

## Two-person train crew requirement stalls on first round



Sen. Mike Jacobson said requiring a second crew member would improve rail safety in Nebraska.

A bill intended to improve train safety in Nebraska stalled on general file Feb. 2 after a failed cloture motion.

Under LB31, introduced by North Platte Sen. Mike Jacobson, a train or light engine used in connection with the movement of freight would be required to be operated with a crew of at least two individuals.

As introduced, the crew requirement would not apply to trains or light engines operated by utility employees, during hostler or helper service or for the purpose of loading or unloading freight or grain so long as the train is not moving faster than 10 miles per hour.

A Transportation and Telecommunications Committee amendment, adopted 35-8, would eliminate the

speed restriction and exempt Class III rail carriers from the two-person crew requirement.

Jacobson said the increasing number of railroad accidents in Nebraska demonstrates the need for two-person train crews. Congress and the Federal Railroad Administration so far have declined to set a minimum crew size standard, he said, although 11 states including Colorado and Kansas require two-person crews.

Jacobson said a second crew member can render aid after a collision with vehicles at a crossing, notify first responders of any hazardous materials on a train's manifest and provide an "extra set of eyes" to an engineer, who must remain in the cab at all times.

"The statistics are pretty clear

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## State aid to local governments in exchange for cap on taxing authority discussed

The Revenue Committee heard testimony Feb. 2 on a pair of proposals intended to provide property tax relief by capping local government revenue growth while also providing state funds to schools, counties and cities.

Under LB1414, introduced by Elkhorn Sen. Lou Ann Linehan at the request of Gov. Jim Pillen, political subdivisions other than school districts could not exceed their property tax request authority from the prior



Sen. Lou Ann Linehan

year, with certain exceptions including a percentage based on real property valuation growth.

Linehan said local property tax collections totaled \$1.3 billion over the past six years, outpacing the \$1 billion the Legislature has set aside for property tax relief programs over the same period. She said capping the taxing authority of local governments would ensure property tax increases are "reasonable."

"We have to do something on the spending side," Linehan said.

In addition to the real growth factor, the bill would allow political subdivisions to exceed their property tax request authority to pay for principal and interest on approved bonds and for repairs to infrastructure damaged

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on the number of accidents that ... continue to happen,” he said. “There are safety concerns that are not being addressed.”

Sen. Carolyn Bosn of Lincoln said she has seen no evidence that trains with two crew members are safer than those with only one.

Bosn and several of the bill’s opponents said LB31 would contribute to a “patchwork” of state regulations governing train crew size, complicating railroad operations and potentially conflicting with federal regulations.

Bosn said she did not vote to advance the bill from committee because federal regulators are expected to publish a crew size standard next month. Conflicting state and federal rules would lead to lawsuits, she said, adding that regulation of freight trains generally is left to the federal government.

Sen. Danielle Conrad of Lincoln, who supported the bill, said the question of federal preemption is not straightforward. She said the belief that federal action is imminent is “illusory at best” and that lawmakers should not abdicate their responsibility to ensure the safety of rail workers

and the public in the meantime.

“When there is ... room for states to act, they can and they should,” Conrad said. “I would contend that we have that flexibility ... in regards to this issue now.”

Columbus Sen. Mike Moser, chairperson of the committee, opposed the bill, saying train crew size should be negotiated by railroads and labor unions.

“I don’t think any business likes being told how to run their business,” he said. “They know more about it than we do.”

Sen. Lou Ann Linehan of Elkhorn agreed, saying Union Pacific and its workers recently agreed to a two-year contract requiring trains to operate with two-person crews.

“I don’t understand why we’re interjecting ourselves into a subject that is a negotiation between the unions and management,” she said.

After eight hours of first-round debate, Jacobson filed a motion to invoke cloture, which ceases debate and forces a vote on the bill and any pending amendments.

The motion failed on a vote of 24-19. Thirty-three votes were needed.

A failed cloture motion results in debate on a proposal ceasing for the day. LB31 is unlikely to be placed on the agenda again this session. ■

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# State aid to local governments in exchange for cap on taxing authority discussed

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by a natural disaster. A majority of voters also could approve an increase at the next regularly scheduled election.

LB1415, introduced by Sen. Robert Dover of Norfolk at the request of the governor, would direct funds currently allocated to the Nebraska Property Tax Incentive Act to school districts, counties and municipalities in exchange for direct property tax relief.

The act, passed by the Legislature in 2020 as part of LB1107, created a refundable income tax credit based on the amount an eligible taxpayer paid in property taxes to their school district during the previous year.

Dover said the program is “unworkable and ridiculous” and that much of the credit amount goes unclaimed.



Sen. Robert Dover

LB1415 would deliver tax relief up front by sending state funds directly to local governments in exchange for reducing the amount of property taxes they collect, he said.

For fiscal year 2024-25, the amount available for disbursement to school districts would be \$989.6 million. Counties would receive \$437.2 million, and municipalities would receive another \$297.1 million.

Mark McHargue testified in support of both bills on behalf of the Nebraska Farm Bureau and several other agricultural organizations. “Front loading” the LB1107 credit would be a more transparent way to deliver property tax relief, he said, but the change must be accompanied by the hard cap on local taxing authority proposed in LB1414.

Also testifying in support of LB1414 was Carter Thiele of the Lincoln Independent Business Association. He

said allowing political subdivisions to increase their property tax request by a real growth percentage would protect property owners from dramatic tax increases while still ensuring that those entities can meet their needs.

Angi Burmeister testified in opposition to LB1414 on behalf of the Sarpy County Board of Commissioners. She said the proposed cap, even with a growth factor, would not give the county enough flexibility to meet increasing costs.

Milford Public Schools board member Dave Welsch testified in opposition to LB1415. He said the measure would distribute the Nebraska Property Tax Incentive Act funds based on property valuation, which goes against the program’s original intent to offset the amount of property taxes each Nebraskan actually pays.

The committee took no immediate action on either bill. ■

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## AGRICULTURE



### Support for local grocers proposed

The Agriculture Committee heard testimony Jan. 30 on a bill that seeks to provide financial assistance to small, locally owned grocery stores.

LB1116, introduced by Sumner Sen. Teresa Ibach, would create the Grocer Reinvestment Option Act to provide loans and grants to small, Nebraska owned grocery and convenience stores located in low to moderate income communities.



Sen. Teresa Ibach

The proposal also would create the Grocer Reinvestment Revolving Fund with the intent to appropriate \$2 million in fiscal year 2024-25 and FY2025-26. Funds could be used toward a number of business improvements, including implementing new business processes, finding alternative product sourcing and developing the workforce.

Ibach said 139 businesses would be eligible for assistance under the proposal, 131 of which are located in rural Nebraska.

“Unfortunately, food insecurity in rural areas has really grown in the last few years,” she said. “LB1116 [would] protect our locally owned grocery stores in Nebraska’s underserved areas and help prevent more underserved areas from developing.”

At a minimum, a qualifying business must be located in an underserved community and employ no more than 25 full-time employees. For purposes of the program, an underserved community is defined by the U.S. Department of Agriculture as a census tract where at

least 500 people, or 33% of the population, live more than one mile from the nearest supermarket in an urban area or 10 miles in a rural area.

Priority would be given to applicants who can match a portion of the program funds and commit to accepting benefits under the Supplemental Nutrition Assistance Program and the Special Supplemental Nutrition Program for Women, Infants and Children. The state Department of Agriculture would be responsible for administering the program and could create additional eligibility requirements.

John Hansen, president of the Nebraska Farmers Union, testified in support of the proposal. He said one of the keys to a rural community’s sustainability, survivability and quality of life is the grocery store.

