

Canal project seeks to preserve Nebraska water rights under compact



Sen. Mike Hilgers said the proposed canal would ensure that Nebraska receives the water it is entitled to under the South Platte River Compact.

A canal would divert South Platte River flows from Colorado to Nebraska under a bill heard Feb. 9 by the Natural Resources Committee.

LB1015, introduced by Speaker Mike Hilgers of Lincoln at the request of Gov. Pete Ricketts, would authorize the state Department of Natural Resources to develop, construct, manage and operate the canal and its associated storage facilities, called the Perkins County Canal Project, under the terms of the South Platte River Compact.

The bill also would authorize the department to use eminent domain to acquire land and resolve any legal

disputes that arise as a result of the project.

The 1923 compact between Nebraska and Colorado apportions flows of the South Platte River between the states.

Hilgers said the agreement entitles Nebraska to 120 cubic feet of water per second from the river during the summer. It also allows Nebraska to divert 500 cubic feet of water per second during the non-irrigation season if the state builds a canal, he said.

If Nebraska does not act to preserve its rights under the compact, Hilgers said, development along Colorado's Front Range could "capture" those

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COVID-19 vaccine exemption amended, advanced

A bill providing a process for exemptions to employer COVID-19 vaccine mandates advanced from general file Feb. 9.

LB906, as introduced by Blair Sen. Ben Hansen, would have applied to all employer vaccine mandates by Nebraska entities with 20 or more employees.

A Health and Human Services Committee amendment, adopted 35-0, replaced the bill and limited its provisions to COVID-19 mandates.

The amended bill would require the state Department of Health and Human Services to create and publish a form on its website to be filled out by employees seeking an exemption based either on a health care practitioner's recommendation or the individual's sincerely held religious belief, practice or observance.

LB906 would apply to entities with one or more employees, including state agencies and other political subdivisions. The federal government, any corporation wholly owned by the federal government, Indian tribes and bona fide private membership clubs, other than labor organizations, that are exempt from federal taxation would be exempted from the bill's provisions.

Under LB906, employers could require unvaccinated employees to wear personal protective equipment or submit to COVID-19 testing at the employer's expense.

Hansen said Nebraskans should

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COVID-19 vaccine exemption amended, advanced

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not be forced to choose between their beliefs and their livelihoods, adding that the bill offers protection for employers who want to keep employees safe from COVID-19.

“[LB906] is about the individual right to make decisions for one’s own life, health and future,” Hansen said.

Gothenburg Sen. Matt Williams offered an amendment that would allow Medicare-certified and Medicaid-certified providers or suppliers or federal contractors to require additional processes, documentation or accommodations as necessary to comply with federal law and Centers for Medicare and Medicaid Services regulations.

Lawmakers adopted the amendment on a 33-1 vote.

La Vista Sen. John Arch said the amended bill would reaffirm that employees have the ability to apply for a medical or religious exemption.

“This is not imposing anything additional,” Arch said. “This is a clarifying statement to the employers and the employees.”

Sen. Carol Blood of Bellevue questioned the need for LB906. Nebraska

is an at-will employment state, she said, which means employers can fire individuals for any reason that doesn’t discriminate against an employee who is a member of a protected class.

“I don’t think this bill is going to change anything,” Blood said. “You can go ahead and fill out this form but if deep down your employer doesn’t feel that what you’re saying is valid, they don’t have to accept that.”

Sen. Megan Hunt of Omaha opposed the bill. She said unvaccinated employees are making a choice that puts other employees at risk.

“A decision to be vaccinated or not is not a private decision. It has



Sen. Ben Hansen said the amended bill mirrors federal language regarding religious and medical vaccine exemptions.

ripple effects beyond that person,” Hunt said.

After adoption of the amendments, senators advanced LB906 to select file on a 33-0 vote. ■

UNICAMERAL UPDATE

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winter flows.

“This will certainly jeopardize our existing water uses and force us to seek more expensive and less certain water supplies,” he said.

Ricketts testified in support of LB1015, saying reduced South Platte River flows would affect irrigated agriculture, hydroelectric generation, endangered species protection and drinking water supplies for communities along the Platte River, including Lincoln and Omaha.

Compared to the economic cost of losing that water, he said, the \$500 million canal and reservoir system would be a “bargain.”

Tom Riley, director of the state Department of Natural Resources, also testified in support. If Colorado follows through on proposed water management projects, he said, 90 percent of the South Platte River flows that Nebraska receives would be lost.

Building the canal would secure Nebraska’s right to the South Platte River’s winter flows “in perpetuity,” Riley said. If the Legislature authorizes the canal, he said, construction could begin as early as 2025 and it could be in use within a decade.

“In my 35 years as a water resources engineer practicing in the field, I have never seen a more important water project for Nebraska,” Riley said.

Testifying in opposition to the bill was Al Davis of the Nebraska



Gov. Pete Ricketts said failing to build the canal and reservoir system now would put the state’s future prosperity at risk.

chapter of the Sierra Club. He said further changes to the Platte River’s flow would affect the many species of birds, fish and mammals that rely on the river.

Davis questioned whether the project is viable and said it could be delayed by lawsuits. He said the proposed funding could be put to better use by retiring irrigated acres in overappropriated river basins and giving grants to farmers to help them reduce the amount of water they use.

“There are far too many unanswered questions to tie up \$500 million for decades when that money could be used for the immediate benefit of Nebraskans,” Davis said.

Katie Torpy gave neutral testimony on behalf of the Nature Conservancy. She said colleagues in Colorado told her its list of proposed water management projects is a “brain dump” and that Colorado does not intend to

pursue them all.

Torpy questioned whether Nebraska has exhausted all avenues to secure its rights under the compact. She said understanding how the proposed canal and reservoir system would affect the Platte River’s natural flow is “paramount” before moving forward.

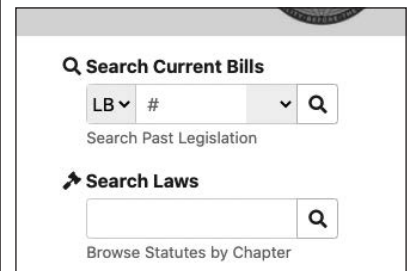
The committee took no immediate action on LB1015. ■

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APPROPRIATIONS

Pandemic funds sought for independent meat processors

The Appropriations Committee heard testimony Feb. 9 on a proposal that would use federal pandemic relief funds to assist independent meat processors in Nebraska.

LB755, sponsored by Plymouth Sen. Tom Brandt, would appropriate \$10 million in federal American Rescue Plan Act funds to the state Department of Agriculture for the Independent Processor Assistance Program for small and medium meat processors.



Sen. Tom Brandt

Eligibility requirements were outlined in a bill sponsored by Brandt that passed last session. Grant funds could be used for equipment, inspection costs, eligible education or workforce programs and expansion, modification or construction of buildings.

Brandt said the pandemic “greatly disrupted” Nebraska’s food supply chain. When large meat processing plants reduced line speeds, farmers turned to local processors to fill the void, he said, but those small processors are struggling.

“This created a bottleneck at every local meat locker in the state,” Brandt said. “They simply do not have the capacity or equipment to keep up with demand.”

John Hladik of the Center for Rural Affairs also testified in favor of the bill. During the pandemic, approximately 59,000 meat processing workers in Nebraska became infected with COVID-19, he said, and 269 lost

their lives. The result was limited production at meatpacking plants across the state, he said, and the industry has not yet recovered.

At least 18 other states have used ARPA money to fund programs similar to the one outlined in LB755, Hladik said, and his organization estimates that approximately 80 Nebraska small businesses would qualify for assistance under the bill.

Owners of several small meat processing operations also testified in support of the proposal, including Brianna Haith of Gentert Packing Company in Holstein. Small processors need help to keep pace with the increased demand spurred by the pandemic, she said, noting that her company is booked through 2022.

“In many cases, customers are booking slaughter for animals that haven’t even been born yet due to fear of not having an appointment scheduled,” Haith said.

Ace VanDeWalle of Ord also testified in support on behalf of the Nebraska Association of Meat Processors. Grant money would be used by independent processors to increase capacity and efficiency, he said, adding that most small processors currently are operating at maximum animal processing capacity.

“New construction is expensive, generally running \$250 to \$450 a square foot,” VanDeWalle said. “An increase in a facility’s ability to process more animals will create additional jobs at the local level and increase revenue generated across the state.”

Paula Peterson, owner of a small cow and calf operation outside of Waverly, said many Nebraskans rely on small meat processors to harvest animals raised on their farms. Speaking in support of the bill, Peterson said she tried to make a reservation last fall to process a couple of animals for personal

use and was told by the local processor that the next appointment was in 2023.

“Knowing how an animal was raised, and exactly where our meat comes from, is important to me and many consumers across the state,” Peterson said. “Our local processors are a crucial part of this process.”

No one testified in opposition and the committee took no immediate action on LB755.

Bill seeks to expedite rail access projects

More funds would be available for projects outlined in a recently enacted state law under a bill considered Feb. 8 by the Appropriations Committee.

Lawmakers passed a bill in 2021, sponsored by North Platte Sen. Mike Groene, that appropriated \$5 million to the Nebraska Rural Projects Act to provide matching funds from the state Department of Economic Development to cover the start-up costs of qualifying economic development projects in certain counties.

Grant funds could be used for site acquisition and preparation, utility extensions and rail spur construction for the development of a new industrial rail access business park, including expenses incurred to help an initial tenant in the manufacturing, processing, distribution or transloading trades.

LB788, introduced this year by Groene, would transfer \$50 million in general funds to the Nebraska Rural Projects cash fund on May 1, 2022. The bill also would increase the limit any one project may receive from \$30 million to 60 percent of the amount appropriated if that amount is more than \$50 million.



Sen. Mike Groene

The bill states legislative intent to increase the appropriation to the state Department of Economic Development from \$5 million to \$25 million in fiscal year 2021-22 and FY2022-23.

Groene said the changes would fully fund the act now, rather than parsing out the matching funds over a 10-year period, and allow future lawmakers to continue adding to the fund if the need arises.

“We did not expect the overwhelming interest that communities with railroad heritages would show in the Nebraska Rural Projects Act,” Groene said, adding that four communities applied for \$73 million in funding on the day that DED began accepting applications.

