

E AND R AMENDMENTS TO LB 867

Introduced by Hansen, 26, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

3 Section 1. Section 83-173.03, Revised Statutes Supplement, 2015, is
4 amended to read:

5 83-173.03 (1) Beginning July 1, 2016, no inmate shall be held in
6 restrictive housing unless done in the least restrictive manner
7 consistent with maintaining order in the facility and pursuant to rules
8 and regulations adopted and promulgated by the department pursuant to the
9 Administrative Procedure Act.

10 (2) The department shall adopt and promulgate rules and regulations
11 pursuant to the Administrative Procedure Act establishing levels of
12 restrictive housing as may be necessary to administer the correctional
13 system. Rules and regulations shall establish behavior, conditions, and
14 mental health status under which an inmate may be placed in each
15 confinement level as well as procedures for making such determinations.
16 Rules and regulations shall also provide for individualized transition
17 plans, developed with the active participation of the committed offender,
18 for each confinement level back to the general population or to society.

19 ~~(3) Rules and regulations may authorize the director to issue~~
20 ~~written directives, guidance documents, and operational manuals not~~
21 ~~inconsistent with law and rules and regulations. Such directives,~~
22 ~~guidance documents, and operational manuals shall be made available to~~
23 ~~the public in the same manner that rules and regulations are made~~
24 ~~available unless the safety and security of a correctional institution~~
25 ~~would be placed at imminent and substantial risk by such publication. If~~
26 ~~any directive, guidance document, or operational manual is not made~~
27 ~~available to the public, notice shall be given to the deputy public~~

~~1 counsel for corrections and to the Inspector General of the Nebraska
2 Correctional System. The notice shall identify all documents not publicly
3 available by title, number of pages, and date adopted. All directives,
4 guidance documents, and operational manuals shall be made available to
5 any member of the Legislature upon request. Security manuals shall be
6 made available to the Legislature for inspection upon request, but shall
7 not be copied or removed from secure locations as designated by the
8 director.~~

9 Sec. 2. The Legislature finds that:

10 (1) The regulatory authority given to agencies has a significant
11 impact on the people of the state;

12 (2) When agencies create substantive standards by which Nebraskans
13 are expected to abide, it is essential that those standards be adopted
14 through the rules and regulations process to enable the public to be
15 aware of the standards and have an opportunity to participate in the
16 approval or repeal process; and

17 (3) Agencies should be encouraged to advise the public of current
18 opinions, interpretations, approaches, and likely courses of action by
19 means of guidance documents.

20 Sec. 3. Section 84-901, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 84-901 For purposes of the Administrative Procedure Act:

23 (1) Agency shall mean each board, commission, department, officer,
24 division, or other administrative office or unit of the state government
25 authorized by law to make rules and regulations, except the Adjutant
26 General's office as provided in Chapter 55, the courts including the
27 Nebraska Workers' Compensation Court, the Commission of Industrial
28 Relations, the Legislature, and the Secretary of State with respect to
29 the duties imposed by the act;

30 (2) Rule or regulation shall mean any standard of general
31 application adopted by an agency in accordance with the authority

1 conferred by statute and includes, but is not limited to, the amendment
2 or repeal of a rule or regulation rule, regulation, or standard issued by
3 an agency, including the amendment or repeal thereof whether with or
4 without prior hearing and designed to implement, interpret, or make
5 specific the law enforced or administered by it or governing its
6 organization or procedure. Rule or regulation shall not include (a)
7 internal procedural documents which provide guidance to staff on agency
8 organization and operations, lacking the force of law, and not relied
9 upon to bind the public, (b) guidance documents as issued by an agency in
10 accordance with section 4 of this act, and (c) forms and instructions
11 developed by an agency (a) rules and regulations concerning the internal
12 management of the agency not affecting private rights, private interests,
13 or procedures available to the public or (b) permits, certificates of
14 public convenience and necessity, franchises, rate orders, and rate
15 tariffs and any rules of interpretation thereof. For purposes of the act,
16 every standard rule and regulation which prescribes a penalty shall be
17 presumed to have general applicability. Nothing in this section shall be
18 interpreted to require an agency to adopt and promulgate rules and
19 regulations when statute authorizes but does not require it or to affect
20 private rights and interests;