“When [a local] grocery store closes down, it really changes the mood ... and the mix of people who are going to live there, move there, [and] bring their kids there.” Hansen said. “If there’s not a grocery store in town, trying to bring young people back to that community is a tough sell.”

Also speaking in support, Jessi Chandler Mason said the driving force in her decision to purchase a grocery store in Anselmo was regenerating small town culture in the community where she grew up. Such stores need assistance to survive, however, she said.

“[LB1116] not only secures the future of local enterprises but also contributes to the overall prosperity of our town,” Chandler Mason said. “It’s a mutually beneficial relationship that recognizes the symbiotic connections between thriving businesses and vibrant communities.”

Robert Hallstrom testified in support of LB1116 on behalf of the Nebraska Bankers Association and the National Federation of Independent Business. While both organizations

are supportive of measures that bolster the viability of rural grocers, he said, the direct loan aspect of the program would be better administered by private financial institutions.

“There are a number of very beneficial opportunities for banks to be involved in this type of program,” Hallstrom said.

No one testified in opposition to LB1116 and the committee took no immediate action.

## APPROPRIATIONS



### Budget adjustments offered

Mid-biennium adjustments to the state’s budget were considered by the Appropriations Committee Jan. 30. The state budget is structured on a two-year basis, with the budget passed in odd-numbered years and adjustments made during legislative sessions held in even-numbered years.

Two bills, introduced by Speaker John Arch of La Vista at the request of Gov. Jim Pillen, comprise the governor’s mid-biennium budget recommendations. The committee heard joint testimony on the proposals.



Sen. John Arch

LB1412 would provide, change and eliminate appropriations for operations of state government, postsecondary education, state aid, capital construction and federal funds allocated to Nebraska from the federal American Rescue Plan Act of 2021. LB1413 would transfer funds and create and change the use of funds.

The bills were presented to the committee by State Budget Administrator Lee Will, who said the goal of this year’s

budget adjustments is “transformational” and “sustainable” property tax relief.

“Property taxes are driving Nebraskans who have worked here and raised their families out of their homes because they can’t afford their tax bill,” he said. “We can no longer strive to only slow down property tax increases, we must be bold and provide a 40% property tax reduction.”

Testimony focused on provisions in LB1413 that would transfer approximately \$274 million from 31 different cash funds, revenue Will said is a “kick start” of revenue necessary to provide for property tax reform. He said almost every agency cash fund is “overbloomed,” including some with balances equal to an entire year of operating costs.

“We have more than enough cushion to mitigate a recessionary blow,” Will said, adding that the governor’s complete budget package would result in a balance of \$891.7 million in the state’s Cash Reserve Fund.

Several agency heads testified in support of the proposal, saying the cash fund transfers proposed in LB1413 would not impede their ability to serve Nebraska residents or complete ongoing projects.

Nebraska Commissioner of Labor John Albin said the proposed \$60 million transfer from the State Unemployment Insurance Trust Fund would not impact its sustainability. The SUIT fund serves as an emergency state cash reserve fund to pay unemployment benefits if the federal government is ever unable to make those payments, Albin said, and currently has a balance of approximately \$515 million.

That balance is 200% of the amount the department needed to cover unemployment benefits for Nebraska workers at the height of the Great Recession, he said, and nearly 150% of what was paid out during the worst point of the pandemic.

“The transfers proposed will not affect the ability of the Nebraska Department of Labor to administer the programs affected by the transfers,” Albin said.

Tom Riley, director of the state Department of Natural Resources, also testified in favor of the governor’s proposal, in spite of a provision in LB1413 that would remove \$8.4 million from the Water Sustainability Fund allocated for an ongoing water project in Cedar and Knox counties.

Riley said the project has received other funds from a variety of state and federal sources and that a less expensive approach to the project has been identified.

Representatives of several agencies, boards and commissions that are not under the direct authority of the governor — as well as an array of nonprofit organizations and business interests — opposed the budget proposal.

Among them was Timothy McCoy, director of the Nebraska Game and Parks Commission. McCoy said a proposed \$9.5 million transfer from the commission’s cash fund would violate federal regulations and jeopardize millions in future federal funding.

In addition, he said, the agency cash fund is the repository of fees Nebraskans pay that are to be used “solely for the improvement, maintenance and operation” of state parks, not for property tax relief.

A proposed transfer of roughly \$14 million from the Nebraska Universal Service Fund in LB1413 also raised objections. The fund is used to promote broadband and telecommunications services in rural and underserved parts of the state. Nebraska Public Service Commissioner Dan Watermeier testified in opposition to that transfer.

The NUSF balance has grown in recent years, he said, but that is the result of a PSC policy change that

now pays out funds to providers on a reimbursement basis in order to ensure that new projects meet the commission’s standards.

“We believe this [policy] achieved the state goal of accountability but the unintended consequence was the build up of funds as we wait to reimburse costs,” Watermeier said, adding that the proposed transfer would jeopardize important enhancements to the state’s telecommunications infrastructure.

Craig Beck of OpenSky Policy Institute also testified in opposition to the governor’s proposal, saying the cash fund transfers outlined in LB1413 are contrary to the way those funds have been treated in the past.

The state currently has a projected budget surplus of more than \$300 million, he said, which does not indicate a need for an influx of hundreds of millions from agency cash funds.

“From a historical lens, the last two times that a number of cash funds were transferred into the general fund to stabilize the budget [were] in 2009 and 2017,” Beck said. “And the fiscal outlooks in those times were substantially different — and worse — than they are now.”

The committee took no immediate action on the governor’s budget proposal.

## EDUCATION

### Limits on school, ESU bond elections considered

A bill that would limit when school bond elections may be held was considered by the Education Committee Jan. 30.

LB878, introduced by Bellevue Sen. Rick Holdcroft, would prohibit schools

and educational service units from conducting special elections for a bond issue, a property tax levy or exceeding a property tax levy limitation.



Sen. Rick Holdcroft

Instead, such questions could appear on ballots only during statewide general elections in even-numbered years.

Holdcroft said two schools in his district, Millard Public Schools and Papillion La Vista Community Schools, held successful bond elections within the past year. Voter turnout for those elections was 34.5% and 33%, respectively, he said, compared to the 53% voter turnout in Sarpy County during the November 2022 general election.

“I believe it is important that there is as much voter input as possible when it comes to proposed ballot questions impacting our tax bills,” Holdcroft said.

Nicole Fox testified in support of the measure on behalf of the Platte Institute. Nebraska has the seventh highest property tax rate in the country, she said, and school bonding and levy overrides are contributing factors.

Fox added that special elections can be costly because election staff shortages can result in overtime pay. For example, she said, conducting a 2020 Lincoln Public Schools bond issue cost an average of \$4.93 per voter.

Kyle Fisher testified in opposition to the bill on behalf of Springfield Platteview Community Schools and the Nebraska Association of School Boards. LB878 would remove an elected board’s ability to conduct business in a timely manner that’s “flexible and cost-effective,” he said.

Also testifying against the proposal was Jack Moles. Speaking on behalf of the Nebraska Rural Community Schools and the Greater Nebraska Schools associations, he warned that

limiting the option to conduct special elections could lead to higher material and construction costs if voter approval is delayed.

“Removing a board of education’s opportunity to consider factors [impacting] cost hinders its ability to make sound financial decisions for the district,” Moles said.

The committee took no immediate action on LB878.

### State funding for private school students discussed

Students attending private, denominational and parochial schools in Nebraska could receive state funds for education expenses under a proposal considered by the Education Committee Jan. 30.

LB1386, introduced by Blair Sen. Ben Hansen, would establish the Nebraska Student Savings Account Support Fund, which would provide up to \$1,500 annually to students attending approved or accredited private, denominational or parochial K-12 schools.



