



## **UNICAMERAL UPDATE**

**March 6, 2017**

**Bob Hoppe**, Legislative Committee Chairman \* **Vincent Christensen**, InsurPac/IANPAC Chairman  
**Carol McClelland**, CEO \* **Jim Cavanaugh**, Legislative Representative

**FROM: James P. Cavanaugh**  
**RE: Nebraska 2017 Legislative Session, Week ending March 3, 2017**

### **WEEK IN REVIEW**

Friday was the 40th day of the 90-day 2017 Legislative Session, and only two bills of the 667 introduced have passed.

**The deadline for priority bill designation is March 9.** Each senator may select one priority bill, while committees may select two and the Speaker of Legislature may choose up to 25. One bill on IAN's watch list has been named a priority bill: **LB 181** to allow an employee who disputes medical findings in a workers' compensation claim to choose a physician and obtain an additional medical exam (Quick priority). Bills not named as priorities have less chance of being passed this year.

Committee hearings for IAN's two major issues were held last week:

[LB553](#) (Lowe – Provide for a nonelection of coverage under the Nebraska Workers' Compensation Act) is scheduled for hearing with the Business and Labor Committee on **February 27, 2017**. IAN members **Andy Bassett** and **Tom Champoux** testified in **support**. Insurance industry associations PCI and AIA testified in opposition, along with the Nebraska Trial Attorneys.

[LB643](#) (Krist – Change automobile liability insurance and financial responsibility requirements) is scheduled for hearing with the Banking, Commerce and Insurance Committee on **February 28, 2017**. IAN member **Steve Mason** testified in **support**. Several insurance industry associations testified in opposition.

**See below for list of 2017 IAN Bills of Interest.**

The following IAN Bills of Interest have also been scheduled for hearings:

- **Mon. Mar. 6:** LB 147 (Business and Labor Committee)
- **Mon. Mar. 6:** LB 319 (Business and Labor Committee)
- **Tues. Mar. 7:** LB 550 (Banking, Commerce and Insurance Committee)
- **Tues. Mar. 7:** LB 609 (Business and Labor Committee)
- **Thurs. Mar. 9:** LB 67 (Judiciary Committee)

To see schedule of committee hearings for the coming week, click here: [Committee Hearings](#)

**Here are some of the key dates in the 2017 legislative session:**

- March 8 – Deadline to request Speaker priority bills.
- March 9 – Deadline for committees and senators to designate priority bills.
- March 13 – Speaker priority bills announced.
- March 23 – Deadline to complete bill hearings.
- March 28 – Full-day floor debate begins.
- April 24 – Budget bills must be on General File.
- May 10 – Budget bills must be passed.
- June 2 – Sine die adjournment.

The latest issue of the Unicameral Update can be found at: <http://update.legislature.ne.gov/>.  
To review the full text of bills, please look on the Unicameral website at:  
<http://www.nebraskalegislature.gov>.

Please call or e-mail me at any time if you have any questions. My contact information is:  
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**2017 BILLS OF SPECIAL INTEREST**

LB553 Lowe	Provide for a nonelection of coverage under the Nebraska <b>Workers' Compensation Act</b>
	<b>IIAN Position: Pro-Active Support</b>
1/18/17	Introduced
1/19/17	Kolterman name added
1/20/17	Referred to Business and Labor Committee
1/23/17	Lindstrom name added
1/27/17	Krist name added
1/31/17	Harr name added
1/31/17	McCollister name added
<b>2/2/17</b>	<b>Hearing scheduled for February 27, 2017</b>
2/24/17	Brewer name added
LB643 Krist	Change automobile liability insurance and financial responsibility requirements
	<b>IIAN Position: Pro-Active Support</b>
1/18/17	Introduced
1/20/17	Referred to Banking, Commerce and Insurance Committee
<b>2/2/17</b>	<b>Hearing scheduled for February 28, 2017</b>

