

ONE HUNDRED SIXTH LEGISLATURE - SECOND SESSION - 2020
COMMITTEE STATEMENT
LB889

Hearing Date: Friday January 31, 2020
Committee On: Government, Military and Veterans Affairs
Introducer: Hilgers
One Liner: Change appeal provisions under the Administrative Procedure Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye: 8 Senators Blood, Brewer, Hansen, M., Hilgers, Kolowski, La Grone,
Lowe, Hunt

Nay:

Absent:

Present Not Voting:

Oral Testimony:

Proponents:

Senator Mike Hilgers
Melissa Johnson-Wiles

Representing:

Introducer
Nebraska Attorney General's Office

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

This bill proposes changes to the Administrative Procedures Act (APA). It would modify the procedural requirements for a person seeking judicial review of an administrative action under the APA. It clarifies that summons on parties other than government parties shall be served within thirty days of filing the petition in district court.

LB 889 would also state that the official record relevant to such a case is automatically to be considered by the court without a motion to offer and receive it as evidence. LB 889 also inserts language to more clearly specify the person with which the agency's official record should be filed and the manner in which courts may dispose of such cases.

Finally, the bill deletes obsolete language in two locations referring to changes made effective in July 1989.

Tom Brewer, Chairperson