Sen. Ben Hansen

The funds would be placed in educational savings accounts and could be used for expenses such as tuition, fees, textbooks, school supplies, educational therapies or any other materials approved by the State Board of Education. The state treasurer would oversee the fund, which would be available July 1, 2025, and would determine eligibility for the educational savings accounts.

The bill does not specify a funding source for the Nebraska Student Savings Account Support Fund.

Hansen said parents, not the government, are the primary educators of their children, but that the

government should assist parents in that duty. Parents who choose private schools currently must pay twice to educate their children through property taxes and school tuition and deserve tax equity and fairness, he said.

“We need less focus on systems and more focus on students and their unique and individualized needs,” Hansen said.

Hera Varmah testified in support of the bill on behalf of the American Federation for Children. Varmah and her siblings attended private school with the help of Florida Tax Credit Scholarships, she said, which helped them succeed in college and in starting their careers.

Also testifying in support of the measure was Laura Ebke, representing the Platte Institute. She said interest in education choice has increased in recent years after challenges encountered during the pandemic underscored the need for education options that best meet students’ individualized needs.

“While we respect that not all Nebraskans will agree on the need for additional education choice policies, the reality is that many families do care about having these options,” Ebke said.

Tim Royers spoke against the proposed measure on behalf of the Nebraska State Education Association. He argued that LB1386 would violate the state constitution, which he said explicitly prohibits allocating public funds to any school not owned or controlled by the state or a political subdivision.

“Courts have consistently ruled that programs like this are an appropriation to private schools, which our constitution forbids,” Royers said.

Speaking on behalf of OpenSky Policy Institute, Connie Knoche also testified in opposition to LB1386. She expressed concerns about the proposal’s sustainability due to a lack of clarity regarding funding.

Last fiscal year, 36,656 students in

Nebraska were attending K-12 non-public schools, Knoche said. If each of those students received \$1,500, the program outlined in LB1386 would cost approximately \$55 million, she said.

“The bill doesn’t provide a dedicated source of funding for the program, meaning that it will require general fund dollars that are being increasingly stretched in our existing obligations, including public schools,” Knoche said.

The committee took no immediate action on LB1386.



### Occupational licensure bill amended, advanced

Senators broadened an occupational licensure bill to add creation of a professional registry for interior designers before giving the measure second-round approval Jan. 30.

LB16, originally introduced last year by former Albion Sen. Tom Briese, was taken up this session by Sen. Danielle Conrad of Lincoln and would provide broad reciprocal licensure for military members, apprentices and individuals who are licensed in other states, provided they meet a number of criteria.

Among other provisions, the bill would require that applicants for reciprocal licensure must:

- have held their credential for at least a year;
- hold a credential that covers a similar scope of practice, as determined by the licensing board;
- not have a disqualifying criminal

record, as determined by the licensing board;

- not have had their credential surrendered or revoked for negligence or misconduct; and
- not have an open complaint or investigation in any other jurisdiction related to unprofessional conduct or an alleged crime.

LB16 also would add two members to the State Electrical Board and allow individuals with criminal convictions to provide additional information regarding mitigating factors when submitting an application for licensure, government certification or state recognition of their qualifications.

Gordon Sen. Tom Brewer brought an amendment on select file to add amended provisions of his LB471, which would establish a voluntary registry of interior design professionals in Nebraska.



Sen. Tom Brewer

Brewer, chairperson of the Government, Military and Veterans Affairs Committee, said the proposal has been introduced in various forms for several years. His amendment was the result of work during the last interim that brought designers and representatives of the state’s engineers and architects to an agreement, he said.

“In that [first] meeting, I was very vocal in letting them know that my patience had run out and it was time to come to a solution,” Brewer said.

Beginning Jan. 1, 2025, registrants would be issued a seal by the state treasurer, which would constitute certification that any work done was by the registrant or under their control. Registrants would be required to have passed a technical examination as required by the Council for Interior Design Qualification.

Among other documents, registrants could provide schematics, plans, drawings and other diagnostics for the features of a registered interior design project. They could not engage in alteration of structural elements, including exteriors and rooftop construction, or work that involves mechanical, HVAC or fire safety systems.

Brewer said similar legislation has passed in several other states, including Iowa and Minnesota, without any negative impact to public safety.

“This is simply giving interior designers an opportunity to have a certification to use in their work,” Brewer said. “This amendment is a safe, proven proposal.”

Sen. Megan Hunt of Omaha supported the amendment, which she said addresses a “labor of love” that she has worked on for four years. Interior design is more than “just paint and pillows,” she said, and obtaining professional recognition for the state’s more than 300 design firms — most of which are women-owned — is important for Nebraska’s economy.

“These are entrepreneurs who are running small businesses, who are really going to benefit from this amendment,” Hunt said, “and it’s going to keep them in our state.”

Brainard Sen. Bruce Bostelman also spoke in support of the amendment and the underlying bill. He agreed that the registry would not compromise public safety, as long as Nebraskans are educated about the clear guidelines contained in the measure requiring an engineer or architect to sign off on any structural changes contained in a plan.

“Sometimes, in our smaller communities, they don’t realize that,” Bostelman said.

Following the 34-1 adoption of the Brewer amendment, lawmakers advanced LB16 to final reading by voice vote.

### Petition signature removal change considered

The Government, Military and Veterans Affairs Committee heard testimony Jan. 31 on a bill intended to simplify the process for removing a voter's signature from an election petition or referendum.

Currently, a voter may remove their name from an election petition by an affidavit signed and sworn to before an election commissioner, county clerk or notary public.

LB861, sponsored by Elkhorn Sen. Lou Ann Linehan, would allow voters to remove their name by instead providing a signed letter to an election commissioner, county clerk or the Nebraska secretary of state. Falsifying such a letter would be a Class IV felony, punishable by a maximum of two years imprisonment and one year post-release supervision.

Linehan said she brought the bill after receiving video of petition circulators "spreading lies" in their attempt to gather signatures to repeal the Opportunity Scholarships Act—a bill she sponsored, which passed in 2023. Several voters who felt they had been deceived sought to remove their names from the petition, she said, and were told they would have to submit a notarized affidavit.

"For some people — actually, I would say most people — who have limited time or have no easy access to a notary, this became a serious problem," Linehan said.

She brought an amendment to the committee that would require the election official who receives the letter to verify the signature through voter registration records.

Clarice Jackson of Omaha testified

in support of the proposal, saying a person should not have to "go through hoops" to remove their name from a petition. It shouldn't be harder for a voter to remove their name if they believe they've been misled, she said, than it is for them to sign in the first place.

Sheri St. Clair, representing the League of Women Voters, testified in opposition. Petition drives are difficult, time-consuming and expensive, she said, and shouldn't be able to be reversed easily. She expressed concern that voters who sign petitions could be subject to "harassment" campaigns from opponents in an attempt to remove signatures.

"[LB861] may raise the potential for well-funded opposition organizations to, essentially, use false media promotions, misleading advertisements and [provision of] stamped, self-addressed envelopes to simplify the process," St. Clair said.

Also speaking in opposition was Heidi Uhing, public policy director at Civic Nebraska. She echoed concerns that removing security measures to take a signature off a petition could open voters up to pressure.

In addition, she said, voters who change their mind after signing a petition already have options for removing their name or can simply vote against the measure if it comes up on the ballot.

"Signing on to support a ballot initiative or referendum is not the final stage of this process," Uhing said.

The committee took no immediate action on the proposal.

### Firearm industry protections considered

A bill intended to prohibit government entities from contracting with businesses that discriminate against the firearms industry was considered by the Government, Military and

Veterans Affairs Committee Feb. 1.

