

## Repeal of concealed handgun permit requirement clears first round

A bill that would remove the requirement for a concealed handgun permit in Nebraska was amended and advanced from general file March 3 after a successful cloture motion.

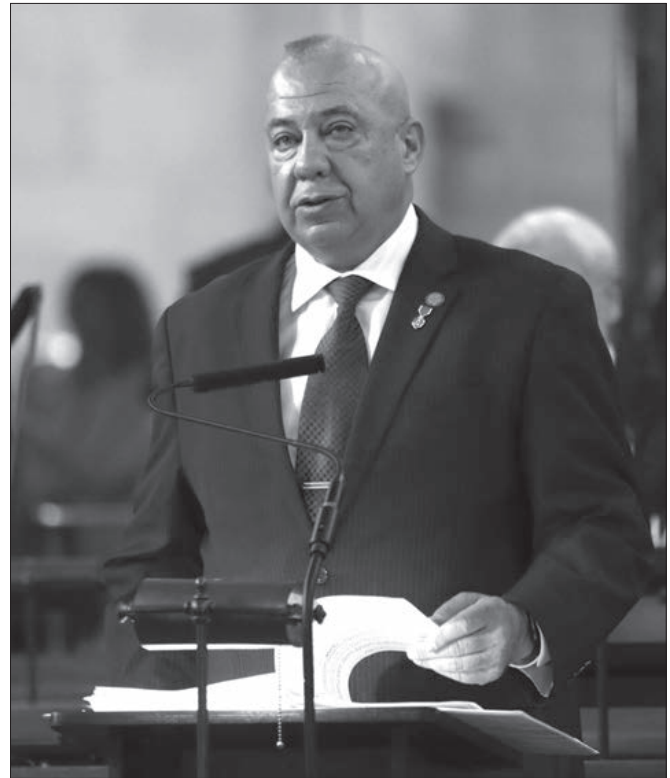
Current state law requires that an individual pass a background check, submit a \$100 permit fee and complete a gun safety course to obtain a concealed carry permit. LB77, introduced by Gordon Sen. Tom Brewer, would waive those requirements. An individual not otherwise prohibited from possessing or carrying a gun in Nebraska would be allowed to conceal carry without a permit.

LB77 would prohibit counties, cities and villages from regulating ownership, possession or transportation of a concealed handgun.

Brewer noted that LB77 is his fourth attempt to pass a “constitutional carry” bill – supporters’ term for removing restrictions on the right to carry a firearm. People should not have to prove that they are worthy of a constitutional right, he said.

“A person in Nebraska should not have to pay money to the government in order to exercise a constitutional right,”

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Sen. Tom Brewer said Nebraska’s conceal carry permit system infringes on gun owners’ Second Amendment rights.

## Trio of voter ID election measures considered

The Government, Military and Veterans Affairs Committee took combined testimony on three bills March 1 that would make a number of changes to the state’s election laws in the wake of a successful 2022 petition drive to establish a photo ID requirement to vote in Nebraska.

LB228, introduced by Sen. Steve Erdman of Bayard, would eliminate voting by mail except for military personnel and those living in nursing homes and assisted living facilities. The bill also would:

- establish primary and general election days as statewide holidays;

- stipulate that all ballots be counted at the precinct level on election day; and
- limit early voting to in-person at either a county election or county clerk’s office.

Erdman said mail-in voting is expensive and doesn’t necessarily increase voter turnout. Requiring votes to be cast and counted at the precinct level on election day would ensure that ballots are secure and not in danger of being “messed with,” he said.

Erdman also introduced LB230, which would define qualifying photographic identification for voting purposes. The bill also would limit

the option of early voting to those who are “handicapped” or members of the armed forces or Nebraska National Guard.

Among other provisions, the bill would make it a criminal offense for an election official to fail to require a voter to show photo ID and would require an agent delivering a ballot to include a color photocopy of the registered voter’s qualifying photo ID.

Erdman called LB230 a “comprehensive plan” to determine qualifying photo ID for voting in Nebraska elections. Under the bill, qualifying ID would be one of the following: driver’s

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Brewer said. “That right is about carrying defensive arms without interference by state or local governments.”

He offered an amendment that would subject an individual to an additional misdemeanor charge for carrying a firearm or destructive device while committing certain “dangerous” misdemeanor crimes, including harassment, stalking, domestic violence, shoplifting and resisting arrest, among others.

Under the amendment, an individual would be subject to a Class I misdemeanor for a first or second offense and a Class IV felony for a third or subsequent offense.

Brewer said the amendment was intended to address law enforcement concerns that LB77 would make it easier for prohibited persons and the mentally ill to obtain a gun. Brewer said the amended version of the bill would garner the support of the Nebraska Sheriffs Association, the Police Chiefs Association of Nebraska and the Police Officers Association of

Nebraska and bring the Omaha police union to a neutral position on the bill.

Thurston Sen. Joni Albrecht spoke in support of LB77 and the Brewer amendment, saying the proposal would not allow felons, perpetrators of domestic violence, those with dangerous mental illnesses or other prohibited persons to carry weapons.

“What it will do is authorize conceal carry without a permit by people who can legally possess a firearm,” she said.

Also in support of LB77 was Sen. Robert Clements of Elmwood. The bill would make it possible for all Nebraskans to exercise their constitutional right to bear arms, he said, by removing unnecessary impediments.

“The constant training and applying for a concealed carry license can prevent low-income individuals from obtaining a permit,” Clements said. “Constitutional carry makes it possible for hardworking, low-income [and] law-abiding citizens to protect themselves without an undue

burden.”

Dunbar Sen. Julie Slama spoke in favor of the bill and the amendment. Twenty-five states already allow for constitutional carry, she said, including several of Nebraska’s neighbors such as Oklahoma, Kansas, Missouri, Iowa and South Dakota.

“We haven’t heard a thing about any of those states turning into the Wild West,” Slama said.

Omaha Sen. Justin Wayne expressed concern over the pending amendment. While in favor of a provision in the underlying bill that would eliminate Omaha’s gun registry, he said the ability to stack charges under the amendment also could have a disproportionate impact on minority communities.

“I’m struggling with more Black and brown kids — based on the testimony in the hearing — being charged and going to prison for, if not significant time, maybe life,” Wayne said.

Sen. John Cavanaugh of Omaha shared those concerns. Speaking in

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opposition, he said the amendment would create new offenses and consecutive sentences for certain misdemeanors.

In addition, Cavanaugh said, the amendment contains substantive changes to the bill which should have been vetted by the committee process.

Lincoln Sen. Jane Raybould spoke in opposition to the bill and the amendment. Commonsense public safety laws help keep guns out of places where they don't belong, she said, and ensure that those who conceal carry in public have undergone a background check and gun owner safety training.

Gun violence is the leading cause of death among children, Raybould said, and more than half of suicides in the U.S. are committed by firearm.

"The responsible gun owners that I talk to find it critically important that folks get the training, including safe handling and safe storage of both

the firearm and the ammo," Raybould said.

Lincoln Sen. George Dungan also opposed the bill and the Brewer amendment, saying individuals who use dangerous weapons should be properly trained. Certain law enforcement agencies are in opposition to LB77 because they believe it will impact their safety and the safety of the citizens they are sworn to protect, he said.

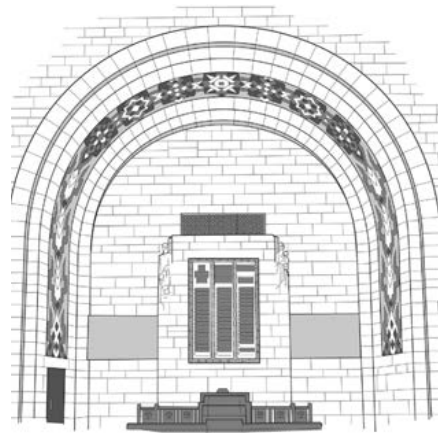
"Data supports that if you increase the amount of firearms in [a] situation, you're going to see increased harm, increased injury, and I think you're going to see increased physical and emotional trauma moving forward," Dungan said.

After eight hours of first-round debate over three days, Brewer filed a motion to invoke cloture, which ends debate and forces a vote on the bill and any pending amendments. The

motion succeeded on a vote of 36-10. Thirty-three votes were needed.

Lawmakers then voted 34-11 to adopt the Brewer amendment and voted down a pending motion from Omaha Sen. Machaela Cavanaugh to bracket the bill.

