

## Legal framework for carbon sequestration advanced



Sen. Michael Flood said state oversight and a federal permitting process would ensure that carbon dioxide could be injected thousands of feet underground without compromising Nebraska's groundwater.

Lawmakers gave first-round approval March 30 to a bill that would create a legal and regulatory framework for the geologic storage of carbon dioxide in Nebraska.

Under LB650, sponsored by Norfolk Sen. Michael Flood, the Nebraska Oil and Gas Conservation Commission would regulate facilities that inject carbon dioxide through wells into underground geologic formations for permanent or short-term storage.

Flood said capturing carbon dioxide emissions from ethanol production, electricity generation and manufacturing would increase Nebraska's market share for low-carbon products and cut greenhouse gas emissions.

Nebraska ethanol plants in particular could use the technology to reduce their carbon scores, he said, making their ethanol more competi-

tive in states like California that have adopted low-carbon fuel standards.

"This bill is the unique intersection of addressing climate change and an opportunity for Nebraska agriculture and Nebraska industries to profit from the same," Flood said.

LB650 would allow geologic storage only if a storage operator obtains a permit from both the commission and the Environmental Protection Agency's Underground Injection Control program. Before the commission issues a permit, it would hold a public hearing and consult with the state Department of Environment and Energy and the federal permitting authority.

The commission must find that the proposed storage facility would not endanger surface waters or underground drinking water sources and that the

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## Seizure action plans for students advanced

A bill that would require Nebraska schools to create individualized health plans for students with seizure disorders advanced from the first round of debate March 29.

Under LB639, introduced by Omaha Sen. Jen Day, a school with an enrolled student who has a seizure disorder and requires medication would have at least one employee at each school building who is trained to recognize and respond to seizures and administer the medications.



Sen. Jen Day

Day said LB639 would ensure that schools are prepared to help students diagnosed with seizure disorders and students who have first-time seizures while at school.

"Literal seconds can mean the difference in these children's quality of life and in preventing potentially life-altering brain damage," she said.

Day said a 2014 survey found that only 17 percent of Nebraska teachers have received training on epilepsy or other seizure disorders and nearly 40 percent wanted to receive such training.

Before a school employee could administer seizure medication, a student's parent or guardian would provide a written authorization, a written statement from the student's doctor and the medication in its unopened, sealed package with the intact label affixed by the dispensing pharmacy.

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storage operator would establish a testing and monitoring plan to assess the location and migration of injected carbon dioxide.

Before issuing a permit, the commission also must find that the storage operator obtained the consent of those who own portions of the storage reservoir comprising at least 60 percent of the reservoir's physical volume.

The bill would authorize the commission to require that any portions of the reservoir owned by nonconsenting owners be included in a storage facility. Those owners would be "equitably compensated."

LB650 would require storage operators to pay the commission two fees on each ton of carbon dioxide injected for storage, one to defray administrative expenses and another to defray expenses incurred in the long-term monitoring and management of a closed storage facility.

Senators voted 40-0 to adopt a Natural Resources Committee amendment. Brainard Sen. Bruce Bostelman, the committee's chairperson, said it makes technical clarifications, adds a severance clause and ensures that LB650 would not interfere with the commission's regulation of oil and

gas operations.

Sen. Dan Hughes of Venango supported the bill. After consulting with State Geologist Matt Joeckel, Hughes said, he is confident that carbon dioxide can be stored safely at certain sites in Nebraska for the long term.

Hughes said industries that emit carbon dioxide could invest more than \$1 billion in carbon capture and storage projects in the state.

"It's an opportunity that Nebraska should grab hold of because I think it could be a very large investment for our state and a huge boost to our economy," he said.

North Platte Sen. Mike Groene also supported LB650. Although the proposal sounded "a little science fiction" at first, he said, it is a proactive measure that would give Nebraska ethanol plants an economic advantage.

Groene said the bill also could allow Nebraska Public Power District to sequester the carbon dioxide emitted by the coal-fired Gerald Gentleman Station near Sutherland.

Omaha Sen. John Cavanaugh supported the bill, although he did not vote to advance it from committee. Public testimony on LB650 allayed many of his initial concerns, he said,

but the Legislature should consider limiting the size of storage reservoirs to avoid infringing on the property rights of nearby landowners.