LB925, sponsored by Sen. Raymond Aguilar of Grand Island, would establish the Firearm Industry Nondiscrimination Act. The bill would prohibit government entities from entering into any contract for goods or services with a company unless the contract includes a written certification that the company currently does not engage in discrimination against firearm entities or firearm trade associations.



Sen. Raymond Aguilar

The bill's provisions would not apply to contracts with a value of less than \$100,000 or to companies with fewer than 10 full-time employees. The state Department of Administrative Services would be required to review state contracts to ensure that the requirements are met.

Aguilar said policymakers should discourage discrimination and provide consequences when it occurs.

"Many successful businesses in the firearm and ammunition industries have faced discrimination by providers of financial services or insurance companies due to the very nature of their legal and regulatory-compliant businesses," Aguilar said.

Nephi Cole of the Firearms Trade Association of America testified in support of LB925. The firearms industry has a history of being discriminated against by the financial services industry, he said, through canceled contracts, demands for new collateralization or higher rates for standard services.

"If companies make a choice to have a discriminatory policy against the Second Amendment, they should tell you about it," Cole said. "If you can, you should do business with someone else."

John Heaston, executive director



of the Nebraska Sportsmen’s Foundation, also testified in favor of the bill. Firearms manufacturers are job creators and contribute a great deal to their communities, he said. LB925 would ensure that government entities know who they are contracting with, he said, so they can avoid supporting companies that discriminate against the firearms industry.

“Our First Amendment rights guarantee free speech, and that right is sacred,” Heaston said. “But targeting specific companies and groups based on the premise of guilt by association is an unfair use of those First Amendment rights.”

Steve Hornady, president of a Grand Island ammunition manufacturing company, testified in support of the bill. He said his company, which has been in business since 1949 and employs 1,200 people, has faced discrimination from insurance, software and credit card processing companies.

Hornady said the company’s property insurance carrier informed him last year that limits would be put on their coverage due to catastrophic weather-related challenges throughout the U.S. and because the company had begun to outgrow the provider’s capacity. When he requested bids from 24 other providers, he said, the company received no quotes.

“There’s no question that we see a ‘woke’ policy that moves through here that chooses to discriminate against a number of industries ... oil and gas, some agricultural areas [and] certainly the firearms industry,” Hornady said.

But Robert Bell, executive director of the Nebraska Insurance Federation, said many businesses across all industries currently are having difficulty securing property insurance. Speaking in opposition to the proposal, Bell said large companies that are worth a great deal of money bring the added challenge of risk capacity.

Many insurance companies will not write a policy if they lack the capital to cover a loss, he said, regardless of the kind of business that a company does. As a result, Bell said, some successful companies have to pay very high premiums or self-insure.

Also testifying in opposition was Robert Hallstrom of the Nebraska Bankers Association. He said LB925 is an example of state government overreach and that such proposals often have unintended consequences, including entangling local government entities in costly litigation.

“Legislation designed to make a political statement should not be utilized to disrupt the normal operation of the free market system,” he said.

The committee took no immediate action on the proposal.

**Bill would change status of History Nebraska**

A state agency with a recent history of controversy would be placed under the direct authority of the governor under a bill considered Feb. 1 by the Government, Military and Veterans Affairs Committee.

Under LB1169, introduced by Bayard Sen. Steve Erdman, the Nebraska State Historical Society – commonly known as History Nebraska – would become a code agency under Nebraska state law. Code agency directors are appointed by the governor with legislative approval and report directly to the governor.



Sen. Steve Erdman

History Nebraska has been a noncode agency since 1994 and is governed by a board of 12 trustees, three of whom are appointed by the governor. The remaining trustees are

elected by History Nebraska members in each of the state’s three congressional districts. The director is appointed by the board of trustees.

Erdman said the agency has had management issues for years, most recently when felony charges were brought against its former director for misdirecting a donation to a private charitable organization that he founded.

“There’s nothing new about mismanagement of funds at the historical society,” Erdman said. “We need oversight by the state auditor as well as the state treasurer to make sure that these funds are taken care of in an appropriate manner.”

LB1169 would require prior approval of gifts to History Nebraska of real property or with a monetary value of \$10,000 or more. It also would outline the director’s duties and prohibit the director from serving on the board of any charitable organization that provides monetary or other support to History Nebraska.

Finally, the bill would remove administrative duties from the trustees and instead give them an advisory role to the director.

“As I began to analyze what we need to do to try and bring some common-sense approach to management for this agency, it was quite obvious that the best way to do that was to make them a code agency,” Erdman said.

Roger Lempke, president of the Nebraska State Historical Society Foundation – a nonprofit that fundraises for History Nebraska – testified in support of the measure on his own behalf.

History Nebraska needs a different leadership model, he said, one that includes greater oversight. Having a director who is appointed by the governor and confirmed by the Legislature would help restore confidence in the agency, he said.

“History Nebraska is suffering from

a lack of public and government trust,” Lempke said.

Also testifying in support was Jason Jackson, director of the state Department of Administrative Services. Calling LB1169 a “government accountability bill, pure and simple,” Jackson said the measure would address the root causes that allowed History Nebraska’s previous director to engage in “malfeasance.”

DAS is responsible for accounting and personnel operations for the state, he said, and would be better able to “re-store appropriate controls” and address operational deficiencies within History Nebraska if it were made a code agency.

Nick Walter, a current member of the board of trustees, opposed the measure.

History Nebraska gets only 54% of its funding from state general funds and 14% from the federal government, he said. The rest of the funds needed to carry out the agency’s important cultural mission come from fundraising and donations, Walter said, which likely would be negatively impacted by the bill.

“Nobody leaves money in their will to DAS,” he said.

The committee took no immediate action on LB1169.

## HEALTH & HUMAN SERVICES

### Transitional health care for homeless adults proposed

The Health and Human Services Committee considered a bill Feb. 1 that would provide short-term housing and medical services for eligible adults experiencing homelessness.

LB905, introduced by Ralston Sen. Merv Riepe, would require the state Department of Health and Human

Services to apply for a Medicaid waiver or state plan amendment with the federal Centers for Medicare and Medicaid Services by Jan. 1, 2025, to designate two medical respite facilities for homeless individuals in Nebraska.

The facilities – one located in a primary class city and the other in a metropolitan class city – would be reimbursed for services to qualified individuals. Lincoln is the state’s only primary class city and Omaha is the only metropolitan class city.

Riepe said the program is designed to provide a standard of care for those experiencing homelessness who are too ill or frail to recover on the streets, yet do not require hospital-level treatment. He said 11 other states have implemented similar legislation to assist the unhoused, signaling a growing recognition of the efficacy and value of such programs.

“By investing in medical respite care, we not only uphold our duty to provide compassionate care to those in need, but also stand to realize significant cost savings for our state,” Riepe said.

Linda Twomey, executive director of Siena Francis House, said her organization started a pilot program in 2020 to provide medical respite care to individuals experiencing homelessness. Testifying in support of LB905, she said homeless individuals stay an average of 1.6 days longer in the hospital and often spend their first day post-hospitalization in an unsafe environment.

“For individuals with homes, accessing care can be difficult,” Twomey said. “But for the homeless, the absence of a home exacerbates medical complexities and inflates health care expenses unnecessarily, leading to



Sen. Merv Riepe

longer hospitalizations.”

Speaking on behalf of the Nebraska Hospital Association, Margaret Woepel also testified in support of the measure. While the number of patients needlessly staying in hospitals has decreased, she said, there is work to do toward finding adequate placements for the state’s unhoused population.

In 2022, there were 5,580 patients in Nebraska who were discharged from hospitals to a state of homelessness, Woepel said, with 55.7% of those patients located in Omaha and 22.5% in Lincoln.