Senators advanced LB77 to select file on a vote of 36-12. ■



## Trio of voter ID election measures considered



Sen. Steve Erdman offered two proposals that would create a framework to implement voter ID in Nebraska.

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license or state issued ID, Nebraska voter ID, U.S. passport or tribal ID issued by a recognized Indian tribe. A qualifying photo ID could not be more than 60 days past its expiration date.

An American flag symbol would be placed on the front of each driver's license or state ID card issued to individuals who have verified status as a U.S. citizen.

"We have an opportunity to accomplish what the voters required us to do by their vote," Erdman said. "It's not our intent with this bill to [prevent] anyone from voting."

Omaha Sen. Jen Day offered LB675, a broad elections bill that would, among other provisions:

- state legislative intent to provide funding to the Nebraska secretary of state's office to ensure that all Nebraska polling places are ADA compliant;
- require the state Department of Motor Ve-

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## Trio of voter ID election measures considered

(continued from page 3)

hicles to expand hours and staffing beginning two months prior to the start of in-person voting;

- require the secretary of state to provide capacity at each election location to print qualifying ID on election day;
- provide additional locations where qualifying ID can be obtained for voting, including libraries and nonprofit organization offices; and
- require increased election office staffing and training.

LB675 also states legislative intent to appropriate \$1 million for a public awareness campaign regarding new photo ID requirements and outlines more than a dozen types of qualifying ID, including student ID cards, Social Security and Medicaid cards – even if expired.

Day said the purpose of photo ID for voting is to verify an individual's identity, which can be done whether an ID is expired or not. The bill was drafted over the interim with input from experts, she said, and would protect voting rights in ways that other bills considered by the committee this session would not.

"LB675 reflects the will of the voters while protecting the marginalized," Day said. "Election integrity has two sides – protections and safeguards of the process, but also accessibility of the election itself. No election has integrity when an eligible voter is turned away."

Over seven hours of testimony, supporters of LB228 and LB230 argued the proposals would strengthen voter

confidence in elections and that mail-in voting is incompatible with the state's new photo ID requirement. Many also criticized LB675 for allowing qualifying forms of ID that lack photos.

Cindy Miller of Washington County testified in opposition to LB675. The bill contains "expensive fluff" that would not do much to ensure election integrity, she said, which is Nebraskans' primary concern. She spoke in favor of LB228 and LB230.

Other states are looking at ways to hand count ballots at the precinct level, she said, and Nebraska could do the same. In addition, she said, limiting voting to election day would help ensure confidence in the election process.

"Voter ID is just the first step in ensuring our elections are secure," Miller said. "There's a lot of problems with mail-in ballots."

Dean Kleinschmit of Crofton also testified in support of Erdman's proposals. Returning to voting on election day and hand counting at the precinct level would encourage civic engagement, he said. All other political issues are irrelevant if the people can't trust elections, he added.

"We all need to do our civic duty," Kleinschmit said. "The number one issue everybody has is trying to have faith in our election system."

George Boll testified in opposition to LB675, saying the successful initiative petition specified that voters must present a photo ID. However, many of the 18 qualifying forms of ID specified in the bill do not include a photo, he said, and the measure does not require early voters to present a qualifying ID.

"What a stab in the back this bill is to the great Nebraska second house," Boll said.

Amy Bennett, executive director

of WYCA Grand Island, testified in favor of LB675, specifically the provision requiring the DMV to expand hours and staffing prior to the start of in-person voting.

"Currently, rural communities have limited access to their DMV [offices]," she said. "The DMVs in Hamilton, Howard and Merrick counties are only open one day a week."

Several election officials testified in opposition to both LB228 and LB230, mostly on logistical grounds.

Douglas County election commissioner Brian Kruse testified in opposition to both bills. Currently, 11 Nebraska counties conduct elections entirely by mail, he said, and other counties have mail-only precincts or conduct mail-only special elections. In addition, he said, hand counting would require adding precincts and staff, all at additional cost.

For example, Kruse said, many precincts in Cherry County do not have a location for people to vote in person that is ADA compliant, and some have no physical location other than a private home.

"This would be a drastic change for them – if even possible," Kruse said. "Voters voted last November on voter ID; they did not vote on eliminating [vote] by mail."

Seward County clerk Sherry Schweitzer also testified against LB228 and LB230, saying both bills "go way beyond" what voters approved regarding photo ID requirements. Many individuals would not qualify as "physically incapacitated" under LB230, she said, but could have great difficulty voting in person due to illness or family or work circumstances.

The committee took no immediate action on any of the proposals. ■



Sen. Jen Day



# MEET THE SENATOR

## Legislature gains energetic spirit in Hughes

For a fitness-minded lawmaker like Sen. Jana Hughes of Seward, serving in the Legislature can present many pitfalls.

“Food, food, food and sitting, sitting, sitting,” is how she jokingly describes her typical day.

But Hughes, a fitness instructor at the YMCA of Lincoln for more than a decade, is finding ways to stay active as she connects with fellow senators over their workout routines and settles into her new role.

“I feel like I do get a lot of steps in here because you’re going to meeting rooms [for] this and that,” she said.

Hughes also rises early each morning for a basement workout before heading to the Capitol. She’ll return to her normal schedule leading strength training, cycling and other classes at the YMCA when session ends.

Hughes said she loves the social aspect of her classes and incorporates themes whenever she can – in past years, she has led Christmas and Fourth of July themed bootcamps.

“Give me a chance to dress up, and I’m all over it,” she said.

Her flair for performance dates back to her high school days, when Hughes joined swing choir and show choir after being cut from the volleyball team.

As a teen with a knack for math and science, she decided to study engineering at Texas A&M, whose weather she preferred over Nebraska’s.

After graduating with a degree in industrial engineering, she took a job designing warehouses and distribution centers, moving around the country to live near projects



Sen. Jana Hughes (front row center, with mummy) and her cycling class in October 2019.

in Virginia, Minnesota, Tennessee and Florida.

She returned to Nebraska in 1996 when she married her husband, John, who had been a year ahead of her in high school. The two had reconnected when she took an internship at John’s family’s business, a Seward company that manufactures hardware for the electric utility industry.

Hughes left the consulting firm in 2000 and became a stay-at-home mom to Lena, Anna and Hank.

In 2018, she won a seat on the Seward school board after an informational session held by the school’s superintendent piqued her interest in property taxes and school levies. Now that Hughes is a member of the Legislature, she hopes to continue working on education policy at the state level.

“I am only here to do what’s best for Nebraska,” she said. “I needed to leave [the state] and come back [to] realize it, but I wouldn’t want to raise my kids anywhere else.” ■

# APPROPRIATIONS

## Funds sought for central Nebraska state veterans' cemetery

The state would help create a state veterans' cemetery in central Nebraska under a bill considered by the Appropriations Committee Feb. 28.

LB80, sponsored by Grand Island Sen. Raymond Aguilar, states legislative intent to appropriate \$8 million in general funds to the state Department of Veterans' Affairs to fund construction and improvements to an existing facility in Grand Island.



Sen. Raymond Aguilar

Aguilar offered an amendment that instead would transfer the funds from the existing Nebraska Veterans Aid Fund, which was established in 1921 to assist veterans experiencing financial hardships. The fund currently has a balance of \$58 million, he said, and easily could be used for the cemetery project without harming the living.

Another option would be a transfer from the state's Cash Reserve Fund, Aguilar said. Whatever option is chosen, he said, the project needs to be completed in order to honor the state's veterans.

"The men and women who will benefit the most from this bill are no longer with us," Aguilar said. "These are men and women who have made the ultimate sacrifice to protect our freedom and our way of life. They gave us their all; we owe them nothing less."

Donald Shuda, veterans' service officer for Hall, Howard, Nance and Sherman counties, testified in favor of the proposal. When the veterans'

home in Grand Island closed, the city was given ownership of the land, including the existing cemetery, he said. Grand Island has since donated an additional 20 acres, Shuda said, and stakeholders have raised 10 percent of the project's costs.

Chuck Haase also spoke in favor of the proposal on behalf of the city of Grand Island, saying it would provide a central location between the existing Fort McPherson National Cemetery near Maxwell and the new Omaha National Cemetery.

Retired military member Doug Brown of Grand Island agreed. He said he wants to be buried near his family.

"We all want to rest in Grand Island," Brown said. "Every day we're losing brothers and sisters in arms. Their last deployment should be where they want to have it."