Cavanaugh said the bill is a step toward factoring the external cost of a product's carbon dioxide emissions into its price, with the goal of mitigating climate change. He said Flood's proposal shows that addressing climate change can present economic opportunities for Nebraska industries and products.

"There is an opportunity to improve our state by taking actions on climate change," Cavanaugh said, "and this is one of them."

Sen. Justin Wayne of Omaha, who also did not vote to advance the bill from committee, said his primary concern is that LB650 would create a process by which the state would assume liability for a carbon dioxide storage facility.

"I just have a problem when a company may be able to profit and then close its door and the state assumes the liability for anything that goes wrong," Wayne said.

Senators voted 41-0 to advance LB650 to select file. ■

## UNICAMERAL UPDATE

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# Seizure action plans for students advanced

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A parent or guardian also would have to collaborate with school employees to create a written, individualized health plan to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder. Each student's seizure action plan would be distributed to any school personnel or volunteers responsible for them.

A student would be allowed to possess the supplies, equipment and medication necessary to treat a seizure disorder if specified in the student's seizure action plan.

The bill also would require each certificated school employee to participate in at least one hour of self-study review of seizure disorder materials.

Under LB639, a school or school employee would not be liable for damages related to the care of a student's seizure disorder unless they resulted from an act of "willful or wanton misconduct."

Finally, the bill would require the State Board of Education to develop requirements for school employee training programs, procedures for developing seizure action plans and the content of those plans.

An Education Committee amendment, adopted 34-2, clarifies that the bill's provisions would apply to each approved or accredited public, private, denominational and parochial school in Nebraska.

Under the amendment, each certificated school employee would review seizure disorder materials at least once in every two school years beginning in school year 2022-23.

Sen. Lou Ann Linehan of Elkhorn supported LB639, saying she has heard no opposition to the bill from the education community. She said teachers want to be prepared to recognize the signs and symptoms of seizures, which often can be mistaken for inattentiveness.

"Teachers will want to know that," Linehan said. "It's an early sign that maybe teachers will notice that parents won't."

Bayard Sen. Steve Erdman opposed the bill, saying the Legislature should not impose requirements on private, denominational and parochial schools because they do not receive significant public funding.

Sen. Julie Slama of Peru also op-

posed LB639, saying it would create an unfunded mandate for schools and could lead to lawsuits if they fail to help a student who has a seizure. She said the state does not require similar training or plans for any other major medical issue that students could face while at school.

"Schools already have these plans in place," Slama said, "and I still just don't see the widespread data to show a failure in our Nebraska schools handling these seizures properly."

Omaha Sen. John Cavanaugh, who supported the bill, said the Legislature created a similar requirement that took effect in 2012. He said the Nebraska Concussion Awareness Act requires public, private, denominational and parochial schools to make training available to coaches to help them recognize the symptoms of a concussion or brain injury.

"This is not unusual," Cavanaugh said. "When it rises to the level of importance [of] dealing with the health and safety of children, we have given this kind of guidance in the past."

Senators voted 33-2 to advance the bill to select file. ■

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## EDUCATION

### Purple star designation for military friendly schools advanced

Nebraska schools that take measures to welcome military-connected students would receive a special designation under a bill advanced from the first round of debate March 29.

Under LB5, introduced by Bellevue Sen. Carol Blood, a public, private or parochial school could apply to the State Board of Education for an annual “purple star school” designation.



Sen. Carol Blood

Blood said the voluntary program would make school transitions easier for military-connected students and allow Nebraska schools to promote themselves as friendly to military families.

“That kind of recognition can be beneficial for the community at large ... [and] can bring a sense of pride to that municipality,” she said.

To qualify, a school would have to designate a staff member as a military liaison, who would serve as a school’s point of contact for military-connected students and their families. Among other duties, the liaison would identify military-connected students and assist in coordinating school programs relevant to them.

Among other criteria, a qualifying school must offer online resources for military-connected students and their families, maintain a student-led program to assist military-connected students in transitioning into the school and offer training for staff

members on issues related to military-connected students.