He said LB788 would allow rural communities to diversify their economies and weather the ups and downs of the agricultural industry by branching out to attract small and medium manufacturing companies.

Representatives from several rural economic development organizations testified in support of the proposal, saying they have projects ready for development, but were edged out in the application process.

Megan Skiles, executive director of the Greater Fremont Development Council testified in support of the proposal. Speaking on behalf of the council and the Nebraska State Chamber of Commerce and Industry, she said the council’s grant application for a multi-tenant, rail-served industrial park was submitted “two minutes” after that of North Platte.

When fully built out in approximately 10 years, she said, the park is expected to have an \$870 million impact on Dodge County’s economy. A grant under the Nebraska Rural Projects Act would allow the area to be more competitive and increase its odds of success, she said.

“Year after year, more companies and businesses have been looking at Fremont and Dodge County as an opportunity for growth and expansion,” Skiles said. “However, there have been a number of quality projects that we have lost to other communities who have the ability to deliver sites and the necessary infrastructure in a shorter timeline.”

Michael Rooks, executive director of Gateway Development Corporation in Washington County, also testified in favor of LB788. Speaking on behalf of the Greater Omaha Chamber of Commerce, he said Gateway is working to develop an industrial business park in Blair with rail access.

Companies that experienced supply chain issues during the pandemic are looking for ways to reach customers more quickly, Rooks said, and Nebraska needs the ability to deliver rail sites and infrastructure for those companies faster.

“It’s hard for small, rural communities and counties to build new rail parks with limited funding and resources,” Rooks said.

No one spoke in opposition to the proposal and the committee took no immediate action on it.

Offutt funding proposals considered

The Appropriations Committee considered two proposals Feb. 10 to help fund projects related to Offutt Air Force Base.

During the 2021 session, lawmakers authorized a \$50 million transfer from the state’s Cash Reserve Fund to the United States Space Command Headquarters Assistance Fund, to be transferred only if Offutt Air Force Base was chosen as the site of U.S. Space Command Headquarters. A different site was chosen later that year.

Under an amended version of her

LB1233, Bellevue Sen. Rita Sanders proposed a way to “repurpose” \$30 million of the original \$50 million authorization.



Sen. Rita Sanders

Under the proposal, the United States Space Command Headquarters Assistance Fund would become the Military Base Development Fund and receive \$30 million. The fund, which would be administered by the Commission on Military and Veteran Affairs, could be used for non-mission critical projects on military bases in Nebraska such as an outdoor pavilion, improvements at Willow Lakes Golf Course, landscape enhancements and a rooftop garden at Offutt Air Force Base. Matching private funds equal to at least half of the entire cost of a project would be required before any expenditures would be authorized.

“This allows the Legislature to keep its commitment to Offutt to grow ... even if it’s not the way we [originally] hoped,” Sanders said. “Offutt’s infrastructure and amenities are holding it back.”

Jeff Mikesell, director of military affairs for the Greater Omaha Chamber, testified in support of the measure. Competition for military missions is “fierce,” he said, and federal dollars are unlikely to be invested in bases if states don’t also invest in them.

In addition, he said, military personnel are more likely to remain in Nebraska when their service is complete when they feel valued. If the state could encourage half of the Air Force personnel who separate from Offutt every year to stay in Nebraska, it would have a \$75 million economic impact on the state, Mikesell said.

LB1232, sponsored by Omaha Sen. Mike McDonnell, would transfer the

remaining \$20 million of the original authorization from the Cash Reserve Fund to the Site and Building Development Fund and earmark it to establish a U.S. Strategic Command Nuclear Command, Control and Communications (NC3) public-private partnership facility.



Sen. Mike McDonnell

A grant applicant would be required to provide the state Director of Economic Development with documentation of a \$20 million match in private or other funds.

McDonnell said that while it was a disappointment that Offutt was not chosen as the home for U.S. Space Command headquarters, his proposal would have an even longer-range impact on Nebraska's economy. The funds would be used to help develop an off-base facility to foster collaboration between startups, the commercial defense industry and academia in support of NC3.

"This opportunity is unique because it not only provides tremendous economic development potential for both entrepreneurs and workers, but for our entire state in expressing our commitment to USSTRATCOM and retaining the NC3 mission," McDonnell said.

Ted Carter, president of the University of Nebraska System and chairperson of the Nebraska Defense Research Corporation board of directors, testified in support of the proposal. He said the university was asked to enter into a partnership intermediary agreement with the federal government to create the research entity in order to bring together "the best minds in the state" to plan for the future of NC3.

Carter said the facility's work would include planning for the development of future satellites, radios,

aircraft and other systems that connect nuclear platforms and weapons to military and national leaders.

"This is our opportunity to create an innovation hub that will attract major defense contractors and small and emerging businesses in the NC3 mission space to Nebraska," Carter said.

Jennifer Creager, testifying on behalf of the Greater Omaha Chamber of Commerce and the Nebraska Chamber of Commerce and Industry, also testified in support. She said the coalition that formed last year to attempt to bring U.S. Space Command headquarters to Nebraska found other ways that the state could support the Offutt community.

"[These funds would] further solidify the crucial role that Offutt plays in our national defense," Creager said. "This project will spur greater investment in our state and engage the private defense industry in a more significant way."

No one spoke in opposition to either proposal and the committee took no immediate action on the bills.

EDUCATION

Farm-to-school program expansion advanced

Early childhood education programs would be included in the Nebraska farm-to-school program under a bill given first-round approval Feb. 8.

Lawmakers created the program in 2021 with passage of a bill sponsored by Plymouth Sen. Tom Brandt that requires the state Department



Sen. Tom Brandt

of Education to administer a program to help provide locally grown and minimally processed food to elementary and secondary school students in Nebraska.

Brandt introduced LB758 to expand the law to include early childhood education programs, which he said were excluded from the original proposal inadvertently.

"Unfortunately, the language that we passed last year was too restrictive, so that assistance could only be offered to elementary and secondary schools," Brandt said. "LB758 corrects this oversight."

An Education Committee amendment, adopted 40-0, would clarify that the program's expansion includes any early childhood program licensed under the state's Child Care Licensing Act.

Senators then advanced the bill to select file on a 43-0 vote.

Autism screening requirement proposed

School boards would require children to be screened for autism spectrum disorder under a bill heard Feb. 8 by the Education Committee.

The screening would be in addition to the physical examination and visual evaluation required before a child enters kindergarten or enrolls in school after transferring from another state.

Omaha Sen. Jen Day, sponsor of LB997, said many young children are not screened for ASD, resulting in late diagnosis and lack of autism-specific treatments and services during a crucial developmental period. A universal screening requirement would help improve the quality of life



Sen. Jen Day

for this small number of children each year, she said.

A physician, physician assistant, advanced practice registered nurse, school nurse, school psychiatrist or other trained individual could conduct the screening using an evidence-based developmental screening tool appropriate to the age of the child.

The screening would not be required if a child's parent or guardian objects in writing.

Katy Menousek, a behavioral analyst at Boys Town National Research Hospital, testified in support of LB997. Although many parents can identify the signs and symptoms of ASD, she said, universal screening would be "greatly beneficial" to children whose parents are not aware of ASD.

Westin Miller also testified in support, saying the bill could address a "critical diagnosis gap." Miller said, however, that lawmakers also should consider how an early ASD diagnosis in Nebraska can lead to applied behavioral analysis, one of the most commonly prescribed interventions for autistic children.

He said ABA is an "inherently harmful framework" that he and many other autistic people believe devalues their predispositions, disregards their consent and does not assume their competence.

"What I'm asking is that you please engage with me and other autistic people about this conversation, that you don't have conversations about caring for autistic people without autistic people in the room," Miller said.

No one testified in opposition to LB997 and the committee took no immediate action on it.

EXECUTIVE BOARD

Greater accessibility sought for legislative video

Nebraskans would have expanded access to video of legislative proceedings under a bill heard Feb. 8 by the Executive Board.

Nebraska Public Media currently broadcasts and live-streams video coverage of legislative committee hearings and floor debate. LB777, introduced by Gordon Sen. Tom Brewer, would require NPM to develop and maintain a publicly accessible, indexed digital archive of that coverage, beginning in January 2023.



Sen. Tom Brewer

The archive would not be considered the official record of legislative proceedings and archival video from previous years would be added as available.

Constituents want a better way to follow what happens at the Capitol, Brewer said, especially those who live far from Lincoln. While written transcripts of all legislative activity currently are available to the public, he said, easier access to committee hearings and floor debate would provide greater transparency.

"We've built this barrier of an electronic system that does not allow them to see what we do here," Brewer said.

Cindy Maxwell-Ostdiek of Omaha testified in support of the proposal. Illness, disability and inclement weather are some of the many reasons that an individual who is interested in the Legislature may not be able to attend legislative committee hearings and floor debate sessions in person, she said.

Waiting for a transcript takes time, she said, and an individual's cable tv or other recording technology isn't always reliable.

"Nebraska's nonpartisan unicameral requires a second house," Maxwell-Ostdiek said. "It doesn't work for Nebraskans the best it can when we are not involved."

Representing the Platte Institute, Nicole Fox also testified in favor of LB777. Members of the public often are interested in multiple committee hearings that may be happening simultaneously, she said, and an easily accessible archive would facilitate citizen participation in the process.

Nebraska is one of only four states that do not make audio or video archives of floor debate available to the public, she said.

"[We] appreciate the great work done by Nebraska Public Media to provide access to real-time coverage, but why not take things a step further and find a way for hard-working Nebraska taxpayers to be able to have access to recordings of those proceedings after the fact?" Fox said.

Mark Leonard, general manager of Nebraska Public Media, testified in a neutral capacity. Leonard said NPM believes in government transparency and is not opposed to LB777, but noted that there are implementation challenges.

Developing a system that is cloud-based, secure, searchable and immediately available would be costly, he said, and becomes a "permanent commitment" to an ever-increasing amount of storage for the archive to be kept in perpetuity.

Leonard said NPM's research indicates an approximate cost of \$550,000 to procure and implement the system and approximately \$500,000 annually to maintain the archive.