21 (3) Contested case shall mean a proceeding before an agency in which
22 the legal rights, duties, or privileges of specific parties are required
23 by law or constitutional right to be determined after an agency hearing;

24 (4) Ex parte communication shall mean an oral or written
25 communication which is not on the record in a contested case with respect
26 to which reasonable notice to all parties was not given. Filing and
27 notice of filing provided under subdivision (6)(d) of section 84-914
28 shall not be considered on the record and reasonable notice for purposes
29 of this subdivision. Ex parte communication shall not include:

30 (a) Communications which do not pertain to the merits of a contested
31 case;

1 (b) Communications required for the disposition of ex parte matters
2 as authorized by law;

3 (c) Communications in a ratemaking or rulemaking proceeding; and

4 (d) Communications to which all parties have given consent; ~~and~~

5 (5) Guidance document shall mean any statement developed by an
6 agency which lacks the force of law but provides information or direction
7 of general application to the public to interpret or implement statutes
8 or such agency's rules or regulations. A guidance document is binding on
9 an agency until amended by the agency. A guidance document shall not give
10 rise to any legal right or duty or be treated as authority for any
11 standard, requirement, or policy. Internal procedural documents which
12 provide guidance to staff on agency organization and operations shall not
13 be considered guidance documents; and

14 (6 5) Hearing officer shall mean the person or persons conducting a
15 hearing, contested case, or other proceeding pursuant to the act, whether
16 designated as the presiding officer, administrative law judge, or some
17 other title designation.

18 Sec. 4. (1) Upon the issuance of a guidance document, an agency
19 shall make such document available at one public location and on the
20 agency's web site. The agency shall also publish on its web site an index
21 summarizing the subject matter of all currently applicable rules and
22 regulations and guidance documents. Such agency shall provide the index
23 electronically to the Executive Board of the Legislative Council by
24 December 31 of each year.

25 (2) An agency shall ensure that the first page of each guidance
26 document includes the following notice: This guidance document is
27 advisory in nature but is binding on an agency until amended by such
28 agency. A guidance document does not include internal procedural
29 documents that only affect the internal operations of the agency and does
30 not impose additional requirements or penalties on regulated parties or
31 include confidential information or rules and regulations made in

1 accordance with the Administrative Procedure Act. If you believe that
2 this guidance document imposes additional requirements or penalties on
3 regulated parties, you may request a review of the document.

4 (3) A person may request in writing that an agency revise or repeal
5 a guidance document or convert a guidance document into a rule or
6 regulation. No later than sixty calendar days after the agency receives
7 such a request, the agency shall advise the requestor in writing of its
8 decision to (a) revise or repeal the guidance document, (b) initiate a
9 proceeding to consider a revision or repeal of a guidance document, (c)
10 initiate the rulemaking or regulationmaking process to convert the
11 guidance document into a rule or regulation, or (d) deny the request and
12 state the reason for the denial.

13 (4) All decisions made by an agency under this section shall be made
14 available at one public location and on the agency's web site.

15 Sec. 5. (1) If an agency determines that the adoption, amendment,
16 or repeal of a rule or regulation is necessitated by an emergency
17 situation, the agency may adopt, amend, or repeal a rule or regulation
18 upon approval of the Governor. Such agency's request shall be submitted
19 to the Governor in writing and include a justification as to why the
20 emergency rule or regulation is necessary. Factors for the justification
21 shall include:

22 (a) Imminent peril to the public health, safety, or welfare; or

23 (b) The unforeseen loss of federal funding for an agency program.

24 (2) Any agency may use the emergency rule or regulation procedure as
25 provided in this section. However, no agency shall use such procedure to
26 avoid the consequences for failing to timely adopt and promulgate rules
27 and regulations.

28 (3) Rules and regulations adopted, amended, or repealed under this
29 section shall be exempted from the notice and hearings requirements of
30 section 84-907 and the review process required under section 84-905.01
31 and shall be valid upon approval of the Governor. An emergency rule or

1 regulation shall remain in effect for a period of ninety calendar days
2 and is renewable once for a period not to exceed ninety calendar days.

3 (4) Any agency which adopts, amends, or repeals a rule or regulation
4 under this section shall file such rule or regulation with the Secretary
5 of State. The agency shall also publish such rule or regulation on the
6 agency's web site.

