

## ENGROSSED LEGISLATIVE BILL 905

Introduced by Arch, 14.

A BILL FOR AN ACT relating to state government; to amend sections 2-1814, 2-1816, 38-315, 38-317, 39-2108, 49-1499.02, 71-7010, 71-7013, 72-813, 72-814, 72-815, 72-816, 72-818, 81-1117, 81-1120.17, 81-15,212, 81-15,214, 81-15,215, 81-15,217, 81-15,218, 81-15,221, 81-15,224, 81-15,230, 81-15,231, 85-1002, 85-1005, 86-502, 86-515, 86-522, 86-523, 86-572, and 90-203, Reissue Revised Statutes of Nebraska, sections 39-2310, 43-4215, 43-4217, and 66-4,100, Revised Statutes Cumulative Supplement, 2024, and sections 38-167, 38-204, 38-308, 38-605, 38-703, 38-904, 38-2120, 38-2213, 38-2214, 38-2216, 38-2306, 39-2106, 39-2301.01, 43-4203, 43-4513, 71-814, 71-5310, 71-7107, 71-7108, 71-7109, 71-7110, 72-811, 81-1108.41, 81-1430, 81-1431, 81-15,160, 81-15,210, 81-15,229, 85-1643, and 86-516, Revised Statutes Supplement, 2025; to eliminate the Nebraska Potato Development Act and provisions related to the Nebraska Potato Development Committee, the Nebraska Potato Development Fund, and the Division of Potato Development in the Department of Agriculture; to change and eliminate provisions related to the Climate Assessment Response Committee, the Nebraska Aquaculture Board, the Board of Advanced Practice Registered Nurses, the Board of Alcohol and Drug Counseling, the Board of Examiners for County Highway and City Street Superintendents, the Children's Behavioral Health Task Force, the Foster Care Reimbursement Rate Committee, the Bridge to Independence Advisory Committee, the Natural Gas Fuel Board, the Women's Health Initiative Advisory Council, the Women's Health Initiative Fund, the State Advisory Committee on Substance Abuse Services, the Veterinary Prescription Monitoring Program Task Force, the Advisory Council on Public Water Supply, the Breast and Cervical Cancer Advisory Committee, the Critical Incident Stress Management Council, the Vacant Building and Excess Land Committee, the Governor's Residence

Advisory Commission, the State Comprehensive Capital Facilities Planning Committee, the technical panel for the Nebraska Information Technology Commission, the Suggestion Award Board, the human trafficking task force within the Nebraska Commission on Law Enforcement and Criminal Justice, the State Emergency Response Commission, the Private Onsite Wastewater Treatment System Advisory Committee, the National Statuary Hall of the United States Capitol, the Willa Cather National Statuary Hall Cash Fund, the Chief Standing Bear National Statuary Hall Cash Fund, the Nebraska Safety Center Advisory Council, the technical panel for the Nebraska Information Technology Commission, the Rural Broadband Task Force, and the Rural Broadband Task Force Fund; to eliminate provisions regarding a solid waste management study and advisory committee and a private postsecondary career school advisory council; to eliminate penalties and obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 2-1802, 2-1804, 2-1805, 2-1806, 2-1807, 2-1808, 2-1809, 2-1810, 2-1811, 2-1812, 2-4902, 2-5002, 2-5005, 2-5006, 72-2102, 72-2104, 72-2105, 81-15,195, 81-15,211, 82-701, 82-702, 82-704, 82-705, and 82-707, Reissue Revised Statutes of Nebraska, sections 39-2305 and 72-2103, Revised Statutes Cumulative Supplement, 2024, and sections 2-1801, 2-1803, 2-1826, 2-4901, 2-5001, 2-5003, 38-205, 38-310, 39-2304, 43-4001, 43-4216, 66-2001, 71-702, 71-705, 71-706, 71-815, 71-2454.01, 71-5311, 71-7012, 72-812, 72-2101, 81-1139.02, 81-1348, 81-15,159.01, 81-15,245, 81-15,246, 82-703, 82-706, 85-1008, 85-1607, 86-511, 86-521, 86-1101, 86-1102, and 86-1103, Revised Statutes Supplement, 2025; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

**Section 1.** Section 2-1814, Reissue Revised Statutes of Nebraska, is amended to read:

2-1814 For purposes of the Nebraska Potato Inspection Act:

- (1) Department means the Department of Agriculture;
- (2) Director means the Director of Agriculture;

(3) Commercial potato growing area means a geographic area in which potatoes are produced and offered for sale in commercial quantities;

(4) Commercial shipment means (a) any potatoes shipped in commerce or processed and destined for human consumption and (b) noncertified seed potatoes shipped out of the state;

(5) Commercial potato acreage means a potato field of three acres or more;

(6) Person means and includes any natural person, firm, partnership, limited liability company, association, or corporation;

(7) Potato grower means the actual grower within the State of Nebraska of at least three acres of potatoes during the crop year;

(8) Potato shipper means and includes any person engaged in the business of shipping potatoes who, in any calendar year, sells one hundred eighty thousand pounds of potatoes grown in Nebraska, including potato growers who sell one hundred eighty thousand pounds of potatoes not through licensed shippers and any person who utilizes for any purpose in any calendar year one hundred eighty thousand pounds of potatoes grown in Nebraska not purchased from licensed shippers; and

(9) Preceding crop year means the last calendar year for which official acreage statistics have been compiled by the state-federal division of agricultural statistics.

**Sec. 2.** Section 2-1816, Reissue Revised Statutes of Nebraska, is amended to read:

2-1816 Any person, for the purpose of obtaining information relative to the cost of potato inspection and grading services for a designated area, may request in writing that an estimate be prepared by the director of the costs of such a service. The director may establish an estimated inspection fee based upon the inspector's salary, mileage and other travel expenses, cost of inspection certificates, and other necessary expenses to cover the inspection service and the administration thereof.

To establish compulsory inspection of commercial shipments of potatoes in a designated area, a petition, signed by potato growers representing fifty-one

percent or more of the commercial potato acreage of the last preceding crop year, with an estimate of inspection costs attached, may be presented to the director requesting that all commercial shipments of potatoes originating in the designated area be officially inspected and graded by the department at the point of origin or at locations approved by the director. The director shall fix a time and place for hearing on the petition and shall publish notice thereof in a newspaper having general circulation in the area designated in the petition for three consecutive weeks. At the time and place established by such notice, the director or the director's designate shall hold a public hearing upon the petition at which time evidence will be taken in support of or in opposition to the petition. If the evidence reveals that potato growers representing fifty-one percent or more of the commercial potato acreage of the last preceding crop year are in favor of the compulsory program set forth in the petition request, the director shall enter an order establishing compulsory inspection of commercial shipments of potatoes in the area designated in the petition. A petition to terminate compulsory inspection, signed by potato growers representing fifty-one percent or more of the commercial potato acreage of the last preceding crop year, may be filed with the director at any time and such petition shall be set for public hearing in the manner provided in this section. If the director finds from the evidence submitted at such hearing to terminate inspection services that the petition to terminate represents fifty-one percent or more of the commercial potato acreage of the last preceding crop year, the director shall enter an order declaring that compulsory potato inspection is terminated. In order to determine the commercial potato acreage of the last preceding crop year, the director shall use the tabulated crop acreage reports of the county assessors, compiled by the state-federal division of agricultural statistics.

**Sec. 3.** Section 38-167, Revised Statutes Supplement, 2025, is amended to read:

38-167 (1) Boards shall be designated as follows:

(a) Board of Athletic Training;

- (b) Board of Audiology and Speech-Language Pathology;
- (c) Board of Behavior Analysts;
- (d) Board of Chiropractic;
- (e) Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art;
- (f) Board of Dentistry;
- (g) Board of Emergency Medical Services;
- (h) Board of Registered Environmental Health Specialists;
- (i) Board of Funeral Directing and Embalming;
- (j) Board of Hearing Instrument Specialists;
- (k) Board of Massage Therapy;
- (l) Board of Medical Nutrition Therapy;
- (m) Board of Medical Radiography;
- (n) Board of Medicine and Surgery;
- (o) Board of Mental Health Practice;
- (p) Board of Nursing;
- (q) Board of Nursing Home Administration;
- (r) Board of Occupational Therapy Practice;
- (s) Board of Optometry;
- (t) Board of Pharmacy;
- (u) Board of Physical Therapy;
- (v) Board of Podiatry;
- (w) Board of Psychology;
- (x) Board of Respiratory Care Practice; and
- (y) Board of Veterinary Medicine and Surgery.

(2) Any change made by the Legislature of the names of boards listed in this section shall not change the membership of such boards or affect the validity of any action taken by or the status of any action pending before any of such boards. Any such board newly named by the Legislature shall be the direct and only successor to the board as previously named.

**Sec. 4.** Section 38-204, Revised Statutes Supplement, 2025, is amended to

read:

38-204 Board means the Board of Nursing.

**Sec. 5.** Section 38-308, Revised Statutes Supplement, 2025, is amended to read:

38-308 Board means the Board of Mental Health Practice.

**Sec. 6.** Section 38-315, Reissue Revised Statutes of Nebraska, is amended to read:

38-315 (1)(a) The practical training supervisor for supervised practical training required under section 38-314 shall hold one of the following credentials:

(i) Licensure as an alcohol and drug counselor;

(ii) If the practical training is acquired outside of Nebraska, a reciprocity level alcohol and drug counselor credential issued by a member jurisdiction of the International Certification and Reciprocity Consortium, Alcohol and Other Drug Abuse, Inc., or its successor; or

(iii) Licensure as a physician or psychologist under the Uniform Credentialing Act, or an equivalent credential from another jurisdiction, and sufficient training as determined by the Board of Medicine and Surgery for physicians or the Board of Psychologists for psychologists, in consultation with the Board of Mental Health Practice, and adopted and promulgated by the department in rules and regulations.

(b) The practical training supervisor shall not be a family member.

(c) The credential requirement of this subsection applies to the work setting supervisor and not to a practicum coordinator or instructor of a postsecondary educational institution.

(2) The practical training supervisor shall assume responsibility for the performance of the individual in training and shall be onsite at the work setting when core function activities are performed by the individual in training. A minimum of one hour of evaluative face-to-face supervision for each ten hours of core function performance shall be documented. Supervisory methods shall include, as a minimum, individual supervisory sessions, formal case

staffings, and conjoint, cotherapy sessions. Supervision shall be directed towards teaching the knowledge and skills of professional alcohol and drug counseling.

**Sec. 7.** Section 38-317, Reissue Revised Statutes of Nebraska, is amended to read:

38-317 (1)(a) The clinical supervisor for supervised clinical work experience under section 38-316 shall hold one of the following credentials:

(i) Licensure as an alcohol and drug counselor;

(ii) If the clinical work is acquired outside of Nebraska, a reciprocity level alcohol and drug counselor credential issued by a member jurisdiction of the International Certification and Reciprocity Consortium, Alcohol and Other Drug Abuse, Inc., or its successor;

(iii) The highest level alcohol and drug counselor credential issued by a jurisdiction that is not a member of the International Certification and Reciprocity Consortium, Alcohol and Other Drug Abuse, Inc., or its successor if the credential is based on education, experience, and examination that is substantially similar to the license issued in this state as determined by the board; or

(iv) Licensure as a physician or psychologist under the Uniform Credentialing Act, or an equivalent credential from another jurisdiction, and sufficient training as determined by the Board of Medicine and Surgery for physicians or the Board of Psychologists for psychologists, in consultation with the Board of Mental Health Practice, and adopted and promulgated by the department in rules and regulations.

