

## Governor's education funding proposal advances

Lawmakers gave first-round approval April 4 to a bill that would direct additional state funding to K-12 public schools.

Under LB583, introduced by Bellevue Sen. Rita Sanders at the request of Gov. Jim Pillen, the state would pay public school districts \$1,500 in foundation aid per student beginning with school fiscal year 2023-24. It also would increase state aid to school districts to help cover their special education expenses.



Sen. Rita Sanders

Sanders said the proposal, part of a larger package that includes income tax cuts, property tax relief and a cap on school revenue growth, would be the largest increase in state aid to public schools in Nebraska's history at approximately \$300 million per year.

An Education Committee amendment, adopted 41-3, would replace the bill with a modified version of the original proposal.

Under the amendment, 23 percent of foundation aid would be paid from a new Education Future Fund, proposed in LB681, sponsored by Sen. Robert Clements of Elmwood.



Sen. Robert Clements

For school fiscal years 2023-24 and 2024-25, a district's foundation aid would be included as a formula resource,

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## Property tax package clears first round

A proposal to direct additional state funding to property tax relief while limiting the amount of property taxes public school districts could collect advanced from general file April 3 after a successful cloture motion.

LB243, introduced by Sen. Tom Briese of Albion, would increase the minimum amount of relief granted under the Property Tax Credit Act, which provides direct property tax credits based on the valuation of a taxpayer's property. Briese said the act will grant roughly \$315 million in relief this year.

A Revenue Committee amendment, adopted 41-0, would replace the bill with an amended version of LB243 and five other bills considered by the committee this session.

The amendment would increase the minimum amount of relief granted under the Property Tax Credit Act to \$388 million for tax year 2024. The amount would increase annually, reaching \$560 million in tax year 2029. After that, it would grow by the percentage increase in the total assessed value of all real property statewide over the prior year.



Sen. Tom Briese said the proposed cap on school revenue growth includes exceptions for rapidly growing school districts and an override mechanism that "protects the ability of schools to do their jobs."

The amended provisions of LB242, also sponsored by Briese, would eliminate the 5 percent cap on the Nebraska Property Tax Incentive Act credit's allowable growth percentage.

The refundable income tax credit, which is intended to offset part of what a taxpayer paid in property taxes to their school district during the previous year, is allowed to grow by the annual percentage increase in statewide real property valuations. Approximately \$560 million in credits are available under the program this year, Briese said.

Briese said the proposal is intended to address Nebraska's out-of-balance

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# Governor's education funding proposal advances

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meaning its state equalization aid would be reduced by an equal amount. Beginning with school fiscal year 2025-26, only 60 percent would be included.

Sanders said the provision is intended to help large school districts, which otherwise would see the new funding offset by a decrease in equalization aid, which is state aid intended to cover the difference between a district's needs and its local resources, such as property taxes.

Under the amendment, districts also would receive a supplemental special education allowance equal to 80 percent of the district's total allowable excess costs for special education programs and support services minus the total amount of special education funding it already receives. Supplemental special education allowances also would be paid from the new fund.

Sanders said the proposal also would change the way net option funding is calculated to ensure that districts do not receive both foundation aid and net option funding for a single student.

Finally, the amendment would re-

quire each school district to submit an annual report to the state Department of Education that includes the amount of additional state aid it received as a result of the bill and the amount it reduced its property tax request, if any.

Albion Sen. Tom Briese supported LB583, saying it would address a disparity that results in many rural school districts receiving only a small percentage of their funding from the state while larger districts receive much more.

Sen. Danielle Conrad of Lincoln also supported the bill, saying the state can use its strong fiscal position this year to answer the "constant refrain" of school districts about the increasing cost of serving students with special needs.

"It is right and it is appropriate to utilize that historic funding advantage that we have available to ... infuse more resources into education," she said.

Omaha Sen. Justin Wayne opposed the bill, saying lawmakers should direct additional funding to both urban and rural school districts that have a high percentage of students in poverty.

"Why aren't we taking a targeted approach at our most vulnerable students across the state?" he said.

Glenvil Sen. Dave Murman, chairperson of the Education Committee, agreed that the state school funding for-

mula does not adequately compensate high-poverty schools, but he said LB583 would direct per-student funding to each district for the first time in decades.

Increasing special education reimbursements to 80 percent, when the current statewide average is 42 percent, also would be a "huge positive," Murman said.

"This is not a perfect bill," he said, "but it does have a lot of positives in it, and I think it's maybe the best we can do this year."