7 Sec. 6. Section 84-902, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 84-902 (1) Each agency shall file in the office of the Secretary of
10 State a certified copy of the rules and regulations in force and effect
11 in such agency. The Secretary of State shall keep a permanent file of all
12 such rules and regulations. Such file shall be updated and kept current
13 upon receipt of any rules and regulations adopted, amended, or repealed
14 and filed with the Secretary of State as provided in the Administrative
15 Procedure Act and shall be open to public inspection during regular
16 business hours of his or her office. The Secretary of State, in order to
17 maintain and keep such files current, shall be empowered to require new
18 and amended rules and regulations to be filed as complete chapters or
19 sections as directed by the Secretary of State ~~file pages and to remove~~
20 ~~all superseded pages to a separate file.~~

21 (2) Rules and regulations filed with the Secretary of State pursuant
22 to the Administrative Procedure Act shall be filed in the manner and form
23 prescribed by the Secretary of State including electronic filing if so
24 directed by the Secretary of State. The Secretary of State shall issue
25 instructions to all state agencies setting forth the format to be
26 followed by all agencies in submitting rules and regulations to the
27 Secretary of State. Such instructions shall provide for a uniform page
28 size, a generally uniform and clear indexing system, and annotations
29 including designation of enabling legislation and court or agency
30 decisions interpreting the particular rule or regulation. For good cause
31 shown, the Secretary of State may grant exceptions to the uniform page

1 size requirement and the general indexing instructions for any agency.

2 Sec. 7. Section 84-906, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 84-906 (1) No rule or regulation of any agency shall be valid as
5 against any person until five days after such rule or regulation has been
6 filed with the Secretary of State except for rules and regulations
7 adopted, amended, or repealed pursuant to section 5 of this act. No rule
8 or regulation required under the Administrative Procedure Act to be filed
9 with the Secretary of State shall remain valid as against any person
10 until the certified copy of the rule or regulation has been so filed on
11 the date designated and in the form prescribed by the Secretary of State.
12 The filing of any rule or regulation shall give rise to a rebuttable
13 presumption that it was duly and legally adopted.

14 (2) A rule or regulation adopted after August 1, 1994, shall be
15 invalid unless adopted in substantial compliance with the provisions of
16 the act, except that inadvertent failure to mail a notice of the proposed
17 rule or regulation to any person shall not invalidate a rule or
18 regulation.

19 (3) Any action to contest the validity of a rule or regulation on
20 the grounds of its noncompliance with any provision of the act shall be
21 commenced within four years after the effective date of the rule or
22 regulation.

23 (4) The changes made to the act by Laws 1994, LB 446, shall not
24 affect the validity or effectiveness of a rule or regulation adopted
25 prior to August 1, 1994, or noticed for hearing prior to such date.

26 (5) The changes made to the act by Laws 2005, LB 373, shall not
27 affect the validity or effectiveness of a rule or regulation adopted
28 prior to October 1, 2005, or noticed for hearing prior to such date.

29 Sec. 8. Section 84-906.03, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 84-906.03 It shall be the duty of the Secretary of State:

1 (1) To establish and cause to be compiled, indexed by subject, and
2 published a codification system for all rules and regulations filed to be
3 designated the Nebraska Administrative Code; -

4 (2) To cause the Nebraska Administrative Code to be computerized to
5 facilitate agencies in revision of their rules and regulations and
6 provide research capabilities; and

7 (3) To post distribute a current copy of existing rules and
8 regulations as accepted by him or her as filed on his or her web site to
9 ~~the State Library and to each county law library of the State of Nebraska~~
10 ~~making a request for a copy of such rules and regulations; to distribute,~~
11 ~~on a regular basis, copies of all modifications or amendments to agency~~
12 ~~rules and regulations as accepted by him or her as filed to the State~~
13 ~~Library and to each county law library of the State of Nebraska which~~
14 ~~requests copies of all modifications or amendments; to distribute at~~
15 ~~least four current copies of any rules and regulations accepted by him or~~
16 ~~her as filed to the Nebraska Publications Clearinghouse to meet the needs~~
17 ~~of the Nebraska publications depository system; to distribute on a~~
18 ~~regular basis at least four copies of all modifications or amendments to~~
19 ~~agency rules and regulations accepted by him or her as filed to the~~
20 ~~Nebraska Publications Clearinghouse to meet the needs of the Nebraska~~
21 ~~publications depository system; to distribute a current copy of any~~
22 existing rules and regulations as accepted by him or her as filed to all
23 interested persons on request at a price fixed to cover costs of
24 printing, handling, and mailing; and to distribute, on a regular basis,
25 copies of any or all modifications or amendments to agency rules and
26 regulations as accepted by him or her as filed to all interested persons
27 on request at a price fixed to cover costs of printing, handling, and
28 mailing.