(b) The clinical supervisor shall be formally affiliated with the program or agency in which the work experience is gained.

(c) The clinical supervisor shall not be a family member.

(2) There shall be one hour of evaluative face-to-face clinical supervision for each forty hours of paid alcohol and drug counseling work experience. The format for supervision shall be either one-on-one or small group. Methods of supervision may include case review and discussion or direct

observation of a counselor's clinical work.

**Sec. 8.** Section 38-605, Revised Statutes Supplement, 2025, is amended to read:

38-605 Board means the Board of Nursing.

**Sec. 9.** Section 38-703, Revised Statutes Supplement, 2025, is amended to read:

38-703 Board means the Board of Nursing.

**Sec. 10.** Section 38-904, Revised Statutes Supplement, 2025, is amended to read:

38-904 Board means the Board of Nursing.

**Sec. 11.** Section 38-2120, Revised Statutes Supplement, 2025, is amended to read:

38-2120 The board shall consist of eleven professional members and three public members appointed pursuant to section 38-158. The members shall meet the requirements of sections 38-164 and 38-165. Two professional members shall be certified master social workers, two professional members shall be certified professional counselors, two professional members shall be certified marriage and family therapists, one professional member shall be a certified art therapist, two professional members shall be licensed mental health practitioners that do not hold an associated certification, and two professional members shall be licensed alcohol and drug counselors.

**Sec. 12.** Section 38-2213, Revised Statutes Supplement, 2025, is amended to read:

38-2213 (1) The board shall consist of ten registered nurse members, two licensed practical nurse members, and three public members. The registered nurses on the board shall be from the following areas: (a) One practical nurse educator; (b) one associate degree or diploma nurse educator; (c) one baccalaureate nurse educator; (d) one nursing service administrator; (e) two staff nurses; and (f) four advanced practice registered nurses.

(2) The State Board of Health shall attempt to ensure that the membership of the Board of Nursing is representative of acute care, long-term care, and

community-based care. A minimum of three and a maximum of five members shall be appointed from each congressional district, and each member shall have been a bona fide resident of the congressional district from which he or she is appointed for a period of at least one year prior to the time of the appointment of such member.

**Sec. 13.** Section 38-2214, Revised Statutes Supplement, 2025, is amended to read:

38-2214 (1) Each licensed practical nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a graduate degree in nursing or a related field of study, (c) have had a minimum of five years' experience in administration, teaching, or consultation in practical nurse education, and (d) be currently employed as a practical nurse educator.

(2) Each associate degree or diploma nurse educator on the board and the baccalaureate nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a graduate degree in nursing, (c) have had a minimum of five years' experience in administration, teaching, or consultation in nursing education, and (d) be currently employed in the field being represented.

(3) Each staff nurse on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing, and (c) be currently employed as a staff nurse in the provision of patient care services.

(4) Each nursing service administrator on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing service administration, and (c) be currently employed in such field.

(5) Each licensed practical nurse member shall (a) have completed at least four years of high school study, (b) be licensed as a licensed practical nurse in this state, (c) have obtained a certificate or diploma from a state-approved practical nursing program, (d) have been actively engaged in practical nursing

for at least five years, and (e) be currently employed in the provision of patient care services as a licensed practical nurse in the state.

(6) Each public member shall meet the requirements of section 38-165.

(7)(a) Each advanced practice registered nurse on the board shall (i) have a minimum of five years' experience as an advanced practice registered nurse, (ii) be currently employed as an advanced practice registered nurse, and (iii) be licensed as an advanced practice registered nurse.

(b) The preferred representation of the advanced practice registered nurses on the board includes one certified registered nurse anesthetist, one nurse practitioner, one clinical nurse specialist, and one certified nurse midwife. If such representation is not possible, any vacancy under subdivision (1)(f) of section 38-2213 may be filled based on the composition of the applicant pool for the vacant advanced practice registered nurse position on the board.

(c) The appointment of advanced practice registered nurses to fill the vacancies as of July 1, 2026, shall be made so that one of the four advanced practice registered nurse members serves until December 1, 2028, one serves until December 1, 2029, one serves until December 1, 2030, and one serves until December 1, 2031, or as close thereto as possible. Subsequent appointments of advanced practice registered nurses shall be for five-year terms as provided in section 38-163.

**Sec. 14.** Section 38-2216, Revised Statutes Supplement, 2025, is amended to read:

38-2216 In addition to the duties listed in sections 38-126 and 38-161, the board shall:

(1) Adopt reasonable and uniform standards for nursing practice and nursing education;

(2) If requested, issue or decline to issue advisory opinions defining acts which in the opinion of the board are or are not permitted in the practice of nursing. Such opinions shall be considered informational only and are nonbinding. Practice-related information provided by the board to registered

nurses or licensed practical nurses licensed under the Nurse Practice Act shall be made available by the board on request to nurses practicing in this state under a license issued by a state that is a party to the Nurse Licensure Compact;

(3) Establish rules and regulations for approving and classifying programs preparing nurses, taking into consideration administrative and organizational patterns, the curriculum, students, student services, faculty, and instructional resources and facilities, and provide surveys for each educational program as determined by the board;

(4) Approve educational programs which meet the requirements of the Nurse Practice Act;

(5) Keep a record of all its proceedings and compile an annual report for distribution;

(6) Adopt rules and regulations establishing standards for delegation of nursing activities, including training or experience requirements, competency determination, and nursing supervision;

(7) Collect data regarding nursing;

(8) Provide consultation and conduct conferences, forums, studies, and research on nursing practice and education;

(9) Join organizations that develop and regulate the national nursing licensure examinations and exclusively promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety, and welfare;

(10) Administer the Nurse Licensure Compact. In reporting information to the coordinated licensure information system under Article VII of the compact, the department may disclose personal identifying information about a nurse, including his or her social security number;

(11) Establish standards for integrated practice agreements between collaborating physicians and certified nurse midwives;

(12) Monitor the scope of practice by certified nurse midwives, certified registered nurse anesthetists, clinical nurse specialists, and nurse

practitioners;

(13) Recommend disciplinary action relating to licenses of advanced practice registered nurses, certified nurse midwives, certified registered nurse anesthetists, clinical nurse specialists, and nurse practitioners;

(14) Engage in other activities not inconsistent with the Advanced Practice Registered Nurse Practice Act, the Certified Nurse Midwifery Practice Act, the Certified Registered Nurse Anesthetist Practice Act, the Clinical Nurse Specialist Practice Act, and the Nurse Practitioner Practice Act; and

(15) Adopt rules and regulations to implement the Advanced Practice Registered Nurse Practice Act, the Certified Nurse Midwifery Practice Act, the Certified Registered Nurse Anesthetist Practice Act, the Clinical Nurse Specialist Practice Act, and the Nurse Practitioner Practice Act, for promulgation by the department as provided in section 38-126. Such rules and regulations shall also include (a) approved certification organizations and certification programs and (b) professional liability insurance.

**Sec. 15.** Section 38-2306, Revised Statutes Supplement, 2025, is amended to read:

38-2306 Board means the Board of Nursing.

**Sec. 16.** Section 39-2106, Revised Statutes Supplement, 2025, is amended to read:

39-2106 (1) There is hereby established the Board of Public Roads Classifications and Standards which shall consist of eleven members to be appointed by the Governor with the approval of the Legislature. Any member serving on the Board of Examiners of County Highway and City Street Superintendents on June 30, 2026, shall be presumptively eligible to serve on the Board of Public Roads Classifications and Standards without meeting the criteria of subsections (2) through (6) of this section. Any presumptively eligible member shall serve for a term of four years from the date when he or she became a member of the board and may be reappointed by the Governor. The board shall assist in developing the functional classification system under sections 39-2101 to 39-2125 and shall have sole responsibility for overseeing

the County Highway and City Street Superintendents Act.

(2) Of the members of such board:

(a) Two shall be representatives of the Department of Transportation;

(b) Three shall be representatives of the counties. One of such members shall be a county highway superintendent licensed pursuant to the County Highway and City Street Superintendents Act, and two of such members shall be county board members;

(c) Three shall be representatives of the municipalities. One of such members shall be a city street superintendent licensed pursuant to the County Highway and City Street Superintendents Act, and the remaining representatives of municipalities shall be a city engineer, village engineer, public works director, city manager, city administrator, street commissioner, or city street superintendent licensed pursuant to the County Highway and City Street Superintendents Act; and

(d) Three shall be lay citizens, with one representing each of the three congressional districts of the state.

(3) The county members on the board shall represent the various classes of counties, as defined in section 23-1114.01, in the following manner:

(a) One shall be a representative from either a Class 1 or Class 2 county;

(b) One shall be a representative from either a Class 3 or Class 4 county;

and

(c) One shall be a representative from either a Class 5, Class 6, or Class 7 county.

(4) The municipal members of the board shall represent municipalities of the following sizes by population, as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census:

(a) One shall be a representative from a municipality of less than two thousand five hundred inhabitants;

(b) One shall be a representative from a municipality of two thousand five hundred to fifty thousand inhabitants; and

(c) One shall be a representative from a municipality of over fifty thousand inhabitants.

(5) In making such appointments, the Governor shall consult with the Director-State Engineer and with the appropriate county and municipal officials and may consult with organizations representing such officials or representing counties or municipalities as may be appropriate.

(6) At the expiration of the existing term, one member from the county representatives, the municipal representatives, and the lay citizens shall be appointed for a term of two years; and two members from the county representatives, the municipal representatives, and the lay citizens shall be appointed for terms of four years. One representative from the department shall be appointed for a two-year term and the other representative shall be appointed for a four-year term. Thereafter, all such appointments shall be for terms of four years each.

(7) If the Legislature is not in session when members of the board are appointed by the Governor, such members shall take office and act as recess appointees until the next meeting of the Legislature.

(8) Members of such board shall receive no compensation for their services as such, except that the lay members shall receive the same compensation as members of the State Highway Commission, and all members shall be reimbursed for expenses incurred in the performance of their official duties as provided in sections 81-1174 to 81-1177. All expenses of such board shall be paid by the department.

**Sec. 17.** Section 39-2108, Reissue Revised Statutes of Nebraska, is amended to read:

39-2108 The Board of Public Roads Classifications and Standards shall meet at such times and places as necessary to carry out its duties under the County Highway and City Street Superintendents Act and sections 39-2101 to 39-2125. The board shall be subject to the Administrative Procedure Act.

**Sec. 18.** Section 39-2301.01, Revised Statutes Supplement, 2025, is amended to read:

39-2301.01 For purposes of the County Highway and City Street Superintendents Act, unless the context otherwise requires:

(1) Board of examiners means the Board of Public Roads Classifications and Standards;

(2) City street superintendent means a person who engages in the practice of street superintending for an incorporated municipality;

(3) County highway superintendent means a person who engages in the practice of highway superintending for a county; and

(4) Street or highway superintending means assisting an incorporated municipality or a county in the following:

(a) Developing and annually updating long-range plans or programs based on needs and coordinated with adjacent local governmental units;

(b) Developing annual programs for design, construction, and maintenance;

(c) Developing annual budgets based on programmed projects and activities;

(d) Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets; and

(e) Managing personnel, contractors, and equipment in support of such planning, programming, budgeting, and implementation operations.

**Sec. 19.** Section 39-2310, Revised Statutes Cumulative Supplement, 2024, is amended to read:

39-2310 All funds received under the County Highway and City Street Superintendents Act shall be remitted to the State Treasurer for credit to the Highway Cash Fund.