Sen. Tom Brandt of Plymouth, who also supported LB583, introduced an amendment that would combine elements of his LB320 with the committee amendment. In addition to reim-



Sen. Tom Brandt

bursing schools for special education expenses at the same level as LB583, the amendment would provide each district with 10 percent of its basic funding or at least \$1,500 per student.

Brandt's proposal also would reduce agricultural and residential valuations inside the state school funding formula, which he said would result in more districts receiving equalization aid than

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## UNICAMERAL UPDATE

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# Property tax package clears first round

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tax structure, which collects roughly 30 percent more property taxes than state and local sales taxes each year.

Elkhorn Sen. Lou Ann Linehan, the Revenue Committee's chairperson, supported the bill. Linehan said she would ensure that LB243 and LB754, which would cut the state's top individual and corporate income tax rates, would provide equal amounts of property and income tax relief.

Sen. George Dungan of Lincoln agreed with proponents that the Legislature should address Nebraska's high property taxes. He said the proposal's cost, which could reach more than \$2 billion by 2027, when combined with the proposed income tax cuts, could put the state in a position where it cannot meet its obligations to schools and community colleges.

Dungan also expressed concern with components of the committee amendment that he said would limit the ability of elected school and community college boards to make funding decisions that meet local needs.

Bennington Sen. Wendy DeBoer introduced an amendment that would retain the refundable income tax credit's 5 percent cap, which she said prevents automatic, potentially unsustainable increases to the credit amount in years when valuations increase rapidly.

Briese opposed the amendment, saying his proposal is intended to protect taxpayers by ensuring that the credit amount increases at the same rate as valuations. Removing the cap would result in approximately \$10 million in additional credits per year, he said.

DeBoer's amendment failed on a vote of 13-31.

## TERC changes, property tax refunds

The amended provisions of LB28, sponsored by Sen. Steve Erdman of Bayard, deal with the valuation of property that has an appeal before the Tax Equalization and Review Commission.

Under Erdman's proposal, if the commission has not reached a decision on an appeal by the date when the first half of the following year's property taxes become delinquent, the property's assessed valuation for the year in question would be reset to the previous year's assessed value until the commission makes a decision.

If the commission determines that the property's assessed value is higher than the previous year's, interest would accrue on the difference.

Erdman also introduced an amendment, adopted 37-0, that would reinstate an at-large TERC commissioner, a position eliminated in 2011. He said adding a fourth commissioner would help TERC address a "logjam" of appeals.

The amendment also would allow a single commissioner to hear appeals when the taxable value of a parcel is \$2 million — an increase from the current \$1 million — which Erdman said would further expedite the hearing process. He said the proposal also would increase commissioners' pay by tying it to the salary set for the chief justice and judges of the Nebraska Supreme Court.

The provisions of LB309, sponsored by Lincoln Sen. Eliot Bostar,

would increase the interest rate on property tax refunds from 9 percent to 14 percent. Bostar said the measure would require counties to pay the same interest rate on property tax refunds that Nebraskans must pay if their taxes are delinquent.



Sen. Eliot Bostar



Sen. Steve Erdman

## School revenue cap, community college levy

Under the amended provisions of LB589, introduced by Briese at the request of Gov. Jim Pillen, a school 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 be calculated by adding the prior year's property tax request to the prior year's non-property-tax revenue, which includes all state and local sources other than property taxes.

The total then would be increased by a base growth percentage of 3 percent plus certain factors based on a district's growth in student enrollment, the number of limited English proficiency students and the number of students in poverty. That amount then would be decreased by the amount of total non-property-tax revenue for the current year.

Briese said the proposal would provide a "transformative measure of property tax relief" when combined with LB583, another component of the governor's package introduced

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## Governor's education funding proposal advances

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under the governor's proposal.

The amendment would cost approximately \$70 million more per year than LB583, Brandt said, and it would use unclaimed income tax credits under the Nebraska Property Tax Incentive Act to cover the difference.

Sanders opposed the amendment, saying Brandt's proposal has not been vetted to the extent that LB583 has. She also opposed using unclaimed credits to help pay for the additional aid, saying the fund could be drawn down as more people learn about the program, which the Legislature created in 2020.

The amendment failed on a vote of 17-29.

Omaha Sen. Machaela Cavanaugh introduced an amendment that would add a modified version of her



Sen. Machaela Cavanaugh

LB99 to the committee amendment. It would require eligible school districts to opt in to a federal reimbursement program, called the community eligibility provision, that allows schools with high poverty rates to serve free breakfasts and lunches to their students without collecting financial information from households.

Cavanaugh's amendment failed on a vote of 16-30.