Senators voted 44-0 to advance the bill to select file.

### Student discipline tracking system clears first round

Nebraska would track and report individual student discipline data under a proposal advanced from the first round of debate March 29.

LB154, introduced by Omaha Sen. Justin Wayne, would require the State Board of Education to implement a statewide system for tracking individual student discipline by type and by demographic characteristics including race, poverty, high mobility, attendance, disability and limited English proficiency.



Sen. Justin Wayne

Wayne said data from some Nebraska school districts shows that students who are minorities or in poverty are suspended or expelled at higher rates than their peers, making it more difficult for them to keep up in school and more likely to enter the juvenile justice system. He said accurate, statewide school discipline data would help the Legislature address those disparities.

“The problem is, we don’t have clear and convincing data because school districts calculate it differently,” Wayne said. “Some of them don’t even report it.”

Under LB154, the board would require each school district to report any individual student act resulting in suspension or expulsion, assignment to an alternative school or alternative learning program, the use of physical contact with a student or the restraint or seclusion of a student.

Districts would report any offense

constituting grounds for a student’s long-term suspension, expulsion or mandatory reassignment regardless of the consequences assigned. They also would report any student act resulting in law enforcement involvement and any school-related citation or arrest.

The bill would require each school to designate at least one person to gather and report the required data. It also would require the state Department of Education to analyze and report on student discipline in a currently required annual report on student achievement.

Finally, LB154 would require the board to include student discipline as an indicator in an accountability system used to measure the performance of individual public schools and school districts.

Lawmakers voted 39-0 to advance the bill to select file.

## EXECUTIVE BOARD

### Crisis hotline task force advanced

Lawmakers gave first-round approval March 30 to creation of a task force to study the implementation of a crisis hotline in Nebraska.

LB247, sponsored by Lincoln Sen. Patty Pansing Brooks, would establish the Mental Health Crisis Hotline Task Force to create an implementation plan



Sen. Patty Pansing Brooks

for the 988 crisis hotline established by the federal government in 2020.

Pansing Brooks said the new number – similar to 911 – will be rolled out nationwide to help individuals in



crisis and lessen the burden of non-law enforcement related calls currently placed to 911. Callers to the new 988 line will be connected to a qualified mental health provider.

Pansing Brooks said that one person died by suicide every 32 hours in Nebraska in 2018, demonstrating the need for more options for individuals experiencing a crisis.

“The mental health needs in our state are tragic, costly and dire,” she said. “Suicide is the second leading cause of death for people between the ages of 10 and 34.”

Voting members of the task force would include the chairpersons of the Health and Human Services, Judiciary and Transportation and Telecommunications committees and two at-large members of the Legislature appointed by the Executive Board.

Representatives from the state Department of Health and Human Services, the Nebraska Commission on Law Enforcement and Criminal Justice and the Public Service Commission – along with advocacy, educational and mental health representatives – would be nonvoting members.

The task force would issue a report to the Legislature by Dec. 17, 2021, regarding implementation plans and recommendations and would terminate on Dec. 31, 2022.

Sen. Dan Hughes of Venango expressed concern about the ultimate funding source for the crisis line, noting that the state already imposes fees on landlines and wireless carriers to fund 911.

“I’m certainly not opposed to having a 988 mental health hotline,” Hughes said. “We just need to make sure we understand what’s going to be at the end of this path ... there is going to be a fee increase of some sort to [implement] this.”

Following adoption of a technical

amendment, senators voted 43-0 to advance LB247 to select file.

### **Legislature will investigate child welfare contract**

Lawmakers established a committee March 29 to investigate the bidding process for service provision in one of the state’s child welfare service areas.

Nebraska implemented a statewide privatization of its child welfare system in 2009. By 2012, the experiment had failed and all service areas except the eastern – serving Douglas and Sarpy counties – had returned to casework provision by the state Department of Health and Human Services.

In 2019, the department awarded a \$197 million, five-year contract as provider for the eastern service area to Saint Francis Ministries. LR29, introduced by Omaha Sen. Machaela Cavanaugh, states that Saint Francis Ministries has estimated a \$27 million operating loss for the first year of the contract and may be at risk of bankruptcy.