No one spoke in opposition to LB80 and the committee took no immediate action on the bill.

## Bill would fund Vietnam War memorial

The Appropriations Committee heard testimony Feb. 28 on a bill that would direct state funds toward completion of a memorial to Nebraskans killed in action in the Vietnam War.

LB609, introduced by Sen. Mike McDonnell of Omaha, states legislative intent to appropriate \$2.5 million in general funds in fiscal year 2023-24 to the state Department of Veterans' Affairs. The money would be used to award a grant to a nonprofit to construct a memorial.



Sen. Mike McDonnell

Nebraska is the only state without a memorial to members of the U.S.

military killed during the Vietnam War, McDonnell said. Construction plans are well underway for a memorial in Papillion to honor the nearly 400 Nebraskans who died in the war, he said, but the project needs a push to get it across the finish line.

"The Vietnam War was an important event in American history and it's important for us to honor those who made the ultimate sacrifice while serving their country," McDonnell said.

Lisa Cuevas-Jorgensen, vice president of the Nebraska Vietnam Veterans Memorial Foundation board of directors, testified in support of the measure. Completing the memorial is important to the families of individuals killed in action, she said, as well as the 40,000 Nebraskans who fought - many of whom did not receive a warm welcome when they returned home.

"We've all heard the military ethos 'leave no man behind,'" Cuevas-Jorgensen said. "This memorial is meant to leave no Nebraska Vietnam veteran behind. [It] will provide a lasting visual acknowledgment of the sacrifices made by those lost and the sacrifices made by their families"

Vietnam veteran Thomas Brown also testified in support, saying the memorial would be an important destination site for aging veterans. Fundraising has been "extremely difficult" since the pandemic, he said, and supporters would like to open the memorial by March 29, 2024, which is national Vietnam War Veterans Day.

"We are an aging group of veterans in our 60s and 70s and we need to be able to build this memorial as soon as possible," Brown said.

Papillion mayor David Black supported the proposal. The city has donated the land for the memorial, he said, and has committed \$200,000 to the project, which has nearly \$5 million in pledged support. The location

has an outdoor amphitheater and is close to a veterans' administration community living center, he said, making it an "ideal" space to honor the fallen.

No one testified in opposition to LB609 and the committee took no immediate action on it.

## EDUCATION

### Bill to authorize physical intervention by teachers considered

The Education Committee heard testimony Feb. 28 on a bill intended to help Nebraska teachers control violent and disruptive students.

LB811, sponsored by Glenvil Sen. Dave Murman, would authorize teachers and other school personnel to use reasonable physical intervention to manage student behavior to protect the student or another person from physical injury.



Sen. Dave Murman

Murman said he introduced the bill at the request of the Nebraska State Education Association, the state teachers' union. Many Nebraska teachers are leaving the profession because of increasing violence among students in schools, he said, exacerbating the state's teacher shortage.

"We have to allow teachers to defend themselves, their students, their classroom and their school hallways," Murman said.

His proposal also would require each school district to ensure that teachers, administrators, paraprofessionals, school nurses and counselors

receive behavioral awareness and intervention training before the end of the 2026-27 school year. The district could offer the training to other school staff at its discretion.

The training, which would be funded by state lottery proceeds, would include:

- recognition of detrimental factors impacting student behavior, including signs of trauma;
- positive behavior support and proactive teaching strategies;
- verbal intervention and de-escalation techniques;
- clear guidelines on removing students from and returning them to a class;
- behavioral interventions and supports following student removal from a class; and
- physical intervention for safety.

Isau Metes testified in support of the bill on behalf of the NSEA, saying teachers need the option of physical intervention to keep students safe from others who become violent in the classroom. LB811 would protect teachers from professional and administrative discipline for using physical intervention as long as they act reasonably, she said.

"Educators across the state are begging for training and sound policies and procedures to ensure safe and productive learning environments for all students," Metes said.

Testifying in opposition to the bill was Brad Meurrens of Disability Rights Nebraska. He said the proposed reasonableness standard is too subjective and could lead to increased use of physical restraint, which is used disproportionately against students with disabilities.

Additionally, Meurrens said, LB811 would conflict with the "patchwork" of existing school policies governing the use of physical restraint, and he

suggested that lawmakers require such policies to be uniform so that a student's protections are not dependent on where they live.

Also in opposition was Lauren Micek Vargas of Education Rights Council, who said the bill is "grossly permissive" of physical intervention. She said many cases of physical intervention in Nebraska schools involve children between 4 and 7 who act out because they are not receiving appropriate services for their disabilities.

Micek Vargas said LB811 would allow any school personnel, whether trained or not, to use physical intervention against students, including students with disabilities who have an individualized education plan that prohibits restraint.

"Not only is this a violation of law, it is dangerous," she said, "and LB811 doesn't permit anyone to be held accountable when it all goes wrong."

Kyle McGowan testified in opposition to the bill on behalf of the Nebraska Council of School Administrators, the Nebraska Association of School Boards and two groups representing Nebraska school districts.

He said current law allows teachers to use reasonable physical intervention to control student behavior. By proposing protections from professional and administrative discipline, McGowan said, LB811 would appear to give teachers license to use physical intervention.

"Over the years, our organizations have supported efforts for additional training," he said. "However, [we] will not support any efforts which attempt to encourage or even insinuate that more physical intervention between school personnel and students creates a better learning environment."

The committee took no immediate action on the bill.

## EXECUTIVE BOARD

### Potential third term proposed for legislators

The Executive Board heard testimony March 3 on a proposed constitutional change to legislative term limits.

LR22CA, sponsored by Norfolk Sen. Robert Dover, potentially would extend the current limit of two consecutive four-year terms for state senators to three consecutive four-year terms. If approved by the Legislature, the proposed constitutional change would be put to voters at the November 2024 general election.



Sen. Robert Dover

Dover said that he favors term limits, but is concerned about the loss of institutional knowledge under the current system. In other states, he said, lawmakers can rotate their service between the two legislative houses when term-limited out of one, thus continuing to use the knowledge and expertise they've gained.

That isn't possible in a one-house system, Dover said.

He noted that 40 out of 49 state senators have signed on to LR22CA, indicating a consensus that the current system needs to be revised.

"The government of Nebraska is a multi-billion-dollar operation that affects many aspects of taxes, business, agriculture, education, health care, insurance, natural resources, etc. within our state," Dover said. "Having knowledgeable and informed senators who know how to address these issues is of great benefit to the people of Nebraska."

Barry Kennedy testified in favor of

the proposal on behalf of the Nebraska Chamber of Commerce and Industry, the Greater Omaha Chamber and the Lincoln Chamber of Commerce.

He expressed concern about the balance of power between the three branches of state government under the current system. The governor is subject to term-limits, he said, but the executive branch is filled with agency heads and long-time employees with a great deal of experience and institutional knowledge. In addition, he said, judges in Nebraska face no limits on their service.

With so much turnover in the Legislature, many new members also bring in new staff, further weakening the power of the legislative branch, Kennedy said.

Former state senator Al Davis also supported the measure, representing the Nebraska chapter of the Sierra Club and the Nebraska Farmers Union.

New senators spend about half of their first term trying to learn an overwhelming amount of information, he said, including the intricacies of hundreds of cash funds, commissions and committees as well as state and federal rules and regulations.

"Nebraska state government is an incredibly complex organism with multiple moving parts," Davis said.

Also in support was Jay Ferris, testifying on behalf of the Nebraska Farm Bureau, Nebraska Corn Growers Association, Nebraska Pork Producers Association and Nebraska Soybean Association.

It takes time to develop the relationships and trust necessary to be an effective policymaker, he said, but Nebraska senators automatically are up against a time limit no matter how knowledgeable or effective they are.

"Since 2006 when the current system of two-consecutive terms was

implemented, we've automatically kicked out very effective state senators every two years," Ferris said. "In what other profession do we force out our best employees?"

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

## HEALTH & HUMAN SERVICES

### Ban on conversion therapy for minors considered

A bill that would ban conversion therapy for minors in Nebraska was heard by the Health and Human Services Committee March 1.

LB179, introduced by Sen. John Fredrickson of Omaha, would prohibit credentialed health care professionals from providing conversion therapy to anyone under the age of 19 in Nebraska. A health care provider who knowingly violates the bill's provisions would be subject to penalties under the Uniform Deceptive Trade Practices Act.



