

AMENDMENTS TO LB 397

(Amendments to Standing Committee amendments, AM1116)

Introduced by Lathrop

1 1. Insert the following new section:

2 Sec. 7. Section 48-815, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 48-815 The commission shall provide itself with a proper
5 seal and shall have the power and authority to issue subpoenas and
6 to compel the attendance of witnesses and parties and to compel
7 the production of relevant books, correspondence, files, records,
8 and accounts of any person, corporation, association, or labor
9 organization affected, and to make any and all investigations
10 necessary to ascertain the truth in regard to the matters
11 before the commission. Subpoenas for the production of books,
12 correspondence, files, records and accounts shall be issued by the
13 commission only after notice to the owner and person in possession
14 thereof and opportunity to be heard as to the relevancy of such
15 subpoena. When records are sought from private sector employers
16 under subsection (2) of section 48-818, the commission shall
17 receive documents and provide documents to the parties along with
18 a protective order prohibiting dissemination to parties outside
19 the litigation and protecting the identity of the employer in any
20 proceeding or order.

21 2. On page 3, strike lines 12 through 17 and renumber the
22 remaining subdivisions accordingly.

1 3. On page 7, line 25, after the period insert "If
2 a change in the employment status or in wages or terms and
3 conditions of employment is necessary, a motion by either party
4 or by the parties jointly may be presented to the commission at
5 that time and if the commission finds, based on a showing of
6 evidence at a hearing thereon, that the requested change is both
7 reasonable and necessary to serve an important public interest and
8 that the employer has not considered a change in the employment
9 status, wages, or terms and conditions of employment as a policy
10 alternative on an equal basis with other policy alternatives
11 to achieve budgetary savings, the commission may order that the
12 requested change be allowed pending final resolution of the pending
13 industrial dispute.".

14 4. On page 11, line 1, strike "public employer" and
15 insert "municipality, municipally owned utility, or county"; and
16 strike beginning with "representing" in line 2 through "personnel"
17 in line 3.

18 5. On page 17, strike lines 20 through 27.

19 6. On page 18, strike lines 1 through 3; and in line 4
20 strike "(3)" and insert "(2)".

21 7. On page 19, after line 4 insert the following new
22 subdivision:

23 "(iv) Nothing in subdivision (2)(b) of this section shall
24 prevent parties from stipulating to an array member that does not
25 otherwise meet the criteria in such subdivision, and nothing in
26 such subdivision shall prevent parties from stipulating to less
27 than seven or more than thirteen array members;" and renumber the

1 remaining subdivisions accordingly; in line 15 after "area" insert
2 "other than the metropolitan statistical area in which the employer
3 before the commission is located"; in line 25 strike "employees"
4 and insert "meters served"; and in line 26 after "the" insert
5 "number of meters served by the".

6 8. On page 20, line 5; and page 26, lines 14 and 27,
7 strike "(3)" and insert "(2)".

8 9. On page 25, line 22, strike "enrolled actuary" and
9 insert "actuary holding a current membership with the American
10 Academy of Actuaries".

11 10. On page 27, line 7, strike "or benefits"; and in
12 lines 8, 14, and 18 strike "and benefits".

13 11. On page 64, line 15, after "48-813," insert
14 "48-815,".

15 12. Renumber the remaining sections and correct internal
16 references accordingly.