**Sec. 20.** Section 43-4203, Revised Statutes Supplement, 2025, is amended to read:

43-4203 (1) The Nebraska Children's Commission shall create a committee to examine the Office of Juvenile Services and the Juvenile Services Division of the Office of Probation Administration. Such committee shall review the role and effectiveness of out-of-home placements utilized in the juvenile justice system, including the youth rehabilitation and treatment centers, and make recommendations to the commission on the juvenile justice continuum of care,

including what populations should be served in out-of-home placements and what treatment services should be provided at the centers in order to appropriately serve those populations. Such committee shall also review how mental and behavioral health services are provided to juveniles in residential placements and the need for such services throughout Nebraska and make recommendations to the commission relating to those systems of care in the juvenile justice system. The committee shall collaborate with the Juvenile Justice Institute at the University of Nebraska at Omaha, the Center for Health Policy at the University of Nebraska Medical Center, the behavioral health regions as established in section 71-807, and state and national juvenile justice experts to develop recommendations. The recommendations shall include a plan to implement a continuum of care in the juvenile justice system to meet the needs of Nebraska families, including specific recommendations for the rehabilitation and treatment model. The recommendations shall be delivered to the commission and electronically to the Judiciary Committee of the Legislature annually by September 1.

(2) The commission shall collaborate with juvenile justice specialists of the Office of Probation Administration and county officials with respect to any county-operated practice model participating in the Crossover Youth Program of the Center for Juvenile Justice Reform at Georgetown University.

(3) The commission shall analyze case management workforce issues and make recommendations to the Health and Human Services Committee of the Legislature regarding:

(a) Salary comparisons with other states and the current pay structure based on job descriptions;

(b) Utilization of incentives for persons who work in the area of child welfare;

(c) Evidence-based training requirements for persons who work in the area of child welfare and their supervisors; and

(d) Collaboration with the University of Nebraska to increase and sustain such workforce.

(4) The Nebraska Strengthening Families Act Committee created pursuant to section 43-4716 shall be under the jurisdiction of the commission.

(5) The commission shall work with the office of the State Court Administrator, as appropriate, and entities which coordinate facilitated conferencing as described in section 43-247.03.

(6) The commission shall work with administrators from each of the service areas designated pursuant to section 81-3116, the teams created pursuant to section 28-728, local foster care review boards, child advocacy centers, the teams created pursuant to the Supreme Court's Through the Eyes of the Child Initiative, community stakeholders, and advocates for child welfare programs and services to establish networks in each of such service areas. Such networks shall permit collaboration to strengthen the continuum of services available to child welfare agencies and to provide resources for children and juveniles outside the child protection system.

(7) The commission may organize subcommittees as it deems necessary. Members of the subcommittees may be members of the commission or may be individuals who have knowledge of the subcommittee's subject matter, professional expertise to assist the subcommittee in completing its assigned responsibilities, or the ability to collaborate within the subcommittee and with the commission to carry out the powers and duties of the commission. A subcommittee shall meet as necessary to complete the work delegated by the commission and shall report its findings to the relevant committee within the commission.

(8) No member of any committee or subcommittee created pursuant to this section shall have any private financial interest, profit, or benefit from any work of such committee or subcommittee.

**Sec. 21.** Section 43-4215, Revised Statutes Cumulative Supplement, 2024, is amended to read:

43-4215 (1) On or before July 1, 2014, the Division of Children and Family Services of the Department of Health and Human Services shall implement the reimbursement rate recommendations of the Foster Care Reimbursement Rate

Committee as reported to the Legislature pursuant to section 43-4212 as such section existed before June 5, 2013.

(2) It is the intent of the Legislature to create additional levels of caregiving for youth in foster care and to create an implementation plan for treatment family care services in order to expand the service array for high-acuity youth in the foster care system.

(3) The Legislature finds that (a) there is a need for consistency in the implementation of additional tiers of caregiving across the state, (b) additional tiers of caregiving and reimbursement exist in the continuum of foster care services available in Nebraska, however, there is a variation in the rates, implementation and outcomes, (c) the use of rates outside of the established rate structure can create barriers to permanency for children entering adoption and guardianship and prohibits the state from accessing federal foster care funds that would otherwise be available under Title IV-E of the federal Social Security Act, and (d) additional tiers of caregiving should be utilized to support the exceptional caregiving needs of children.

(4) The Legislature further finds that (a) additional treatment services are needed to support the behavioral and mental health needs of youth who are at risk of entering, or who are stepping down from, congregate treatment placement, and (b) treatment family care services uses blended funding to support caregivers and prevent placement disruption.

(5) The Division of Children and Family Services of the Department of Health and Human Services shall, in collaboration with the Nebraska Children's Commission, implement additional statewide tiers of foster care reimbursements for specialized caregiving with standardized rates for foster parents and child placing agencies.

(6)(a) On or before July 1, 2013, the Division of Children and Family Services of the Department of Health and Human Services shall develop a pilot project as provided in this subsection to implement the standardized level of care assessment tools recommended by the Foster Care Reimbursement Rate Committee as reported to the Legislature pursuant to section 43-4212 as such

section existed before June 5, 2013.

(b)(i) The pilot project shall comprise two groups: One in an urban area and one in a rural area. The size of each group shall be determined by the division to ensure an accurate estimate of the effectiveness and cost of implementing such tools statewide.

(ii) The Nebraska Children's Commission shall review and provide a progress report on the pilot project by October 1, 2013, to the department and electronically to the Health and Human Services Committee of the Legislature; shall provide to the department and electronically to the committee by December 1, 2013, a report including recommendations and any legislation necessary, including appropriations, to adopt the recommendations, regarding the adaptation or continuation of the implementation of a statewide standardized level of care assessment; and shall provide to the department and electronically to the committee by February 1, 2014, a final report and final recommendations of the commission.

**Sec. 22.** Section 43-4217, Revised Statutes Cumulative Supplement, 2024, is amended to read:

43-4217 (1) The Nebraska Children's Commission shall review and make recommendations in the following areas: Foster care reimbursement rates, the statewide standardized level of care assessment, and adoption assistance payments as required by section 43-117. In making recommendations to the Legislature, the commission shall use the then-current foster care reimbursement rates as the beginning standard for setting reimbursement rates. The commission shall adjust the standard to reflect the reasonable cost of achieving measurable outcomes for all children in foster care in Nebraska. The commission shall (a) analyze then-current consumer expenditure data reflecting the costs of caring for a child in Nebraska, (b) identify and account for additional costs specific to children in foster care, and (c) apply a geographic cost-of-living adjustment for Nebraska. The reimbursement rate structure shall comply with funding requirements related to Title IV-E of the federal Social Security Act, as amended, and other federal programs as

appropriate to maximize the utilization of federal funds to support foster care.

(2) The commission shall review the role and effectiveness of and make recommendations on the statewide standardized level of care assessment containing standardized criteria to determine a foster child's placement needs and to identify the appropriate foster care reimbursement rate. The commission shall review other states' assessment models and foster care reimbursement rate structures in completing the statewide standardized level of care assessment review and the standard statewide foster care reimbursement rate structure. The commission shall ensure the statewide standardized level of care assessment and the standard statewide foster care reimbursement rate structure provide incentives to tie performance in achieving the goals of safety, maintaining family connection, permanency, stability, and well-being to reimbursements received. The commission shall review and make recommendations on assistance payments to adoptive parents as required by section 43-117. The commission shall make recommendations to ensure that changes in foster care reimbursement rates do not become a disincentive to permanency.

(3) The commission shall provide electronic reports with its recommendation to the Health and Human Services Committee of the Legislature on July 1, 2016, and every four years thereafter.

**Sec. 23.** Section 43-4513, Revised Statutes Supplement, 2025, is amended to read:

43-4513 The Nebraska Children's Commission shall advise and make recommendations to the Legislature regarding ongoing implementation of the bridge to independence program, extended guardianship assistance described in section 43-4511, and extended adoption assistance described in section 43-4512. The commission shall provide a written report regarding ongoing implementation, including participation in the bridge to independence program, extended guardianship assistance described in section 43-4511, and extended adoption assistance described in section 43-4512 and early discharge rates and reasons obtained from the department, to the Health and Human Services Committee of the

Legislature, the department, and the Governor by September 1 of each year. The report to the Health and Human Services Committee of the Legislature shall be submitted electronically.

**Sec. 24.** Section 49-1499.02, Reissue Revised Statutes of Nebraska, is amended to read:

49-1499.02 (1) An official or employee of the executive branch of state government who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his or her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall take the following actions as soon as he or she is aware of such potential conflict or should reasonably be aware of such potential conflict, whichever is sooner:

(a) Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict; and

(b) Deliver a copy of the statement to the commission and to his or her immediate superior, if any, who shall assign the matter to another. If the immediate superior does not assign the matter to another or if there is no immediate superior, the official or employee shall take such action as the commission shall advise or prescribe to remove himself or herself from influence over the action or decision on the matter.

(2) This section does not prevent such a person from (a) making or participating in the making of a governmental decision to the extent that the individual's participation is legally required for the action or decision to be made or (b) making or participating in the making of a governmental decision if the potential conflict of interest is based upon a business association and the business association exists only as the result of his or her position on a commodity board. A person acting pursuant to subdivision (a) of this subsection shall report the occurrence to the commission.

(3) For purposes of this section, commodity board means only the

following:

- (a) Corn Development, Utilization, and Marketing Board;
- (b) Nebraska Dairy Industry Development Board;
- (c) Grain Sorghum Development, Utilization, and Marketing Board;
- (d) Nebraska Wheat Development, Utilization, and Marketing Board;
- (e) Dry Bean Commission;
- (f) Nebraska Poultry and Egg Development, Utilization, and Marketing Committee; and
- (g) Dry Pea and Lentil Commission.

**Sec. 25.** Section 66-4,100, Revised Statutes Cumulative Supplement, 2024, is amended to read:

66-4,100 The Highway Cash Fund and the Roads Operations Cash Fund are hereby created. If bonds are issued pursuant to subsection (2) of section 39-2223, the balance of the share of the Highway Trust Fund allocated to the Department of Transportation and deposited into the Highway Restoration and Improvement Bond Fund as provided in subsection (8) of section 39-2215 and the balance of the money deposited in the Highway Restoration and Improvement Bond Fund as provided in section 39-2215.01 shall be transferred by the State Treasurer, on or before the last day of each month, to the Highway Cash Fund. If no bonds are issued pursuant to subsection (2) of section 39-2223, the share of the Highway Trust Fund allocated to the Department of Transportation shall be transferred by the State Treasurer on or before the last day of each month to the Highway Cash Fund.