29 Sec. 9. Section 84-906.04, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 84-906.04 (1) The Secretary of State shall maintain a current public

1 rulemaking or regulationmaking docket for each pending rulemaking or
2 regulationmaking proceeding. A rulemaking or regulationmaking proceeding
3 is pending from the time it is commenced by publication of a notice of
4 proposed rule or regulation making to the time it is terminated by
5 publication of a notice of termination or the rule or regulation becoming
6 effective.

7 (2) For each rulemaking or regulationmaking proceeding, the docket
8 shall indicate:

9 (a) The subject matter of the proposed rule or regulation;

10 (b) The time, date, and location of the public hearing regarding the
11 proposed rule or regulation ~~A citation to all published notices relating~~
12 ~~to the proceeding;~~

13 (c) The name and address of agency personnel with whom people may
14 communicate regarding the proposed rule or regulation;

15 (d) Where written comments on the proposed rule or regulation may be
16 inspected;

17 (e) The time during which written comments may be made;

18 ~~(f) The names of persons who have submitted written comments on the~~
19 ~~proposed rule or regulation;~~

20 ~~(f g) Where the description of the fiscal impact may be inspected~~
21 ~~and obtained;~~

22 ~~(g h) The current status of the proposed rule or regulation and any~~
23 ~~agency determinations with respect thereto;~~

24 ~~(h i) Any known timetable for agency decisions or other action in~~
25 ~~the proceeding;~~

26 ~~(i j) The date of the rule's or regulation's adoption;~~

27 ~~(j k) The date of the rule's or regulation's filing, indexing, and~~
28 ~~publication; and~~

29 ~~(k l) The operative date of the rule or regulation if such date is~~
30 ~~later than the effective date prescribed in sections 84-906 and 84-911.~~

31 Sec. 10. Section 84-907, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 84-907 (1) Except as provided in section 5 of this act, no ~~No~~ rule
3 or regulation shall be adopted, amended, or repealed by any agency except
4 after public hearing on the question of adopting, amending, or repealing
5 such rule or regulation. Notice of such hearing shall be given at least
6 thirty days prior thereto to the Secretary of State and by publication in
7 a newspaper having general circulation in the state. All such hearings
8 shall be open to the public.

9 (2) The public hearing on a rule or regulation that is required to
10 be adopted, amended, or repealed based upon a legislative bill shall be
11 held within twelve months after the effective or operative date of the
12 legislative bill. If there is more than one applicable effective or
13 operative date, the twelve-month period shall be calculated using the
14 latest date. In addition to the requirements of section 84-906.01, draft
15 copies or working copies of all rules and regulations to be adopted,
16 amended, or repealed by any agency shall be available to the public in
17 the office of the Secretary of State at the time of giving notice. The
18 notice shall include: (a) A declaration of availability of such draft or
19 work copies for public examination; (b) a short explanation of the
20 purpose of the proposed rule or regulation or the reason for the
21 amendment or repeal of the rule or regulation; and (c) a description,
22 including an estimated quantification, of the fiscal impact on state
23 agencies, political subdivisions, and persons being regulated or an
24 explanation of where the description of the fiscal impact may be
25 inspected and obtained. No person may challenge the validity of any rule
26 or regulation, the adoption, amendment, or repeal of any rule or
27 regulation, or any determination of the applicability of any rule or
28 regulation on the basis of the explanation or description provided
29 pursuant to subdivisions (b) and (c) of this subsection.

30 (3) A change to an existing rule or regulation to (a) alter the
31 style or form of such rule or regulation, (b) correct a technical error,

1 or (c) alter a citation or reference to make such citation or reference
2 consistent with state or federal law but which does not affect the
3 substance of the rule or regulation is exempt from the requirements of
4 this section. Such change shall not alter the rights or obligations of
5 the public.