“LB905 is an essential piece to allow hospitals to care for patients who are suffering from homelessness,” she said. “Medical respite care can be a solution for this population.”

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

### Bill would require Summer EBT participation

The Health and Human Services Committee heard testimony Feb. 1 on a bill that seeks to provide summer meals to low-income children in Nebraska.

LB952, introduced by Omaha Sen. Jen Day, would require the state Department of Health and Human Services to opt into the federal Summer Electronic Benefits Transfer, or Summer EBT, program. Under the program, families whose children are eligible for free and reduced price school meals would receive \$40 per eligible child for each month that school is not in session during the summer.

States were given the option to enroll in Summer EBT last year. Gov. Jim Pillen declined, and Nebraska is one of



Sen. Jen Day

15 states that chose not to participate.

Day said the bill would serve an estimated 150,000 Nebraska children and emphasized the growing need across the state for support in accessing food. She said the number of Nebraska households that are food insecure has risen from 10.7% to 13.5% since 2017.

“This places Nebraska above the national average and gives us the eleventh highest [rate of] food insecurity in the nation,” Day said.

Summer EBT is a successor of the Pandemic EBT program and federal dollars would fund all of the estimated \$18 million in aid that would be provided to Nebraska families under LB952. Day said the state would be responsible for paying half of the administrative costs associated with implementing Summer EBT – an estimated \$420,000 – which she said would be well worth it.

“A \$32 million impact to the local economy in exchange for about \$400,000 in [administrative] fees,” she said. “There’s no reason not to do it.”

Katie Nungesser testified on behalf of Voices for Children in Nebraska in support of the proposal. She said current resources and programs available to children in the summer months are insufficient.

“Nebraska ranks among the top states with the lowest success rates in connecting hungry children with meals over the summer,” Nungesser said. “Astonishingly, only 9% of food insecure children in Nebraska were connected to summer meal sites.”

Reva Evans, program coordinator of the therapeutic school at Heartland Family Service, also testified in support of the bill, emphasizing the impact hunger can have on a child’s ability to learn. Research shows that children who live in poverty are two academic years behind their peers, she said, and much of that academic lag can be traced

to a child’s summer environment.

“When they’re worried about how they will eat over the weekend, it’s hard to feel safe,” Evans said. “Our students want to learn, they actually really love to learn ... they just need the right tools and they need to be able to focus.”

Also speaking in support of the measure was executive director of the Nebraska Catholic Conference, Tom Venzor, who noted the importance of a collaborative approach to addressing childhood hunger.

“When we are looking to combat hunger, we have to think holistically about the various mechanisms at our disposal,” he said. “[LB952] is an important element in meeting the food insecurity needs of Nebraska students across the state.”

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

### **Newborn screening exemption proposed**

Nebraska parents would be able to opt their newborns out of screenings for over 60 genetic conditions under a bill considered by the Health and Human Services Committee Jan. 31.

Current law requires that all infants born in the state be screened for various genetic disorders before they can be released from a hospital or birthing facility. The state Department of Health and Human Services is required to incinerate all samples 90 days after collection unless a family otherwise requests the sample for personal use or to be used for research purposes.

Under LB1060, introduced by Sen. Ben Hansen of Blair, parents would be able to opt their newborn

out of these screenings.

Hansen said 47 other states inform parents about the benefits of newborn screening and trust their decision, while Nebraska forces infants to undergo an “invasive” test that violates some parent’s philosophical and religious beliefs.

“I’m not arguing the benefits of the procedure or early detection,” he said. “[but] I can’t think of any other medical procedures that are forced upon infants.”

Speaking in support of LB1060, Shannon Splonskowski described her experience of giving birth under the current mandate. She said her daughter had to be screened before the two were allowed to leave the birthing center, even though tests conducted within 24 hours of a child’s birth are not considered accurate. This meant that her daughter had to undergo screening a second time during the midwife’s first in-home visit in order to achieve accurate results, she said.

“If I wanted to have the freedom to be able to use the midwives for future pregnancies and deliveries, I would have to ... put my baby through the trauma of multiple pricks for no reason,” Splonskowski said.

Jacy Ruwe also spoke in support of the measure, saying a child’s health is their parent’s responsibility, not the state’s. The current newborn screening process violates parent’s rights, and sets a dangerous precedent regarding medical privacy, she said.

“I believe this screening should be akin to genetic testing in the womb – available to those who want it, but certainly not mandated,” Ruwe said. “If our children are to be used as lab rats, we parents should get a say in whether or not they participate.”

Testifying in opposition to LB1060 was Timothy Tesmer, chief medical officer for the state Department of



Sen. Ben Hansen

Health and Human Services. Tesmer said the current newborn screening mandate is driven by the importance of early detection, intervention and treatment, which often can prevent or minimize the development of severe symptoms and complications.

Late detection often leads to more advanced stages of a condition, he added, which can require intensive medical intervention, hospitalization, surgery and ongoing treatment.

“The current mandate is crucial because the disorders screened for ... cause severe health problems, including death,” Tesmer said. “These disorders are treatable and would often remain undetected until symptoms manifest.”

Also speaking in opposition to LB1060 was Robin Linafelter, who said the newborn screening saved his daughter’s life. Although the baby appeared to be completely healthy at birth, Linafelter said, the family was notified of her condition when she was three days old.

“We knew right away [that] left undiagnosed, she would potentially live a life with irreversible brain damage,” he said. “Had we opted out [of] the screening, the outcome would have been totally devastating.”

Ann Anderson Berry, medical director for the Nebraska Perinatal Quality Improvement Collaborative, also testified against the proposal. Representing the Nebraska Medical Association, she said the state’s time to treatment – or the time between a diagnosis and the start of treatment – is significantly lower than the regional and national averages.

Without newborn screening, Anderson Berry estimated the state’s time to treatment would be extended significantly because families would wait until symptoms appear before seeking care, causing physicians to go through a complicated diagnostic process.

The committee took no immediate action on LB1060.

### **Hospital assessment program proposed**

A bill intended to increase Medicaid payments to Nebraska hospitals without the use of additional general fund dollars was considered by the Health and Human Services Committee Feb. 2.

LB1087, introduced by North Platte Sen. Mike Jacobson, would require the state Department of Health and Human Services to submit a state plan amendment to the Centers for Medicare and Medicaid Services for approval to impose an assessment on Nebraska hospitals.



Sen. Mike Jacobson

Under the bill, every Nebraska hospital would pay an assessment fee based on their quarterly net patient revenue. The total statewide assessment amount would equal the state share of payments authorized by CMS plus an administration fee, which could not exceed 2% of the assessment amount.

The complete assessment total could not exceed 6% of the total net patient revenue of all assessed hospitals. The bill also would require DHHS to partner with a statewide hospital association to establish Medicaid quality improvement metrics and track progress on those metrics.

Jacobson said Nebraska would join 43 other states and the District of Columbia in using the program, which he estimated would draw nearly \$1 billion in federal funds to the state’s hospitals.

“This is net dollars coming to the state of Nebraska,” he said. “If passed, this bill would increase and improve access to quality care across the state and give us measurable results for all

Nebraskans.”

Jeremy Nordquist, president of the Nebraska Hospital Association, spoke in support of LB1087. He said the average cost to provide care at Nebraska hospitals has risen 33% since 2022, while Medicaid reimbursement rates have risen only 2.25%.

Nordquist said the majority of Nebraska hospitals are losing money, with 59% of rural critical access hospitals operating in the red.

Also testifying in support of the proposal was Sara Howard, speaking on behalf of First Five Nebraska. Howard said the provisions in LB1087 that require tracking progress on quality improvement metrics would have a positive impact on maternal and infant health across the state.