Cavanaugh said the awarding of the contract to Saint Francis Ministries – whose bid was 40 percent lower than the next highest bidder, PromiseShip, which held the contract at the time – needs to be investigated.

LR29 creates the Eastern Service Area Child Welfare Contract Special Investigative and Oversight Committee to study the procurement process undertaken by DHHS and Administrative Services to award, implement and oversee the contract.

As introduced, the resolution also would have required the committee to investigate placement and quality of

care received by children in Nebraska’s eastern service area. An Executive Board amendment, adopted 29-0, removed oversight of quality of care issues and focuses the committee’s work on the bid process.

The amendment also establishes the committee membership to include two members each from the Appropriations, Government, Military and Veterans Affairs, Health and Human Services and Judiciary committees as well as one at-large member of the Legislature who is a resident of the eastern service area.

Cavanaugh said the history of child welfare privatization in Nebraska is indicative of systemic problems with how the state approaches caring for vulnerable children.

“We still have so many unanswered questions,” she said. “It’s time for us to do something different for the children of Nebraska – but we shouldn’t act rashly. We should know what’s happened, how we got here and how to appropriately move forward.”

The committee has subpoena power and will report findings and recommendations to the Legislature by Dec. 15, 2021. The committee will terminate Dec. 31, 2022.

Sen. Mark Kolterman of Seward supported the proposal, saying DAS has fought previous attempts to put parameters around the procurement process – particularly the ability of an entity that loses a bid to appeal that decision.

He said the state needs to get to the bottom of the bidding process for the eastern service area for the sake of large state contracts in the future.

“We have got to have a process in place where a bidder knows that they’re going to get a fair shake,” Kolterman said.

Executive Board chairperson Sen. Dan Hughes of Venango offered an amendment, adopted 38-0, that



Sen. Machaela Cavanaugh

requires the investigative committee to obtain authorization from the Executive Board before it can issue subpoenas.

“We need to make sure that the subpoena power of the Legislature is intact and can be used as effectively as possible to get our job done,” Hughes said.

Lincoln Sen. Mike Hilgers supported the amendment, saying pre-authorization for subpoena power currently is required of standing committees under the Legislature’s rules. A special committee should not have the power to do what a standing committee cannot, he said.

Omaha Sen. Steve Lathrop offered an amendment that would have required the Executive Board to approve all subpoenas issued by the investigative committee unless a subpoena was attempting to secure documents or the attendance of witnesses outside the scope of LR29 or was not in proper form.

Lathrop said that in order for the committee to be effective, it needs all available tools to ensure that it can get the answers it needs. The Legislature often has been stonewalled by state agencies, he said, when senators cannot compel compliance with information requests.

“Subpoenas are a tool to find the truth,” Lathrop said.

Sen. Megan Hunt of Omaha supported the amendment, saying she was concerned that the Executive Board might “slow walk” subpoena approval if granting it potentially could embarrass the executive branch of government.

The Lathrop amendment failed on a 20-18 vote. Twenty-five votes were needed. Following adoption of a technical amendment, senators voted 40-6 to approve LR29.

## GENERAL AFFAIRS

### Bare-knuckle boxing, kickboxing bill advances

Expanded fight options took a step closer to authorization in Nebraska when a bill that would regulate two new sports advanced from general file March 29.

LB70, introduced by Omaha Sen. Justin Wayne, would authorize the state athletic commissioner to regulate professional kickboxing and bare-knuckle boxing. The commissioner currently regulates professional mixed martial arts and boxing.



Sen. Justin Wayne

Several other states regulate these emerging sports, Wayne said, and the Legislature’s fiscal office projects that the bill would generate \$8,000 in revenue in fiscal year 2022-23.

“Both of these sports are a growing industry,” he said.

A General Affairs Committee amendment would exclude the two sports from a requirement in current law that contestants must wear eight-ounce gloves while competing.

Lawmakers adopted the amendment 42-0 and advanced LB70 to select file on a 39-0 vote.

### Expanded fireworks sales advance

Nebraskans would have more options when buying fireworks under a bill given first-round approval March 30.