6 (4) Agencies shall be exempt from promulgating security policies and
7 procedures which, if made public, would create a substantial likelihood
8 of endangering public safety or property.

9 ~~(3) Any agency adopting, amending, or repealing a rule or regulation~~
10 ~~may make written application to the Governor who may, upon receipt of a~~
11 ~~written showing of good cause, waive the notice of public hearing. For~~
12 ~~purposes of this subsection, good cause shall include, but not be limited~~
13 ~~to, a showing by the agency that:~~

14 ~~(a) Compliance with the requirements of this section would result in~~
15 ~~extreme hardship on the citizens of this state;~~

16 ~~(b) An emergency exists which must be remedied immediately; or~~

17 ~~(c) A timely filing or publication of notice of a public hearing or~~
18 ~~the public hearing was prevented by some unforeseeable event beyond the~~
19 ~~immediate control of the agency and that the parties affected have not~~
20 ~~and will not suffer material injury as a result of the agency's action.~~

21 ~~(4) Whenever public notice is waived, the agency shall, so far as~~
22 ~~practicable, give notice to the public of the proposed rule or regulation~~
23 ~~change and of the rule or regulation as finally adopted or changed.~~

24 Sec. 11. Section 84-907.06, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 84-907.06 Whenever an agency proposes to adopt, amend, or repeal a
27 rule or regulation, (1) at least thirty days before the public hearing,
28 when notice of a proposed rule or regulation is sent out, or (2) at the
29 same time the agency requests approval from the Governor for an emergency
30 rule or regulation under section 5 of this act applies to the Governor
31 for a waiver of the notice of public hearing, the agency shall send to

1 the Executive Board of the Legislative Council, if applicable, (a) a copy
2 of the hearing notice required by section 84-907, (b) ~~if applicable~~, a
3 draft copy of the rule or regulation, and (c) the information provided to
4 the Governor pursuant to section 84-907.09.

5 Sec. 12. Section 84-907.07, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 84-907.07 The chairperson of the Executive Board of the Legislative
8 Council or committee staff member of the board shall refer materials
9 received pursuant to section 84-907.06 for review (1) to the chairperson
10 of the standing committee of the Legislature which has subject matter
11 jurisdiction over the issue involved in the rule or regulation or which
12 has traditionally handled the issue and (2) if practicable, to the member
13 of the Legislature who was the primary sponsor of the legislative bill
14 that granted the agency the rulemaking authority if the member is still
15 serving or, if the legislative bill was amended to include the rulemaking
16 authority, to the primary sponsor of the amendment granting rulemaking
17 authority if the member is still serving. The committee or committee
18 chairperson of such standing committee of the Legislature having subject
19 matter jurisdiction may submit a written or oral statement at the public
20 hearing on the rule or regulation or, if the Governor approves an
21 emergency rule or regulation under section 5 of this act ~~authorizes a~~
22 ~~waiver of the notice of public hearing~~, may submit a written statement to
23 the agency and to the Secretary of State to be entered in the records
24 relating to the rule or regulation.

25 Sec. 13. Section 84-907.09, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 84-907.09 Whenever an agency proposes to adopt, amend, or repeal a
28 rule or regulation, (1) at least thirty days before the public hearing,
29 when notice of a proposed rule or regulation is sent out, or (2) at the
30 same time the agency requests approval from the Governor for an emergency
31 rule or regulation under section 5 of this act ~~applies to the Governor~~

1 ~~for a waiver of the notice of public hearing under section 84-907~~, the
2 agency shall provide to the Governor for review (a) a description of the
3 proposed rule or regulation and the entity or entities it will impact,
4 (b) an explanation of the necessity of the proposed rule or regulation,
5 including the identification of the specific legislative bill if
6 applicable, or the authorizing statute when there is no legislative bill
7 applicable, (c) a statement that the proposed rule or regulation is
8 consistent with legislative intent, (d) a statement indicating whether
9 the proposed rule or regulation is the result of a state mandate on a
10 local governmental subdivision and if the mandate is funded, (e) a
11 statement indicating if the proposed rule or regulation is the result of
12 a federal mandate on state government or on a local governmental
13 subdivision and if the mandate is funded, (f) a description, including an
14 estimated quantification, of the fiscal impact on state agencies,
15 political subdivisions, and regulated persons, (g) a statement that the
16 agency will solicit public comment on the proposed rule or regulation
17 before the public hearing, and (h) a statement indicating whether or not
18 the agency has utilized the negotiated rulemaking process as provided for
19 in the Negotiated Rulemaking Act with respect to the proposed rule or
20 regulation.