After eight hours of general file debate over two days, Sanders 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 43-3. Thirty-three votes were needed.

Senators then voted 39-3 to advance LB583 to select file. ■

## Property tax package clears first round

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by Sen. Rita Sanders of Bellevue that would direct additional state funding to public schools.

"We're not going to choke off public education with this cap," Briese said. "We're simply trying to ensure that these dollars we're going to inject into public education yield property tax relief."

A district could exceed its property tax request authority by an amount approved by a 60 percent majority of legal voters at a special election. The measure also would allow a school board to exceed a district's property tax request authority by 4 to 7 percent, depending on the number of students enrolled, if at least 70 percent of its members approve.

The measure's provisions 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.

Lincoln Sen. Danielle Conrad said she was concerned that a property tax request override would require the approval of 60 percent of voters rather than a simple majority, as is required in other issues decided by public vote.

Sen. Mike Jacobson of North Platte, who supported LB243, said the higher threshold is intended to ensure that agricultural landowners, who he said pay a disproportionate share of property taxes used to fund schools in rural Nebraska, have a greater say in an override election.



Sen. Rita Sanders

The committee amendment also includes the amended provisions of LB783, introduced by Sen. Dave Murman of Glenvil, which would end Nebraska's community college area levy after fiscal year 2023-24. Beginning the next year, the state would distribute funds to community colleges to offset the lost property tax revenue.

The amount distributed to community colleges would increase by 3.5 percent each year or the percentage increase in a factor based on student enrollment growth, whichever is greater.

If the state fails to provide the full amount in a given year, a community college's board of governors could, with a majority vote, levy an amount sufficient to generate enough revenue to cover the difference. Murman said community colleges also would retain a current levy they can use to pay off bonds and pay for capital improvements.

Murman said eliminating community colleges' levy authority would reduce property tax collections statewide by approximately 5 percent.

After eight hours of first-round debate over two days, Briese 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 43-0. Thirty-three votes were needed.

Senators then voted 41-1 to advance LB243 to select file. ■



Sen. Dave Murman

# MEET THE SENATOR

## Kauth seeks commonality amid conflict

For many people, disagreements are something to be avoided at all costs. Not so for Omaha Sen. Kathleen Kauth. As a trained mediator and conflict coach, she knows that being willing and able to talk to people with different perspectives is a must in life – not just in politics.

“Conflict doesn’t ruffle my feathers,” she said.

One key to Kauth’s approach is finding common ground, whether that’s connecting with fellow lawmakers over a shared love of Harry Potter books at new senator orientation last fall – House of Gryffindor, in case you’re wondering – or bonding over Husker football with strangers while traveling.

“We are all going to disagree about a lot of things,” she said, “and that’s why you look for the commonalities.”

Kauth, a native of Illinois, has plenty of experience making new friends and finding connections, having relocated seven times for husband Andrew’s career before settling in Omaha in 2012. While his job brought them to Nebraska, it soon became clear that it was a place to put down roots so their children could experience all of their high school years at one school.

“This is our favorite place that we’ve ever lived,” Kauth said. “It feels like home. We’re Midwesterners at heart and the schools and neighbors are incredible.”

Even so, she acknowledges that the years the family spent in West Palm Beach, Florida were “fabulous.”

“We had people visiting us from

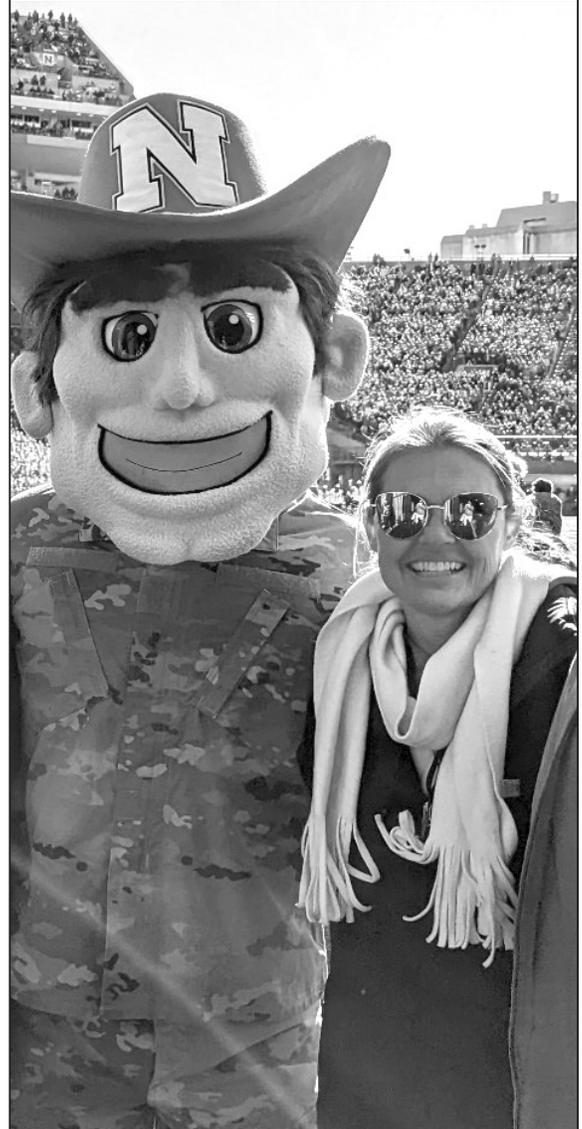
November to April every year – literally, every weekend. We moved to Kansas and nobody came to see us,” Kauth laughed. “They were coming to see the beach.”