The Legislature may direct the State Treasurer to transfer funds from the Highway Cash Fund to the Roads Operations Cash Fund. Both funds shall be expended by the department (1) for acquiring real estate, road materials, equipment, and supplies to be used in the construction, reconstruction, improvement, and maintenance of state highways, (2) for the construction, reconstruction, improvement, and maintenance of state highways, including grading, drainage, structures, surfacing, roadside development, landscaping, and other incidentals necessary for proper completion and protection of state

highways as the department shall, after investigation, find and determine shall be for the best interests of the highway system of the state, either independent of or in conjunction with federal-aid money for highway purposes, (3) for the share of the department of the cost of maintenance of state aid bridges, (4) for planning studies in conjunction with federal highway funds for the purpose of analyzing traffic problems and financial conditions and problems relating to state, county, township, municipal, federal, and all other roads in the state and for incidental costs in connection with the federal-aid grade crossing program for roads not on state highways, (5) for tests and research by the department or proportionate costs of membership, tests, and research of highway organizations when participated in by the highway departments of other states, (6) for the payment of expenses of the Board of Public Roads Classifications and Standards as set forth in the County Highway and City Street Superintendents Act and sections 39-2101 to 39-2125, (7) for support of the public transportation assistance program established under section 13-1209 and the intercity bus system assistance program established under section 13-1213, (8) for purchasing from political or governmental subdivisions or public corporations, pursuant to section 39-1307, any federal-aid transportation funds available to such entities, (9) for costs related to the administration of the Division of Aeronautics of the Department of Transportation as specified in section 3-107, (10) for furnishing the Nebraska Broadband Office with necessary office space, furniture, equipment, and supplies as well as providing administrative and budgetary support, including salaries for professional, technical, and clerical assistants, as provided in section 81-702, and (11) for the County Bridge Match Program.

Any money in the Highway Cash Fund and the Roads Operations Cash Fund not needed for current operations of the department shall, as directed by the Director-State Engineer to the State Treasurer, be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act, subject to approval by the board of each investment. All income received as a result of such investment shall be placed

in the Highway Cash Fund.

**Sec. 26.** Section 71-814, Revised Statutes Supplement, 2025, is amended to read:

71-814 (1) The State Advisory Committee on Mental Health Services is created. Members of the committee shall have a demonstrated interest and commitment and specialized knowledge, experience, or expertise relating to the provision of mental health services in the State of Nebraska. The committee shall consist of twenty-three members appointed by the Governor as follows: (a) One regional governing board member, (b) one regional administrator, (c) twelve consumers of behavioral health services or their family members, (d) two providers of behavioral health services, (e) two representatives from the State Department of Education, including one representative from the Division of Vocational Rehabilitation of the State Department of Education, (f) three representatives from the Department of Health and Human Services representing mental health, social services, and medicaid, (g) one representative from the Nebraska Commission on Law Enforcement and Criminal Justice, and (h) one representative from the Housing Office of the Community and Rural Development Division of the Department of Economic Development.

(2) The committee shall be responsible to the division and shall (a) serve as the state's mental health planning council as required by Public Law 102-321, (b) conduct regular meetings, (c) provide advice and assistance to the division relating to the provision of mental health services and substance use disorder services in the State of Nebraska, including, but not limited to, the development, implementation, provision, and funding of organized peer support services, (d) promote the interests of consumers and their families, including, but not limited to, their inclusion and involvement in all aspects of services design, planning, implementation, provision, education, evaluation, and research, (e) provide reports as requested by the division, and (f) engage in such other activities as directed or authorized by the division.

**Sec. 27.** Section 71-5310, Revised Statutes Supplement, 2025, is amended to read:

71-5310 (1) The director may authorize variances or exemptions from the drinking water standards issued pursuant to section 71-5302 under conditions and in such manner as deemed necessary and desirable. Such variances or exemptions shall be permitted under conditions and in a manner which are not less stringent than the conditions under, and the manner in which, variances and exemptions may be granted under the federal Safe Drinking Water Act.

(2) Prior to granting a variance or an exemption, the director shall provide notice, in a newspaper of general circulation serving the area served by the public water system, of the proposed exemption or variance and that interested persons may request a public hearing on the proposed exemption or variance. The director may require the system to provide other appropriate notice necessary to provide adequate notice to persons served by the system.

(3) If a public hearing is requested, the director shall set a time and place for the hearing and such hearing shall be held before the department prior to the variance or exemption being issued. Frivolous and insubstantial requests for a hearing may be denied by the director. An exemption or variance shall be conditioned on monitoring, testing, analyzing, or other requirements to insure the protection of the public health. A variance or an exemption granted shall include a schedule of compliance under which the public water system is required to meet each contaminant level or treatment technique requirement for which a variance or an exemption is granted within a reasonable time as specified by the director.

**Sec. 28.** Section 71-7010, Reissue Revised Statutes of Nebraska, is amended to read:

71-7010 The Breast and Cervical Cancer Cash Fund is created. The fund shall consist of any money transferred to it by the Legislature, any money received by the department for the program, including federal and other public and private funds, and funds credited under section 71-7003.01. Money in the fund may be used to reimburse expenses of the program for early detection of breast and cervical cancer funded through a grant from the United States Department of Health and Human Services and funds received under section

71-7003.01. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 29.** Section 71-7013, Reissue Revised Statutes of Nebraska, is amended to read:

71-7013 The State of Nebraska and the department and its employees shall not be liable for any damage or injury resulting from (1) a false negative result or a false positive result interpretation or any other act or omission of an interpreting physician with respect to any screening performed pursuant to sections 71-7001.01 and 71-7003.01 or (2) any act or omission of a screening supplier or person acting on behalf of such supplier with respect to the provisions of such sections.

**Sec. 30.** Section 71-7107, Revised Statutes Supplement, 2025, is amended to read:

71-7107 (1) The Department of Health and Human Services shall be the lead agency for the program.

(2) The department shall:

- (a) Coordinate program activities and emergency response;
- (b) Provide necessary equipment for the program and participants;
- (c) Recruit hospital personnel and emergency medical workers to be trained as critical incident stress management peers;
- (d) Participate in the training and continuing education of such peers and mental health professionals;
- (e) Appoint a director for the program who shall be an employee of the department;
- (f) Specify the organizational and operational goals for the program and provide overall policy direction for the program;
- (g) Manage planning and budget development for the program;
- (h) Manage program development and evaluation;
- (i) Provide a mechanism for quality assurance that may include certification of critical incident stress management team members;

(j) Identify critical incident stress management regions; and

(k) Provide backup to regional critical incident stress management teams.

(3) The department may adopt and promulgate rules and regulations to implement the program.

**Sec. 31.** Section 71-7108, Revised Statutes Supplement, 2025, is amended to read:

71-7108 (1) The Department of Health and Human Services shall recruit mental health workers for each critical incident stress management region and participate in the training and continuing education activities of critical incident stress management peers and mental health professionals.

(2) The Nebraska State Patrol shall receive all initial requests for stress management sessions, coordinate transportation requirements for critical incident stress management team members, recruit members of the law enforcement profession in each region to be trained as critical incident stress management peers, participate in the training and continuing education activities of critical incident stress management peers and mental health professionals, and appoint a member of the patrol to each regional management committee.

(3) The State Fire Marshal shall cooperate in providing transportation for critical incident stress management teams, recruit firefighters to be trained as critical incident stress management peers in each critical incident stress management region, participate in the training and continuing education activities of critical incident stress management peers and mental health professionals, and appoint an individual who is employed by the State Fire Marshal to be on each regional management committee.

(4) The Nebraska Emergency Management Agency shall promote stress management planning as part of emergency management preparedness, promote preincident education programs to acquaint emergency service personnel with stress management techniques, and participate in the training and continuing education activities of critical incident stress management peers and mental health professionals.

**Sec. 32.** Section 71-7109, Revised Statutes Supplement, 2025, is amended to

read:

71-7109 The statewide clinical director shall be appointed by the Department of Health and Human Services. The statewide clinical director shall supervise and evaluate the professional and peer support team members, including the regional clinical directors. The statewide clinical director may conduct critical incident stress management training and continuing education activities.

**Sec. 33.** Section 71-7110, Revised Statutes Supplement, 2025, is amended to read:

71-7110 Each critical incident stress management region shall have a regional management committee composed of representatives of the Department of Health and Human Services, the State Fire Marshal, and the Nebraska State Patrol and a regional clinical director. The regional clinical director shall have a graduate degree in a mental health discipline. The regional management committee shall be responsible for the implementation and coordination of the program in the region according to the specifications developed by the department. The regional management committee shall develop critical incident stress management teams to facilitate the stress management process.

**Sec. 34.** Section 72-811, Revised Statutes Supplement, 2025, is amended to read:

72-811 For purposes of sections 72-811 to 72-818:

- (1) Department means the Department of Administrative Services;
- (2) Excess, referring to land, means (a) unused in whole or in part by any state agency for the purposes for which the land was acquired or received or (b) without current defined plans by any state agency for the use of the land for the agency's mission for the next fiscal year; and
- (3) Vacant, referring to buildings, means (a) unoccupied, (b) unused in whole or in part by any state agency for the purposes for which the building was designed, intended, or remodeled, or (c) without current defined plans by any state agency for the use of the building for the agency's mission for the next fiscal year.

**Sec. 35.** Section 72-813, Reissue Revised Statutes of Nebraska, is amended to read:

72-813 (1) Each state agency shall by September 15 of each year submit to the State Building Administrator a list of all state-owned buildings and land for which it is responsible and shall note the uses of each building and parcel of land. The State Building Administrator shall compile the information on state-owned buildings and land and provide it, along with any other information or recommendations he or she may consider relevant to the purposes of sections 72-811 to 72-818, to the Director of Administrative Services and to the Legislative Fiscal Analyst. The information provided to the Legislative Fiscal Analyst shall be submitted electronically.

(2) The State Building Administrator shall review the information and consider further action or possible amendments to orders made pursuant to this section. If the administrator determines that there is reason to believe that any particular state-owned building or piece of land is vacant or excess, the director shall review the status of the building or land and determine whether it should be declared vacant or excess.

(3) If the director declares a building or land to be vacant or excess, the director shall order either maintenance of the building or land or the disposal of the building or land through sale, lease, demolition, or otherwise. Any order for disposal of a building may include related lands. In determining the appropriate action to be taken in regard to a building or land, the director shall consider the benefits to the state of the alternative possible actions, including cost-effectiveness, other possible future uses of the building or land for state purposes, and the necessity or utility of the building or land for the furtherance of existing or planned state programs.

**Sec. 36.** Section 72-814, Reissue Revised Statutes of Nebraska, is amended to read:

72-814 When a building or land is declared vacant or excess under section 72-813, all responsibilities for and records of ownership of the building or land and all records of maintenance of the building or land shall be

transferred as soon as possible to the department.

If the department orders the sale, lease, or other disposal of any building or land as an appropriate action, the Director of Administrative Services may execute any quitclaim deed, lease, or other instrument necessary to sell, lease, or dispose of the building or land. The director may reserve, in the best interest of the state, an easement, license, or other interest in the building or land for the state in such sale, lease, or disposal. The director may also trade the building or land for other property needed by the state. The director may, at the expense of the state agency formerly responsible for the building or land, remove or order the agency to remove any movable property not attached to the building or land.

**Sec. 37.** Section 72-815, Reissue Revised Statutes of Nebraska, is amended to read:

72-815 (1) The state building division of the department shall be responsible for the sale, lease, or other disposal of a building or land, whichever action is ordered under section 72-813.

(2) If a building is to be demolished, section 72-810 shall not apply, but the state building division shall notify the State Historic Preservation Officer of such demolition at least thirty days prior to the beginning of the demolition or disassembly so that the officer may collect any photographic or other evidence he or she may find of historic value.