Sen. John Fredrickson

The bill defines conversion therapy as a practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change a person's gender expression, behavior or sexual or romantic attraction toward individuals of the same gender.

Fredrickson said a study conducted by the Trevor Project found that 10 percent of LGBTQ youth in Nebraska were threatened with conversion therapy and seven percent reported



being subjected to the practice.

That same study reported 50 percent of LGBTQ youth in Nebraska had considered suicide over the last year, he said, with 15 percent reporting an attempt.

“LGBTQ folks are not genetically predisposed to suicide,” Fredrickson said. “These harrowing statistics are the result of environmental factors, including societal stigma and shaming such as that perpetuated through conversion therapy.”

LB179 also would prohibit the use of state funds for conversion therapy.

The ban would not apply to a clergy member or religious counselor providing conversion therapy in a pastoral capacity rather than as a health care provider.

Testifying in support of the bill on behalf of the Nebraska Association for Marriage and Family Therapy was Anne Buettner. She said the association joins every major mental health organization – including but not limited to the American Association for Marriage and Family Therapy, American Counseling Association and National Association of Social Workers – in denouncing the practice of conversion therapy.

“Scientific studies have found negative effects associated with conversion therapy including increased levels of depression, suicidal thoughts, suicidal attempts and substance abuse in adults,” Buettner said. “Conversion therapy is mental health malpractice.”

Proponent Adam Witte said he sought treatment when he was 16 due to fear of disappointing his parents and church community by coming out as gay. Witte said his fear of discovery won over the receptionist at the treatment facility and she waived the parental authorization form.

Afraid of his parents asking too many questions, Witte said he sched-

uled sessions during the facility’s overnight hours. While many students sneak out of the house at night to cause trouble, Witte said, he snuck out twice a week for 15 months to subject himself to electric shock aversion therapy.

“I was the poster child for someone this treatment should have worked on; I wanted nothing more in the world than for it to work – and it didn’t,” Witte said.

Courtney Yoachim, a licensed professional counselor, also testified in support of LB179. Current standards used to guide professional practice for trans and gender diverse individuals state that treatment aimed at trying to change a person’s gender identity, expression or sexual orientation is no longer considered ethical, she said.

“I cannot provide any treatment known through research to cause harm,” Yoachim said, “and conversion therapy has been shown to be harmful.”

Testifying in opposition on behalf of the Alliance Defending Freedom was Greg Baylor. Every person deserves the right to a relationship with a counselor of their choosing, he said, free from government censorship.

“LB179 allows government officials to insert themselves into the private conversations between patients and clients to decide what goals can be pursued and what ideas can be discussed,” Baylor said. “The government cannot prohibit conversations between a therapist and client based solely on the content of that conversation.”

Tom Venzor, representing the Nebraska Catholic Conference, also testified in opposition. He said the religious exemption outlined in the bill would not sufficiently protect individuals who offer counseling services in both religious and professional settings.

Forcing a separation between pastoral or religious values and health care is problematic, Venzor said, especially when a patient is seeking a mental health professional who shares their moral and religious values.

“[LB179] would force health care professionals who are clergy members or religious counselors ... to check their religious and moral values at the door,” he said. “This treats pastoral and religious considerations as having no bearing on the overall well-being and health of a client.”

Patricia Bartels also spoke in opposition to the bill, saying it would require counselors to follow the affirmative model of therapy. If a counselor can only agree with a patient’s perspective, she said, they may not gain the feedback necessary to make an informed decision.

“These [patients] need to have the ability to have both sides of the argument presented to them,” Bartels said.

The committee took no immediate action on LB179.

## JUDICIARY



### Workplace sexual orientation, gender identity protections considered

The Judiciary Committee heard testimony March 1 on a bill that would prohibit employers from discriminating on the basis of sexual orientation or gender identity.

Current state law prohibits employment discrimination based on race, color, religion, sex, disability, marital status or national origin. LB169, introduced by Omaha Sen. Megan Hunt, would add sexual orientation and gender identity to that list. The

bill would apply to government employers, labor organizations and private employers with fifteen or more employees.



Sen. Megan Hunt

Under Nebraska law, Hunt said, employers can legally discriminate against employees or prospective hires on the basis of their gender identity or sexual orientation, which not only hurts Nebraska's economic development, but makes the LGBTQ+ community feel unwelcome in their state.

"This means LGBTQ+ Nebraskans can legally be denied job opportunities they're otherwise qualified for, endure harassment or retaliation, have their hours cut, be given less preferred position assignments or even be fired based purely on who they are or who they love," Hunt said.

Passing LB169 also would allow the Nebraska Equal Opportunity Commission to fully leverage all federal funds available to help protect Nebraskans from discrimination, she said.

Hunt brought an amendment to the bill that she said would alter the Nebraska Fair Employment Practice Act to extend the prohibition to employers with fewer than 15 employees.

Nate Dodge, speaking on behalf of the Greater Omaha Chamber and the Lincoln Chamber of Commerce, testified in support of the bill. In a state that struggles to find and retain talent, he said, it doesn't make sense to allow Nebraska employers to discriminate against any employee. Additionally, he said, the measure would have a positive impact on the state's economic development.

"Employees who are considering where to live weigh a wide range of factors ... [and] talented people want to work in an environment that is open,

welcoming and non-discriminatory," Dodge said.

Allen Fredrickson, president and CEO of Signature Performance, Inc. in Omaha, also spoke in favor. LB169 is ethical, moral and the right thing to do, he said, and is consistent with Nebraska's message of "The Good Life."

"This legislation lets those that are affected by [discrimination] know that they can put roots down here, live here, thrive here [and] prosper here," Fredrickson said. "From a business perspective, it's essential that we do everything we possibly can to welcome all talent so that the state can overcome a desperate challenge that we've faced for many years — workforce shortage."

Jane Seu, representing the ACLU of Nebraska, testified in favor of the bill. All people deserve to be treated fairly and equally by the laws of their state, she said, and LB169 would extend core protections to LGBTQ+ individuals in the workplace.

"Unfortunately, LGBTQ+ employees can be denied promotions, lose their jobs [and] even experience violence in the workplace just for being who they are," Seu said. "Extending discrimination prohibitions to include protections on the basis of sexual orientation and gender identity allows LGBTQ+ people to participate in their communities and live full lives as their authentic selves."

In opposition to the proposal was Marion Miner, representing the Nebraska Catholic Conference. Every person should be treated with respect and dignity, Miner said, but the bill goes beyond protecting against unjust discrimination.

"[LB169] uses government coercion and punishment to force individuals, employers, small business owners, nonprofit entities and religious organizations, among others, to affirm conduct and messages that conflict

with their sincerely held beliefs about marriage, human sexuality and concerns for privacy," Miner said.

Karen Bowling, executive director of the Nebraska Family Alliance, also spoke in opposition to the bill. Diverse and pluralistic societies contain a variety of views and beliefs pertaining to marriage and human sexuality, she said, and maintaining the status quo will not harm Nebraska's economic development.

"In 2022, according to [data] on best states for business and economic development ... the top 10 includes nine states that have no sexual orientation or gender identity state statutes," she said.

Speaking in a neutral capacity on LB169 was Paula Gardner, executive director of the Nebraska Equal Opportunity Commission. She noted that the amendment could have a fiscal impact on the state because discrimination investigations of businesses with fewer than 15 employees would not be eligible for federal reimbursement.

The committee took no immediate action on LB169.

## Bill seeks to reform parole board

Individuals with experience in the state's correctional system would gain seats on the Board of Parole under a bill considered by the Judiciary Committee March 2.

LB631, sponsored by Sen. Terrell McKinney of Omaha, would require the board to include one member who is a formerly incarcerated individual and one member with experience in restorative justice and reentry. In addition, members would be considered to be in "neglect



Sen. Terrell McKinney

of duty” if they miss three hearings of the parole board in a calendar year and parole could not be denied based on an inmate’s lack of access to programming.

McKinney offered an amendment that, among other provisions, would provide a code of ethics and a training requirement in cultural competency and implicit bias for board members. He said board members need to understand their role in integrating individuals back into society and that problems with the state’s prison system that are out of an incarcerated person’s control should not keep them from being paroled.

“The Board of Parole has an important role in our state, in our efforts to address our failed criminal justice system,” McKinney said. “This cannot be solved by building another prison — or two prisons. We must have a functioning board that understands those that come before them.”