Kauth’s interest in elected office was sparked when the sanitary and improvement district in which the family home is located was annexed by the city of Omaha – a situation she said many in the neighborhood didn’t realize was happening until after the process was over. As a result, she started considering a run for Omaha City Council.

With the encouragement of friends and neighbors, she decided to enter the race. Just one small oversight: she forgot to tell Andrew.

“So, I called him and said, ‘Just so you know, I’m running for city council – see you tonight,’” Kauth laughed.

Always a good sport, he greeted her that evening as “councilwoman” and the campaign was on. Although she didn’t win that race, it was the start of political involvement that eventually led to her appointment to fill the Legislative District 31 vacancy created by the death of Sen. Rich Pahls in April 2022. She was elected



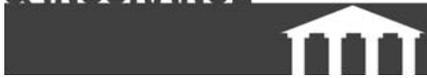
Sen. Kathleen Kauth poses with Herbie Husker at Memorial Stadium in 2022.

to the seat in November of that year.

The experience reinforces Kauth’s advice to those who want to get involved in public policy.

“The process is cumulative,” she said. “You might not see results today, but your involvement in the process will pay off down the road.” ■

## BANKING, COMMERCE & INSURANCE



### Pet insurance bill broadened to include telehealth provision, advanced

Senators amended and advanced a proposal April 4 that would create a state regulatory framework for the sale of pet insurance, which covers pet illness and accidents.

LB296, sponsored by Lincoln Sen. Beau Ballard, would, among other provisions, require pet insurers to provide disclosures regarding waiting periods, claim schedules and exclusions for preexisting conditions. It also would require training for agents who sell pet insurance.



Sen. Beau Ballard

Omaha Sen. John Fredrickson offered an amendment during select file debate, adopted 28-0, to add provisions of his priority bill, Gordon Sen. Tom Brewer's LB256.



Sen. Tom Brewer

The provisions would require that the reimbursement rate for a telehealth service be at least as much as a comparable in-person health care service if the licensed provider also provides in-person health care services at a physical location in Nebraska, or is employed by or holds medical staff privileges at a licensed facility in Nebraska that provides in-person health care services in the state.

Fredrickson said the importance of telehealth was made clear during the pandemic but that providers lack an

incentive to provide such services due to uncertainty regarding reimbursement rates.

Brewer supported the amendment, which he said simply would ensure that a telehealth visit does not end up costing a patient more than an in-person visit. He said telehealth has become an essential part of health care in rural parts of the state.

"In some cases, it's the only way to get health care in remote areas of central and western Nebraska," Brewer said.

The amendment also included provisions originally offered by Omaha Sen. Kathleen Kauth in her LB640, which would require an off-campus hospital location to obtain and use a National Provider Identifier for reimbursement claims that is distinct from the NPI used by the main hospital campus.



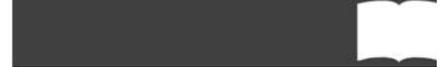
Sen. Kathleen Kauth

Dunbar Sen. Julie Slama, chairperson of the Banking, Commerce and Insurance Committee, supported the bill and the amendment.

"This was really a team effort by all," Slama said. "This represents a solid compromise and a great step forward to ensure access to health care, whether you're seeking it in a very rural and remote part of the state or in an urban area where you just can't take [time] off of work during the day."

Following adoption of the Fredrickson amendment, lawmakers advanced LB296 from select file by voice vote.