LB152, introduced by Sen. Julie Slama of Peru, would adopt the federal standard of consumer fireworks, which is more permissive than cur-

rent Nebraska law. The bill also would authorize the State Fire Marshal to test commercially available fireworks in response to complaints and declare them unsafe if necessary.



Sen. Julie Slama

Slama said that the state of Missouri, which uses the federal definition of consumer fireworks, reported \$51 million in fireworks sales in 2019, while Nebraska had sales of \$6.6 million.

“Thousands of Nebraskans are willing to travel out of state to get access to fireworks that they cannot purchase at home,” Slama said. “By changing the definition of consumer fireworks to the federal definition, we can make our state more competitive in this industry.”

Slama added that there is no evidence that states with fewer fireworks restrictions have higher rates of injuries or death associated with fireworks accidents.

Sen. Carol Blood of Bellevue said veterans suffering from post-traumatic stress disorder could be triggered further by potentially noisier fireworks allowed under the bill.

Lincoln Sen. Patty Pansing Brooks supported the bill. She said the only way to eliminate the risk of fireworks aggravating an individual’s PTSD would be to ban all fireworks.

“That’s not going to happen,” Pansing Brooks said.

Senators advanced LB152 to select file on a 40-3 vote.

### Hearing held on gaming bill amendment

The General Affairs Committee considered an amendment March 29 to a bill that would implement provisions of a constitutional amendment

approved in 2020 authorizing games of chance at licensed racetracks.

A portion of the committee amendment to LB561, introduced by Sen. Tom Briese of Albion, would allow individuals to play keno on an electronic ticket purchased at a licensed lottery operator. Currently, keno tickets must be purchased on a paper ticket with cash.

The amendment would allow purchase with an app or debit card linked to a bank account. Credit card payments would be prohibited. In addition, tickets could be purchased only in locations where keno is authorized.

The Legislature adopted the amendment March 17 on a 26-18 vote during general file debate on LB561. Some senators objected to the amendment because the substance of it was not included in the public hearing on LB561.

Briese, chairperson of the committee, pledged at that time to hold a hearing.

Bill Harvey, testifying on behalf of Big Red Keno, supported the amendment. The proposal would provide parity between mobile sports wagering – a provision of LB561 – and keno gaming, he said, and would allow a method of payment that is in place in many other industries.

“If we were any other business in the state, we would have adopted this simple update years ago just as banks, coffee shops, grocery stores and airlines have done,” Harvey said.

Bellevue Finance Director Rich Severson also testified in support of the amendment. He said keno gaming has generated about \$7.5 million in revenue for the city, enabling Bellevue to fund domestic violence programs, economic development, parks and other improvements and programs.

Nate Grasz of the Nebraska Family Alliance testified in opposition. He

said keno is the second-leading cause of gambling addiction in Nebraska and that allowing individuals to wager on their phones only would exacerbate the problem.

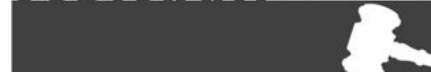
“The voters did not authorize this and there’s no mandate to expand gambling in one area because it was expanded in another,” Grasz said. “Everyone wants to talk about the money, but no one seems to want to talk about where it comes from. For the state to win, it’s our own citizens that have to lose.”

Pat Loontjer, director of Gambling with the Good Life, also opposed the amendment. Enabling Nebraskans to play keno electronically would lead to more reckless wagering, she said.

“It’s all about speed,” Loontjer said. “The faster you play, the faster you lose your money.”

The second round of debate on LB561 has yet to be scheduled.

## JUDICIARY



### Emergency YRTC placements advanced

Juveniles housed in the state’s youth rehabilitation and treatment centers could be moved more quickly during an emergency situation under a bill advanced from general file March 29.

LB273, as introduced by Kearney Sen. John Lowe, would have allowed the Office of Juvenile Services to transfer juveniles to a different YRTC without a court hearing.

Lowe said the bill would address

some “long-running” issues at the state’s youth facilities.

“For a long time there have been challenges when a juvenile comes to YRTC Kearney with some underlying substance abuse or behavioral health problems,” he said. “Sometimes they do this in a way that causes self-harm or in a way that is threatening or dangerous to other juveniles or staff.”

