

One Hundred Eighth Legislature - First Session - 2023

Introducer's Statement of Intent

LB16

Chairperson: Senator Tom Brewer

Committee: Government, Military and Veterans Affairs

Date of Hearing: February 09, 2023

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB16 has three component parts:

1- Universal Recognition. Universal Recognition would provide an alternative way for licensing board to license experienced workers from outside of Nebraska. Recognition is based on current licensure (plus 1 year of experience); comparable Military Occupational Specialties (MOS); or (if the current state offers no license for the occupations), three years of documented work experience in the area for which Nebraska issues a license. If Nebraska requires a jurisprudential exam for licensure, that may be required prior to recognition for licensure. Recognition is based on similar SCOPE OF PRACTICE, not the name of the license. Licensing boards/Nebraska statute determines the scope of practice in Nebraska; licensure in another state that has a scope beyond Nebraska's does not transfer scope here.

2- Second Chances. This bill would require licensing boards/statutes to specify offenses that would exclude someone with a criminal record from being licensed, making licensure a "direct and substantial risk to public safety." This section of the bill would build on the requirement found in LB299 (2018), which required that those with criminal records could petition for a pre-determination of eligibility for licensure (before education, testing, etc.).

3- Changes to the State Electrical Board statutes. Because of the nature of the Electrical Board Act, modifying the composition of the Board membership, but also inserting key applicable elements of Universal Recognition and Second Chances into the Electrical Board Act.

EXCLUDED FROM LB16

Because of either federal overlap (as in assorted financial and insurance services), separation of powers (as in attorneys regulated by the Supreme Court), broad national testing and certification, several occupational areas are outright excluded from LB16,

including:

-Attorneys

-Any occupation regulated by the Department of Banking and Finance

-Anything regulated by the Board of Architects and Engineers

-Anything Regulated by the State Real Estate Commission

-Anything Regulated by the Nebraska Commission on Law Enforcement and Criminal Justice (Crime Commission)

-Anything regulated by the Department of Insurance

-The Electrical Board is listed on the bill as being excluded in the §84 portion of the bill, however it has its own section (§81) which includes the language found in §84.

Principal Introducer: _____

Senator Tom Briese