Further, the reimbursement rate for mental health examinations would be established by the Critical Incident Stress Management Program, whose lead agency is the Department of Health and Social Services. Presently, only rates are set for resilience training.

**SECTION BY SECTION SUMMARY:**

Section 1: Amends subsection (6)(a) requiring DHHS to reimburse (to the extent not reimbursed by the first responder's employer) a health examination prior to start of employment, initial resilience training and annual resilience training.

Section 2: Amended to include mental health examinations within set reimbursement rates.

Motion to include LB 460 into AM1330

Vote Results: 7-0-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator Blood, Senator McKinney.

Voting Nay: None

Present Not Voting: None

Testifiers Information about LB 460 can be found on the Committee Statement to LB 460.

LB639 amends provisions of Nebraska Workers' Compensation Act relating to rules and regulations, case progression standards, and summons and eliminates requirements to distribute copies of certain materials.

**SECTION BY SECTION SUMMARY:**

Section 1: Requires notice of hearings on proposed Workers' Compensation regulations to be given at least 14 days prior to the hearing by publication in a newspaper having general circulation in the state.

Section 2: Removes the requirement that a hearing be held within 60 days of the filing of the petition for compensation and for the entry of an order or award within 30 days after the hearing.

Section 3: Requires service of summons upon the filing of the petition to be made within 14 days after the issue.

Section 4: Removes the Workers' Compensation Court from the distribution list of session laws and the journal of the Legislature.

Motion to include LB 639 into AM1330

Vote Results: 7-0-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator Blood, Senator McKinney.

Voting Nay: None

Present Not Voting: None

Testifiers Information about LB 639 can be found on the Committee Statement to LB 639.

LB671 amends the Nebraska Training and Support Cash Fund to be used for the retention of existing employees of Nebraska Businesses. Currently, the Nebraska Worker Training and Support Cash Fund may be used to provide training opportunities that: expand the Nebraska workforce by increasing the pool of highly skilled workers in Nebraska; support public and private job training programs designed to train, retrain, or upgrade work skills of existing Nebraska workers of for-profit and not-for-profit businesses; recruit workers to Nebraska; and train new employees of expanding Nebraska businesses.

**SECTION BY SECTION SUMMARY:**

Section 1: Amends section to include the Nebraska Training and Support Cash Fund to be used for retention of existing employees of Nebraska Businesses.

Motion to include LB 671 into AM1330

Vote Results: 7-0-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator Blood, Senator McKinney.

Voting Nay: None  
Present Not Voting: None

Testifiers Information about LB 671 can be found on the Committee Statement to LB 671.

LB666 amends provisions to Employment Security Law, allowing employers the ability to choose their preferred method of document delivery and extending the deadline for employers to submit voluntary contributions to the Nebraska Department of Labor from January 10th to February 28th.

**SECTION BY SECTION SUMMARY:**

Section 1: Changes the date by which voluntary contributions cannot be used in rate calculations the same calendar year from January 10th to February 28th.

Section 2: A new subsection was created to allow employers to elect the method of notification of unemployment determinations of liability and combined tax rates from the Nebraska Department of Labor. Employees may choose electronic notification or regular U.S. mail and allow employees to change this election at any time.

Section 3: Changes the acceptance date by which voluntary contributions are considered as having been paid, from January 10th to February 28th.

Motion to include LB 666 into AM1330

Vote Results: 7-0-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator Blood, Senator McKinney.

Voting Nay: None

Present Not Voting: None

Testifiers Information about LB 666 can be found on the Committee Statement to LB 666.

LB 427 amends The Nebraska Contractor Registration Act, by striking the definition of “nonresident contractor” from the Contractor Registration Act. Out of state contractors will no longer be required to pay a one-time \$25 fee when initially registering. Out of state contractors will also no longer be required to submit a \$25 fee for each contract they receive of at least \$10,000.

**SECTION BY SECTION SUMMARY:**

Section 1: Removes non-resident contractor from the definitions section

Section 2: Removes the additional non-resident contractor fee.

Motion to include LB 427 into AM1330

Vote Results: 7-0-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator Blood, Senator McKinney.

Voting Nay: None

Present Not Voting: None

Testifiers Information about LB 427 can be found on the Committee Statement to LB 427.

LB249 makes several changes to the Rural Workforce Housing Investment Act.

LB 249 has been amended to remove the provision striking the language prohibiting using rural workforce housing funds for projects also receiving certain other state grants and credits, includes additional provision of eligible activities to include extension of sewer or water service in support of workforce housing, and removes funding provision from section 3 and originally introduced.

Motion to include LB 249 into AM1330

Vote Results: 6-0-1-0

Voting Aye: Senator Riepe, Senator Halloran, Senator Ibach, Senator Hunt, Senator McKinney.

Voting Nay: None

Present Not Voting: Senator Blood

Testifiers Information about LB 249 can be found on the Committee Statement to LB 249.

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Merv Riepe, Chairperson