“Fifty-one percent of counties in the state of Nebraska are considered a maternal care desert, which means no hospital, no [OB/GYN] provider ... no birthing center,” she said. “LB1087 can move the needle on our maternal care deserts, and specifically [on] quality measures around maternal care.”

Jeremy Brunssen testified in a neutral capacity on behalf of DHHS. While supportive of the concept and the need to support the state’s hospitals, Brunssen said the department has some technical concerns with the bill’s language and is working with Jacobson to resolve them.

No one testified in opposition to LB1087 and the committee took no immediate action on it.

## **JUDICIARY**



### **Prohibition on evicting children, school employees proposed**

The Judiciary Committee heard testimony Jan. 31 on a bill that seeks to protect certain residents from be-

ing evicted during the school year by amending the Uniform Residential Landlord and Tenant Act.

LB845, introduced by Omaha Sen. Megan Hunt, would prohibit evictions during the school year for residents who are enrolled in school or an early child care program, school employees or parents. A parent could include a step-parent, adoptive parent, guardian, foster parent or custodian. The measure would apply to both public and private school students and employees.

Under the bill, landlords still could file evictions, but qualifying residents would have an affirmative defense that they are exempt from evictions during the school year. The bill would not apply in instances when an eviction is sought due to domestic violence.

Hunt said her proposal is a “big idea” that aims to address multiple challenges in Nebraska, such as the lack of affordable housing, child care availability and the emotional well-being of children.

“This bill would simply lessen the traumatic impact of having to relocate and find housing during a time [when] young children most need stability and consistency, and when we need our teachers and school staff to be able to come to work and do the best for our kids,” she said.

Lee Heflebower testified in support of the proposal on behalf of the Nebraska Coalition to End Sexual and Domestic Violence. Children experiencing eviction are more likely to become homeless, she said, and more likely to switch schools as a result, which can impact their academic performance.

“Children are more likely to have lower academic achievement and delayed literacy skills when they expe-



Sen. Megan Hunt

rience high rates of residential instability or homelessness,” Heflebower said.

Also testifying in favor of the measure was Katie Nungesser on behalf of Voices for Children in Nebraska. Stable housing is essential to the well-being of school-aged children, she said, and being evicted can impact their ability to do well in school.

“Evictions are not just legal proceedings,” Nungesser said. “They leave lasting scars on a student’s academic success and emotional development.”

Several opponents of the bill said it essentially would require property owners and landlords to put their own livelihood at risk by allowing people to live in their rental units for free.

Lynn Fisher opposed the bill on behalf of the Statewide Property Owners Association and Nebraska Realtors Association. Tenants who do not pay their rent should not be shielded from having violated the private contracts or leases that they entered into, he said.

“Whether the tenant includes children, students, teachers – [it] doesn’t matter,” Fisher said. “Being a member of a protected class doesn’t remove private contract responsibilities.”

Also testifying in opposition to the measure was Rick McDonald on behalf of the Metropolitan Omaha Property Owners Association. Landlords aren’t causing children to be evicted or poor education outcomes, he said, parents or the adults in the household are.

“This isn’t going to cure the problem with the kids and parents having to move,” McDonald said.

The committee took no immediate action on the bill.

**Kratom criminalization proposed**

Kratom would be added to Nebraska’s list of substances whose manu-

facture, possession and use are regulated by the state under a measure considered by the Judiciary Committee Feb. 1.

LB972, introduced by Central City Sen. Loren Lippincott, would add Mitragynine, commonly known as kratom, and its synthetic forms to Nebraska’s controlled substances list.



Sen. Loren Lippincott

Lippincott said kratom is an herbal substance native to Southeast Asia that can resemble opioids and has stimulant-like effects. It typically is ingested orally in the form of a tablet, capsule or extract or drunk as a tea, he said.

Five years ago, most people didn’t know what kratom was, Lippincott said, but now it’s difficult to drive across town without seeing a store that sells it. While it may have benefits, kratom can be addictive and some people may require medical intervention to stop using it, he said.

“Kratom actually works to some extent, but try getting off kratom,” Lippincott said. “You can’t do it, or it’s very difficult to do.”

As introduced, the bill would immediately ban kratom upon passage. Lippincott provided the committee with an amendment at the hearing that would delay implementation until Jan. 1, 2025, which he said would give Nebraskans ample time to comply with the new law.

Maggie Ballard, representing Heartland Family Service, testified in support of the measure. Kratom is advertised to help with a number of ailments including pain, fatigue, depression, anxiety and menstrual cramps, she said, but the federal government has not approved kratom for any medical purpose.

There also are numerous side effects with kratom use, Ballard said, including

nausea, weight loss and psychiatric, respiratory and gastrointestinal problems.

Sarah Linden, owner of the stores Generation V and Grateful Green, testified in opposition to the proposal. Over 15 million people in the U.S. use kratom, she said, and a majority of them are between ages 30 and 50, are employed and have some college education. People use the product for a variety of reasons, including to treat pain and depression, increase focus and alertness and self-manage opioid addiction and other substance abuse disorders, Linden said.

“Kratom users are regular people – soccer moms, athletes, construction workers and older folks – looking for natural remedies rather than pharmaceutical prescription drugs [that] have failed them,” she said.

Also testifying in opposition to LB972 was Mac Haddow, representing the American Kratom Association. Banning kratom could exacerbate the opioid crisis, Haddow said, by forcing the millions of people who use kratom back to medications with much more dangerous side effects. Instead of banning kratom, Nebraska should join 11 other states and pass the Kratom Consumer Protection Act, he said, which would enact specific regulations for selling kratom, including age limits to purchase it.

Spike Eickholt, representing the Nebraska Criminal Defense Attorneys Association, testified against the measure. He argued that classifying kratom as a controlled substance would put Nebraskans who currently use it at risk of being charged with a felony.

“Even the introducer of the bill acknowledged that he wants to delay the implementation of the bill back to January because he recognizes that people are able to buy this stuff,” Eickholt said. “People are using it and you’re going to make it a felony for them to have it.”

The committee took no immediate action on LB972.

### **Bill would ban synthetically derived THC products**

Delta-8 and similar hemp-derived products would be prohibited in Nebraska under a proposal considered by the Judiciary Committee Feb.1.

LB999, introduced by Sen. Teresa Ibach of Sumner, would restrict the sale, possession and consumption of hemp-derived cannabinoid products that contain isomers, acids and salts, such as delta-8 or delta-10.



Sen. Teresa Ibach

The federal 2018 Farm Bill legalized hemp production with 0.3% or less Delta-9 THC, Ibach said, but other cannabinoids like delta-8 and delta-10 were not limited, thus creating a loophole for businesses to sell them. Currently, these products are not subject to state-regulated testing or purity requirements, she said, which prevents purchasers from knowing exactly what they’re consuming.

“While a product could be advertised as delta-8 or delta-10, these products could, and most likely do, contain chemicals, compounds and other impurities that are not listed on the label,” Ibach said.

LB999 also would transfer regulatory oversight of hemp cultivation in Nebraska from the state to the U.S. Department of Agriculture and terminate the Hemp Promotion Fund, among other provisions.

Nebraska Attorney General Mike Hilgers testified in support of the measure. Nebraska retailers who sell delta-8 and similar products are operating in a “perceived loophole,” he said, that does not exist within

state law. Investigations undertaken by his office found that many retailers offered products that are “clearly illegal,” he said.

“They’re making a little bit of a bet that authorities, like my office or others, won’t be able to take the time, the energy or the money to be able to enforce the law,” Hilgers said.