(3)(a) If a building or land is to be sold or leased, the state building division shall cause an appraisal to be made of the building or land. The sale, lease, or other disposal of the building or land shall comply with all relevant statutes pertaining to the sale or lease of surplus state property, except that if the state building division fails to receive an offer from a state agency in which the agency certifies that it (i) intends to use the building for the purposes for which it was designed, intended, or remodeled or to remodel the building for uses which will serve the agency's purposes or (ii) intends to use the land for the purposes for which it was acquired or received, the state building division shall then notify the Department of Economic Development that

the building or land is available for sale or lease so that the department may refer to the state building division any potential buyers or lessees of which the department may be aware. The state building division may then sell or lease the building or land by such method as is to the best advantage of the State of Nebraska, including auction, sealed bid, or public sale and, if necessary, by private sale, but in all situations only after notice of the property sale is publicly advertised on at least two separate occasions in the newspaper with the largest circulation in the county where the surplus property is located and not less than thirty days prior to the sale of the property. The state building division may use the services of a real estate broker licensed under the Nebraska Real Estate License Act. Priority shall be given to other political subdivisions of state government, then to persons contracting with the state or political subdivisions of the state who will use the building or land for middle-income or low-income rental housing for at least fifteen years, and finally to referrals from the Department of Economic Development.

(b) When a building or land designated for sale is listed in the National Register of Historic Places, the state building division, in its discretion and based on the best interests of the state, may follow the procedure outlined in subdivision (3)(a) of this section or may sell the building or land by any method deemed in the best interests of the state to a not-for-profit community organization that intends to maintain the historic and cultural integrity of the building or land.

(c) All sales and leases shall be in the name of the State of Nebraska. The state building division may provide that a deed of sale include restrictions on the building or land to ensure that the use and appearance of the building or land remain compatible with any adjacent state-owned property.

(d) Except as otherwise provided in subsection (4) of this section, the proceeds of the sale or lease shall be remitted to the State Treasurer for credit to the Vacant Building and Excess Land Cash Fund unless the state agency formerly responsible for the building or land certifies to the state building division that the building or land was purchased in part or in total from cash,

federal, or revolving funds, in which event, after the costs of selling or leasing the building or land are deducted from the proceeds of the sale or lease and such amount is credited to the fund, the remaining proceeds of the sale or lease shall be credited to the cash, federal, or revolving fund in the percentage used in originally purchasing the building or land.

(4) Any state-owned military property, including any armories considered surplus property, shall be sold by such method as is to the best advantage of the State of Nebraska, including auction, sealed bid, or public sale, and if necessary, by private sale, but in all situations only after notice of the property sale is publicly advertised on at least two separate occasions in the newspaper with the largest circulation in the county where the surplus property is located and not less than thirty days prior to the sale of the property, and pursuant to section 72-816, all proceeds from the sale of the property, less maintenance expenses pending the sale and selling expenses, but including investment income on the sale proceeds of the property, shall be promptly transferred from the Vacant Building and Excess Land Cash Fund to the General Fund by the State Building Administrator.

(5) The state building division shall be responsible for the maintenance of the building or land if maintenance is ordered under section 72-813 and shall be responsible for maintenance of the building or land pending sale or lease of the building or land.

**Sec. 38.** Section 72-816, Reissue Revised Statutes of Nebraska, is amended to read:

72-816 (1) The Vacant Building and Excess Land Cash Fund is created. The fund shall consist of proceeds credited to the fund pursuant to sections 72-815 and 90-268. Except as provided in sections 90-268 and 90-269, the fund shall be used to pay for the maintenance of vacant state buildings and excess state land and for expenses related to the disposal of state buildings and land referred to the department pursuant to sections 72-811 to 72-818. The fund shall be administered by the state building division of the department. Any money in the fund available for investment shall be invested by the state investment officer

pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Funds may be transferred from the Vacant Building and Excess Land Cash Fund to the General Fund at the direction of the Legislature.

(2) If there are insufficient funds in the fund to enable the division to fully implement the orders issued pursuant to sections 72-811 to 72-818, the division shall implement them in the order which most efficiently meets the purposes of such sections.

(3) Funds appropriated to the Task Force for Building Renewal shall not be used to carry out any of the purposes of such sections (a) unless the building would otherwise qualify for the use of such funds pursuant to the Deferred Building Renewal Act and (b) except for any expenses incurred by the administrator of the Task Force for Building Renewal in fulfilling his or her duties under such sections.

**Sec. 39.** Section 72-818, Reissue Revised Statutes of Nebraska, is amended to read:

72-818 Except as provided in section 37-330, a state agency shall submit any request for granting a utility easement on state-owned land to the Director of Administrative Services. Utility easements may only be granted to political subdivisions or their contractors for utility or construction-related purposes. The director shall certify the approval of a utility easement and shall execute the instrument necessary to grant the utility easement. The state building division of the department shall be responsible for the implementation of easements granted under this section.

**Sec. 40.** Section 81-1108.41, Revised Statutes Supplement, 2025, is amended to read:

81-1108.41 (1) The division shall cause a state comprehensive capital facilities plan to be developed. The plan shall project the state's facilities needs for a period of six years and shall be based on programmatic projections and input from each state agency. The division shall be responsible for the comprehensive planning guidelines and the process of project prioritization.

The state comprehensive capital facilities plan shall be submitted electronically to the Committee on Building Maintenance for review before such plan shall be submitted to the Governor and the Legislative Fiscal Analyst on or before November 15 prior to the beginning of each biennium. The plan submitted to the Legislative Fiscal Analyst shall be submitted electronically. The University of Nebraska and any Nebraska state college shall not be required to comply with or be subject to the provisions of this section since these agencies are subject to and participate in statewide facilities planning developed by the Coordinating Commission for Postsecondary Education pursuant to the Coordinating Commission for Postsecondary Education Act.

(2) An appropriation for drawings and construction may be made only after submission of an acceptable program statement on or before September 15 of the year previous to the initiation of such appropriation. Such program statement shall include, but not be limited to, (a) an assessment of the compatibility of the project with the state comprehensive capital facilities plan and the agency or departmental comprehensive capital facilities plan, (b) the identification of the impact of the project on the space utilization of other facilities under the control of the agency or department, and (c) the identification of the future impact on the agency or departmental programmatic needs, demand for utilities in excess of current capacity, parking needs, street and road needs, and site acquisition needs. Such program statement shall be submitted to the division and the Legislative Fiscal Analyst. The program statement submitted to the Legislative Fiscal Analyst shall be submitted electronically.

(3) No contract for the planning, design, or construction of a new facility or major modification or repair of an existing facility provided for by any state appropriation may be initiated unless an acceptable program statement has been approved by the Governor, the agency or department has submitted to the division a certificate from the Committee on Building Maintenance that there is no state-owned property which is adequate or which through cost-effective renovation, as determined by the division, could be made adequate to meet the agency's or department's needs, and the conditions of the

contracts are approved in writing by the division, except that the provisions of this section shall not apply to projects when the total design and construction cost of the project is less than the limit established by the division. Such program statements and contracts shall be reviewed by the division.

(4) The division shall file a written report on each program statement and contract reviewed with the Governor and the Legislative Fiscal Analyst. The report submitted to the Legislative Fiscal Analyst shall be submitted electronically. This report shall cover the consistency of the project with the state comprehensive capital facilities plan and the agency or departmental comprehensive capital facilities plan. A subsequent review and report upon completion of the planning or design phase of the project shall indicate the compatibility of the project with the agency or departmental comprehensive capital facilities plan, compare the probable cost of the project with accepted cost standards for similar construction projects, and review the relationship of the project to other state agency or departmental capital facilities in the same complex.

**Sec. 41.** Section 81-1117, Reissue Revised Statutes of Nebraska, is amended to read:

81-1117 (1) As used in this section, unless the context otherwise requires, information management includes, but is not limited to:

(a) Mainframe computers, minicomputers, microprocessors, word processors, and desktop computers;

(b) Any peripheral device to be used with the equipment listed in subdivision (1)(a) of this section for such purposes as data input and output, data storage, or data communications;

(c) Any code or program to control the operation of the equipment or devices listed in subdivision (1)(a) or (1)(b) of this section; and

(d) Employment of professional expertise for computer system design, operations, or program development.

(2) Subject to review and approval by the Chief Information Officer, the

information management services administrator shall have the following powers, duties, and responsibilities:

(a) He or she may review the accounting and other records and reporting systems of all divisions within the Department of Administrative Services and within every other department and agency of the state;

(b) He or she shall systematically review the potential application of information management to any work performed outside the information management services division or by any department or agency of the state or any subdivision of any department or agency of the state, and if the costs of mechanizing such work will not exceed present costs or if efficiencies may be achieved, he or she may accept responsibility for the performance of such work. He or she may also review computer applications being used to determine if revision or deletion of computer applications would be beneficial. The findings of reviews made pursuant to this subdivision shall be reported to the Governor and the Legislative Fiscal Analyst. The findings submitted to the Legislative Fiscal Analyst shall be submitted electronically;

(c) He or she may, with the approval of the Chief Information Officer, make such revisions to internal systems for production of accounting and other reports as may be necessary to permit economical undertaking of work to be performed by the information management services division for any agency or department of the state;

(d) He or she shall organize the information management services division to provide system review, system design, feasibility studies, and machine reviews;

(e) He or she may review the operations of information management installations as may exist in any department or agency of the state and may cause such operations to be merged with those of the information management services division in the event that a cost analysis shows that economic advantage may be achieved. He or she may permit the establishment of departmental or agency information management operations in any department or agency of the state if his or her analysis of feasibility shows a potential

economy or a substantial convenience for the state incident to such separate establishment. No state agency shall hire, purchase, lease, or rent any information management item listed in subsection (1) of this section without the written approval of the information management services administrator. All new computer programs developed or acquired for use with information management equipment of any state agency shall be documented according to standards developed or approved by the information management services administrator;

(f) He or she shall prepare a budget in sufficient time in advance of the statutory date for submittal of budget requests by departments and agencies of the state as to permit each department and agency for which services are performed, or are to be performed during the request budget period, to be informed of the cost of maintaining the current fiscal year's production work for inclusion within their respective budget requests;

(g) He or she shall provide for a system of charges for services rendered by the information management services division or the Nebraska Information Technology Commission to any other department or agency of the state when these charges are allocable to a particular project carried on by such department or division. Such standard rate charges shall, as nearly as may be practical, reflect the actual costs incurred in the performance of services for such department or agency. Such system of charges shall be annually reviewed by the Legislature's Committee on Appropriations. Rates planned for the coming fiscal year shall be included in the instructions for completion of budget request forms as annually prepared by the Department of Administrative Services budget division. If rate revisions are required during the fiscal year to reflect changes in the information management services division's operating costs, these revisions shall be announced to state agencies at least thirty days prior to their use in billing these agencies for service. Miscellaneous supplies shall be billed to using agencies at actual cost. Equipment used primarily by one agency for special applications shall be billed to that agency at actual cost. In the event of saturation of the information management services division with the resulting need for contractual support to be furnished by

another information management installation, agencies shall be billed at actual cost. The charges received by the department for information management services shall be credited to a fund hereby created which shall be known as the Information Management Revolving Fund. Expenditures shall be made from such fund to finance the operations of the information management services division or the Nebraska Information Technology Commission in accordance with appropriations made by the Legislature. Any money in the Information Management Revolving Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. Beginning October 1, 2024, any investment earnings from investment of money in the fund shall be credited to the General Fund;

(h) He or she may provide information management services and technical assistance to any subdivision of government as provided for under the Interlocal Cooperation Act or the Joint Public Agency Act;

(i) He or she shall provide for the centralization of all administrative work, including that of educational institutions, into the information management services division;

(j) He or she shall provide definitions of standards and common data elements, coordinate the collection of data, consolidate data files or data banks, and review and approve or disapprove the establishment of separate data banks; and

(k) He or she shall provide assistance as requested by the Nebraska Information Technology Commission for purposes of the Information Technology Infrastructure Act.