A Judiciary Committee amendment, adopted 40-0, replaced the original bill. The amendment would allow the state Department of Health and Human Services to file an emergency change of placement motion to transfer a juvenile to a different facility. A hearing on the motion would be held within 24 hours and could be conducted by telephone or videoconference.

An emergency change of placement could be filed in cases when a juvenile requires additional specialized care to address substance use or behavioral health needs. Under the amendment, an emergency also could include a public health emergency, natural disaster or damage that renders a YRTC uninhabitable.

The court would order a temporary emergency change of placement if it determines that the change would be appropriate and in the best interests of the juvenile.

Omaha Sen. Tony Vargas spoke in support of the bill but expressed concern that the amended language of LB273 remained overly vague. He said it would not explicitly require a demonstrated emergency need for a change in placement to occur.

“I am a little concerned about how this could be interpreted because it doesn’t really define an emergency, it more just defines that the judge has to determine whether or not the [placement] is an appropriate move and in the best interests of the juvenile,”



Sen. John Lowe

Vargas said.

Sen. Justin Wayne of Omaha also supported the bill but said it needed additional provisions to protect the rights of parents.

“My concern is that if we don’t have direct notification [of a transfer] to that parent ... we’re essentially removing the parental rights until a hearing down the road may be heard,” Wayne said.

Senators advanced the bill to select file on a 35-0 vote.

## TRANSPORTATION & TELECOMMUNICATIONS

### Veteran license plate registry advanced

Lawmakers gave first-round approval March 29 to a bill that would impose new requirements on individuals seeking certain armed services license plates.

LB78, sponsored by Creighton Sen. Tim Gragert, would require an individual applying for a Gold Star Family, Ex-Prisoner of War, Disabled American Veteran or Purple Heart/Combat Wounded license plate to register first with the state Department of Veterans’ Affairs.

The state Department of Motor Vehicles would use the registry information to verify an individual’s eligibility.

Gragert said the Nebraska Veteran’s Council has received complaints that individuals have received military honor license plates to which they were not entitled.

“I believe LB78 is a good bill as it would give veterans’ groups the peace

of mind knowing that only eligible persons will be authorized to receive these plates,” he said.

Brainard Sen. Bruce Bostelman spoke in support of LB78. It is unfortunate that the bill is needed, he said, but the registry would remove any doubt at the county level about an individual’s eligibility.

The bill advanced to select file on a 45-0 vote.

### Rural-based broadband funding plan clears first round

Lawmakers advanced a bill March 31 meant to give rural customers more input on their broadband carriers.

The Public Service Commission adopted rules in 2018 to withhold Nebraska Universal Service Fund support from telecommunications carriers that do not offer broadband services and instead redirect that funding to eligible carriers who could provide broadband in the same exchange area.

Currently, those funds could be redirected only through a reverse auction process. LB338, sponsored by Brainard Sen. Bruce Bostelman, would authorize a second method to redirect funds known as a rural-based plan.

Providers have been awarded funding in the past, Bostelman said, but failed to meet minimum standards for broadband service.

“This [bill] simply allows the PSC to consider a rural-based plan that has been created with the input of local businesses, hospitals, schools, residents and agricultural producers, in and outside city or village limits, on which [provider] they think will best serve their needs,” he said.

To qualify for consideration by the

PSC, a rural-based plan must include an eligible telecommunications company. The plan would be judged on the company’s history and service capability in the area, as well as local support, partnerships with local public power and wireless internet service providers and cooperation by the incumbent local exchange carrier that has lost support from the commission.

A plan approved under the provisions of LB338 by the PSC would include a deployment timeline to include periodic milestones and reporting requirements from the telecommunications company.

Bostelman introduced an amendment that would require any recipient of ongoing high-cost financial support from the universal service fund to submit to broadband service speed tests by the PSC.

Any universal service funds distributed for new broadband infrastructure construction would be directed to projects that provide service scalable to 100 Mbps or greater of upload speed.

Additionally, the amendment would require that any political subdivision that receives federal funding for broadband service enhancement provide service scalable to 100 Mbps or greater for both upload and download speed.

Bostelman called the amendment a compromise and the result of negotiations among the interested stakeholders.