Also testifying in support of the measure was Sarpy County Sheriff Jeff Davis. In 2023, the narcotics unit purchased products from various Sarpy County retailers that were sent in for testing, he said.

“A few months later, we were notified that several products had tested positive for delta-9 with a THC content 30 or 40 times greater than what was allowed by law, which is 0.3%” Davis said.

After these findings, products from stores in Omaha, Lincoln, Grand Island and Ogallala also were also tested and found to be illegal, he said.

Andrea Holmes, an organic chemist and president of the Nebraska Healthy Alternatives Association, testified against the proposal. Thousands of people across the state use hemp products to improve their health and quality of life, she said, and most retailers are complying with state law by offering products that are clean, professional and sourced from trusted manufacturers.

“A ban on hemp products would not only put these reputable businesses out of commission, but also prevent adults in Nebraska [from accessing] safe and tested products that they freely choose to use in their daily lives,” Holmes said.

Also opposing the bill was Sean Norris, who spoke on behalf of MC Nutraceuticals, a cannabinoid distributor. An estimated 40 million U.S. adults tried delta-8 products in the last year, he said, and many people who use hemp-derived products report that

the therapeutic benefits are greater than those found in traditional medicines, including opioids.

Nelam Millatmal testified against the proposal on behalf of The Cannabis Factory, a Nebraska-based retailer with 16 stores throughout the state. The Cannabis Factory sells products only from reputable distributors licensed by the USDA, she said, which are tested in DEA-certified labs and arrive in stores with certificates of analysis.

More than 100,000 customers are enrolled in the company's loyalty program, Millatmal said.

"They include, but are not limited to, retired military personnel, teachers, chemo patients, law enforcement officers — all of whom find benefits for health concerns with our products," she said.

The committee took no immediate action on LB999.

### Eminent domain changes proposed

Additional regulations for the use of eminent domain were considered Feb. 2 by the Judiciary Committee.

LB1366, introduced by Omaha Sen. John Cavanaugh, would require that an appraisal be shared with property owners during eminent domain negotiations. The appraisal would serve as evidence of good faith negotiations and could be presented when a petition is filed if negotiations are unsuccessful.

The bill defines a good faith negotiation as the making of a reasonable offer of at least fair market value and making a reasonable attempt to convince the owner to accept it.

The proposal also would prevent

a political subdivision from using eminent domain to acquire property outside of its boundaries, unless the governing body of the county, city or village where the property is located approves by a majority vote.

Cavanaugh said he conducted an interim study last year to determine ways to provide more transparency and accountability for eminent domain use.

"While I recognize that sometimes eminent domain is a public necessity, I believe that it should be limited in scope and every effort should be made to protect property owners," Cavanaugh said.

LB1366 also would prohibit private entities from using eminent domain for pipelines without approval from the Nebraska Public Service Commission or the governing body of the county, city or village where the property is located. The bill would provide property owners the right to reclaim their title or interest for the amount of the condemnation award if their property is no longer needed for public use.

Shannon Graves of York County testified in support of the bill. As someone whose property was located in the original Keystone XL Pipeline route, Graves said she has assisted property owners approached about the proposed Summit Carbon Solutions pipeline.

She said the pipeline company looks into financial records and bases easement offers on that information. A resident in Polk County was told by a company representative that they could sign the offered easement or "spend the rest of their life in eminent domain court," Graves said.

"That is not negotiating in good faith," she said.

Also testifying in support of LB1366 was Korby Gilbertson, representing the Nebraska Realtors Association. The association has long been protective of property rights, she said,

and supports ensuring that property is sold for what it is worth.

Opposing the bill was John McClure, speaking on behalf of the Nebraska Public Power District and Nebraska Power Association. Out of eight NPPD transmission projects undertaken between 2009 and 2019, five were completed through 100% volunteer easements, he said, meaning the use of eminent domain was unnecessary.

McClure said allowing local political subdivisions to approve or deny the use of eminent domain could give a county board, for example, the power to impede a project that could benefit up to a million people.

"We don't think that's sound public policy," he said.

Lash Chaffin, representing the League of Nebraska Municipalities and the Metropolitan Utilities District, also testified against the measure.

Chaffin said city-owned properties like wastewater treatment centers, electric distribution systems and natural gas facilities often are located outside of city limits. Under the bill, county boards, which typically are not involved in municipal project planning, would have the ability to hinder these projects, he said.

The committee took no immediate action on LB1366.



Sen. John Cavanaugh



### Voluntary hunting and fishing guide database proposed

The state Game and Parks Commission could create a hunting and fishing guide and outfitter database on its website under a proposal heard Jan. 31 by the Natural Resources Committee.

LB867, introduced by Sen. Bruce Bostelman of Brainard, also would

allow the commission to charge a registration fee to administer the service. Applicants who meet the bill's requirements would be placed in the database for three years.

Among those requirements, Bostelman said, is that an applicant would have to own a business registered in Nebraska and could not have been convicted of a felony or violated state or federal game law within three years prior to application.

In recent years, he said, several guides and the hunters who hired them have been charged with or convicted of violating state and federal game law. The proposed database would provide Nebraska hunters and those visiting from outside the state some assurance that they are working with a "trusted" business, Bostelman said.

Timothy McCoy, director of the state Game and Parks Commission, testified in support of LB867. He said it would encourage current guides and outfitters to comply with the law and could be a step toward eventually requiring them to apply for a state license.

John Heaston testified in support of the bill on behalf of the Nebraska Sportsmen's Foundation. He said the database would provide a valuable resource for those who are planning hunting and fishing trips to Nebraska and recognize guides and outfitters who are "good actors."

"We know that our values will be judged by the least of us," Heaston said, "and so when there are bad actors in the system, it reflects poorly on everyone who hunts, fishes and traps."

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



Sen. Bruce Bostelman

## REVENUE

### Repeal of certain sales and use tax exemptions considered

The Revenue Committee heard testimony Feb. 1 on more than half a dozen proposals to broaden the state sales tax base in an effort to reduce local property tax collections.

Gov. Jim Pillen testified in support of the proposals, saying they are part of his plan to generate additional revenue to offset reductions in Nebraska's high property taxes, which he said increased by \$1.3 billion over the past six years.

Pillen said the sales tax package, in combination with a proposed cap on local government spending, is intended to reduce property tax collections by 40%, resulting in "permanent, long-lasting relief for all Nebraskans." When considering the proposals, he said, elected officials must "sort through the noise" created by lobbying groups seeking to maintain the exemptions.

"We have to have the courage to have a significant attitudinal change to make sure we focus on what's best for Nebraska," Pillen said.

LB1308, introduced by Elkhorn Sen. R. Brad von Gillern, would eliminate a state sales and use tax exemption for repair or replacement parts for agricultural machinery and equipment. It also would impose sales and use tax on accounting services.

"I understand that the elimination of these exemptions is not popular," von Gillern said. "But ... they could become a small part of a partial solution to the property tax issues here in Nebraska."

Dennis Swanson testified in oppo-

sition to the bill on behalf of the Iowa Nebraska Equipment Dealers Association. He said it would put Nebraska agricultural equipment dealers at a disadvantage to those in neighboring states that do not collect sales tax on replacement parts.

Also in opposition to LB1308 was Stacy Watson, who testified on behalf of the Nebraska Society of CPAs. She said taxing accounting services and other business inputs is considered bad tax policy because it leads to "tax pyramiding," in which a good or service is taxed multiple times before it is purchased by a consumer.

LB1311, sponsored by Sen. Fred Meyer of St. Paul, would impose state sales and use tax on storage and moving services as well as certain animal speciality services, including veterinary services.