## EDUCATION



### Dress code requirement added to dyslexia reporting bill, advanced to final round

Lawmakers expanded a bill that would collect data on students with dyslexia to include a proposed state-wide model student dress code before advancing the measure from select file April 4.

LB298, introduced by Sen. Lou Ann Linehan of Elkhorn, would require school districts to provide information on dyslexia to the state Department of Education, including the number of students tested for dyslexia, those identified as exhibiting characteristics of dyslexia and those diagnosed with dyslexia who have improved their reading skills as a result of that diagnosis.



Sen. Lou Ann Linehan

The department would be required to compile the information and provide an annual report to the Legislature.

Lawmakers adopted an amendment on select file to add the provisions of Omaha Sen. Terrell McKinney's LB630, which would require all school districts in Nebraska to adopt a written dress code and grooming policy.



Sen. Terrell McKinney

McKinney said many existing dress codes have racial or religious implications, including prohibitions on head scarfs and durags, which disproportionately impact students of color.

## GENERAL AFFAIRS

“A recent report ... highlighted the need to update school dress code and grooming policies to ensure that students can show up to school as their true selves,” he said.

Under the amendment, the model policy could not:

- target, disproportionately impact, discriminate or be applied in a discriminatory manner against any students on the basis of race, religion, sex, disability or national origin;
- prohibit a student from wearing attire, including religious attire, natural and protective hairstyles, adornments or other characteristics associated with race, national origin or religion; or
- require a student’s hair to be permanently or temporarily altered.

By July 1, 2025, each school district would be required to adopt a code to be implemented at the start of the 2025-26 school year that is consistent with the department’s policy and may include other procedures and provisions that the school board deems appropriate.

Violations of the written dress code and grooming policy would be treated as minor on the continuum of school rule violations and would not subject students to long-term suspension, expulsion or mandatory reassignment – nor require a student to miss substantial classroom or instruction time or school activities.

Under no circumstances could an administrator, teacher, other staff member or contractor temporarily or permanently alter or cut a student’s hair.

Lawmakers adopted the McKinney amendment on a 37-0 vote. After also adopting a technical amendment offered by Linehan, senators advanced LB298 to final reading by voice vote.

### Omnibus gaming bill amended, advanced

Lawmakers amended and gave second-round approval April 4 to a bill that contains several updates to Nebraska gaming law.

LB775, sponsored by Sen. John Lowe of Kearney, would update the definition of licensed racetrack enclosure in the Nebraska Race-track Gaming Act to include all real property licensed and used to conduct a race meeting.



Sen. John Lowe

The bill also would grant the commission authority to recommend necessary changes and updates to state law that it administers and authority to create an adjudication subcommittee to investigate and respond to violations of the gaming act.

As amended on general file, the measure also includes provisions of three additional bills.

Provisions of LB72, sponsored by Grand Island Sen. Raymond Aguilar, would amend the County and City Lottery Act by establishing that gross proceeds do not include any admission costs collected at any location where the lottery also is available to the public free of an admission charge.



Sen. Raymond Aguilar

LB73, also introduced by Aguilar, would allow funds from the County Visitors Promotion Fund to be used to improve a facility in which pari-

mutuel wagering is conducted if the facility also serves as the site of a state fair or district or county agricultural society fair.

Provisions of Omaha Sen. John Cavanaugh’s LB232 would authorize the sale of digital keno tickets for players verified to be on the premises of a licensed Nebraska lottery location. Currently, keno tickets are available only in paper form.



Sen. John Cavanaugh

Additional ticket payment methods also would be authorized, including debit card, bank account, prepaid cash account or the cash balance of a payment application. Debit cards would be limited to \$200 in keno wagers from a lottery operator in a single calendar day.

Lincoln Sen. Danielle Conrad offered an amendment during select file debate to add provisions of her LB544, which would make minor changes to the Nebraska Bingo Act to reflect technological advancements. The amendment was adopted 30-1.



Sen. Danielle Conrad

After four hours of debate, Lowe offered a motion to invoke cloture, which ceases debate and forces a vote on the bill and any underlying amendments. Following adoption of the motion on a 44-1 vote, lawmakers adopted a technical amendment offered by Lowe and voted 35-8 to advance LB775 to final reading.

## NEBRASKA RETIREMENT SYSTEMS

### Retirement bill amended, advanced

An omnibus retirement systems measure was amended to incorporate an additional bill and given second-round approval April 6.

LB103, sponsored by Sen. Mike McDonnell of Omaha, would make technical changes to a bill passed in 2022 that codified retirement practices and rules for certified teachers covered by the State Code Agency Teachers Association contract who previously or subsequently are employed by a school district, educational service unit or any other state agency.