Jason Witmer, who said he was formerly incarcerated and has been out of prison for years, testified in favor of the bill. The measure would increase diversity on the parole board, he said, and add the important perspective of someone who was formerly incarcerated and understands the challenges of reintegrating into society.

Also testifying in support was Spike Eickholt of the ACLU of Nebraska, who said the state is underutilizing parole. In 2020, only 58 percent of eligible offenders were placed on parole, he said, and there are almost 1,000 inmates who currently are parole eligible.

“LB631 not only provides for diversity ... on the Board of Parole, it requires regular meetings and attendance and a quorum requirement for the board to do their job because it is an important function for the state of Nebraska,” Eickholt said.

Board of Parole member Bob Twiss testified on his own behalf in opposition to the bill, which he characterized as going “way, way too far” in its efforts to reform the board.

In a few cases, he said, individuals were deferred for a month due to recusals by members but, contrary to media reports, no one in Nebraska has been denied parole due to a lack of attendance by board members.

“There was never, ever a time when the Board of Parole did not have a quorum,” Twiss said, adding that board members do not receive sick or vacation leave and sometimes must be absent from a hearing.

The committee took no immediate action on LB631.

## REVENUE

### Consumption tax proposals considered

The Revenue Committee heard testimony March 3 on measures that would replace most state taxes with a consumption tax on new goods and services.

LB79, introduced by Sen. Steve Erdman of Bayard, would create the Nebraska EPIC (Elimination of Property, Income and Corporate Taxes) Option Consumption Tax Act.



Sen. Steve Erdman

The bill would repeal state income tax, inheritance tax, state and local sales and use taxes and real and personal property taxes and impose a consumption tax on taxable property and services of 7.5 percent beginning Jan. 1, 2026. Counties, cities and villages

could impose their own consumption tax within their boundaries.

The committee also heard testimony on two related measures, LR6CA and LR7CA, also introduced by Erdman. Those proposals would amend the state constitution to prohibit government entities from imposing taxes other than retail consumption and excise taxes and require the state to impose a consumption tax on all new goods and services except groceries.

Erdman said Nebraska’s overall tax rate is one of the highest in the country, which limits economic productivity. A tax system that allows people to choose when they pay taxes — by purchasing a new good or service — would drive population growth, he said, broadening the state’s tax base and allowing for a smaller individual tax burden.

Under LB79, consumption tax would not be imposed on any:

- sale of land;
- taxable property or service subject to an excise tax;
- purchase of used property;
- purchase of groceries for off-premises consumption; and
- purchase of taxable property and services used for educational, business or investment purposes.

Under the proposal, schools, counties and other political subdivisions would submit their proposed budgets to one of five regional boards that then would review and approve those budgets before forwarding them to the governor and the Legislature’s Appropriations Committee. The state treasurer would direct funding to those entities at the direction of the Legislature.

Assuming that new revenue generated by LB79 would be directed to funds and political subdivisions affected by the elimination of other

state taxes, the state Department of Revenue estimates that the bill would result in a net revenue loss of \$763 million in fiscal year 2025-26, \$2.3 billion in FY2026-27 and \$5.1 billion in FY2027-28.

Robbie Adams of Papillion testified in support of all three proposals. She said Nebraska is losing young people and retirees on fixed incomes to states that have lower property taxes or do not impose an income tax.

Also in support was Dennis Schleis of Omaha, who said his property taxes are increasing faster than inflation. As retirees on a fixed income, Schleis said, a consumption tax would allow him and his wife to stretch their savings.

Peggy Hoffmann of Norfolk also testified in support, saying a consumption tax would allow Nebraskans to decide how much they pay in taxes by controlling their spending.

Doug Kagan testified in support of LR6CA on behalf of Nebraska Taxpayers for Freedom. A consumption tax would encourage investment, allow people to keep more of their income and be easier to administer than the current tax system, he said.

Bryan Slone testified in opposition to LB79 on behalf of the Nebraska Chamber of Commerce and Industry, the Greater Omaha Chamber of Commerce and the Lincoln Chamber of Commerce. He said a consumption tax system would be complex to administer and require a much higher rate than proposed in order to fund state and local services.

Rather than grow the state's economy, he said, such a tax would make Nebraska businesses uncompetitive with those in neighboring states and drive away 18-to-34 year olds, the demographic Nebraska needs most.

Jon Cannon of the Nebraska Association of County Officials also testified in opposition. Under LB79,

he said, the state would have ultimate authority in distributing locally collected consumption tax revenue to county governments.

Also in opposition was Rebecca Firestone of OpenSky Policy Institute. She said a consumption tax rate of approximately 22 percent would be necessary to generate as much revenue as the state's current tax system.

The proposed consumption tax would fall most heavily on low- and middle-income Nebraskans, who spend a greater proportion of their income on goods and services than those with higher incomes, Firestone added.

Christy Abraham testified in opposition to all three measures on behalf of the League of Nebraska Municipalities. She said the proposals would eliminate the local option sales tax that more than 200 Nebraska municipalities use to fund essential services and programs.

The committee took no immediate action on any of the proposals.

### **Biodiesel tax credit proposed**

The Revenue Committee heard testimony March 1 on a bill intended to incentivize the retail sale of biodiesel in Nebraska.

Under LB180, sponsored by Sen. Tom Brandt of Plymouth, retail dealers that sell and dispense biodiesel at their motor fuel site on a regular basis would be eligible for a refundable state income tax credit equal to 14 cents per gallon of biodiesel sold during the prior calendar year.

Brandt said the credit would benefit Nebraska's economy by driving demand for corn and soybean oils, which are blended with petroleum-

based diesel to make biodiesel. He said the proposal is modeled on similar legislation passed last year that is intended to incentivize the retail sale of higher blends of ethanol motor fuel.

"Just as ethanol has been a huge economic ... benefit to our state by adding tremendous value to a home-grown product," Brandt said, "the same is true for biodiesel."

He said the credit would amount to 2.8 cents per gallon of B20, which comprises 20 percent biodiesel and 80 percent petroleum-based diesel.

The state Department of Revenue could approve up to \$5 million in credits each year beginning with tax year 2024. No new applications for credits could be filed after Dec. 31, 2028.

The department estimates that the bill would reduce state general fund revenue by \$1 million in fiscal year 2023-24, \$2.2 million in FY2024-25 and \$2.3 million in FY2025-26.

Lucas Miller testified in support of LB180 on behalf of the Nebraska Soybean Association and the Nebraska Farm Bureau. He said biodiesel production adds 13 percent to the value of a bushel of soybeans.

"At a time when prices for our inputs are at all-time highs," he said, "anything we can do to increase market price helps."

Randy Gard testified in support of the bill on behalf of Bosselman Enterprises, the Nebraska Petroleum Marketers and Convenience Store Association and the Nebraska Chamber of Commerce and Industry.

Gard said Iowa, Illinois, Minnesota and Missouri have similar incentives for biodiesel, which can be used in existing vehicles and fueling equipment. He said the proposed credit would change the economics of biodiesel "significantly," encouraging retailers to blend more.

No one testified in opposition to



Sen. Tom Brandt



LB180 and the committee took no immediate action on it.

**Tax incentives for data center projects considered**

The state would offer additional tax benefits intended to incentivize the construction of large data centers in Nebraska under a bill heard March 1 by the Revenue Committee.

Lincoln Sen. Eliot Bostar, sponsor of LB209, said Nebraska has fallen behind other states in providing favorable tax treatment for data center projects. Without changes like those proposed in LB209, he said, it is unlikely that technology companies will build additional projects in the state.



Sen. Eliot Bostar

Under LB209 as introduced, computers and related equipment used in the operation or maintenance of a data center in Nebraska would be exempt from personal property tax and state sales and use tax.

It also would provide sales and use tax exemptions for electricity or other fuel used to operate a data center as well as for certain types of tangible personal property related to a data center.

The state Department of Revenue estimates that the bill as introduced would reduce state general fund revenue by \$7.6 million in fiscal year 2023-24, \$19.5 million in FY2024-25 and \$20.7 million in FY2025-26.

Bostar said he would introduce an amendment to retain only the proposed sales and use tax exemption on computers and related equipment, significantly reducing the amount of lost tax revenue.

Luke Peltz testified in support of LB209 on behalf of the Lincoln Partnership for Economic Development,

the Greater Omaha Chamber of Commerce, the Nebraska Chamber of Commerce and Industry and the Nebraska Economic Developers Association.