Each member of the Legislature shall receive an electronic copy of the report required by subdivision (2)(b) of this section by making a request for it to the administrator.

**Sec. 42.** Section 81-1120.17, Reissue Revised Statutes of Nebraska, is amended to read:

81-1120.17 The division of communications shall have the following duties,

powers, and responsibilities:

(1) To coordinate the purchase, lease, and use of communications services equipment and facilities for state government;

(2) To advise departments and agencies of the state and political subdivisions thereof as to systems or methods to be used to meet requirements efficiently and effectively;

(3) To provide assistance as requested by the Nebraska Information Technology Commission for purposes of the Information Technology Infrastructure Act;

(4) To consolidate and integrate radio communications systems and services of state agencies so far as practical and to provide for their joint use by the agencies;

(5) To consolidate telephone and telephone-related activities, so far as practical, and to provide for their joint use by the agencies;

(6) To assume management responsibility for any consolidated system or service and approve all purchases and contracts for such communications activities;

(7) To enter into agreements for the mutual support and use of communications services of the agencies and departments of state government and its political subdivisions;

(8) To provide for the rendering of mutual aid between state government and its political subdivisions and to cooperate with other states and the federal government with respect to the organizing of communications in expediting the carrying out of mutual aid in disasters, emergencies, and civil defense emergencies under the Emergency Management Act;

(9) To use or acquire communications facilities now owned or operated by any state agency and to compensate such agency when appropriate;

(10) To standardize policies and procedures for the use of such services in such a manner that communications systems in the domain of public safety or security not be compromised;

(11) To assume responsibility for the maintenance and repair of state-

owned communications facilities so far as practical;

(12) To coordinate and consolidate maintenance and repair procedures and facilities so far as possible in the light of good business practice and the requirements of the agencies and departments concerned;

(13) Subject to the conditions provided in section 81-1120.19, to contract with qualified suppliers and communications common carriers for communications facilities or services, including private-line services;

(14) To apply for, receive, coordinate, and hold or, if appropriate, assist agencies in applying for, receiving, or holding such authorizations, licenses, and allocations of channels and frequencies as are necessary to carry out the purposes of sections 81-1120.01 to 81-1120.03 and 81-1120.15 to 81-1120.28;

(15) To acquire real estate, equipment, and other property as an agency of the state, subject to the provisions of section 81-1120.19;

(16) To cooperate with the Nebraska Emergency Management Agency as to its needs for emergency communications services; and

(17) To insure that communications facilities are not used for any purpose which is contrary to the policy and intent of sections 81-1120.01 to 81-1120.03 and 81-1120.15 to 81-1120.28 or contrary to the laws and agreements under which the facilities are to be utilized.

**Sec. 43.** Section 81-1430, Revised Statutes Supplement, 2025, is amended to read:

81-1430 (1) The Department of Labor shall develop or select informational posters for placement around the state. The posters shall be in English, Spanish, and any other language deemed appropriate by the department. The posters shall include a toll-free telephone number a person may call for assistance, preferably the National Human Trafficking Resource Center Hotline (888)373-7888.

(2) Posters shall be placed in rest stops, strip clubs, and casinos. The department shall work with local businesses and nonprofit entities associated with the prevention of human trafficking to voluntarily place additional signs

in high schools, postsecondary educational institutions, gas stations, hotels, hospitals, health care clinics, urgent care centers, airports, train stations, bus stations, and other locations around the state deemed appropriate by the department.

**Sec. 44.** Section 81-1431, Revised Statutes Supplement, 2025, is amended to read:

81-1431 It is the intent of the Legislature that law enforcement agencies, prosecutors, public defenders, judges, juvenile detention center staff, and others involved in the juvenile justice system and the criminal justice system and other relevant officials be provided mandatory training regarding issues in human trafficking. Such training shall focus on:

- (1) State and federal law regarding human trafficking;
- (2) Methods used in identifying victims of human trafficking who are United States citizens and foreign nationals, including preliminary interview techniques and appropriate questioning methods;
- (3) Methods for prosecuting human traffickers;
- (4) Methods of increasing effective collaboration with nongovernmental organizations and other relevant social service organizations in the course of investigating and prosecuting a human trafficking case;
- (5) Methods for protecting the rights of victims of human trafficking, taking into account the need to consider human rights and the special needs of women and minor victims;
- (6) The necessity of treating victims of human trafficking as crime victims rather than as criminals; and
- (7) Methods for promoting the safety and well-being of all victims of human trafficking.

**Sec. 45.** Section 81-15,160, Revised Statutes Supplement, 2025, is amended to read:

81-15,160 (1) The Waste Reduction and Recycling Incentive Fund is created. The department shall deduct from the fund amounts sufficient to reimburse itself for its costs of administration of the fund. The fund shall be

administered by the department. The fund shall consist of proceeds from the fees imposed pursuant to the Waste Reduction and Recycling Incentive Act.

(2) The fund may be used for purposes which include, but are not limited to:

(a) Technical and financial assistance to political subdivisions for creation of recycling systems and for modification of present recycling systems;

(b) Recycling and waste reduction projects, including public education, planning, and technical assistance;

(c) Market development for recyclable materials separated by generators, including public education, planning, and technical assistance;

(d) Capital assistance for establishing private and public intermediate processing facilities for recyclable materials and facilities using recyclable materials in new products;

(e) Programs which develop and implement composting of yard waste and composting with sewage sludge;

(f) Technical assistance for waste reduction and waste exchange for waste generators;

(g) Programs to assist communities and counties to develop and implement household hazardous waste management programs;

(h) Capital assistance for establishing private and public facilities to manufacture combustible waste products and to incinerate combustible waste to generate and recover energy resources, except that no disbursements shall be made under this section for scrap tire processing related to tire-derived fuel;

(i) Grants for reimbursement of costs to cities of the first class, cities of the second class, villages, and counties of five thousand or fewer population for the deconstruction of abandoned buildings. Eligible deconstruction costs will be related to the recovery and processing of recyclable or reusable material from the abandoned buildings; and

(j) Administrative costs of the department in fiscal years 2025-26 and 2026-27 to implement, administer, and enforce the Safe Battery Collection and

Recycling Act.

(3) Grants up to one million five hundred thousand dollars annually shall be available until June 30, 2029, for new scrap tire projects only, if acceptable scrap tire project applications are received. Eligible categories of disbursement under section 81-15,161 may include, but are not limited to:

(a) Reimbursement for the purchase of crumb rubber generated and used in Nebraska, with disbursements not to exceed fifty percent of the cost of the crumb rubber;

(b) Reimbursement for the purchase of tire-derived product which utilizes a minimum of twenty-five percent recycled tire content, with disbursements not to exceed twenty-five percent of the product's retail cost;

(c) Participation in the capital costs of building, equipment, and other capital improvement needs or startup costs for scrap tire processing or manufacturing of tire-derived product, with disbursements not to exceed fifty percent of such costs or five hundred thousand dollars, whichever is less;

(d) Participation in the capital costs of building, equipment, or other startup costs needed to establish collection sites or to collect and transport scrap tires, with disbursements not to exceed fifty percent of such costs;

(e) Cost-sharing for the manufacturing of tire-derived product, with disbursements not to exceed twenty dollars per ton or two hundred fifty thousand dollars, whichever is less, to any person annually;

(f) Cost-sharing for the processing of scrap tires, with disbursements not to exceed twenty dollars per ton or two hundred fifty thousand dollars, whichever is less, to any person annually;

(g) Cost-sharing for the use of scrap tires for civil engineering applications for specified projects, with disbursements not to exceed twenty dollars per ton or two hundred fifty thousand dollars, whichever is less, to any person annually; and

(h) Disbursement to a political subdivision up to one hundred percent of costs incurred in cleaning up scrap tire collection and disposal sites.

The director shall give preference to projects which utilize scrap tires

generated and used in Nebraska.

(4) Priority for grants made under section 81-15,161 shall be given to grant proposals demonstrating a formal public/private partnership except for grants awarded from fees collected under subsection (6) of section 13-2042.

(5) Grants awarded from fees collected under subsection (6) of section 13-2042 may be renewed for up to a five-year grant period. Such applications shall include an updated integrated solid waste management plan pursuant to section 13-2032. Annual disbursements are subject to available funds and the grantee meeting established grant conditions. Priority for such grants shall be given to grant proposals showing regional participation and programs which address the first integrated solid waste management hierarchy as stated in section 13-2018 which shall include toxicity reduction. Disbursements for any one year shall not exceed fifty percent of the total fees collected after rebates under subsection (6) of section 13-2042 during that year.

(6) Any person who stores waste tires in violation of section 13-2033, which storage is the subject of abatement or cleanup, shall be liable to the State of Nebraska for the reimbursement of expenses of such abatement or cleanup paid by the department.

(7) The department may receive gifts, bequests, and any other contributions for deposit in the Waste Reduction and Recycling Incentive Fund. Transfers may be made from the fund to the General Fund at the direction of the Legislature. Any money in the Waste Reduction and Recycling Incentive Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 46.** Section 81-15,210, Revised Statutes Supplement, 2025, is amended to read:

81-15,210 The director of the Nebraska Emergency Management Agency shall serve as the State Administrator of the Nebraska Emergency Planning and Community Right to Know Act.

**Sec. 47.** Section 81-15,212, Reissue Revised Statutes of Nebraska, is

amended to read:

81-15,212 (1) The Nebraska Emergency Management Agency shall:

(a) Appoint local emergency planning committees pursuant to section 81-15,215; and

(b) Supervise and coordinate the activities of the local emergency planning committees.

(2) The Nebraska Emergency Management Agency shall designate each county or, where appropriate, multiple counties as emergency planning districts in order to facilitate preparation and implementation of emergency plans.

**Sec. 48.** Section 81-15,214, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,214 (1) There is hereby created the Nebraska Emergency Planning and Community Right to Know Cash Fund. The fund may receive gifts, bequests, grants, fees, or other contributions or donations from public or private entities. The fund shall be used to carry out the purposes of the Nebraska Emergency Planning and Community Right to Know Act, including:

(a) The funding of specific projects as approved by the Nebraska Emergency Management Agency; and

(b) The payment of expenses incurred by the Nebraska Emergency Management Agency to administer the fund. Payment from the fund for costs of administering the fund shall not exceed fifteen percent of the total receipts of the fund during the fiscal year. The Nebraska Emergency Management Agency shall adopt and promulgate rules and regulations governing allocations from the fund and shall publish guidelines regarding allocations from the fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) Entities receiving allocations from the Nebraska Emergency Planning and Community Right to Know Cash Fund shall expend the allocation in a manner expressly approved by the Nebraska Emergency Management Agency. If allocations from the fund are used for purposes other than those approved by the Nebraska

Emergency Management Agency, the Nebraska Emergency Management Agency may recover by appropriate legal means any funds spent inconsistent with the terms of the allocation. Any recovered funds shall be deposited in the fund.

**Sec. 49.** Section 81-15,215, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,215 The Nebraska Emergency Management Agency shall appoint the members of each local emergency planning committee for each emergency planning district established after September 13, 1997. Only one local emergency planning committee shall be established in each district. To the extent possible, each committee established prior to, on, or after September 13, 1997, shall include at a minimum a representative from each of the following interest groups: State and local elected officials, public health, local environmental protection, hospitals, firefighters, local emergency management, law enforcement, transportation, broadcast and print media, neighborhood and community organizations, and owners and operators of facilities which are subject to the requirements of the Nebraska Emergency Planning and Community Right to Know Act. The committee members shall be appointed for terms of two years, except that of the initial appointees, approximately one-half of the members shall serve for terms of one year as designated at the time of appointment. A vacancy on a committee shall exist in the event of the death, disability, or resignation of a member. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.