"You've got up to 12 streams

simultaneously that are going into this third-party server,” Leonard said. “They have to be tagged by date, they have to be tagged by bill number – anything else that you want to be searchable – and stored ... it’s a card catalogue, in effect.”

No one testified in opposition and the committee took no immediate action on the bill.

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Scrutiny of state purchasing, contracting practices sought

The Government, Military and Veterans Affairs Committee heard testimony Feb. 10 on a bill that would require an evaluation of Nebraska Department of Administrative Services procurement practices.

LB1037, introduced by Sen. John Arch of La Vista, would require an outside consultant to review all DAS procedures with an emphasis on due diligence, cost evaluation, decision-making accountability and protest procedures.

The bill also would require DAS to submit a report to the Legislature and governor by Nov. 15.

Arch said the bill grew out of DAS’s selection of St. Francis Ministries in 2019 to manage child welfare cases in the Eastern Service Area. It later was revealed that St. Francis had underbid the contract significantly causing it to come back to the state for additional funding.

The state ended the contract with St. Francis one year earlier than

planned and is taking over case management in the Eastern Service Area.

Arch was a member of a special legislative committee created to review the St. Francis procurement process. The committee learned of other state contracts during the past 15 years that also raised questions, he said.

“It’s not the same individual involved in the decision-making, so we obviously turned our thoughts to the process of procurement,” Arch said. “It’s a large issue.”

DAS Director Jason Jackson testified in support of LB1037. He said the bill would help improve the department’s procedures.

“LB1037 is a welcome opportunity to look at legal reforms and engage in evaluation of our procurement process to yield better procurement results,” Jackson said.

No one testified in opposition to the bill and the committee took immediate action.



Sen. John Arch

HEALTH & HUMAN SERVICES

Expanded children’s health care coverage proposed

The Health and Human Services Committee heard testimony Feb. 10 on a bill intended to streamline the process for certain children in Nebraska to obtain health insurance.

LB857, introduced by Omaha Sen. Jen Day, would use “express lane eligibility” to automatically enroll children receiving federal Supplemental Nutrition Assistance Program



Sen. Jen Day

benefits in either Medicaid or the Children’s Health Insurance Program.

Under the bill, the state Department of Health and Human Services would be required to apply to the Centers for Medicare and Medicaid Services for a state plan amendment to implement express lane eligibility no later than Oct. 1, 2022.

LB857 stipulates that the new provision would apply to initial eligibility determinations, redeterminations, automatic enrollment and automatic renewals for health care coverage under Medicaid or CHIP.

Day said Nebraska ranked 31st in the nation in 2020 for CHIP participation among eligible children. The bill would help identify children that currently are falling through health care coverage cracks and quickly get them access to health care, she said.

Kelsey Arends of Nebraska Applesed testified in support of the bill. LB857 would increase administrative efficiency, reduce the paperwork burden on families receiving benefits and expand health insurance access for children, she said.

“When kids go without health insurance they miss out on necessary checkups and preventative care,” Arends said.

Kenny McMorris, CEO of Charles Drew Health Center in Omaha, also testified in support of the bill. Enrolling in Medicaid or CHIP can be confusing and difficult for non-English speakers and individuals who are unfamiliar with the process, he said.

“Ensuring children have easy access to the Medicaid benefits they’re entitled to is significant to the health and future of young Nebraskans,” McMorris said.

Kevin Bagley, director of the Division of Medicaid and Long-Term Care for DHHS, testified in opposition to LB857. Express lane eligibility places

a great administrative burden on the department, he said, and seven other states that previously used express lane eligibility have since discontinued it after learning that ineligible children were receiving benefits.

Bagley said 94 percent of Nebraska children eligible for SNAP already are enrolled in Medicaid, adding that the bill would “inject a lot of red tape” into the DHHS system.

The committee took no immediate action on the bill.

Bill seeks to address nursing shortage

The Health and Human Services Committee heard testimony Feb. 11 on a bill that would create scholarships for Nebraskans pursuing nursing degrees.

LB1091, introduced by Sen. Myron Dorn of Adams, would create the Nebraska Nursing Incentive Act. The bill would appropriate \$5 million in federal American Rescue Plan Act funds allocated to the state to create scholarships for qualified nursing students.

To qualify, a student would have to be a Nebraska resident who intends to enroll in an approved nursing program and practice as a licensed practical nurse or nurse aide upon graduation. Applicants also would be required to agree in writing to work for two years in Nebraska following graduation.

Dorn said there is severe nursing shortage in the state that is expected to worsen in the next few years.

“Nebraska must continue to do more to improve its nursing workforce,” he said.

Tim Plante of CHI Health testified in support of the bill. He said the

state’s nursing shortage has worsened during the COVID-19 pandemic.

“We would hire a thousand nurses tomorrow if we could find them,” Plante said.

Kari Wade, president of the Nebraska Nurses Association, also spoke in support. She said LB1091 not only would increase the number of nurses in Nebraska but would diversify the field by offering financial assistance to individuals who otherwise wouldn’t be able to afford nursing school tuition.

No one testified in opposition to LB1091 and the committee took no immediate action on it.

Temporary extension of youth transition program considered

Nebraskans aging out of the Bridge to Independence program could receive \$1,000 a month for up to two years under a bill heard Feb. 9 by the Health and Human Services Committee. The program provides a system of supports for state wards and juvenile-adjudicated youth as they transition out of the foster care or juvenile justice systems.

LB1113, introduced by Omaha Sen. Terrell McKinney, would establish a pilot program to provide the extended benefit until Dec. 31, 2026 to individuals in the program who turn 21 before Dec. 31, 2024. The bill states legislative intent to fund the program extension through federal American Rescue Plan Act dollars allocated to Nebraska.

Under the bill, to the extent allowed under federal and state law, the benefit would not be considered taxable income and would not affect an individual’s ability to qualify for public benefits or post-secondary financial aid.

McKinney said the ongoing COVID-19 pandemic has added additional burdens on youth transitioning out of the Bridge to Independence program.

“Like many marginalized groups, they start their adulthood behind,” McKinney said. “We all know the impact of the pandemic has had on financial stability, mental health, job security, housing and food insecurity ... these things have been exacerbated concerning young people aging out of the foster care system.”

Schalisha Walker of Nebraska Applesseed testified in support of LB1113. Individuals leaving the program without ongoing support face an increased likelihood of homelessness and other problems, she said.

“I’ve seen firsthand the effects the pandemic has had on this vulnerable population,” Walker said.

Rodney Edwards, who recently transitioned out of the program, also testified in support of the bill. He said the pandemic forced him to leave his dorm room at the University of Nebraska and move in with his grandparents. Edwards said not everyone in his circumstance had housing to fall back on.

“This support is very much needed. It’s not a handout,” Edwards said. “It’s simply a means of survival.”

No one testified in opposition to LB1113 and the committee took no immediate action on it.



Sen. Myron Dorn



Sen. Terrell McKinney

JUDICIARY



Restrictions on conservation, preservation easements considered

A proposal to change provisions relating to conservation and preservation easements in Nebraska was heard

by the Judiciary Committee Feb. 11.

A conservation easement is a voluntary, legal agreement that permanently limits land use for conservation purposes. Preservation easements do the same for historic purposes.

Under LB1135, introduced by Glenvil Sen. Dave Murman, the regis-

ter of deeds would require approval from the appropriate governing body prior to recording a conservation or preservation ease-



Sen. Dave Murman

ment. For property that is fully or partially located within a city or village, that body is the local planning commission. For property outside a city or village, the appropriate governing body is the county board. The Niobrara Council has jurisdiction over property in the Niobrara scenic river corridor.

A landowner wishing to extend the duration of an easement could do so only with approval from the appropriate governing entity under the bill. If property on an easement is condemned for public use, the easement would be terminated and easements would be subject to property taxes.

The bill also would increase the amount of time the planning commission would have to provide comments to the governing body from 60 days to 90 days. If no comments are provided, the proposed easement would be denied.

Additionally, under LB1135, an easement could not exceed 99 years.

Forever is a long time, Murman said, and the state shouldn't bind future generations to [conservation] decisions that may once have seemed right but no longer make sense.

"The acquisition of Nebraska land by the federal government could shift more of the property tax burden to

fix bridges, repair roads and fund schools to current landowners and cause additional budgetary problems for local governments," Murman said. "Setting aside so much for conservation [could] devastate food production and Nebraska's economy."

Tanya Storer, Cherry County commissioner, spoke in favor of the bill. While it's true that a conservation easement would protect family farms and ranches for the first generation, Storer said, the second generation [landowner] would not be eligible for any financial benefit for their conservation practices.

"Perpetual conservation easements create a negative servitude which places the holder of the deeded property in a subservient position to the easement holder," Storer said. "Perpetuity says to our youth, 'we don't trust you.' It takes the freedom and the decision-making away from the living and it buries it with the dead."

Trent Loos of Hazard also testified in support of LB1135. Collectively, the federal and state governments own 33 percent of the United States' land mass, he said.

"This is a matter of national security. We have people who do not live on this land and do not care for this land who are trying to determine how we care for this land," Loos said.

Dale Schroeder spoke on behalf of the Keith County Board of Commissioners in support of the bill.

"Our state relies on agriculture and if we continue to allow the removal of lands by preservation or conservation easements in perpetuity ... we will also reduce the income as provided by [agriculture] in Nebraska," he said.

Debbie Borg, a fifth-generation farmer, also spoke in favor of the bill. She said LB1135 would provide an avenue to ensure local control and oversight for private landowners.

"We must keep property in private hands. Families, farmers, ranchers – stewards of the land, landowners – care deeply about their soil and water," Borg said. "Property rights are a fundamental freedom."

In opposition to the bill was John Denton, representing Ducks Unlimited. Restricting conservation easements infringes on the private property rights of landowners, he said. Permanent decisions involving development, drainage, power lines and gas are made all the time, Denton added.

"In a landscape where over 95 percent of land is privately owned, these agreements have been critical to providing wildlife habitat," Denton said.

Kimberly Stuhr spoke in opposition to the bill on behalf of Friends of the Niobrara.

Thirty-three thousand people floated on the Niobrara River last year, she said, and ranch families who want to [maintain their easement] while choosing to voluntarily safeguard the health of the river should be allowed to do so.