He said the state’s newest business tax incentive program, the ImagiNE Nebraska Act, passed in 2020, puts the state at a disadvantage when trying to attract large data center projects because the program does not allow companies enough time to fully utilize the tax credits they earn.

Bill Conley testified in opposition to the bill on behalf of the Sarpy County Board of Commissioners. He said the county, home to four data centers, loses \$5.8 million in personal property tax revenue each year as a result of state tax incentives designed to attract those projects.

LB209 as introduced would reduce county tax revenue by an additional 3.6 percent, Conley said, which would force the county to raise taxes to maintain services.

Lynn Rex, who provided neutral testimony on behalf of the League of Nebraska Municipalities, said her organization opposed LB209 as introduced. With the adoption of Bostar’s proposed amendment, however, the measure’s benefits for Sarpy County cities would outweigh the costs, she said.

The committee took no immediate action on the bill.



**Northeast highway expansion proposed**

The state would fund expansion of U.S. Highway 81 in Nebraska under a bill considered Feb. 28 by the Transportation and Telecommunications

Committee.

LB454, introduced by Niobrara Sen. Barry DeKay, states legislative intent to appropriate funds to the state Department of Transportation to plan, design, and purchase rights-of-way along Highway 81 between Norfolk and the South Dakota border and between Columbus and York for conversion to a four-lane divided highway.



Sen. Barry DeKay

The bill also would appropriate funds for signage and development of a gateway entrance at Highway 81 and Neb. Highway 12 to alert travelers to the locations of Niobrara State Park and Lewis and Clark Lake.

DeKay said Highway 81 is a major thoroughfare, particularly for truck traffic, and is a critical corridor that needs to be completed. The state’s agricultural industry would benefit from the expansion, he said.

“Agriculture is the state’s number one industry,” DeKay said. “I feel that [LB454] would enhance the growth of agriculture from the grain trade to the cow-calf operation to the feedlots of northeast Nebraska by allowing them to have better access to markets up north in South Dakota or I-80 to the south to states like Kansas, Oklahoma and Texas.”

The highway also would enhance safety, he said, and increase economic development through tourism along the corridor.

Lisa Hurley, executive director of the York County Development Corporation, testified in support of the bill. Nebraska is the only state that has not completed its portion of the federally designated four-lane highway system, Hurley said, and doing so would advance economic development in the state.

“Back in 2016, impacts show that completion [of Highway 81] would add \$3.4 billion to Nebraska’s GDP,” Hurley said. “It would annually support an additional 1,858 new jobs and would add 4,221 [people] to the state population.”

Dawson Brunswick, president of the Columbus Chamber of Commerce, also testified in support. As the state’s rural population grows in certain areas, he said, it’s imperative that Highway 81 be completed to assist with workforce recruitment.

“In the last census, Columbus grew 8.7 percent and Norfolk grew 3.1 percent ... and that’s without a complete Highway 81,” he said. “All along this corridor, we’re seeing major growth for Nebraska.”

No one testified in opposition to LB454 and the committee took no immediate action on it.

**East beltway project proposed**

The Transportation and Telecommunications Committee heard testimony Feb. 28 on a bill that would fund planning of a new beltway project in Lancaster County.

LB721, introduced by Lincoln Sen. Beau Ballard, would appropriate \$25 million in general funds in fiscal year 2023-24 to the state Department of Transportation to begin planning for the Lincoln East Beltway project. Planning would include designing the roadway and structures for the beltway, cost estimations, environmental studies and evaluation documents and a projected schedule for the project’s completion.

Ballard said the plan to develop the beltway already has been approved



Sen. Beau Ballard

according to the federal and state regulations, but requires funding to carry out the construction.

“The East Beltway is an important part of Lincoln’s future transportation network,” Ballard said. “It provides benefits to the environment, property, business owners and the traveling public.”

Lancaster County Commissioner Christa Yoakum testified in support of the bill. The East Beltway is the final portion of the expressway system around the city of Lincoln, she said, and is the last “piece of the puzzle” to fully realizing the benefits of easy regional interconnectivity.

“Effective transportation infrastructure is vital to keeping Nebraska economically competitive and physical transportation infrastructure is an integral part of the supply chain that supports our continued local, regional and statewide growth within the wider global economy,” Yoakum said.

Abbey Pascoe, president of the Waverly City Council, also spoke in favor. The beltway project is important for several reasons, Pascoe said, and safety is one of the top priorities. Traffic on 148th St. in Waverly continues to grow as new drivers, school buses and parents use it for traveling to school and activities, she said, and the beltway could help.

“With the increasing amount of traffic on [that] stretch of shoulderless county roads, it is an important safety issue for people in and around our community,” Pascoe said. “This issue will only continue to get more significant as the traffic counts climb on 148th St.”

No one testified in opposition to LB721 and the committee took no immediate action on it.

**URBAN AFFAIRS**

**Bill would increase workforce housing caps**

The Urban Affairs Committee heard testimony Feb. 28 on a bill that would update provisions under the Middle Income Workforce Housing Investment Act.

The act was established in 2020 to provide matching grants to nonprofit development organizations that administer local workforce housing investment funds. Funds are awarded for investment in Nebraska’s older urban and minority neighborhoods in Douglas, Lancaster and Sarpy counties.

Currently, the act defines workforce housing as owner-occupied housing units whose construction costs did not exceed \$275,000, including the value of the lot. The definition also includes owner-occupied housing units for which the cost of substantial rehabilitation exceeds 50 percent of the unit’s assessed value before construction, and has an assessed value between \$125,000 and \$275,000 after rehabilitation.

LB462, introduced by Lincoln Sen. Danielle Conrad, would increase the cap on construction costs to \$330,000 and remove the lot value from consideration. Conrad said the bill would provide more flexibility by taking into account inflation rates and increasing real property costs.

LB462 would help communities better use funds for their intended purpose of expanding affordable housing for middle-income Nebraskans, she said.

“Talking to 8,000 of my friends



Sen. Danielle Conrad

and neighbors in North Lincoln ... every conversation kept coming back to workforce,” Conrad said.

Affordable housing developer Ward Hoppe spoke in support of the bill, saying the current cost restrictions in state law combined with the high

price of lots has made it difficult for developers to build. It is almost impossible to find a lot in Lincoln for less than \$75,000, he said, which leaves developers with less than \$200,000 to build a home.

“Builders can’t build houses for the

amount of money that’s set forth in the program,” Hoppe said. “We need to change the definition ... so that we can use the program.”

No one testified in opposition to LB462 and the committee took no immediate action. ■



## Unicameral Youth Legislature registration opens soon

High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2023 Unicameral Youth Legislature, which will convene June 11-14.

The Unicameral Youth Legislature is a four-day legislative simulation conducted at the State Capitol Building and coordinated by the Clerk’s Office of the Nebraska Legislature. Student senators will sponsor bills, conduct committee hearings, debate legislation and discover the unique process of the nation’s only unicameral.

Students will learn about the inner workings of the Legislature directly from senators and staff. Bills will be based on legislation considered dur-

ing the current legislative session.

Registrants are encouraged to apply for a Speaker Greg Adams Civic Scholarship award, which covers the full cost of admission. Applicants must submit a short essay.

Note that all scholarships are awarded prior to registration.

The University of Nebraska-Lincoln’s Extension 4-H Youth Development Office coordinates housing and recreational activities for the camp as part of their Big Red Summer Camps program.