“This [amendment] will protect existing high-quality infrastructure from subsidized overbuild [and] enhances competition in areas that have slower service,” he said.

Seward Sen. Mark Kolterman supported the amendment, saying it aligns with goals the governor has set for broadband service across the state.

“If we’re going to build out our state and grow our state, we’ve got to



Sen. Tim Gragert



Sen. Bruce Bostelman



have very good broadband,” he said.

Also supporting the amendment was Sen. Curt Friesen of Henderson. He said the speed standards proposed in the amendment are necessary to ensure that everyone in the state has access to high-speed broadband, but cautioned that it would create some resistance from broadband service providers.

The Bostelman amendment was adopted on a 38-1 vote.

Omaha Sen. Justin Wayne offered an amendment that would incorporate provisions of his LB656, allowing municipalities to provide broadband service. He compared the movement to treat broadband as a public utility with Nebraska’s adoption of a public power system.



Sen. Justin Wayne

“Every argument we have for why this should stay in private hands are the exact same arguments this [legislature] struggled with from the 1800s to 1970,” he said.

Wayne withdrew the amendment, saying he did not want to derail the compromise achieved on the underlying bill.

Following the 40-0 adoption of

a technical committee amendment, senators voted 42-0 to advance LB338 to select file.

## URBAN AFFAIRS

### Annexation changes clear first round

First class cities in Nebraska would have greater authority to annex nearby land under a bill advanced from general file March 30.

For annexation purposes, LB9, as introduced by Bellevue Sen. Carol Blood, would deem land, lots, tracts, streets and highways as contiguous to a first class city even if areas owned by the federal government or a natural resources district is located between potentially annexed land and a city’s corporate limits.



Sen. Carol Blood

The bill also would allow for a special valuation of agricultural or horticultural land within the boundaries of a city or village if the land is subject to air installation compatible-use zone

regulations or is within a flood plain.

Federally owned Offutt Air Force Base prevents Bellevue from expanding southward, Blood said, and other borders – such as those with the city of Omaha and the state of Iowa – prevent the city from growing in other directions.

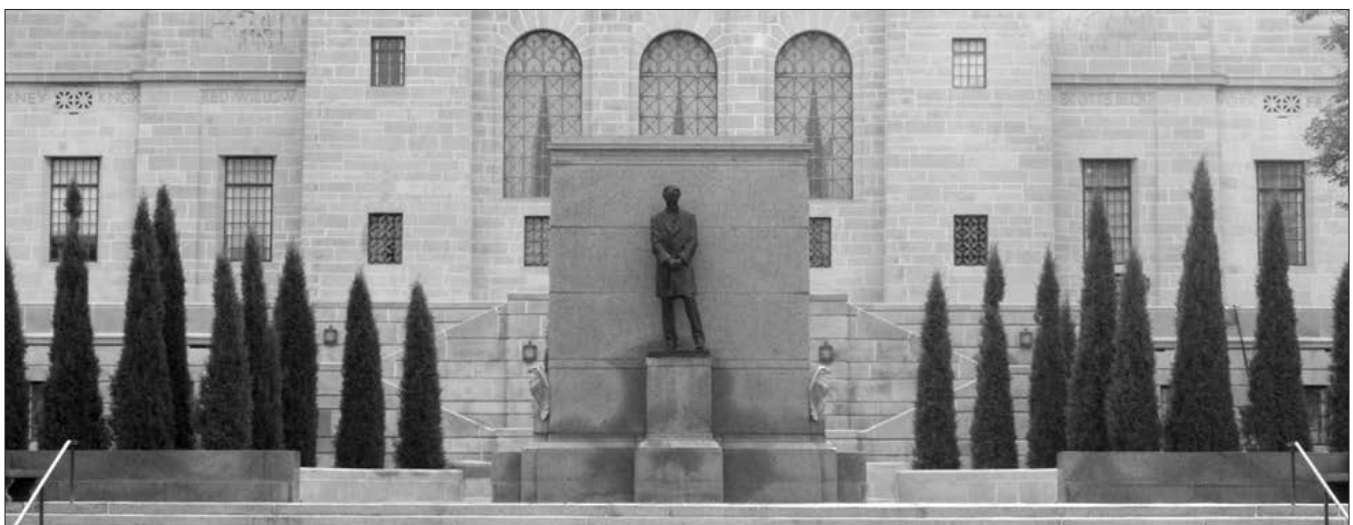
“Bellevue’s future growth and expansion can only occur to the south of the base,” she said. “We don’t have what Papillion has ... we don’t have what La Vista has, because they can continue to grow.”