"Perpetual conservation and agricultural easements are truly the only way to protect unique and beautiful resources like the Niobrara [river]," Stuhr said. "In many ways, you could say that they would protect the history and legacy of the state."

Kristal Stoner, executive director of Audubon Nebraska, also testified in opposition. Stoner said that less than 1 percent of Nebraska is under an easement. The best aspect of a conservation easement, she said, is that it remains in the hands of private landowners.

"An easement is a smart investment and the benefits stretch beyond just those individual landowners that choose them," Stoner said. "Easements can be designed to ensure the grasslands remain intact and do so in a manner that serves both cattle and birds. They can also serve wetlands

that filter our drinking water and support waterfowl migrations and waterfowl hunters.”

The committee took no immediate action on LB1135.

Repeal of state immunity against child sexual abuse claims proposed

A bill intended to create parity in public and private sector liability for child sexual abuse claims was heard by the Judiciary Committee Feb. 9.

Current Nebraska law provides sovereign immunity to the state and its political subdivisions against child sexual abuse claims made against its officers, agents or employees. LB1200, introduced by Hastings Sen. Steve Halloran, would allow those entities to be held liable for such claims to the same extent a private individual or entity would be under like circumstances. In addition, child sexual abuse would not be subject to the limitations or requirements of the State Tort Claims Act.

Under LB1200, a victim of child sexual abuse could bring a civil action against a perpetrator without a statute of limitations for cases occurring after the bill’s effective date or for previous acts that were not time barred.

Halloran said child sexual abuse is a “plague” that takes place in public institutions such as schools, the child welfare system and the juvenile justice system, as well as in the private sector.

“While child sexual abuse is prevalent across society including private and public institutions, our laws fail to provide justice and equity and fairness to all victims,” Halloran said. “Nebraska law provides rights to certain victims while denying rights to other victims.”



Sen. Steve Halloran

LB1200 would treat all victims equally when it comes to holding a third-party public institution responsible for their wrongful actions, he said.

Several testifiers spoke in support of the bill and shared the experiences of children who were sexually abused at a public school or by a public servant but were unable to take civil action against those entities due to the state’s immunity.

Also in support of LB1200 was attorney Cameron Guenzel of Lincoln. The bill is not a question of budget concerns or balancing competing interests, he said, but rather an “inescapable, fundamental” duty to protect children.

“To oppose this bill, one must believe that public institutions are less capable of safeguarding children from rapists than at a private school or ... institution, or that public institutions should escape the consequences when they fail to protect children,” Guenzel said.

In opposition to the bill was Chuck Wilbrand, who testified on behalf of the Nebraska Association of School Boards.

“This bill creates a new liability for political subdivisions and school districts under a negligence standard that has never been recognized before,” he said. “It’s also broad enough that this bill could create liability for school districts for any sexual assault that occurs on their premises even if it’s not done by an employee or student.”

Jennifer Huxoll also testified in opposition to LB1200 on behalf of the Nebraska Attorney General’s Office. Sovereign immunity is a core principle that allows the state to govern in many areas without the threat of lawsuits, she said, and at the core of any sexual abuse case is an individual perpetrator who is responsible for the assault.

“I don’t want our comments to be misinterpreted as a lack of care about that issue,” Huxoll said. “The

question is just, essentially, whether or not the perpetrator will be responsible for [the crime] or if the state is deliberately indifferent and looks the other way.”

If a state actor is deliberately indifferent, a victim has other remedies under federal law, Huxoll said.

Bo Botelho, general counsel for the state Department of Health and Human Services, testified in opposition to the bill. He said extending the statute of limitations for future cases likely would result in an increase in litigation and potential liability.

“Extending the limitation period would make it much more difficult to defend [against] such claims,” Botelho said. “Witnesses’ memory and relevant facts would fade and witnesses may no longer be available to testify.”

The committee took no immediate action on LB1200.

Proposal to ban obscene digital resources considered

The Judiciary Committee heard testimony Feb. 9 on a bill aimed at prohibiting K-12 students from accessing digital content that is deemed obscene.

LB1213, as introduced by Thurston Sen. Joni Albrecht, would prohibit a school, school district or the Nebraska Library Commission from providing K-12 students with online or digital



Sen. Joni Albrecht

resources considered to be obscene or harmful as defined in state law. In addition, those entities would be required to implement technology protections to filter and block inappropriate content from minors and establish and verify an online account for every K-12 student.

Under the bill as introduced, a minor, parent or guardian could

bring a civil action against any vendor, person or entity that provides online resources deemed obscene or harmful and could recover damages of up to \$10,000 per violation.

The state Department of Education and the library commission would be required to submit an annual report to the governor and the Legislature's Education Committee on any issues related to provider compliance by December 1 of each year.

Albrecht brought an amendment to the hearing that would shift certain provisions of the bill to educational research database providers instead of schools, school districts and the NLC.

Many people have expressed concern to EBSCO and Gale, two educational database providers, over the inappropriate content that student users encounter, Albrecht said. In response, database providers may remove a specific link, she said, but do not remove the content from access by students in other schools.

"We owe it to the Nebraska parents, teachers, librarians [and] schools to stop K-12 [students] from being exposed to obscene content in the name of education paid for by Nebraska tax dollars," Albrecht said. "Together, we can hold education research database providers accountable for obscene content included in the databases that they're currently providing for our K-12 children."

Under the amendment, responsibility for filters, blocking and account establishment would move to educational research database providers. Database providers also would be required to furnish a child's account credentials to the parent or legal guardian, allowing access to all materials accessible to the student.

Additionally, the amendment would give schools, school districts, and the NLC authority to withhold payment or terminate a contract with

a database provider for not removing obscene content. A student, parent or guardian could bring a civil action against a vendor or provider of an educational research database to recover damages sustained by the child, parent or guardian of up to \$10,000 per violation.

In support of the amended version of LB1213 was Kent Kingston, executive director of technology for Millard Public Schools.

"Educational research database providers should be providing age-appropriate materials free of harmful content," Kingston said. "The recommended amendment to LB1213 ... holds those providers accountable while not disabling school districts' use of technology."

Brian Tegtmeier, technology director for North Platte Public Schools, also spoke in support. Educational database providers have been asked to restrict obscene content but have been unwilling to do so, he said.

"If an education database provider hasn't developed their resources with age-appropriate content protection for our students, then they have no business marketing and selling these resources to our public schools," Tegtmeier said. "LB1213 will require these companies to remove links to sites that are deemed obscene to minors."

In opposition to the bill was Emily Nimsakont, who spoke on behalf of the Nebraska Library Association and the Nebraska School Librarians Association. While there are concerns regarding students accessing harmful material, she said, the bill largely is redundant due to measures already in place.

"The Children's Internet Protection Act requires all Nebraska schools and public libraries who receive E-rate funds to have filters in place to prevent children from accessing harmful material," Nimsakont said. "More than half

of the public libraries in our state filter according to these standards and all public schools and some private schools filter according to ... these standards."

Rod Wagner, Nebraska Library Commission director, spoke in opposition to the original bill and the amendment. He expressed concern over the library commission's ability to fulfill certain "absolutes" proposed in LB1213 relating to student accounts, electronic devices and references to academic libraries.

The committee took no immediate action on LB1213 or the proposed amendment.

Law enforcement recruitment, retention bills considered

Two measures heard in the Judiciary Committee Feb. 10 aim to recruit and retain law enforcement officers in Nebraska.

LB1271, introduced by Omaha Sen. Brett Lindstrom, states legislative intent to appropriate \$1 million annually to the Nebraska Commission on Law Enforcement and Criminal Justice in an effort to recruit law enforcement officers from outside the state to relocate to Nebraska.



Sen. Brett Lindstrom

Additionally, the bill would create a subcommittee of law enforcement officials to aid in recruitment, which would include organizations representing police officers from across the state as well as two members of the Police Standards Advisory Council and a member representing the Nebraska Attorney General's office.

"In Nebraska, we have seen an increase of law enforcement officers leaving the profession and most importantly, a decrease in the number of candidates applying to be law enforce-

ment professionals,” Lindstrom said.

He said support for law enforcement in Nebraska generally is strong, however, and could be used as a recruitment tool.

LB1270, introduced by Elmwood Sen. Robert Clements, states legislative intent to appropriate \$10 million annually to the commission to create a two-tier grant program of incentive payments to attract and retain law enforcement officers in Nebraska.



Sen. Robert Clements

Under the bill, tier one would provide a \$1,000 incentive payment to a law enforcement officer who has been employed for one year beginning on or after the effective date of the bill. Tier two would provide a \$2,000 incentive payment to an officer who has been employed for five years. The Nebraska Police Standards Advisory Council would administer the grant program and also could award funds to law enforcement agencies for hiring bonuses in certain situations.

“The part of Nebraska hit especially hard is rural areas,” Clements said. “Law enforcement agencies have had to evolve and get creative when it comes to recruiting officers, but now we have an opportunity for the state of Nebraska to assist them.”

Lt. Nicholas Andrews, representing Omaha Police Chief Todd Schmaderer, spoke in support of LB1270. Omaha has seen almost 1,000 fewer law enforcement applicants over the last 10 years, he said.

“Over those 10 years, benefits have remained the same and pay has gone up, but we need more incentives to help fight the negative light [that] law enforcement is being put in,” Andrews said.

Jim Maguire testified in favor of both bills on behalf of the Nebraska

Fraternal Order of Police. Many officers hired in the 1990’s under federal grants now are retiring, he said.

“Other states and cities ... are defunding their police. We need to find a way to recruit some of them and bring them to Nebraska,” Maguire said.

Anthony Conner also spoke in support of both proposals on behalf of the Omaha Police Officers Association. He said LB1271 would give Omaha an opportunity to recruit from outside Nebraska – in other parts of the country where many officers feel a lack of respect and are looking to relocate.

“[In addition, LB1270] would create incentives to hopefully recruit and retain more officers,” Conner said. “We have seen, even in Omaha, officers with less than five years [of experience] looking for other professions and that’s the crisis that we’re in right now when it comes to policing in this country.”

Neil Miller spoke in support of LB1270 and LB1271 on behalf of the Nebraska Sheriffs’ Association. Small law enforcement agencies also struggle with a lack of applicants, he said.