**2017 BILLS OF INTEREST**

- LB21 Riepe            Change provisions relating to **motor vehicle insurance** coverage for loaned vehicles  
**IIAN Position: Monitor**  
1/5/17            Introduced  
1/9/17            Referred to Banking, Commerce and Insurance Committee  
**1/10/17            Hearing Scheduled for January 17<sup>th</sup>, 2017**
- LB66 Hansen            Change provisions relating to stacking of coverage under the **Uninsured and Underinsured Motorist Insurance** Coverage Act  
**IIAN Position: Monitor**  
1/5/17            Introduced  
1/9/17            Referred to Banking, Commerce and Insurance Committee  
**2/2/17            Hearing scheduled for February 28, 2017**
- LB67 Brasch            Adopt the **Fair Repair Act**  
**IIAN Position: Monitor**  
1/5/17            Introduced  
1/9/17            Referred to Judiciary Committee  
1/30/17            Hearing scheduled for March 8, 2017  
2/1/17            March 8, 2017 hearing cancelled  
**2/1/17            Hearing rescheduled for March 9, 2017**
- LB116 Harr            Redefine **automobile liability policy** and change coverage provisions  
**IIAN Position: Monitor**  
1/6/17            Introduced  
1/10/17            Referred to Banking, Commerce and Insurance Committee  
**2/2/17            Hearing scheduled for February 28, 2017**
- LB137 Lindstrom            Adopt the Unclaimed Life Insurance Benefits Act (**Insurance Dept. Bill**)  
**IIAN Position: Monitor**  
1/9/17            Introduced  
1/10/17            Referred to Banking, Commerce and Insurance Committee  
1/10/17            Watermeier name added  
**1/23/17            Hearing scheduled for January 30, 2017**  
2/2/17            Placed on **General File**
- LB147 Hansen            Change **workers' compensation** provisions relating to waiting time, termination of compensation, and attorney's fees  
1/9/17            Introduced  
1/10/17            Referred to Business and Labor Committee  
**2/2/17            Hearing scheduled for March 6, 2017**  
Would change workers' compensation provisions relating to waiting time, termination of compensation, and attorney's fees.
- LB168 Ebke            Change provisions relating to rights of subrogation of medical payments with respect to **automobile liability policies**  
**IIAN Position: To Be Determined**  
1/10/17            Introduced  
1/12/17            Referred to Banking, Commerce and Insurance Committee  
1/24/17            Rereferred to Judiciary Committee

- 1/30/17**      **Hearing scheduled for February 15, 2017**
- LB 181 Quick      Provide for reimbursement to employees for certain medical examinations under the Nebraska **Workers' Compensation Act**
- IIAN Position: Monitor**
- 1/10/17      Introduced
- 1/12/17      Referred to Business and Labor Committee
- 1/13/17**      **Hearing Scheduled for January 23<sup>rd</sup>, 2017**
- 2/9/17      **Placed on General File**
- 2/23/17      **Quick priority bill**
- Would provide for reimbursement to employees for certain medical examinations under the Nebraska Workers' Compensation Act. If a doctor selected by the employer or its workers' compensation insurer renders medical findings on the medical condition of the employee or related issues – and the employee disputes the medical findings – the employee would be able to be reimbursed by the employer for a subsequent report and examination by a physician chosen by the employee, plus other expenses.
- LB213 Hansen      Add an unfair claims settlement practice under the **Unfair Insurance Claims Settlement Practices Act**
- IIAN Position: To Be Determined**
- 1/10/17      Introduced
- 1/12/17      Referred to Banking, Commerce and Insurance Committee
- 1/30/17**      **Hearing scheduled for February 15, 2017**
- LB 220 Harr      Adopt the Insured Homeowners Protection Act
- IIAN Position: Monitor**
- 1/10/17      Introduced
- 1/12/17      Referred to Banking, Commerce and Insurance Committee
- 1/30/17**      **Hearing scheduled for February 6, 2017**
- LB226 Wishart      Provide for purchase of **motor vehicles and insurance** by certain juveniles, change foster care transition proposal provisions, and provide immunity from liability for caregivers
- IIAN Position: To Be Determined**
- 1/10/17      Introduced
- 1/12/17      Referred to Judiciary Committee
- 2/7/17      **Hearing scheduled for March 9, 2017**
- LB231 Kolterman      Authorize disciplinary action under the Insurance Producers Licensing Act for failing to maintain a license in good standing (**Insurance Dept. Bill**)
- IIAN Position: Support**
- 1/11/17      Introduced
- 1/13/17      Referred to Banking, Commerce and Insurance Committee
- 1/23/17**      **Hearing scheduled for January 30, 2017**
- 2/2/17      Placed on **General File**
- Would clarify that the Insurance Director can take action against non-resident agents who do not maintain a resident license in good standing in their home state.