**Sec. 50.** Section 81-15,217, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,217 (1) Each local emergency planning committee shall:

(a) Establish rules governing the functioning of the committee consistent with the Open Meetings Act and sections 84-712 to 84-712.09. The rules shall include provisions for public notification of committee activities, public meetings to discuss the emergency plan required under subdivision (c) of this subsection, public comments, response to such comments by the committee, and

distribution of the emergency plan;

(b) Establish procedures for receiving and processing requests from the public for information required to be provided under the Nebraska Emergency Planning and Community Right to Know Act. The procedures shall include provisions to inform members of the public of the right to bring an action under federal law to enforce the act. The procedures shall include the designation of an official to serve as coordinator for information;

(c) Complete preparation of an emergency plan in accordance with the act. The committee shall review and update the plan once a year beginning March 1, 1999, and each March 1 thereafter, or more frequently as changed circumstances in the community or at any facility may require;

(d) Evaluate the need for resources necessary to develop, implement, and exercise the emergency plan and make recommendations with respect to additional resources that may be required and the means for providing such additional resources; and

(e) Designate a public library in each county within its district as a depository for the emergency plan, deliver the plan to the designated library, and update the plan as necessary.

(2) Each local emergency planning committee may receive gifts, bequests, grants, or other contributions or donations from public or private sources to carry out its duties and the purposes of the act, including, but not limited to, administrative costs and reimbursement to committee members for their actual and necessary travel expenses. Any gifts, bequests, grants, or other contributions or donations received from public or private sources shall be accounted for in an annual report to the Nebraska Emergency Management Agency. The Nebraska Emergency Management Agency shall adopt and promulgate rules and regulations governing the receipt and use of any gifts, bequests, grants, or other contributions or donations from public or private sources.

**Sec. 51.** Section 81-15,218, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,218 (1) The owner or operator of each facility in which an extremely

hazardous substance exceeding threshold planning quantities is present shall notify the Nebraska Emergency Management Agency that such facility is subject to the Nebraska Emergency Planning and Community Right to Know Act and shall notify the Nebraska Emergency Management Agency and the local emergency planning committee of the emergency planning district in which the facility is located that such facility is subject to the act within sixty days after an extremely hazardous substance first becomes present at such facility in excess of the threshold planning quantity established for such substance. If there is a revision of the definition of extremely hazardous substances and the facility has present a substance included in the revised definition in excess of the threshold planning quantity established for such substance, the owner or operator of the facility shall notify the Nebraska Emergency Management Agency and the committee of the district in which the facility is located within sixty days after such revision that such facility is subject to the act.

(2) The Nebraska Emergency Management Agency shall notify the director of facilities subject to the act. The notification shall include:

(a) Each notification received from a facility under subsection (1) of this section; and

(b) Each facility designated by the Nebraska Emergency Management Agency under subsection (3) of this section.

(3) For purposes of emergency planning, the Nebraska Emergency Management Agency may designate additional facilities which are subject to the act if such designation is made after public notice and opportunity for comment. The Nebraska Emergency Management Agency shall notify the facility concerned of any designation under this subsection.

**Sec. 52.** Section 81-15,221, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,221 Each local emergency planning committee shall provide the emergency plan to the governing bodies having jurisdiction in the emergency planning district for review prior to submitting the plan to the Nebraska Emergency Management Agency. The Nebraska Emergency Management Agency shall

review the plan and make recommendations to the committee on revisions to the plan that may be necessary to ensure coordination of the plan with emergency plans of other emergency planning districts. To the maximum extent practicable, such review shall not delay implementation of the plan.

**Sec. 53.** Section 81-15,224, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,224 (1) The owner or operator of any facility which is required to prepare or have available a material safety data sheet for a hazardous chemical meeting threshold quantity requirements under regulations promulgated under Title III shall prepare and submit annually on or before March 1 beginning in 1998 a tier II inventory form on data for the preceding calendar year to:

- (a) The local emergency planning committee for the emergency planning district in which the facility is located;
- (b) The commission coordinator for information; and
- (c) The fire department with jurisdiction over the facility.

(2) An owner or operator may meet the requirements of this section with respect to a hazardous chemical which is a mixture by doing one of the following:

(a) Providing information on the tier II inventory form on each element or compound in the mixture which is a hazardous chemical. If more than one mixture has the same element or compound, only one listing on the tier II inventory form for the element or compound at the facility is necessary; or

(b) Providing information on the tier II inventory form on the mixture itself.

(3) A hazardous chemical subject to the requirements of this section is any hazardous chemical for which a material safety data sheet or a list of chemicals is required under section 81-15,223.

(4) A tier II inventory form shall provide the following information for each hazardous chemical present at the facility:

- (a) The chemical name or the common name of the chemical as provided on the material safety data sheet;

(b) An estimate in ranges of the maximum amount of the hazardous chemical present at the facility at any time during the preceding calendar year;

(c) An estimate in ranges of the average daily amount of the hazardous chemical present at the facility during the preceding calendar year;

(d) A brief description of the manner of storage of the hazardous chemical;

(e) The location at the facility of the hazardous chemical; and

(f) An indication of whether the owner elects to withhold location information of a specific hazardous chemical from disclosure to the public under section 81-15,229.

(5) Upon request by the Nebraska Emergency Management Agency, the director, a committee, or a fire department with jurisdiction over the facility, the owner or operator of a facility shall provide tier II information, as described in subsection (4) of this section, to the person making the request. Any such request shall be with respect to a specific facility.

(6) A state or local official acting in his or her official capacity may have access to tier II information by submitting a request to the Nebraska Emergency Management Agency or a committee. Upon receipt of a request for tier II information, the agency or committee shall request such information from the facility owner or operator and make such information available to the official.

(7) Any person may make request to the Nebraska Emergency Management Agency, the director, or a committee for tier II information relating to the preceding calendar year with respect to a facility. Any such request shall be in writing and shall be with respect to a specific facility.

(8) Any tier II information which the Nebraska Emergency Management Agency, the director, or a committee has in its possession shall be made available to a person making a request under this section in accordance with section 81-15,229. If the agency, director, or committee does not have the tier II information in its possession, upon a request for the information the agency, director, or committee shall request the facility owner or operator for

the information with respect to a hazardous chemical which a facility has stored in an amount in excess of ten thousand pounds present at the facility at any time during the preceding calendar year and make such information available in accordance with section 81-15,229 to the person making the request.

(9) In the case of tier II information which is not in the possession of the Nebraska Emergency Management Agency, the director, or a committee and which is with respect to a hazardous chemical which a facility has stored in an amount less than ten thousand pounds present at the facility at any time during the preceding calendar year, a request from a person must include the general need for the information. The agency, director, or committee may request the facility owner or operator for the tier II information on behalf of the person making the request. Upon receipt of any information requested on behalf of such person, the agency, director, or committee shall make the information available to the person in accordance with section 81-15,229.

(10) The Nebraska Emergency Management Agency, the director, or a committee shall respond to a request for tier II information under this section no later than forty-five days after the date of receipt of the request.

(11) An owner or operator of a facility which files an inventory form under this section shall, upon request by the fire department with jurisdiction over the facility, allow the fire department to conduct an onsite inspection of the facility and shall provide to the fire department specific location information on hazardous chemicals at the facility.

**Sec. 54.** Section 81-15,229, Revised Statutes Supplement, 2025, is amended to read:

81-15,229 (1) Each emergency plan, material safety data sheet, list of chemicals, inventory form, toxic chemical release form, and followup emergency notice shall be made available to the general public, consistent with section 322 of Title III, during normal working hours at the location or locations designated by the Department of Water, Energy, and Environment, the Nebraska Emergency Management Agency, or a local emergency planning committee, as appropriate. Upon request by an owner or operator of a facility subject to the

requirements of section 81-15,224, the Department of Water, Energy, and Environment, the Nebraska Emergency Management Agency, or the appropriate committee shall withhold from disclosure under this section the location of any specific chemical required by section 81-15,225 to be contained in an inventory form as tier II information.

(2) Each local emergency planning committee shall annually publish a notice in local newspapers that the emergency plan, material safety data sheets, and inventory forms have been submitted under this section. The notice shall state that followup emergency notices may subsequently be issued. Such notice shall announce that members of the public who wish to review any such plan, sheet, form, or followup notice may do so at the location designated under subsection (1) of this section.

**Sec. 55.** Section 81-15,230, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,230 (1) Any state or local government may commence a civil action against an owner or operator of a facility for failure to:

(a) Provide notification to the Nebraska Emergency Management Agency under subsection (1) of section 81-15,218;

(b) Submit a material safety data sheet or a list of chemicals under section 81-15,223;

(c) Make available information requested under subsections (3) and (4) of section 81-15,223; and

(d) Complete and submit a tier II inventory form under section 81-15,224.

(2) The Nebraska Emergency Management Agency, the director, or a local emergency planning committee may commence a civil action against an owner or operator of a facility for failure to provide information under section 81-15,219 or for failure to submit tier II information under subsection (5) of section 81-15,224.

(3) The state may commence a civil action against the administrator for failure to provide information to the state under section 322(g) of Title III.

**Sec. 56.** Section 81-15,231, Reissue Revised Statutes of Nebraska, is

amended to read:

81-15,231 (1) Any action under section 81-15,230, except as provided in subsection (2) of this section, against an owner or operator of a facility shall be brought in the district court for the district in which the alleged violation occurred.

(2) Any action under subsection (3) of section 81-15,230 against the administrator may be brought in the United States District Court for the District of Columbia.

(3) Except as provided in subsection (2) of this section, the district court shall have jurisdiction in actions brought under section 81-15,230 against an owner or operator of a facility to enforce the requirement concerned and to impose any civil penalty provided for violation of that requirement. The district court shall have jurisdiction in actions brought under section 81-15,230 against the Nebraska Emergency Management Agency and the director to order the agency and the director to perform the act or duty concerned.

**Sec. 57.** Section 85-1002, Reissue Revised Statutes of Nebraska, is amended to read:

85-1002 For purposes of sections 85-1001 to 85-1007, unless the context otherwise requires, center shall mean the Nebraska Safety Center created under section 85-1003.

**Sec. 58.** Section 85-1005, Reissue Revised Statutes of Nebraska, is amended to read:

85-1005 (1) The Board of Regents of the University of Nebraska may accept and administer, in accordance with proper financial procedures at the University of Nebraska at Kearney, gifts, grants, tuition, fees, and private funds to assist in the operation of the center.

(2) The Board of Regents of the University of Nebraska may request an appropriation from the General Fund to assist in the operation of the center to promote the purposes of sections 85-1001 to 85-1007.

**Sec. 59.** Section 85-1643, Revised Statutes Supplement, 2025, is amended to read:

85-1643 (1) The Private Postsecondary Career Schools Cash Fund is created. All fees collected pursuant to the Private Postsecondary Career School Act shall be remitted to the State Treasurer for credit to the fund. The fund shall be used only for the purpose of administering the act, except that transfers may be made from the fund to the Education Future Fund at the direction of the Legislature. No fees shall be subject to refund.