21 Sec. 14. Section 84-908, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 84-908 (1) Except as provided in section 5 of this act, no ~~No~~
24 adoption, amendment, or repeal of any rule or regulation shall become
25 effective until the same has been approved by the Governor and filed with
26 the Secretary of State after a hearing has been set on such rule or
27 regulation pursuant to section 84-907. When determining whether to
28 approve the adoption, amendment, or repeal of any rule or regulation
29 relating to an issue of unique interest to a specific geographic area,
30 the Governor's considerations shall include, but not be limited to: (a)
31 Whether adequate notice of hearing was provided in the geographic area

1 affected by the rule or regulation. Adequate notice shall include, but
2 not be limited to, the availability of copies of the rule or regulation
3 at the time notice was given pursuant to section 84-907; and (b) whether
4 reasonable and convenient opportunity for public comment was provided for
5 the geographic area affected by the rule or regulation. If a public
6 hearing was not held in the affected geographic area, reasons shall be
7 provided by the agency to the Governor. Any rule or regulation properly
8 adopted by any agency shall be filed with the Secretary of State.

9 (2) Except as provided in section 5 of this act, no ~~no~~ agency shall
10 utilize, enforce, or attempt to enforce any rule or regulation or
11 proposed rule or regulation unless the rule, regulation, or proposed rule
12 or regulation has been approved by the Governor and filed with the
13 Secretary of State after a hearing pursuant to section 84-907.

14 Sec. 15. Section 84-920, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 84-920 Sections 84-901 to 84-920 and sections 2, 4, and 5 of this
17 act shall be known and may be cited as the Administrative Procedure Act.

18 Sec. 16. Rules and regulations may authorize the Director of
19 Correctional Services to issue guidance documents and internal procedural
20 documents not inconsistent with law and rules and regulations. Such
21 guidance documents and internal procedural documents shall be made
22 available to the public at one public location and on the department's
23 web site unless the safety and security of a correctional institution
24 would be placed at imminent and substantial risk by such publication. If
25 any guidance document or internal procedural document is not made
26 available to the public, notice shall be given to the deputy public
27 counsel for corrections and to the Inspector General of the Nebraska
28 Correctional System. The notice shall identify all documents not publicly
29 available by title, number of pages, and date adopted. All guidance
30 documents and internal procedural documents shall be made available to
31 any member of the Legislature upon request. Security manuals shall be

1 made available to the Legislature for inspection upon request, but shall
2 not be copied or removed from secure locations as designated by the
3 director.

4 Sec. 17. The Department of Correctional Services shall adopt and
5 promulgate rules and regulations pursuant to the Administrative Procedure
6 Act regarding any procedures or policies used by the department for any
7 situation where an inmate, under the authority of the department, is
8 outside a correctional facility operated by the department or a contract
9 facility as defined in section 83-1,119 unless the safety and security of
10 a correctional institution would be placed at imminent and substantial
11 risk by such publication.

12 Sec. 18. This act becomes operative on January 1, 2017.

13 Sec. 19. Original sections 84-901, 84-902, 84-906, 84-906.03,
14 84-906.04, 84-907, 84-907.06, 84-907.07, 84-907.09, 84-908, and 84-920,
15 Reissue Revised Statutes of Nebraska, and section 83-173.03, Revised
16 Statutes Supplement, 2015, are repealed.

17 Sec. 20. The following sections are outright repealed: Sections
18 84-907.01 and 84-907.02, Reissue Revised Statutes of Nebraska.

19 2. On page 1, line 7, after the semicolon insert "to provide,
20 change, and eliminate requirements for guidance documents, rules, and
21 regulations; to exempt security policies and procedures;"; and in line 9
22 after the second semicolon insert "to provide an operative date;".