- LB 241 Craighead      Provide an exception to the annual privacy notice requirement under the Privacy of Insurance Consumer Information Act (*Insurance Dept. Bill*)  
**IIAN Position: Support**  
1/11/17      Introduced  
1/13/17      Referred to Banking, Commerce and Insurance Committee  
**1/23/17      Hearing scheduled for January 30, 2017**  
2/2/17      Placed on **General File with AM100**  
Would enact an amendment to the privacy provisions of the Gramm-Leach-Bliley Act (GLBA) that alleviates some of the burden and redundancy associated with the annual privacy notice requirement, by not requiring that licensees (ie, insurance agents and agencies) provide notice every year as long as they (1) has not changed the privacy policies and practices described in its most recent privacy notice and (2) only provides nonpublic personal information to nonaffiliated third parties in accordance with certain provisions of the GLBA.
- LB 244 Bolz            Change provisions relating to mental injury and mental illness *for workers' compensation*  
**IIAN Position: To Be Determined**  
1/11/17      Introduced  
1/13/17      Referred to Business and Labor Committee  
**2/2/17      Hearing scheduled for February 27, 2017**  
Would change provisions of the Workers' Compensation Act relating to mental injury and mental illness compensation. The bill would expand coverage to Frontline state employees – defined to mean an employee of the Department of Correctional Services or the Department of Health and Human Services whose duties involve regular and direct interaction with high-risk individuals.
- LB 305 Crawford      Adopt the Paid Family Medical Leave Insurance Act  
1/12/17      Introduced  
1/17/17      Referred to Business and Labor Committee  
**1/27/17      Hearing scheduled for February 6, 2017**
- LB 306 Lindstrom    Change provisions relating to the scope of coverage of and notice required under the Portable Electronics Insurance Act  
**IIAN Position: To Be Determined**  
1/12/17      Introduced  
1/17/17      Referred to Banking, Commerce and Insurance Committee  
**1/23/17      Hearing scheduled for January 31, 2017**  
2/2/17      Placed on **General File**
- LB 319 Halloran      Provide for confidentiality of and access to certain injury reports under the Nebraska *Workers' Compensation Act*  
**IIAN Position: To Be Determined**  
1/12/17      Introduced  
1/17/17      Referred to Business and Labor Committee  
**2/2/17      Hearing scheduled for March 6, 2017**  
Would provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act.

- LB 353 Baker Change claim, award, and judgment payment provisions under the Political Subdivisions Tort Claims Act  
 1/12/17 Introduced  
 1/17/17 Referred to Judiciary Committee  
 1/17/17 Chambers MO11 Rerefer to Government, Military and Veterans Affairs Committee filed  
 1/18/17 Chambers MO11 failed  
**1/24/17 Hearing scheduled for February 1, 2017**
- LB 362 Riepe Adopt the Health Savings Account Act and provide an income tax deduction  
 1/13/17 Introduced  
 3/1/17 **Hearing scheduled for March 22, 2017**
- LB 388 Lindstrom Authorize remote electronic notarial acts  
 1/13/17 Introduced  
 1/17/17 Referred to Government, Military and Veterans Affairs Committee  
**1/18/17 Hearing scheduled for January 25, 2017**
- LB 406 Kolterman Change provisions relating to notice of cancellation, nonrenewal, or nonpayment of a premium for **automobile liability policies**  
**IIAN Position: Monitor**  
 1/13/17 Introduced  
 1/17/17 Referred to Banking, Commerce and Insurance Committee  
**1/30/17 Hearing scheduled for February 6, 2017**  
**2/9/17 Placed on General File with AM204**
- LB 408 Lowe Provide for a drug formulary under the Nebraska **Workers' Compensation Act**  
**IIAN Position: Monitor**  
 1/13/17 Introduced  
 1/17/17 Referred to Business and Labor Committee  
**2/2/17 Hearing scheduled for March 6, 2017**
- LB486 Kolterman Change continuing education requirements for insurance licensees  
**IIAN Position: Support**  
 1/17/17 Introduced  
 1/19/17 Referred to Banking, Commerce and Insurance Committee  
**1/23/17 Hearing scheduled for January 31, 2017**  
**On Tuesday, January 31, IIAN testified in support of [LB 486](#), which is also supported by the Nebraska Insurance Department. LB 486 would allow up to 6 CEUs (out of 24 every 2 years in Nebraska) for "active participation in a professional insurance association" - by attending a formal meeting of the association; active service on a board or committee; participation in industry, regulatory, or legislative meetings; or participation in other formal insurance business activities of the association.**
- LB517 Pansing-Brooks Change provisions regarding transfer of property upon death  
 1/18/17 Introduced  
 1/20/17 Referred to Judiciary Committee  
**1/24/17 Hearing scheduled for February 10, 2017**

- LB550 Lindstrom      Change provisions relating to the Comprehensive Health Insurance Pool  
**IIAN Position:** Monitor  
1/18/17      Introduced  
1/20/17      Referred to Banking, Commerce and Insurance Committee  
**2/2/17      Hearing scheduled for March 7, 2017**
- LB609 Linehan      Provide fee schedules under the Nebraska **Workers' Compensation Act**  
**IIAN Position:** To be determined  
1/18/17      Introduced  
1/20/17      Referred to Business and Labor Committee  
**2/2/17      Hearing scheduled for March 7, 2017**