Registration forms can be obtained in mid-March through the Legislature’s Unicameral Youth Legislature page: [NebraskaLegislature.gov/uyl](https://NebraskaLegislature.gov/uyl). ■

# COMMITTEE HEARINGS

Current hearing schedules are available at: [NebraskaLegislature.gov/calendar](http://NebraskaLegislature.gov/calendar)

## **Monday, March 6**

### **Appropriations**

#### **Room 1307 - 1:30 PM**

Agency 16: Dept. of Revenue  
Agency 35: Liquor Control Commission  
Agency 93: Tax Equalization and Review Commission  
Agency 24: Dept. of Motor Vehicles  
Agency 27: Dept. of Transportation  
Agency 31: Military Department  
LB560 (Blood) State intent to seek federal funds under the Inflation Reduction Act of 2022

### **Banking, Commerce & Insurance**

#### **Room 1507 - 1:30 PM**

LB69 (Jacobson) Provide requirements for life insurance policies  
LB587 (Wishart) Adopt the Insurance Regulatory Sandbox Act

### **Business & Labor**

#### **Room 1524 - 1:30 PM**

LB405 (Vargas) Change provisions of the Non-English-Speaking Workers Protection Act  
LB272 (Vargas) Change provisions relating to the date when compensation begins under the Nebraska Workers' Compensation Act  
LB203 (Riepe) Provide for a release of employee medical records as prescribed under the Nebraska Workers' Compensation Act  
LB460 (McDonnell) Provide for reimbursement of mental health examinations and resilience training for certain persons under the Nebraska Workers' Compensation Act  
LB380 (Conrad) Changes to the Nebraska Fair Employment Practice Act to provide for jury trials and prohibit discrimination for exercise of rights under the Nebraska Workers' Compensation Act  
LB443 (Albrecht) Change provisions relating to compensation for total disability under the Nebraska Workers' Compensation Act  
LB191 (Halloran) Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act

### **Education**

#### **Room 1525 - 1:30 PM**

LB159 (McDonnell) Adopt the Fostering Independence Higher Education Grant Act  
LB178 (Erdman) Require display of the national motto in schools  
LB679 (Day) Create the Holocaust and Genocide Education Training Grant Program and provide duties for the State Department of Education, State Board of Education, and Commissioner of Education  
LB372 (Murman) Change provisions relating to part-time enrollment in public schools and extracurricular activities  
LB635 (Albrecht) Provide requirements regarding access to digital and online resources provided for students by school districts, schools, and the Nebraska Library Commission  
LB638 (Albrecht) Adopt the Nebraska K-12 Cybersecurity and Data Protection Act

### **General Affairs**

#### **Room 1510 - 1:30 PM**

LB144 (Brandt) Change and eliminate certain classes of licenses under the State Electrical Act  
LB257 (Lowe) Change provisions relating to cemeteries and abandonment and reversion of cemetery lots  
LB542 (Lowe) Change provisions relating to the Nebraska Racetrack Gaming Act  
LB543 (Lowe) Change provisions relating to entertainment district licenses under the Nebraska Liquor Control Act  
LB544 (Conrad) Change provisions of the Nebraska Bingo Act  
LB716 (J. Cavanaugh) Change provisions relating to licensure, registration, and state inspection fees under the State Electrical Act

### **Transportation & Telecommunications**

#### **Room 1113 - 1:30 PM**

LB31 (Jacobson) Require train crews of at least two individuals as prescribed  
LB44 (Dungan) Adopt the Midwest Interstate Passenger Rail Compact  
LB234 (Walz) Require reporting of blocked railroad crossing complaints

LB796 (Wayne) Provide for the Department of Transportation to develop and administer a safety oversight program for rail transit systems  
LB646 (McDonnell) Change provisions relating to telecommunications

## **Tuesday, March 7**

### **Appropriations**

#### **Room 1524 - 1:30 PM**

Agency 72: Dept. of Economic Development  
LB349 (Wayne) Change award limitations and appropriations intent language under the Business Innovation Act  
LB444 (Linehan) Provide for a one-time grant for a health sciences education center, infrastructure costs, and a community athletics complex  
LB682 (Vargas) Appropriate funds to the Department of Economic Development  
LB784 (McKinney) Appropriate funds to the Department of Economic Development  
LB798 (Vargas) Appropriate funds to the Department of Economic Development

### **Banking, Commerce & Insurance**

#### **Room 1507 - 1:30 PM**

LB640 (Kauth) Require an off-campus location of a hospital to obtain and use a separate National Provider Identifier in billing for health care services  
LB483 (Raybould) Redefine qualifying mutual financial institution for purposes of regulation of public funds deposit security

### **Education**

#### **Room 1525 - 1:30 PM**

LB632 (McKinney) Prohibit the suspension of students in prekindergarten through second grade in a school in a city of the metropolitan class  
LB340 (McKinney) Change provisions related to expelled students under the Student Discipline Act  
LB690 (Linehan) Change provisions relating to powers and duties of the State Department of Education, State Board of Education, and Commissioner of Education  
LR24CA (Albrecht) Constitutional amendment to eliminate the State



# COMMITTEE HEARINGS

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Board of Education and provide for the Governor to appoint the Commissioner of Education  
 LR28CA (Linehan) Constitutional amendment to change the membership of the State Board of Education  
 LR29CA (Linehan) Constitutional amendment to provide term limits for the members of the State Board of Education

**Transportation & Telecommunications  
 Room 1113 - 1:30 PM**

LB226 (Brandt) Change provisions relating to construction manager-general contractor contracts and public-private partnerships under the Transportation Innovation Act  
 LB166 (Bostelman) Change provisions relating to design-build, construction manager-general contractor, and public-private-partnership proposals under the Transportation Innovation Act  
 LB564 (Dorn) Change provisions of the Economic Opportunity Program of the Department of Transportation  
 LB600 (Lippincott) Change provisions relating to the Transportation Infrastructure Bank Fund and the Economic Opportunity Program of the Department of Transportation  
 LB449 (Brandt) Provide an additional use for the County Bridge Match Program

**Urban Affairs**

**Room 1510 - 1:30 PM**

LB532 (McKinney) Change provisions of the Community Development Law  
 LB531 (McKinney) Change provisions of the Economic Recovery Act  
 LB424 (DeBoer) Create the Department of Housing and Urban Development

**Wednesday, March 8**

**Appropriations**

**Room 1525 - 1:30 PM**

LB504 (Aguilar) State intent to transfer and appropriate funds for housing  
 LB741 (Vargas) State intent to transfer money and appropriate funds relating to housing  
 LB786 (McKinney) State intent to appropriate funds to the Department of

Economic Development  
 LB789 (Wayne) Appropriate funds to the Department of Economic Development  
 LB801 (Vargas) State intent to transfer money to the Middle Income Workforce Housing Investment Fund and the Affordable Housing Trust Fund

**Government, Military & Veterans Affairs  
 Room 1507 - 1:30 PM**

LB770 (M. Cavanaugh) Require the Secretary of State to audit the offices of the Department of Motor Vehicles, the election commissioners, and the county clerks and all polling places for compliance with the Americans with Disabilities Act  
 LR3CA (J. Cavanaugh) Constitutional amendment to provide for nonpartisan nomination and election of the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer

**Health & Human Services**

**Room 1510 - 1:00 PM**

Appointment: Deacon Donald N. Blackbird, Jr. - Neb. Child Abuse Prevention Fund Board  
 Appointment: Miguel Rocha - Commission for the Blind and Visually Impaired  
 Appointment: Georgina Scurfield - Neb. Child Abuse Prevention Fund Board  
 LB290 (M. Cavanaugh) Change standard of need requirements for the aid to dependent children program  
 LB310 (Conrad) Change the maximum payment level under the aid to dependent children program  
 LB510 (Conrad) Require annual cost-of-living adjustments in child welfare rates  
 LB595 (Hardin) Change supervision requirements under the Pharmacy Practice Act

**Judiciary**

**Room 1113 - 1:30 PM**

LB248 (Vargas) Prohibit discrimination based on lawful source of income under the Nebraska Fair Housing Act and create the Landlord Guarantee Program  
 LB175 (Dungan) Adopt the Residential Tenant Clean Slate Act

LB182 (J. Cavanaugh) Change requirements for a report by the Supreme Court on eviction proceedings and change requirements for complaints for restitution of premises

LB187 (J. Cavanaugh) Require appointment of counsel for tenants in eviction proceedings in counties containing a city of the metropolitan class or primary class

LB545 (Conrad) Change provisions relating to an action for possession under the Uniform Residential Landlord and Tenant Act

LB270 (McKinney) Change provisions relating to the Uniform Residential Landlord and Tenant Act and rental registration ordinances

**Revenue**

**Room 1524 - 1:30 PM**

LB622 (McDonnell) Change the Sports Arena Facility Financing Assistance Act  
 LB429 (Walz) Create a fund under the Tax Equity and Educational Opportunities Support Act and transfer unclaimed income tax credits to the fund  
 LB505 (Bostar) Provide for motor vehicle registration of plug-in hybrid electric vehicles, impose an excise tax on electric energy used at commercial electric vehicle charging stations, provide for regulation of commercial electric vehicle charging stations, and provide a sales tax exemption for certain electric energy  
 LB692 (Linehan) Adopt the Good Life Transformational Projects Act and change the sales tax rate  
 LB499 (M. Cavanaugh) Change provisions relating to the availability of tax credits under the School Readiness Tax Credit Act