Sen. Mike McDonnell

The bill was amended on general file to include provisions of LB104 and LB105, also sponsored by McDonnell.

LB104 would change the state, county, judges, school and state patrol retirement plans by raising the age from 72 to 73 for required minimum distributions in order to align with recently passed federal legislation. The RMD age would increase to 75 beginning in 2033.

LB105 would change various retirement plans to align with federal legislation that changed the definition of military service to include preparations for military service, rest and recovery after military service and state active service.

During select file debate, McDonnell offered an amendment to add provisions of his LB160 to the proposal.

Under the amendment, adopted 28-0, the supplemental retirement

benefit rate for counties that participate in the County Employees Retirement Plan would increase from 1 to 2 percent of compensation in counties with a population of 85,000 or less. The rate in counties with a population greater than 85,000 would increase from 2 to 3 percent.

McDonnell said the change would apply to all Nebraska counties except Douglas and Lancaster, which do not participate in the county plan. The increase would help create a retirement plan for county sheriffs and deputies that is competitive with other law enforcement agencies, he said.

Lincoln Sen. Danielle Conrad supported the amendment, saying the change could help law enforcement recruitment and retention efforts.

Following adoption of an additional technical amendment, senators advanced LB103 to final reading by voice vote.

## TRANSPORTATION & TELECOMMUNICATIONS

### Transportation updates expanded, advanced

Lawmakers added several bills to a technical update of the state's transportation laws before advancing the measure from select file April 5.

LB138, introduced by Lincoln Sen. Suzanne Geist, is an annual clean-up measure to align state transportation law with federal requirements.



Sen. Suzanne Geist

Gordon Sen. Tom Brewer offered an amendment to the bill during select file debate, adopted 38-0, to

incorporate provisions of his LB199. The amendment would create a new driving privilege card to serve as a license to operate a motor vehicle for individuals who are assigned parolee immigration status by the U.S. Department of Homeland Security.



Sen. Tom Brewer

Brewer said he introduced the measure to aid the roughly 1,000 refugees from Ukraine who currently reside in Nebraska, as well as other individuals who are in the state for qualifying humanitarian reasons.

"Due to their immigration status, they are not able eligible to be issued a Real ID compliant document," Brewer said.

Also adopted was an amendment offered by Columbus Sen. Mike Moser to incorporate provisions of his LB465, which would reallocate certain fees collected by the state Department of Motor Vehicles.



Sen. Mike Moser

Currently, fees for the issuance of state ID cards, operators' licenses, replacement ignition interlock permits and 24/7 sobriety program permits are allocated between the county general fund, the Department of Motor Vehicles Cash Fund and the state General Fund.

Under the amendment, the portion of the fee currently allocated to the state General Fund instead would be redirected to the Department of Motor Vehicles Cash Fund.

Moser said the state DMV projects that its cash fund will have a \$1.8 million deficit at the end of the current budget biennium without the change outlined in the amendment. He said

the change would stabilize the DMV cash fund without increasing fees.

“The DMV is fully funded by cash funds and receives no general fund appropriations,” Moser said. “For the past several years the increases in revenue have not kept up with the [department’s] fixed operational costs.”

The amendment was adopted 36-0.

Sen. Jane Raybould of Lincoln offered an amendment, adopted 30-1, to add amended provisions of her LB 738, which would adopt the national, three-tiered classification for electric bicycles and update the definition of traditional bicycles.



Sen. Jane Raybould

Currently “bicycle” is defined as a vehicle propelled solely by human power, upon which a person can ride, with two tandem wheels more than 14 inches in diameter. The amendment would redefine a bicycle as a vehicle propelled by human power with two, three or four wheels, any one or more of which is more than 14 inches in diameter.

The amendment also would define electric bicycles as devices with two, three or four wheels.

Finally, Bennington Sen. Wendy DeBoer offered an amendment to add the provisions of two bills: Omaha Sen. Justin Wayne’s LB796 and Niobrara Sen. Barry DeKay’s LB453.

LB796 would add a duty to the state Department of Transportation to develop and administer a safety oversight program for rail transit systems operated by the state or any local subdivision.



Sen. Justin Wayne

LB453 would allow the Nebraska Department of Transportation to pay the

Division of Aeronautics’ administrative expenses, such as salaries and benefits, from the state Highway Cash Fund. The amendment also would



Sen. Barry DeKay

lower from 50 percent to 20 percent the required contribution from counties to be eligible for matching funds from the State Aid Bridge Fund.