“It is a crisis and we are very concerned about where this is going to go if we don’t get something done soon,” Miller said.

No one testified in opposition to either measure and the committee took no immediate action on the bills.



Lake, water recreation projects proposed

Nebraska would build a lake between Omaha and Lincoln to boost recreational opportunities and economic development under a proposal heard Feb. 10 by the Natural

Resources Committee.

LB1023, introduced by Speaker Mike Hilgers of Lincoln, would authorize two state agencies to carry out projects recommended by the Statewide Tourism and Recreational Water Access and Resource Sustainability special committee, created by the Legislature last year in LB406.



Sen. Mike Hilgers

The first, which would be built and managed by the state Department of Natural Resources, is a proposed lake of at least 3,600 surface acres in or near Sarpy County and within the Platte River’s floodplain.

The state Game and Parks Commission would carry out the other recommended projects: new and expanded marinas at Lake McConaughy and Lewis and Clark Lake and an event center and lodge at Niobrara State Park.

Hilgers, the special committee’s chairperson, said the governor’s budget request includes \$200 million for the marinas, lodge and other smaller projects as well as hydrological and environmental studies related to lake construction.

The lake’s final location has not been set, Hilgers said, but it would create at least a \$5 billion economic impact during construction and a nine-figure annual economic impact.

He said LB1023 would allow for a public-private partnership to attract the private investment necessary to build the lake and develop the area around it. A “significant portion” of the lake’s perimeter would be preserved for public use, Hilgers said, but at least some of it would be privately developed.

“This is an opportunity to do a big swing for the state of Nebraska that will have a material, transforma-

tive impact both economically and for countless Nebraskans across the state,” he said.

Ken Schilz testified in support of the bill on behalf of Keith County Area Development. He said the proposed marina at Lake McConaughy would be an “anchor point” for development around the lake.

Euncie Palu testified in support of LB1023 on behalf of the Friends of Knox County. She said the proposed Knox County projects would increase the number of visitors who hunt, fish and boat in northeastern Nebraska and also encourage young people to live there.

Al Davis testified in opposition to the proposal on behalf of the Nebraska Chapter of the Sierra Club. He said the proposed lake could be infiltrated by silt and invasive fish species unless levees are built around it to keep out floodwater. It also would alter the local groundwater table, Davis said, possibly reducing flows in the Platte River and threatening downstream wildlife.

He said the lake would be a “playground for wealthy Nebraskans” and that investments in the state’s trail system and existing lakes and recreational areas would benefit a greater number of residents.

Philip Young gave neutral testimony on LB1023 on behalf of Beacon View Inc., a 100-acre area along the Platte River in Sarpy County.

In proposals he has seen, Young said, Beacon View’s 29 homes and cabins would be located between the Platte River and the new lake. He questioned how the project would affect residents’ safety during floods and their access to Interstate 80, Gretna and Omaha.

Dan Bundy, a Sarpy County resident who owns land near Beacon View, also gave neutral testimony. He said “conceptual renderings” show

the proposed lake covering much of his land.

Bundy questioned when and under what circumstances the state would acquire land to build the lake and how that land would be valued.

“There is little doubt that there could be a huge windfall for the state of Nebraska and property owners who have land development around the lake,” he said, “but what about those of us like myself and my family who would be under the lake?”

Lincoln and Omaha utilities representatives also gave neutral testimony, saying a thorough, independent study of the proposed lake’s effects on those cities’ water supplies is needed before the state moves forward.

Rick Kubat, testifying on behalf of Omaha’s Metropolitan Utilities District, said the Platte River provides half of Omaha’s water capacity and all of Lincoln’s.

“We want to look closely, just to make sure that we’re able to tell our growing communities on the eastern side of the state that we’re going to be able to serve your businesses and that we’re going to be able to continue to serve the public with their water,” he said.

Elizabeth Elliott, director of Lincoln Transportation and Utilities, said additional studies are required to analyze the lake project’s impact on Lincoln’s present and future wells and to ensure that it does not compromise the city’s water quality.

Although the lake would provide tourism and economic development opportunities to Lincoln and other communities, she said, it would give the city no additional water capacity.

The committee took no immediate action on LB1023.



Bill to clarify retirement rules amended, advanced

A bill that would make several changes to laws covering administration of Nebraska’s state, county and school retirement programs was amended and advanced from general file Feb. 9.

LB700, introduced by Seward Sen. Mark Kolterman, would eliminate obsolete language, change job requirements for the Nebraska Public Employees Retirement Systems director and attorney and change duties of the Public Employees Retirement Board regarding retirement education programs that must be offered to members of all retirement systems under the PERB’s jurisdiction.



Sen. Mark Kolterman

The bill would reduce from four to three the number of paid workdays that county and state plan members receive to attend in-person or live webinar trainings, which are offered during regular work hours. Kolterman said PERB created a YouTube channel and developed several online retirement education videos during the pandemic, broadening options for required retirement education programming.

A Nebraska Retirement Systems Committee amendment, adopted 36-0, would eliminate mandated early retirement incentive reporting to the Omaha School Employees Retirement System.

“We are taking away the requirement for the PERB and NPERS to collect the data from the early retirement incentive program ... but that

information still will be given to the Nebraska Department of Education, so the information is still available,” Kolterman said.

The amendment also added provisions of LB1043, introduced by Kolterman, which would codify current retirement practices and rules for some certified teachers in Nebraska.

Kolterman said the provisions would clarify rules for former members of the state’s school employee retirement plan who subsequently go to work for state agencies such as the Nebraska Department of Education, Department of Health and Human Services and Department of Correctional Services.

Finally, the amendment would eliminate a current option that allows a state school official employed by the Nebraska Department of Education to elect to remain in, or become a member of, the school plan or the state plan. The amendment instead would establish specific rules for such officials.

Following adoption of the committee amendment, senators voted 36-0 to advance LB700 to select file.

REVENUE

Inheritance tax cut approved

Lawmakers passed a bill Feb. 11 that cuts inheritance tax rates on beneficiaries and increases the amount of property value that is exempt from the tax.

LB310, introduced by Elmwood Sen. Robert Clements, applies to estates of indi-



Sen. Robert Clements

viduals who die on or after Jan. 1, 2023.

Under the bill, immediate relatives will pay inheritance tax on the clear market value of property over \$100,000 received by each person, up from \$40,000. The tax rate remains 1 percent.

The bill also decreases the rate from 13 to 11 percent for remote relatives and increases the exemption from amounts more than \$15,000 to amounts over \$40,000.

A third rate that applies to all other beneficiaries decreases from 18 to 15 percent, and the applicable exemption amount increases from \$10,000 to \$25,000.

Under LB310, any interest in property passing to beneficiaries younger than 22 is not subject to inheritance tax. The proposal also expands the definition of relatives for purposes of the inheritance tax to include certain step relatives.

Finally, the bill requires an estate’s personal representative, upon distribution of proceeds from the estate, to submit a report on inheritance taxes to the county treasurer in the county where the estate is administered. County treasurers then will compile and submit a report regarding inheritances taxes to the state Department of Revenue.

Senators voted 37-1 to pass LB310.

School funding proposal held on first round

A proposal to modify Nebraska’s school funding formula and direct additional state aid to public schools was held on general file Feb. 11.

Under LB890, introduced by Fremont Sen. Lynne Walz, each district would receive education stabilization base aid (ESBA) paid from a new trust fund. The bill also would increase the allocation of state income taxes

to school districts from the current 2.23 percent to 20 percent in 2023-24.

Additionally, LB890 would decrease the local effort rate—a component of the school funding formula that uses property valuation to determine how much a district can contribute in property taxes to fund a school.

Walz said LB890 would reduce school property tax askings by approximately \$728 million when fully implemented and ensure that many more schools receive equalization aid, which is intended to cover the difference between a district’s resources and its needs.

LB891, a companion bill introduced by Sen. Brett Lindstrom of Omaha, would modify school levy authority and adjust the state’s tax code to fund the additional aid.



Sen. Brett Lindstrom

In addition to allocating a portion of state sales and use tax proceeds to the ESBA trust fund, Lindstrom’s proposal would end the distribution of refundable income tax credits under the Nebraska Property Tax Incentive Act, created by LB1107 in 2020, and reallocate that money to school funding.

The credit, currently funded at \$548 million, is based on the amount an eligible taxpayer paid in property taxes to their school district during the previous year.

A pending Education Committee amendment would replace the bill with a modified version. In addition to other changes, Walz said, it would ensure that each school district receives at least 20 percent of its basic funding from the state.



Sen. Lynne Walz

Walz said she would introduce an amendment to remove that provision.

Lindstrom supported LB890. Even though it and LB891 would not provide the same amount of property tax relief as the LB1107 credit initially, he said, they would be a more sustainable way to address high property taxes and ensure that state aid is more fairly distributed among all school districts.

Albion Sen. Tom Briese opposed LB890, saying repurposing the LB1107 credit to fund additional aid is a “non-starter.” At its current amount, Briese said, the credit provides a 25 percent reduction on school property taxes paid, and taxpayers in many small, rural, unequalized districts would receive a smaller property tax savings under LB890.

Briese said he agrees that the state should direct additional funding to public education but that any proposal to do so should include a “reasonable cap” on increases in school property tax askings.

Sen. Lou Ann Linehan of Elkhorn, chairperson of the Revenue Committee, also opposed the bill. She said she is “quite certain” that LB891 will not advance to general file and questioned how its proposed sales tax allocation would affect the state budget.

Additionally, Linehan said, the proposed repeal of net option funding in LB890 would discourage schools from accepting option students. She further questioned why the basic funding provision — which had been requested by small, rural schools — should be removed from the committee amendment.

After several hours of debate over three days, Speaker Mike Hilgers of Lincoln placed a hold on LB890 at Walz’s request. Hilgers said the bill will not return to the agenda unless its supporters and primary opponents can reach an agreement.

Cap on school district property tax increases stalls

A proposal to limit annual increases in the amount of property taxes collected by public school districts stalled Feb. 8 after a failed cloture motion.

Under LB986, introduced by Sen. Tom Briese of Albion, a district’s property tax request — the amount of taxes requested to be raised through its levy — could not exceed its property tax request authority, which the state Department of Education would calculate annually.

