

February 27, 2015

Senator Kathy Campbell, Chair
Health and Human Services Committee
P.O. Box 94604
Lincoln, NE 68509-4604

RE: LB 28

Dear Senator Campbell and members of the Health and Human Services Committee:

I am writing regarding LB 28 which, as currently outlined in the green copy, provides for Radon Resistant New Construction standards to become part of the Nebraska Building Code. The Radon Resistant New Construction standards will be determined by a Task Force outlined in the bill. The standards will be enforced by "codes" departments or building inspectors across the state in communities that have adopted building codes. The Department has no problems or concerns with the green copy and has no policy position on the bill at this time.

The Department does, however, have concerns with an amendment that was offered to the bill (AM368). This amendment expands the Task Force from 14 to 16 members, requires that the members be appointed by the Governor, and effectively allows 3½ months to accomplish appointing the Task Force, having the Task Force meet and make their recommendations and report to the Governor and the Legislature. This amendment removes the responsibility of the Department to write rules and regulations to implement the recommendations of the Task Force. The amendment indicates that the Legislature will write statutes to implement the recommendations of the Task Force.

Since the Department will have no role except holding perhaps one meeting of the Task Force, with little time to accomplish that and prepare their recommendations, we respectfully suggest that the Unicameral would be better served if the Task Force were organized and run by one of the legislative offices.

Please feel free to contact me if you have any questions on this matter.

Sincerely,



Dr. Joseph Acierno, Chief Medical Officer
Division of Public Health
Department of Health and Human Services

Cc. Senator Krist