Lastly, the amendment would increase from \$150,000 to \$250,000 the estimated cost threshold at which a contract for road purposes must go through a sealed-bid process and allow NDOT to adjust the amount annually.

“Due to inflation, the old threshold is outdated and NDOT believes that the new limit will bring more competitive bids to the state,” DeKay said.

Following the 36-0 adoption of the DeBoer amendment, lawmakers advanced LB138 to final reading by voice vote.

**Broadband office proposal amended, advanced**

A bill that would establish a state broadband office in Nebraska was amended to become an omnibus telecommunications measure and advanced from select file April 5.

LB683, as introduced by the Transportation and Telecommunications Committee, would create the Nebraska Broadband Office to administer and maintain broadband services in Nebraska. Under the bill, a director would be appointed by the governor and confirmed by the Legislature to lead the office, which would operate administratively under the Nebraska Department of Transportation.

Currently, broadband services are under the purview of the Public Service Commission, a five-member

elected body that regulates a variety of transportation and telecommunications industries in Nebraska.

Among other provisions, LB683 would require the new office to coordinate state broadband infrastructure deployment, operation and maintenance and would transfer the creation and maintenance of the state broadband map from the PSC to the new Nebraska Broadband Office.

Lincoln Sen. Suzanne Geist, chairperson of the committee, offered an amendment during select file debate, adopted 41-0, which adds provisions of several additional bills.

Provisions of Columbus Sen. Mike Moser’s LB124 would extend the termination date of a program that provides state matching funds to repair and replace county bridges from June 30, 2023, to June 30, 2029.

LB122, originally introduced by Brainard Sen. Bruce Bostelman, would require the State Fire Marshal to investigate all complaints relating to Nebraska’s One-Call Notification System. The provisions also



Sen. Bruce Bostelman

would create the Underground Excavation Safety Committee to review complaints filed with the fire marshal to determine if a violation has occurred and assign any civil penalties up to \$10,000.

The amendment also contains provisions of Bostelman’s LB722, which would clarify that the Public Service Commission cannot:

- require a competitive provider to accept or receive support from the Nebraska Telecommunications Universal Service Fund;
- impose eligible telecommunications carrier responsibilities or carrier of last resort obligations

relating to the fund on a competitive provider in any deployment project area where the incumbent carrier or competitive provider is not actually receiving support from the fund; or

- impose eligible telecommunications carrier responsibilities or carrier of last resort obligations on an incumbent carrier that do not exist as of the date of final payment made.

Bostelman said the provisions would end the practice of subsidizing two broadband providers in the same area and establish regulatory certainty to ensure funding is used to reach rural areas of Nebraska.

Finally, the amendment contains provisions of LB359, introduced by Seward Sen. Jana Hughes, which amends the Nebraska Broadband Bridge Act to allow the PSC to open bridge grant application periods at any time during the year.



Sen. Jana Hughes

Bennington Sen. Wendy DeBoer supported both the bill and the Geist amendment, saying the measure would provide better coordination of the state's broadband efforts.

Sen. Carol Blood of Bellevue spoke in opposition to the underlying bill, saying the governor already has issued an executive order to establish a state broadband office. LB683 simply would codify that order in state law, she said, which is not the best use of the Legislature's time.

"Our job is to craft legislation and move that legislation forward," Blood said. "Our job is not to codify executive orders because if we start doing that, why are we even here?"

Lincoln Sen. Eliot Bostar also offered an amendment during select file

debate, adopted 39-0, to add provisions of his LB63, which would prohibit a telecommunications company from using Nebraska universal service funds if the company is using



Sen. Eliot Bostar

or providing communications equipment or service that poses a threat to national security.

Following adoption of a technical amendment offered by Lincoln Sen. George Dungan, senators advanced LB683 to final reading by voice vote. ■

## Geist resigns from Legislature to focus on mayoral race, Bosn appointed

Lincoln Sen. Suzanne Geist announced her resignation from the Legislature April 5, effective at the end of day April 6.

Geist, who was elected in 2016 and re-elected in 2020, made the announcement one day after the Lincoln mayoral primary, from which she advanced to the May 2 general election. She had served as chairperson of the Transportation and Telecommunications Committee since January of this year.

"It has been an honor of my life to serve here with all of you and to serve my district," Geist said during a brief floor speech. "Those of you who know me well, you know that I give 100 percent in everything that I do and, in order to do that, I've decided to step aside so I can give my full attention to my other commitments."

Gov. Jim Pillen announced the appointment of Carolyn Bosn as the next representative to serve Legislative District 25 in southeast Lincoln at an April 6 press conference.