A district’s property tax request authority would increase each year by 2.5 percent or the percentage increase in the Consumer Price Index for all Urban Consumers, whichever is greater. It also could increase based on growth in student enrollment or the number of limited English proficiency students or poverty students.

The resulting amount then would decrease by an amount equal to the increase in a district’s non-property-tax revenue, which includes certain state sources. If revenue from those sources decreases, a district’s property tax request would increase by an equal amount.

Briese said most school districts have held their property tax request increases to a “reasonable” 3.4 percent over the past four years, but some outliers have increased theirs at a higher rate. LB986 would protect taxpayers from extreme increases while allowing school boards to override the limit if they have a good reason, he said.

The limit would not apply to the portion of a district’s property tax request needed to pay the principal and interest on approved bonds, and

a district could carry forward unused property tax request authority to future years.

LB986 would allow a 75 percent majority of a school board to exceed a district’s property tax request authority by 4 to 7 percent depending on the number of students enrolled. A district also could exceed its property tax request authority by an amount approved by 60 percent of legal voters at a special election.

A pending Revenue Committee amendment would replace the bill.

Elkhorn Sen. Lou Ann Linehan, the committee’s chairperson, said the amendment would allow a district’s property tax request authority to grow by a three-year average annual percentage increase in the CPI to account for spikes in inflation. She said it also would clarify that a district’s non-property-tax revenue would not include grants and donations.

Linehan supported LB986, saying the proposed limit is “more like a warning flag” than a lid on school taxing authority because school boards could override it in an emergency.

She said the measure is intended to slow the growth in school property tax requests to ensure that they do not outstrip what the state spends on various property tax relief programs.

“This is not trying to hurt anybody or tie somebody down,” Linehan said. “It’s just trying to make sure that the billion dollars we’re now doing on property tax relief actually results in property tax relief.”

Sen. Matt Hansen of Lincoln opposed the bill and introduced an amendment that would strike its main provisions. Although school boards could vote to override the limit, he said, LB986 would allow smaller districts to exceed their property tax request authority by a higher percentage than larger districts.



Sen. Tom Briese

This would unfairly limit fast-growing districts like Lincoln Public Schools, Hansen said.

Also in opposition was Lincoln Sen. Adam Morfeld, who said local school board members are responsible for their district's tax asking and spending decisions. If voters disagree with those decisions, he said, they will hold board members accountable at the next election.

Sen. Lynne Walz of Fremont also opposed LB986, saying school boards generally are financially responsible. She said it would be "appropriate and prudent" for lawmakers first to understand why a few school districts have higher property tax increases than others before imposing a limit on all districts.

"Not knowing or really understanding why a school may be over or under budget authority is a concern," Walz said.

Briese said he would introduce an amendment on select file to address a concern that his proposal would limit a district's overall revenue growth and affect school districts differently depending on how much state aid they receive.

Rather than cap property taxing authority, he said, the amendment would limit school districts' total state and local revenue growth. That approach would limit tax asking increases, allow taxing authority to "float" with fluctuations in state aid and eliminate disparities among districts, Briese said.

After eight hours of general file debate over several days, Briese filed a motion to invoke cloture, which would end debate and force a vote on LB986 and any pending amendments.

The motion failed on a vote of 28-21. Thirty-three votes were needed. A failed cloture motion results in debate on a proposal ceasing for the day. The bill is unlikely to be placed on the agenda again this session.

TRANSPORTATION & TELECOMMUNICATIONS

Broadband access map, data repository proposed

The Public Service Commission would be required to create and maintain an official Nebraska location fabric broadband access map and data repository under a bill heard by the Transportation and Telecommunications Committee Feb. 8.

LB914, introduced by Brainard Sen. Bruce Bostelman, would require the access map to include broadband availability and service quality in all serviceable locations in Nebraska by July 1, 2024.

In addition, a repository for broadband data and information including types of internet services, areas deemed to be served, underserved or unserved, the number of providers and service prices would be required under the bill.

Current and planned broadband infrastructure projects and download and upload speeds also would be included in the repository as well as any other factors deemed relevant by the commission. The PSC could contract with private parties to create and maintain the map and repository and any recipient of support from the Nebraska Telecommunications Universal Service Fund, Nebraska Broadband Bridge Act or federal funds administered by the commission would be required to provide necessary information.

Bostelman said the Federal Communications Commission - expected to begin creation of a similar broad-

band map later this year - has delayed too long. An access map would provide the Public Service Commission with valuable information and allow for more strategic broadband deployment in Nebraska, he said.

"Having a fabric location map would allow for a strategic approach when awarding funds and prevent funds from being misused," Bostelman said. "This map will provide detailed information regarding broadband services, current infrastructure and information regarding the service [provision] that currently does not exist or is woefully missing."

Tim Schram, Public Service Commission member, testified in support of LB914. Schram expressed concern about the quality and availability of data expected to be collected later this year by the FCC.

"It makes sense for states to initiate their own program for the collection of this information," Schram said. "Having a state-owned broadband access map and data repository that is accurate and up to date would be beneficial to the commission and other policymakers as we work together to increase broadband access across the state."

Bostelman said he would offer an amendment to clarify that federal funds would pay for the bill's implementation.

Burke Brown spoke on behalf of the Nebraska State Education Association in support of the bill. The foundation of educational experiences is affordable, reliable and secure internet connectivity, he said, and mapping would allow districts to identify where at-risk students reside.

Also in support of the bill was Al Juhnke, who testified on behalf of the Nebraska Pork Producers Association and an array of other agriculture and livestock associations.



Sen. Bruce Bostelman

“This isn’t just a rural issue. We need it for our farmers,” Juhnke said. “I can’t build a pig farm unless I have broadband or high-speed internet to run my fans, systems ... and all of the other things I do,” he said.

Danny DeLong testified in support of LB914 on behalf of AARP Nebraska. Despite state and federal efforts over the past decade to ensure households have access to high-speed broadband, he said, gaps remain in deployment, adoption and digital literacy. The bill would help overcome remaining challenges by expanding the PSC’s authority to collect data about broadband, DeLong said.

“The availability, affordability and reliability of broadband internet ... services are essential to the health and quality of life of our membership and of other older citizens who live in Nebraska,” he said.

In opposition to the bill was Tip O’Neill, president of the Nebraska Telecommunications Association. O’Neill said accurate maps are integral to ensure appropriate broadband deployment, however, the state should defer to the FCC’s efforts to improve the mapping process at the federal level.

“We’ve been frustrated with the FCC and the progress it’s made, but we believe the FCC, with the incentives and financial support of \$98 million provided by Congress in the CARES Act, is finally making considerable progress at improving broadband mapping,” he said.

John Idoux testified in opposition on behalf of Lumen Technologies. Lumen would prefer a single, national approach to broadband mapping rather than 50 separate state solutions, he said.

“LB914 requires the commission to create a map by July 2024, however most people in the industry expect the FCC to have [a broadband map]

completed way before then,” he said. “Secondly, I think LB914 greatly [underestimates] the cost, the resources and the complexities of an accurate, dynamic and up-to-date map ... if there was a cheap and easy way to produce a broadband mapping solution, we wouldn’t be here today.”

The committee took no immediate action on LB914.

URBAN AFFAIRS

Amendment considered to require state application for rental assistance funds

The Urban Affairs Committee heard testimony Feb. 11 on an amendment that would require Nebraska to apply for a second round of federal emergency rental and mortgage assistance.

Lincoln Sen. Matt Hansen introduced the amendment at the hearing, which would replace the existing contents of his LB446, a bill he introduced last year to create a data system of Nebraska housing stock and funding available to housing developers.

That bill was placed on general file by the committee in 2021.

The federal government made rental assistance funds available to states last year to help households struggling due to the pandemic, Hansen said. Under the program, individuals are eligible for up to 12 months of back rent and three months of future rent — up to \$20,000 — which is paid directly to their landlords.

“Recently, the state has declined to apply for a second round of this funding, leaving over \$120 million on the table,” he said. “That money has already been allocated and will simply go to other states if we fail to accept it.”

Hansen said 48 other states have accepted the second round of funding, which will provide three more years of rental assistance. Nebraska already has missed the first deadline, he said, and the U.S. Treasury has extended the deadline to March 30. Current assistance is scheduled to end Sept. 30.

The governor has indicated that Nebraska will not apply for the second round because it is not needed, Hansen said, but he said the first round of funds were underutilized because of lack of promotion and an application system that was difficult to navigate.

Erin Feichtinger from Together Omaha testified in support of the proposal, saying the contention that Nebraska does not need a second round of funding is “categorically false.” She said her organization has distributed close to \$8 million in federal funds in Omaha since June and is working through hundreds of requests for help from individuals who cannot make their rent.

Feichtinger said that of the approximately 11,000 applications for assistance from across the state, fewer than 850 have been flagged as possibly fraudulent, and only 20 of those have been forwarded to the Nebraska State Patrol for investigation.

In addition, she said, every legislative district has seen an increase in applications in the last few weeks. Some were for significant amounts, Feichtinger said, others not.

“There is one county that just got one application in, but that one application went to make sure a person stayed in their home and a landlord could pay their mortgage,” she said.



Sen. Matt Hansen

“It all matters.”

Karen Rathke, president of the Heartland United Way in Grand Island, also testified in support. Approximately 50 percent of current applicants are individuals who have never applied for assistance in the past, she said.

“The families we serve are working families living in a fragile balance of paycheck to paycheck and struggling with the cost burden of [a lack of] affordable housing,” she said. “The second round of [rental assistance] funds would benefit thousands of Nebraska families by truly providing them a life-line as they continue to navigate their way through the pandemic and in this time of high inflation.”

Dave Pantos, a volunteer attorney with the Nebraska Tenant Assistance Project, spoke in favor of the proposal. He said he sees approximately 60 or 70 eviction cases per day, four days a week, in Douglas County. Emergency rental funds have been the primary tool for volunteers to keep individuals in their residences since the end of the federal eviction moratorium in August of 2021, he said.

“Nebraska residents need these funds ... to prevent a tsunami of homelessness in our communities,” Pantos said.