An Urban Affairs Committee amendment would limit LB9 to first class cities located in counties with at least three first class cities and would remove natural resources districts from the bill. The amendment, adopted 38-0, also would prohibit annexation that changes electrical service without the approval of the electrical utility serving the potentially annexed area.

Sen. Justin Wayne of Omaha said the amendment was tailored to Sarpy County.

“[This will] make sure different parts of our state can grow the way they need to grow and have the tools that they need to develop their area,” he said.

Lawmakers advanced LB9 to select file on a 42-0 vote. ■



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# 2021 Legislative Session\*

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>January</b>						
					1	2
3	4	5	6	7	8	9
			DAY 1	DAY 2	DAY 3	
10	11	12	13	14	15	16
	DAY 4	DAY 5	DAY 6	DAY 7	DAY 8	
17	18	19	20	21	22	23
	HOLIDAY	DAY 9	DAY 10	DAY 11	DAY 12	
24	25	26	27	28	29	30
31	DAY 13	DAY 14	DAY 15	DAY 16	DAY 17	

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>March</b>						
	1	2	3	4	5	6
	DAY 35	DAY 36	DAY 37	DAY 38	RECESS	
7	8	9	10	11	12	13
	RECESS	DAY 39	DAY 40	DAY 41	DAY 42	
14	15	16	17	18	19	20
	DAY 43	DAY 44	DAY 45	DAY 46	RECESS	
21	22	23	24	25	26	27
	DAY 47	DAY 48	DAY 49	DAY 50	RECESS	
28	29	30	31			
	DAY 51	DAY 52	DAY 53			

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>May</b>						
						1
2	3	4	5	6	7	8
	RECESS	DAY 71	DAY 72	DAY 73	DAY 74	
9	10	11	12	13	14	15
	DAY 75	DAY 76	DAY 77	DAY 78	RECESS	
16	17	18	19	20	21	22
	RECESS	DAY 79	DAY 80	DAY 81	DAY 82	
23	24	25	26	27	28	29
	DAY 83	DAY 84	DAY 85	DAY 86	RECESS	
30	31					
	HOLIDAY					

## Federal & State Holidays

January 18 – Martin Luther King Jr. Day  
 February 15 – Presidents' Day  
 April 30 – Arbor Day  
 May 31 – Memorial Day

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>February</b>						
	1	2	3	4	5	6
	DAY 18	DAY 19	DAY 20	DAY 21	DAY 22	
7	8	9	10	11	12	13
	DAY 23	DAY 24	DAY 25	DAY 26	RECESS	
14	15	16	17	18	19	20
	HOLIDAY	DAY 27	DAY 28	DAY 29	DAY 30	
21	22	23	24	25	26	27
	RECESS	DAY 31	DAY 32	DAY 33	DAY 34	
28						

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>April</b>						
				1	2	3
				DAY 54	RECESS	
4	5	6	7	8	9	10
	RECESS	DAY 55	DAY 56	DAY 57	DAY 58	
11	12	13	14	15	16	17
	DAY 59	DAY 60	DAY 61	DAY 62	RECESS	
18	19	20	21	22	23	24
	RECESS	DAY 63	DAY 64	DAY 65	DAY 66	
25	26	27	28	29	30	
	DAY 67	DAY 68	DAY 69	DAY 70	HOLIDAY	

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>June</b>						
		1	2	3	4	5
		DAY 87	DAY 88	DAY 89	RECESS	
6	7	8	9	10	11	12
	RECESS	RECESS	RECESS	DAY 90		
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

## Legislative Recess Days

February 12, 22  
 March 5, 8, 19, 26  
 April 2, 5, 16, 19  
 May 3, 14, 17, 28  
 June 4, 7, 8, 9

\*The Speaker reserves the right to revise the session calendar.