Bosn, an attorney and adjunct professor at the University of Nebraska College of Law, will complete the final year of Geist's term, which ends in January 2025.

Pillen described Bosn as "tough" and "smart" and someone who would "do whatever it takes" to retain the LD25 seat. Bosn said she will run in November 2024.



Sen. Suzanne Geist



Carolyn Bosn

A native of Columbus, Bosn is a former prosecutor in the Lancaster County Attorney's Office who said she left that position six years ago to be a stay-at-home mom. She and husband Reggie have four children.

"As a public servant, I approached every day as an opportunity to do what is fair and right," Bosn said.

She will take her seat when the Legislature convenes April 11. ■



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 during 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.

All scholarships are awarded prior to registration. The registration deadline for Early Bird Tuition is April 14.

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 through the Legislature’s Unicameral Youth Legislature page: [NebraskaLegislature.gov/uyl](http://NebraskaLegislature.gov/uyl). ■

### 2023 Legislative Session\*

Sun	Mon	Tue	Wed	Thur	Fri	Sat
<b>January</b>						
1	2	3	4	5	6	7
			DAY 1	DAY 2	DAY 3	
8	9	10	11	12	13	14
	DAY 4	DAY 5	DAY 6	DAY 7	DAY 8	
15	16	17	18	19	20	21
	HOLIDAY	DAY 9	DAY 10	DAY 11	DAY 12	
22	23	24	25	26	27	28
	DAY 13	DAY 14	DAY 15	DAY 16	DAY 17	
29	30	31				
	DAY 18	DAY 19				
<b>February</b>						
			1	2	3	4
			DAY 20	DAY 21	DAY 22	
5	6	7	8	9	10	11
	RECESS	DAY 23	DAY 24	DAY 25	DAY 26	
12	13	14	15	16	17	18
	DAY 27	DAY 28	DAY 29	DAY 30	RECESS	
19	20	21	22	23	24	25
	HOLIDAY	DAY 31	DAY 32	DAY 33	DAY 34	
26	27	28				
	RECESS	DAY 35				
<b>March</b>						
			1	2	3	4
			DAY 36	DAY 37	DAY 38	
5	6	7	8	9	10	11
	DAY 39	DAY 40	DAY 41	DAY 42	RECESS	
12	13	14	15	16	17	18
	DAY 43	DAY 44	DAY 45	DAY 46	RECESS	
19	20	21	22	23	24	25
	RECESS	DAY 47	DAY 48	DAY 49	DAY 50	
26	27	28	29	30	31	
	RECESS	DAY 51	DAY 52	DAY 53	DAY 54	
<b>April</b>						
						1
2	3	4	5	6	7	8
	DAY 55	DAY 56	DAY 57	DAY 58	RECESS	
9	10	11	12	13	14	15
	RECESS	DAY 59	DAY 60	DAY 61	DAY 62	
16	17	18	19	20	21	22
	DAY 63	DAY 64	DAY 65	DAY 66	RECESS	
23	24	25	26	27	28	29
	RECESS	DAY 67	DAY 68	DAY 69	HOLIDAY	
30						
<b>May</b>						
	1	2	3	4	5	6
	RECESS	DAY 70	DAY 71	DAY 72	DAY 73	
7	8	9	10	11	12	13
	DAY 74	DAY 75	DAY 76	DAY 77	RECESS	
14	15	16	17	18	19	20
	RECESS	DAY 78	DAY 79	DAY 80	DAY 81	
21	22	23	24	25	26	27
	DAY 82	DAY 83	DAY 84	DAY 85	RECESS	
28	29	30	31			
	HOLIDAY	DAY 86	DAY 87			
<b>June</b>						
				1	2	3
				DAY 88	DAY 89	
4	5	6	7	8	9	10
	RECESS	RECESS	RECESS	RECESS	DAY 90	
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

<p><b>Legislative Recess Days</b></p> <p>February 6, 17, 27                  March 10, 17, 20, 27                  April 7, 10, 21, 24                  May 1, 12, 15, 26                  June 5, 6, 7, 8</p>	<p><b>Federal &amp; State Holidays</b></p> <p>January 16 – Martin Luther King Jr. Day                  February 20 – Presidents’ Day                  April 28 – Arbor Day                  May 29 – Memorial Day</p>
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\* The Speaker reserves the right to revise the session calendar.

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Gov. Jim Pillen introduces Carolyn Bosn of Lincoln as the next representative for District 25 in the Nebraska Legislature during an April 6 press conference at the Capitol.