Also testifying in support was Kasey Ogle, a staff attorney at Nebraska Appleseed. Much of the inefficiency in distributing rental assistance in Nebraska can be attributed to the documentation requirements that the state has chosen to use, she said.

Many other states and the cities of Lincoln and Omaha allow individuals to “self-attest” to their qualifications for assistance, she said, which is allowed under federal rules and makes for a much more streamlined process.

Lee Will, state budget administrator, testified in opposition on behalf

of Gov. Pete Ricketts. The state collaborated with several partners to distribute the \$200 million Nebraska received in emergency rental assistance from the federal government in early 2021, he said, including outreach, marketing efforts and technical support.

The state currently has millions in first-round funds still available, Will said, indicating that the need for more federal funding does not exist. Will said he does not believe that the problem lies in distribution, and that moving toward a self-attestation model statewide in order to speed the application process likely would only result in more fraud.

“At some point the assistance has to end,” Will said. “It is the governor’s position that the need is going to be taken care of through the end of the year.”

The committee took no immediate action on the amendment.

Bill would prohibit TIF use by casinos

Casinos and licensed racetracks would not be allowed to use tax increment financing under a bill considered Feb. 8 by the Urban Affairs Committee.

Under a segment of the state’s community development law, Nebraska municipalities are able to designate areas as substandard and blighted, allowing them to be redeveloped. When a redevelopment plan is approved, TIF bonds may be issued for the acquisition and improvement of the property. The increased property taxes generated by the improvements are used to pay for the financing of TIF projects.

Norfolk Sen. Michael Flood, sponsor of LB713,

said TIF is a useful tool in rehabilitating dilapidated properties but using it to construct casinos is “just plain wrong” and should be prohibited.

“When municipal leaders start ignoring the letter and spirit of our community development law to subsidize casinos, they also dilute TIF’s ability to create positive change,” Flood said. “Every acre that is designated for a casino project is one less acre that can be designated in a truly blighted area.”

Pat Loontjer, executive director of Gambling With the Good Life, testified in support of the bill. She said gaming firms do not need help financing casinos.

“These are not projects that would not exist without TIF,” Loontjer said.

Christy Abraham of the League of Nebraska Municipalities opposed LB713, saying it would limit the ability of local governments to attract businesses. Tax increment financing related to casinos would be used only for public infrastructure and not to support gaming operations, she said.

“TIF can’t be used to buy slot machines,” Abraham said. “It’s for sewer, it’s for water, it’s for widening streets to make sure the traffic flow works when the casino goes in.”

The committee took no immediate action on LB713. ■



Sen. Michael Flood



COMMITTEE HEARINGS

Current hearing schedules are available at: NebraskaLegislature.gov/calendar

Monday, Feb. 14

Appropriations

Room 1524 - 1:30 p.m.

LB1025 (Wayne) Appropriate federal funds to the Department of Economic Development for the North Omaha Recovery Grant Program

LB1238 (Vargas) Appropriate federal funds to the Department of Economic Development for the South Omaha Recovery Grant Program

LB1210 (Slama) Appropriate federal funds to the Department of Economic Development for small businesses located in cities of the second class and villages

LB1120 (Wayne) Disqualify entities receiving federal funds from a high-population county or city of the metropolitan class from receiving such funds from the state

LB1163 (Wishart) Change award limitations under the Business Innovation Act and state intent regarding appropriation of federal funds

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB1092 (Flood) Authorize risk-loss trusts for Nebraska state colleges

LB1127 (Wishart) Adopt the Regulatory Sandbox Act

LB1215 (Geist) Adopt the Small Business Assistance Act and provide for grants

Business & Labor

Room 1003 - 1:30 p.m.

LB935 (Bostar) Adopt the County Minimum Wage Option Act

LB1018 (McKinney) Set a minimum wage for employees of a Class V school district

LB1028 (Hunt) Change provisions of the Wage and Hour Act relating to tipped employees and provide for complaints, prohibited actions, and liquidated damages

LB1069 (Williams) Change provisions of the Rural Workforce Housing Investment Act

LB1040 (McDonnell) Redefine a term under the In the Line of Duty Compensation Act

LB1098 (Halloran) Change provisions

relating to the State Fire Marshal, the Boiler Inspection Act, and the Conveyance Safety Act

Education

Room 1525 - 2:00 p.m.

Appointment: Dennis A. Headrick

- Coordinating Commission for

Postsecondary Education

LB887 (Slama) Change provisions relating to state colleges and the Board of Trustees of the Nebraska State Colleges and eliminate certain provisions relating to morals and prohibiting religious tests

LB902 (Aguilar) Adopt the Nebraska Career Scholarship Act

LB1050 (Flood) Prohibit public postsecondary institutions from discriminating against student organizations based on viewpoints, beliefs, and missions

General Affairs

Room 1510 - 1:30 p.m.

LB866 (Brandt) Change inspection fees under the State Electrical Act

LB840 (Brewer) Change provisions relating to publication and rates for legal notices

LB1256 (McKinney) Change provisions relating to public libraries and require the election of library board members of a city of the metropolitan class

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB1266 (Halloran) Change provisions relating to operations of common carriers

LB1166 (Sanders) Change provisions of the One-Call Notification System Act

LB1145 (Friesen) Change provisions relating to public information on motor vehicle accident reports

LB1110 (Slama) Change provisions relating to the regulation and operation of all-terrain vehicles and utility-type vehicles

Tuesday, Feb. 15

Agriculture

Room 1003 - 1:30 p.m.

LB744 (Erdman) Change provisions relating to identification and inspection of livestock

LR284 (Blood) Support an objective review of the "Product of U.S.A." label by the USDA and action to restrict the scope of use in a way that is beneficial for cattle producers and consumers, and is trade compliant

Appropriations

Room 1524 - 1:30 p.m.

LB968 (Dorn) Appropriate federal funds to the Department of Economic Development for affordable housing and job training

LB1033 (Arch) Appropriate federal funds to the Department of

Transportation for the Economic Opportunity Program and to the Department of Economic Development for various programs

LB1070 (Williams) Appropriate federal funds to the Department of Economic Development for infrastructure related to rural workforce housing

LB1252 (Vargas) Appropriate federal funds to the Department of Economic Development for middle-income housing

LB940 (M. Hansen) Appropriate federal funds for housing

LB1041 (McDonnell) Appropriate federal funds to the Nebraska Investment Finance Authority for loans for development of affordable housing units

LB1142 (Vargas) Appropriate federal funds to the Nebraska Investment Finance Authority to support the development of affordable housing units

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB943 (Bostar) Prohibit certain provisions in a health plan in relation to clinician-administered drugs

LB1175 (Wayne) Prohibit a health insurer from removing a provider as an in-network provider under certain circumstances

LB1190 (Lathrop) Change requirements for issuers of medicare supplement insurance policies or certificates relating to coverage of individuals under sixty-five years of age who are eligible for medicare by reason of disability

COMMITTEE HEARINGS

Current hearing schedules are available at: NebraskaLegislature.gov/calendar

Education

Room 1525 - 1:30 p.m.

LB888 (Day) Redefine multicultural education for school districts
 LB1112 (McKinney) Adopt the Computer Science and Technology Act and provide graduation requirements and academic content standards
 LB1158 (Sanders) Change provisions relating to parental involvement in and access to learning materials in schools and provide for withholding of funding from school districts
 LB768 (Albrecht) Change provisions relating to establishment of academic content standards for school districts

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB761 (Dorn) Adopt the Precision Agriculture Infrastructure Grant Act and state intent regarding appropriation of federal funds
 LB1208 (Friesen) Adopt the Broadband Pole Replacement Fund Act and appropriate federal funds
 LB1234 (Friesen) Provide for an expedited method of authorizing telecommunications wires to cross railroad rights-of-way
 LB916 (Wayne) Adopt the Rural Municipal Broadband Access Act

Urban Affairs

Room 1510 - 1:30 p.m.

LB1073 (Wayne) Create the Department of Housing and Urban Development
 LB789 (Groene) Change provisions relating to urban housing programs
 LB1189 (Flood) Change provisions relating to discontinuance of sanitary drainage districts
 LB998 (Wayne) Change provisions of the Municipal Inland Port Authority Act
 LB837 (Hunt) Require the Director of Environment and Energy to provide certain Nebraska Energy Code information to the Urban Affairs Committee of the Legislature
 LB1227 (Wayne) Allow land banks to receive federal funds under the Nebraska Municipal Land Bank Act

Wednesday, Feb. 16

Appropriations

Room 1003 - 1:30 p.m.

LB699 (Kolterman) Appropriate federal funds to the Department of Economic Development for grants to improve technology infrastructure
 LB977 (Slama) Appropriate federal funds to the Department of Economic Development for expanding electrical system capabilities
 LB969 (Dorn) Appropriate federal funds to the Department of Environment and Energy to improve reliability and resiliency of the electric grid
 LB1100 (Bostelman) Appropriate federal funds to the Department of Economic Development for a feasibility study relating to nuclear reactors
 LB1125 (Aguilar) Appropriate federal funds to the Department of Economic Development for new construction of industrial rail yards

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB928 (Sanders) Provide for closed-captioning or transcripts of certain campaign advertisements under the Nebraska Political Accountability and Disclosure Act
 LB908 (McDonnell) Provide additional requirements for virtual conferencing under the Open Meetings Act
 LB1205 (McKinney) Provide powers and duties for the Nebraska State Historical Society and provide for the development of the Ernie Chambers History-Arts-Humanities Museum
 LB930 (Hunt) Authorize certain expenditures under the Nebraska Political Accountability and Disclosure Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB1136 (Hunt) Adopt the Senior Care LGBTQ Discrimination Prevention Act
 LB856 (Day) Provide for partnering organizations under the Aging and Disability Resource Center Act
 LB1243 (Murman) Change priorities relating to funding the medicaid home and community-based services waivers for persons with developmental disabilities

Judiciary

Room 1113 - 1:30 p.m.