**Thursday, March 9**

**Appropriations**

**Room 1525 - 1:30 PM**

LB445 (Wayne) Appropriate funds to the Department of Economic Development  
 LB573 (Hansen) Appropriate funds to the Department of Economic Development for a time-limited grant program  
 LB608 (McDonnell) State intent to appropriate funds to the Department of

# COMMITTEE HEARINGS

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Economic Development  
LB719 (Dover) Appropriate funds to the Department of Economic Development  
LB785 (McKinney) State intent to appropriate funds to the Department of Natural Resources and the Department of Economic Development

## Executive Board

### Room 1525 - 12:00 PM

LB696 (Conrad) Provide for legislative oversight of the settlement funds administered by the Attorney General  
LR2CA (Erdman) Constitutional amendments to change from a unicameral legislature to a bicameral legislature, provide for election of members of the Legislature on a partisan ballot, require election of legislative officers and committee chairpersons by a public vote, and require all meetings of the Legislature to be open to the public

## Government, Military & Veterans Affairs

### Room 1507 - 1:30 PM

LB624 (McDonnell) Change provisions relating to the Nebraska Tourism Commission  
LB474 (Wayne) Provide duties for the Nebraska State Historical Society relating to the Mayhew Cabin and Fort Robinson historical sites

## Health & Human Services

### Room 1510 - 1:00 PM

Appointment: Heather Cramer - State Board of Health

Appointment: Jaime Kent Dodge - State Board of Health

LB333 (Conrad) Require a state plan amendment for coverage of family planning services under the Medical Assistance Act

LB291 (M. Cavanaugh) Require implicit bias or diversity, equity, and inclusion training for certain applicants and credential holders under the Uniform Credentialing Act

LB677 (Day) Create the Nebraska Knowing is Doing Something pilot program

## Judiciary

### Room 1113 - 1:30 PM

LB438 (Conrad) Provide for an award of attorney's fees in appeals and

change and modernize third-party practice provisions  
LB466 (DeBoer) Change provisions relating to service of garnishment summons, continuing liens, and notices upon corporate garnishees  
LB668 (Aguilar) Authorize mental health professionals and practitioners to take persons into emergency protective custody and provide for a training and certification process  
LB643 (Brewer) Adopt the Abandoned Mobile Home Act and change provisions relating to abandoned vehicles  
LB8 (Blood) Change provisions of the Mobile Home Landlord and Tenant Act and provide for certificates of title and liens for abandoned mobile homes

## Revenue

### Room 1524 - 1:30 PM

LB322 (Linehan) Prohibit creation of new joint public agencies with power or authority relating to tax

LB192 (Halloran) Change the definition of household income for homestead exemptions

LB398 (Erdman) Change provisions relating to in lieu of tax payments by the Game and Parks Commission

LB529 (Hansen) Change provisions of the Property Tax Request Act

LB344 (Armendariz) Exclude certain delinquent taxes from qualifying for tax credit under the Nebraska Property Tax Incentive Act

## Monday, March 13

## Appropriations

### Room 1307 - 1:30 PM

Agency 84: Dept. of Environmental Quality  
LB237 (Wayne) Appropriate funds to the Department of Environment and Energy

LB534 (Slama) Appropriate federal funds to the Department of Environment and Energy for community water systems

LB571 (Lippincott) Appropriate funds to the Department of Environment and Energy to carry out the Water Well Standards and Contractors' Practice Act

LB613 (McDonnell) State intent to ap-

propriate funds to the Department of Environment and Energy  
LB672 (Hansen) Appropriate funds to the Department of Environment and Energy  
LB766 (DeKay) Appropriate Federal Funds to the Department of Environment and Energy for reverse osmosis systems

## Banking, Commerce & Insurance

### Room 1507 - 1:30 PM

LB354 (Raybould) Change uninsured or underinsured motor vehicle insurance provisions

LB355 (Raybould) Change a requirement for transportation network company insurance

LB423 (DeBoer) Provide for umbrella and excess insurance coverage to be stacked with uninsured and underinsured motorist coverage

LB210 (Bostar) Adopt the Prior Authorization Reform Act

LB446 (Bostar) Adopt the Peer-to-Peer Vehicle Sharing Program Act

## Business & Labor

### Room 1524 - 1:30 PM

LB618 (McDonnell) Redefine public benefits and change provisions of the Employment Security Law relating to the disqualification of certain aliens

LB489 (von Gillern) Exclude marketplace network contractors working for marketplace network platforms from the Employment Security Law

LB665 (Riepe) Clarify language on rules and regulations under the Employment Security Law

LB666 (Riepe) Change provisions of the Employment Security Law

LB459 (McDonnell) Require reimbursement by the State Fire Marshal for premiums for benefits provided pursuant to the Firefighter Cancer Benefits Act

LB501 (M. Cavanaugh) Provide for compensation under the Nebraska Workers' Compensation Act for cancers experienced by firefighters

LB502 (M. Cavanaugh) Adopt the Warehouse Worker Protection Act

LB752 (M. Cavanaugh) Prohibit discrimination in employment by any

# COMMITTEE HEARINGS

Current hearing schedules are available at: [NebraskaLegislature.gov/calendar](http://NebraskaLegislature.gov/calendar)

entity receiving state funding  
 LB367 (Conrad) Adopt the Fair Chance Hiring Act

**General Affairs**  
**Room 1510 - 1:30 PM**

LB148 (Jacobson) Change powers and duties of the State Racing and Gaming Commission related to licensed race-track enclosures and change dates related to the required market analysis and socioeconomic-impact studies  
 LB150 (Dover) Change provisions relating to entertainment districts under the Nebraska Liquor Control Act  
 LB375 (Lowe) Authorize certain licensees to purchase alcoholic liquor for resale from a gas station, grocery store, liquor store, or similar establishment under certain circumstances as prescribed under the Nebraska Liquor Control Act  
 LB403 (Vargas) Change provisions relating to a craft brewery license under the Nebraska Liquor Control Act  
 LB404 (Vargas) Change provisions relating to agreements between wholesalers and suppliers for the distribution of beer  
 LB493 (Dungan) Remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device under the State Lottery Act  
 Appointment: Trent Loos - State Racing and Gaming Commission  
 Appointment: Brian Botsford - Neb. Arts Council

**Tuesday, March 14**

**Appropriations**  
**Room 1524 - 1:30 PM**

Agency 29: Dept. of Natural Resources  
 LB125 (Bostelman) Change provisions relating to interest earnings on the Surface Water Irrigation Infrastructure Fund  
 LB401 (Dorn) State intent regarding appropriations to the Department of Natural Resources  
 LB506 (Bostar) State intent to appropriate federal funds to the Department of Natural Resources and the Department of Environment and Energy  
 LB768 (DeKay) Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund

**Urban Affairs**  
**Room 1510 - 1:30 PM**

LB546 (Conrad) Provide requirements for bed and breakfast establishments regarding food, beverages, and fire safety  
 LB329 (Raybould) Prohibit the application of the state building code in a manner that would prohibit or limit the use of certain refrigerant  
 LB342 (Hardin) Change provisions relating to home inspectors

**Wednesday, March 15**

**Appropriations**  
**Room 1525 - 1:30 PM**

Agency 13: Dept. of Education

LB48 (Dorn) Appropriate money to the State Department of Education for educational service units  
 LB319 (Bostar) Create funds, transfer funds from the Cash Reserve Fund, and provide for child care funding  
 LB610 (Lippincott) Appropriate funds to the State Department of Education  
 LB681 (Clements) Change provisions relating to a fund and provide for transfers under the Tax Equity and Educational Opportunities Support Act

**Thursday, March 16**

**Appropriations**  
**Room 1525 - 1:30 PM**

Agency 65: Dept. of Administrative Services  
 LB411 (Dungan) Appropriate funds for Wyuka Cemetery  
 LB511 (Brewer) Appropriate funds to the Department of Administrative Services  
 LB547 (Conrad) Create the Capitol Preservation, Restoration, and Enhancement Endowment Fund for the courtyards of the State Capitol  
 LB612 (McDonnell) Appropriate funds to the Department of Administrative Services  
 LB651 (McDonnell) Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions  
 LB812 (Clements) State intent to appropriate funds to the Department of Administrative Services ■



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