(2) Except as provided in subsection (4) of this section, fees collected pursuant to the act shall be the following:

(a) Initial application for authorization to operate, two hundred dollars plus twenty dollars per program of study offered;

(b) Renewal application for authorization to operate, one hundred dollars plus twenty dollars per program of study offered, except that the board may establish a variable fee schedule based upon the prior school year's gross tuition revenue as provided by the school pursuant to section 85-1656;

(c) Approval to operate a branch facility, one hundred dollars;

(d) Late submission of application, fifty dollars;

(e) Initial agent's permit, fifty dollars;

(f) Agent's permit renewal, twenty dollars;

(g) Accreditation or reaccreditation, one hundred dollars;

(h) Initial authorization to award an associate degree, one hundred dollars;

(i) Significant program change, fifty dollars;

(j) Change of name or location, twenty-five dollars; and

(k) Additional new program, one hundred dollars.

(3) Fees for out-of-state schools may include, but shall not exceed the following:

(a) Certificate of approval to recruit, five hundred dollars annually;

(b) Initial agent's permit, one hundred dollars; and

(c) Agent's permit renewal, forty dollars.

(4)(a) The board shall establish fees sufficient to cover the total cost of administration, except that such fees shall not exceed one hundred ten

percent of the previous year's total cost. Such fees shall be set out in the rules and regulations adopted and promulgated by the board.

(b) Total cost of administration shall be determined by an annual audit of:

(i) Salaries and benefits or portions thereof for those department employees who administer the act;

(ii) Operating costs such as rent, utilities, and supplies;

(iii) Capital costs such as office equipment, computer hardware, and computer software;

(iv) Costs for travel by employees of the department, including car rental, gas, and mileage charges; and

(v) Other reasonable and necessary costs as determined by the board.

**Sec. 60.** Section 86-502, Reissue Revised Statutes of Nebraska, is amended to read:

86-502 For purposes of the Information Technology Infrastructure Act, the definitions found in sections 86-503 to 86-510 apply.

**Sec. 61.** Section 86-515, Reissue Revised Statutes of Nebraska, is amended to read:

86-515 (1) The Nebraska Information Technology Commission is created. The commission shall consist of (a) one member representing elementary and secondary education, (b) one member representing postsecondary education, (c) the Governor or his or her designee, (d) one member representing communities, and (e) five members representing the general public who have experience in developing strategic plans and making high-level business decisions. Of the members representing the general public, the principal business or occupation of at least one such member shall be agriculture. A member of the Transportation and Telecommunications Committee of the Legislature shall be appointed by the Executive Board of the Legislative Council to serve as an ex officio, nonvoting member of the commission. The Executive Board shall make the initial appointment of such member after January 5, 2011, and shall appoint a member every two years after the initial appointment. At any time that there is

not a member of the Educational Service Unit Coordinating Council serving on the Nebraska Information Technology Commission or any working groups established pursuant to sections 86-512 to 86-524 that establish, coordinate, or prioritize needs for education, the Governor shall appoint to the commission one member who serves on the Educational Service Unit Coordinating Council.

(2) The Governor or a designee of the Governor shall serve as chairperson of the commission.

(3) The members of the commission other than the legislative member shall be appointed by the Governor with the approval of a majority of the Legislature. Members of the commission shall serve for terms of four years, except that two members initially appointed to represent the general public shall be appointed for a term of two years and any member appointed to represent the Educational Service Unit Coordinating Council shall be appointed for a term of one year. Members shall be limited to two consecutive terms. The Governor or his or her designee shall serve on the commission for his or her term. The legislative member of the commission shall serve until he or she is reappointed or a successor is appointed. Each member shall serve until the appointment and qualification of his or her successor. In case of a vacancy occurring prior to the expiration of the term of a member, the appointment shall be made only for the remainder of the term.

(4) Members shall be reimbursed for expenses as provided in sections 81-1174 to 81-1177.

(5) The commission may employ or designate an executive director to provide administrative and operational support for the commission. The Department of Administrative Services and Nebraska Educational Telecommunications Commission shall assist with administrative and operational support for the Nebraska Information Technology Commission as necessary to carry out its duties.

**Sec. 62.** Section 86-516, Revised Statutes Supplement, 2025, is amended to read:

86-516 The commission shall:

(1) Annually by July 1, adopt policies and procedures used to develop, review, and annually update a statewide technology plan;

(2) Create an information technology clearinghouse to identify and share best practices and new developments, as well as identify existing problems and deficiencies;

(3) Review and adopt policies to provide incentives for investments in information technology infrastructure services;

(4) Determine a broad strategy and objectives for developing and sustaining information technology development in Nebraska, including long-range funding strategies, research and development investment, support and maintenance requirements, and system usage and assessment guidelines;

(5) Adopt guidelines regarding project planning and management and administrative and technical review procedures involving state-owned or state-supported technology and infrastructure. Governmental entities, state agencies, and noneducation political subdivisions shall submit all projects which use any combination of general funds, federal funds, or cash funds for information technology purposes to the process established by sections 86-512 to 86-524. The commission may adopt policies that establish the format and minimum requirements for project submissions. The commission may monitor the progress of any such project and may require progress reports;

(6) Adopt minimum technical standards, guidelines, and architectures. Such standards and guidelines shall not unnecessarily restrict the use of new technologies or prevent commercial competition, including competition with Network Nebraska;

(7) Establish ad hoc technical advisory groups to study and make recommendations on specific topics, including workgroups to establish, coordinate, and prioritize needs for education, local communities, intergovernmental data communications, and state agencies;

(8) By November 15 of each even-numbered year, make recommendations on technology investments to the Governor and the Legislature, including a prioritized list of projects. The recommendations submitted to the Legislature

shall be submitted electronically;

(9) Approve grants from the Community Technology Fund and Government Technology Collaboration Fund;

(10) Adopt schedules and procedures for reporting needs, priorities, and recommended projects;

(11) Assist the Chief Information Officer in developing and maintaining Network Nebraska pursuant to section 86-5,100; and

(12) Determine the format that state agencies, boards, and commissions shall use to report their information technology plans under section 86-524.01. The commission shall include an analysis of such plans in the statewide technology plan.

**Sec. 63.** Section 86-522, Reissue Revised Statutes of Nebraska, is amended to read:

86-522 The Community Technology Fund is created. The fund shall be granted to public entities or for the public entity's share of public-private partnerships by the commission. The fund shall be used to provide incentives for collaborative community and regional approaches toward more effective and efficient use of technology to meet the needs of citizens, political subdivisions, and other entities as determined by the commission. The fund shall be administered by the office of Chief Information Officer. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 64.** Section 86-523, Reissue Revised Statutes of Nebraska, is amended to read:

86-523 The Government Technology Collaboration Fund is created. The fund shall be granted by the commission. The fund shall be used to provide incentives for collaborative technology projects and programs by state agencies, boards, and commissions and to assist in meeting the technology needs of small agencies as determined by the commission. The fund shall be administered by the office of Chief Information Officer. Any money in the fund

available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

**Sec. 65.** Section 86-572, Reissue Revised Statutes of Nebraska, is amended to read:

86-572 The Geographic Information Systems Council shall:

(1) Make recommendations to the Legislature and the Nebraska Information Technology Commission for program initiatives and funding. The recommendations submitted to the Legislature shall be submitted electronically;

(2) Establish guidelines and policies for statewide Geographic Information Systems operations and management to include:

(a) The acquisition, development, maintenance, quality assurance such as standards, access, ownership, cost recovery, and priorities of databases;

(b) The compatibility, acquisition, and communications of hardware and software;

(c) The assessment of needs, identification of scope, setting of standards, and determination of an appropriate enforcement mechanism;

(d) The fostering of training programs and promoting education and information about Geographic Information Systems; and

(e) The promoting of Geographic Information Systems development in the State of Nebraska and providing or coordinating additional support to address Geographic Information Systems issues as such issues arise;

(3) Report to, assist, and advise the Chief Information Officer in setting information technology policy; and

(4) Provide assistance as requested by the commission.

**Sec. 66.** Section 90-203, Reissue Revised Statutes of Nebraska, is amended to read:

90-203 (1) For purposes of this section, qualified property means the 43.55 acres that were deemed to be not needed for state purposes pursuant to section 90-202 and were deemed to be excess land by the Vacant Building and Excess Land Committee prior to July 1, 2026.

(2) Notwithstanding sections 72-811 to 72-818 or any other provision of law, the Director of Administrative Services shall, within thirty days after April 28, 2017, submit a request to the Legislature and the Governor asking for authorization to convey the qualified property to the Northeast Community College Area as a donation so that the qualified property may be used for the purpose of development of the Northeast Community College Technology Park.

(3) Approval of the Governor and the Legislature or, if the Legislature is not in session, the Executive Board of the Legislative Council shall be required to donate the qualified property to the Northeast Community College Area.

(4) If the Northeast Community College Area sells the qualified property within ten years after it is donated pursuant to this section, all proceeds of the sale shall be remitted to the State Treasurer for credit to the General Fund.

**Sec. 67.** This act becomes operative on July 1, 2026.

**Sec. 68.** Original sections 2-1814, 2-1816, 38-315, 38-317, 39-2108, 49-1499.02, 71-7010, 71-7013, 72-813, 72-814, 72-815, 72-816, 72-818, 81-1117, 81-1120.17, 81-15,212, 81-15,214, 81-15,215, 81-15,217, 81-15,218, 81-15,221, 81-15,224, 81-15,230, 81-15,231, 85-1002, 85-1005, 86-502, 86-515, 86-522, 86-523, 86-572, and 90-203, Reissue Revised Statutes of Nebraska, sections 39-2310, 43-4215, 43-4217, and 66-4,100, Revised Statutes Cumulative Supplement, 2024, and sections 38-167, 38-204, 38-308, 38-605, 38-703, 38-904, 38-2120, 38-2213, 38-2214, 38-2216, 38-2306, 39-2106, 39-2301.01, 43-4203, 43-4513, 71-814, 71-5310, 71-7107, 71-7108, 71-7109, 71-7110, 72-811, 81-1108.41, 81-1430, 81-1431, 81-15,160, 81-15,210, 81-15,229, 85-1643, and 86-516, Revised Statutes Supplement, 2025, are repealed.

**Sec. 69.** The following sections are outright repealed: Sections 2-1802, 2-1804, 2-1805, 2-1806, 2-1807, 2-1808, 2-1809, 2-1810, 2-1811, 2-1812, 2-4902, 2-5002, 2-5005, 2-5006, 72-2102, 72-2104, 72-2105, 81-15,195, 81-15,211, 82-701, 82-702, 82-704, 82-705, and 82-707, Reissue Revised Statutes of Nebraska, sections 39-2305 and 72-2103, Revised Statutes Cumulative Supplement,

2024, and sections 2-1801, 2-1803, 2-1826, 2-4901, 2-5001, 2-5003, 38-205, 38-310, 39-2304, 43-4001, 43-4216, 66-2001, 71-702, 71-705, 71-706, 71-815, 71-2454.01, 71-5311, 71-7012, 72-812, 72-2101, 81-1139.02, 81-1348, 81-15,159.01, 81-15,245, 81-15,246, 82-703, 82-706, 85-1008, 85-1607, 86-511, 86-521, 86-1101, 86-1102, and 86-1103, Revised Statutes Supplement, 2025.

**Sec. 70.** Since an emergency exists, this act takes effect when passed and approved according to law.

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**PRESIDENT OF THE LEGISLATURE**

*THIS IS TO CERTIFY that the within LB 905 was passed by the One Hundred Ninth Legislature of Nebraska at its Second Session on the ..... day of ..... 20.....*

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**CLERK OF THE LEGISLATURE**

**Approved:**

..... 20....., ..... o'clock .....M.

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**GOVERNOR**