LB745 (M. Cavanaugh) Change and eliminate provisions relating to marriage
 LB830 (DeBoer) Change provisions relating to cash medical support for child support
 LB947 (Wayne) End child support payments upon the death of a custodial parent
 LB1192 (McDonnell) Provide for a temporary injunction upon filing for separation or divorce, a presumption of joint custody and parenting time, sanctions for misconduct by a party, and reports
 LB1245 (J. Cavanaugh) Change provisions and terminology relating to determinations of paternity and parentage, birth certificates, and related matters

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Scott L. Cassels - Neb. Game and Parks Commission
 LB1081 (Bostar) Provide for a grant program for the design, construction, and implementation of water transport infrastructure under the Department of Natural Resources and state intent to appropriate federal funds
 LB1186 (Bostar) Rename and change provisions of the Oil Pipeline Reclamation Act

Revenue

Room 1524 - 1:30 p.m.

LB819 (Linehan) Eliminate provisions relating to a tax study
 LB1117 (Wayne) Change provisions relating to tax credits under the Community Development Assistance Act
 LB1265 (Halloran) Provide an income tax deduction for certain law enforcement officers
 LB1272 (Halloran) Provide an income tax credit for law enforcement officers based on years of service and change provisions relating to a waiver of tuition
 LB1273 (Bostar) Provide an income tax deduction to retired law enforcement officers for health insurance premiums

COMMITTEE HEARINGS

Current hearing schedules are available at: NebraskaLegislature.gov/calendar

Thursday, Feb. 17

Appropriations

Room 1003 - 1:30 p.m.

LB703 (Williams) Appropriate federal funds to the University of Nebraska for an agricultural innovation facility

LB721 (Hilkemann) Appropriate funds for the University of Nebraska Medical Center Rural Health Complex

LB766 (Kolterman) Appropriate federal funds to the University of Nebraska for pancreatic cancer research

LB904 (Dorn) Appropriate federal funds to the University of Nebraska for an Artificial Intelligence, Cybersecurity, and Holland Computer Center facility

LB950 (DeBoer) Appropriate federal funds to the University of Nebraska for academic medical research and development

LB961 (Vargas) Appropriate federal funds to the University of Nebraska for the National Counterterrorism Innovation, Technology, and Education Center

LB962 (Vargas) Appropriate federal funds to the University of Nebraska to construct a Science, Technology, Engineering, and Mathematics Teaching, Research, and Inquiry-based Learning Center

LB1054 (McDonnell) Appropriate federal funds to the University of Nebraska to modernize academic research laboratories and equipment for the College of Education, Health, and Human Sciences at the University of Nebraska at Omaha

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1104 (Day) Change provisions of the Emergency Management Act

LB964 (Bostar) Provide for per diems and actual meal expenses for the Nebraska State Patrol

LB910 (McDonnell) Adopt the Nebraska Volunteer Service Commission Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB756 (Brandt) Change provisions relating to properties contaminated by methamphetamine

LB956 (Murman) Change provisions relating to confidential public health information

LB954 (Wayne) Preempt certain county and municipality resolutions or ordinances relating to electronic smoking devices under the Nebraska Clean Indoor Air Act

Judiciary

Room 1113 - 1:30 p.m.

LB922 (Lathrop) Increase the number of district court judges in the fourth judicial district

LB1053 (Lathrop) Authorize courts to conduct proceedings using virtual conferencing

LB1059 (Flood) Exempt the Judicial Resources Commission from the Open Meetings Act

LB1124 (Erdman) Change provisions relating to small estate affidavits under the Nebraska Probate Code

LB1132 (Morfeld) Change provisions relating to insurance under the Nebraska Uniform Real Property Transfer on Death Act

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Bridget Troxel Peck - Neb. Power Review Board

Revenue

Room 1524 - 1:30 p.m.

LB1180 (Groene) Change individual income tax brackets

LB1207 (Groene) Change taxation and school funding provisions

LB917 (Wayne) Provide an income tax deduction for certain wages paid to individuals convicted of a felony

LB1226 (Wayne) Change provisions relating to land banks, service of notice, and the time periods for applying for a tax deed and for bringing certain tax-related foreclosure actions

Tuesday, Feb. 22

Appropriations

Room 1524 - 1:30 p.m.

LB996 (Dorn) Appropriate federal funds to the Department of Health and Human Services for assisted-living facilities

LB1055 (McDonnell) Appropriate federal funds to the Department of Health and Human Services for premium pay to front-line nurses

LB1089 (Stinner) Appropriate federal funds to the Department of Health and Human Services for licensed and medicaid-certified nursing facilities

LB1269 (Murman) Appropriate federal funds to the Department of Health and Human Services for repayment of qualified educational debts owed by certain health professionals

LB1183 (Aguilar) State intent to appropriate federal funds for federally qualified health centers

LB1066 (Stinner) Appropriate federal funds to the Department of Health and Human Services and the University of Nebraska for behavioral health care services

LB1172 (Hilkemann) Appropriate federal funds for rate increases for certain providers of developmental disabilities services

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB1187 (Flood) Change provisions relating to controllable electronic records in the Uniform Commercial Code

LB1061 (Albrecht) Change provisions relating to the board of directors of an insurance corporation

LB948 (Wayne) Require insurers to reveal certain liability coverage limits to injured parties

LB1258 (Bostar) Adopt the Peer-to-Peer Vehicle Sharing Program Act

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB1105 (Day) Provide for Autism Awareness Plates

LB1149 (Friesen) Change registration fees for motor vehicles powered by alternative fuel

Urban Affairs

Room 1510 - 1:30 p.m.

LB1108 (Day) Provide certain sanitary and improvement districts the power to regulate the discharge of fireworks

LB726 (M. Hansen) Change provisions relating to sanitary and improvement districts

LB727 (M. Hansen) Change provisions relating to the board of trustees of a sanitary and improvement district

COMMITTEE HEARINGS

Current hearing schedules are available at: NebraskaLegislature.gov/calendar

LB821 (M. Hansen) Adopt the Aid to Municipalities Act
 LB1118 (Wayne) Provide for election of airport authority board in a city of the metropolitan class
 LB1119 (Wayne) Change powers of an airport authority created by a city of the metropolitan class

Wednesday, Feb. 23

Appropriations

Room 1003 - 1:30 p.m.

LB1267 (Vargas) Appropriate federal funds for health equity liaisons for various state commissions
 LB760 (Dorn) Appropriate federal funds to the Department of Health and Human Services for grants to licensed emergency medical services programs
 LB1194 (McDonnell) Appropriate federal funds to the Public Service Commission for public safety answering points and cloud-based software services to process 911 emergency calls
 LB1199 (McDonnell) Appropriate federal funds to the Department of Administrative Services for the Chief Information Officer to provide radios to volunteer departments
 LB1257 (Bostar) Appropriate federal funds to the Department of Transportation for grants for electric vehicle direct-current fast charging stations

Health & Human Services

Room 1510 - 1:30 p.m.

Appointments: Linda Mentink, Cheryl Livingston - Commission for the Blind and Visually Impaired
 Appointment: Richard L. Wiener - Foster Care Advisory Committee
 Appointment: Peggy A. Williams - Commission for the Deaf and Hard of Hearing
 LB710 (McCollister) Change provisions relating to federal Supplemental Nutrition Assistance Program eligibility
 LB1107 (Day) Change provisions relating to provider reimbursement for an absent child under the federal Child Care Subsidy program

Judiciary

Room 1113 - 1:30 p.m.

LB907 (DeBoer) Adopt the Uniform Community Property Disposition at Death Act and change provisions relating to court jurisdiction
 LB1260 (DeBoer) Change provisions relating to the Public Guardianship Act
 LB1275 (Groene) Adopt the Medicinal Cannabis Act

Thursday, Feb. 24

Appropriations

Room 1003 - 1:30 p.m.

LB1167 (Flood) Appropriate federal funds to the Department of Economic Development for internships and expanding and retaining Nebraska's workforce
 LB1072 (McDonnell) Appropriate federal funds to the Department of Economic Development for a financial success program
 LB1063 (Morfeld) Appropriate federal funds to the Department of Labor to increase the number of apprentices and provide premium pay
 LB1206 (Kolterman) Appropriate federal funds to the Board of Trustees of the Nebraska State Colleges for infrastructure, technology, and equipment

Health & Human Services

Room 1510 - 1:30 p.m.

LB1129 (Morfeld) Provide free contraceptives for women as prescribed
 LB716 (Hunt) Allow qualified practitioners to perform abortions

Judiciary

Room 1113 - 1:30 p.m.

LB781 (Slama) Adopt the Heartbeat Act
 LB933 (Albrecht) Adopt the Nebraska Human Life Protection Act
 LB1086 (Geist) Adopt the Chemical Abortion Safety Protocol Act

Friday, Feb. 25

Appropriations

Room 1003 - 1:30 p.m.

LB867 (Morfeld) Appropriate federal funds to the Department of Health and Human Services for Health Aid
 LB1221 (Morfeld) Appropriate federal

funds to the Department of Health and Human Services for remdesivir for patients suffering from COVID-19
 LB959 (McCollister) Appropriate federal funds to the Department of Health and Human Services for the statewide designated health information exchange
 LB1075 (Stinner) Appropriate federal funds to the Department of Health and Human Services for technology that will support statewide pediatric mental health services
 LB1076 (Stinner) Appropriate federal funds to the Department of Health and Human Services to develop software to streamline coordination of care for children with medically complex conditions
 LB1254 (B. Hansen) Appropriate federal funds to the Department of Health and Human Services for services relating to youth who have aged out of the foster care system

Health & Human Services

Room 1510 - 1:30 p.m.

LB885 (M. Cavanaugh) Require implicit bias training for certain applicants and credential holders under the Uniform Credentialing Act
 LB1106 (Day) Change provisions of the Mental Health Practice Act

Judiciary

Room 1113 - 1:30 p.m.

LB772 (Day) Prohibit certain providers of health care and medical services from taking certain debt collection actions against victims of sexual assault, domestic assault, and child abuse
 LB909 (McDonnell) Authorize mental health professionals and practitioners to take persons into emergency protective custody and provide for a training and certification process
 LB1009 (Brandt) Adopt the Domestic Abuse Death Review Act
 LB1171 (Sanders) Provide for the clerk of the district court to serve as the ex officio jury commissioner in all counties and change provisions relating to compensation
 LB1216 (M. Cavanaugh) Change provisions relating to appointment of guardians and conservators ■

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