Jason Ball testified in opposition to the bill on behalf of the Lincoln Chamber of Commerce, Nebraska Chamber of Commerce and Industry and National Federation of Independent Business. He said LB1311 and the other bills under consideration would increase costs for businesses and families without reducing the total amount of taxes that Nebraskans pay.

"This kind of tax shift increases the tax burden on some Nebraskans to pay for reducing the tax burden on other Nebraskans," Ball said.

LB1354, sponsored by Thurston Sen. Joni Albrecht, would impose a 7.5% tax on companies doing business in Nebraska if their gross advertising revenue exceeds \$1 billion.



Sen. Fred Meyer



Sen. R. Brad von Gillern



Sen. Joni Albrecht



Sara Wilson testified in opposition to the bill on behalf of the Greater Omaha Chamber, the Nebraska Chamber of Commerce and Industry and the Lincoln Chamber of Commerce.

Although LB1354 is intended to tax large technology companies such as Google and Facebook, she said, they likely would pass along any increased costs to Nebraska businesses, many of which buy advertising from those companies.

Other bills considered by the committee were:

- LB1248, introduced by Sen. Kathleen Kauth of Omaha, which would impose state sales and use tax on candy and soft drinks as well as certain products made from hemp;



Sen. Kathleen Kauth

- LB1310, also sponsored by Albrecht, which would eliminate the sales and use tax exemption for Nebraska lottery tickets and exclude cash devices from a sales and use tax exemption;

- LB1319, introduced by Elkhorn Sen. Lou Ann Linehan, which would repeal a sales and use tax exemption related to data centers;



Sen. Lou Ann Linehan

- LB1349, sponsored by Sen. Dave Murman of Glenvil, which would impose sales and use tax on the cleaning and



Sen. Dave Murman

repair of clothing and eliminate an exemption for admission to zoos and aquariums; and

- LB1345, introduced by Omaha Sen. Justin Wayne, which would impose sales and use tax on legal services performed in the furtherance of a business enterprise.



Sen. Justin Wayne

The committee took no immediate action on the proposals.

### Employee relocation incentives proposed

Nebraska businesses would receive a tax benefit for paying employees' relocation expenses under a bill heard Feb. 2 by the Revenue Committee.

Sen. Beau Ballard of Lincoln, who sponsored LB1400 on behalf of Gov. Jim Pillen, said the bill is intended to help companies recruit and retain talented workers from other states.



Sen. Beau Ballard

Under the bill, an employer that pays relocation expenses for a qualifying employee could apply to the state Department of Revenue for a refundable state income tax credit of up to \$5,000 per employee. The department could not grant a credit unless the employee is paid an annual salary of between \$70,000 and \$250,000.

In addition to the employer credit, the employee would be eligible to make a one-time election to exclude their Nebraska-sourced income from state income tax.

The department could recapture the credit amount, and any reduction

in tax as a result of the exclusion, if the employee does not maintain residency in Nebraska for two years.

Robert Bell testified in support of LB1400 on behalf of the Nebraska Insurance Federation. Nebraska's insurance industry expects to add 2,000 jobs over the next decade, he said, but finding qualified candidates is a top concern.

Bell suggested amending the bill so that insurance companies, which pay premium and retaliatory taxes but not state income tax, also would benefit.

Also in support was Jason Ball, who testified on behalf of the Lincoln Chamber of Commerce, Nebraska Chamber of Commerce and Industry and Greater Omaha Chamber. He said providing resources to businesses to help them relocate workers is "essential" at a time when the state has an estimated 80,000 open jobs.

No one testified in opposition to LB1400 and the committee took no immediate action on it.

## URBAN AFFAIRS

### State zoning for duplexes, accessory dwelling units proposed

The Urban Affairs Committee heard testimony Jan. 30 on two measures intended to increase housing density in Nebraska cities.

Kearney Sen. John Lowe, sponsor of LB1165 and LB1166, said the Nebraska Investment Finance Authority estimates that the state needs 200,000 more housing units to



Sen. John Lowe

meet demand. He said both proposals would help address the problem by ensuring that local zoning regulations do not limit the types of houses that can be built.

Under LB1165, duplex housing would be allowed as a permitted use on a lot where a single-family residence is a permitted use in metropolitan, primary and first class cities. Zoning regulations that apply to duplexes could not be more restrictive than regulations that apply to single-family residences.

LB1166 would require municipalities to adopt zoning regulations that allow at least one accessory dwelling unit on a lot or parcel that contains a single-family residence. The bill defines an ADU as a self-contained living unit that includes its own cooking, sleeping and sanitation facilities.

Under the proposal, an ADU would be allowed by right, meaning that it could be approved without a public hearing or conditional use permit.

LB1166 also would prohibit certain actions intended to discourage the development of ADUs. Among other restrictions, a municipality could not require that a lot or parcel have additional parking to accommodate an ADU, require that an ADU match the exterior design of its related single-family dwelling or assess impact fees on an ADU's construction.

The bill would allow a municipality to require a one-time application fee of no more than \$250 to create an ADU.

Fred Hoppe testified in support of both bills on behalf of Hoppe Development, Lincoln and Omaha homebuilders' associations, the Nebraska Chamber of Commerce and Industry and others.

He said LB1165 would allow developers to build more housing in cities where current zoning regulations are

not conducive to duplexes. Compared to a single-family residence, Hoppe said, duplexes provide twice the number of housing units for the same infrastructure cost.

"When you build affordable housing, density is important," he said. "It's how we get affordability."

Todd Stubbendieck of AARP Nebraska also testified in support of both bills. By easing the construction of duplexes, he said, the state could meet the needs of older residents who want to downsize from large, single-family residences, freeing up those houses for younger buyers.

Stubbendieck said ADUs are another "age-friendly" housing option that allows older adults to live near family members or other caregivers. The Omaha planning board recently recommended zoning changes that would make it easier to build ADUs, he said, but they still require city council approval.

"I'm concerned that a piecemeal approach to housing zoning reform, specifically regarding ADUs, will simply take too long and leave too many communities behind," Stubbendieck said.

Several opponents of the proposals said Nebraska cities with a population of more than 20,000 already are working to address the state's housing shortage under the Municipal Density and Missing Middle Housing Act, passed by the Legislature in 2020.

Christy Abraham, who testified in opposition to both bills on behalf of the League of Nebraska Municipalities, said that, beginning this year, the act requires those cities to submit affordable housing action plans to the Legislature.

"Our cities know that housing is a problem," Abraham said. "They are not trying to impede growth."

Eric Englund testified in opposition to LB1165 and LB1166 on behalf

of the city of Omaha, saying the city recognizes the need for additional housing and is working on potential zoning code changes related to duplexes and ADUs.

Allowing the construction of duplexes without public input would generate "loud opposition" in certain neighborhoods that have consisted of single-family houses for decades, he added.

Also in opposition to both bills was Wayne Mortensen of NeighborWorks Lincoln. He said a statewide zoning standard for duplexes would be unworkable because they are difficult to build on single-family lots without infringing on neighbors' privacy.

"We spend months before we do projects like these — working with neighbors before the dirt starts flying — because forcing these projects onto unsuspecting neighborhoods can be profoundly disenfranchising," Mortensen said.

Instead of a mandate, he said, the state could create sample design and zoning guidelines that cities could adopt, allow cities to exempt certain neighborhoods from the proposed requirements or incentivize them to adopt zoning changes by tying them to state funding.

The committee took no immediate action on either bill. ■



# COMMITTEE HEARINGS

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

## **Monday, Feb. 5**

### **Appropriations**

**Room 1524 - 1:30 p.m.**

*Agency 65:* Dept. of Administrative Services

*Agency 91:* Neb. Tourism Commission

LB1090 (Ballard) Appropriate funds to the Department of Administrative Services for the Nebraska Public Safety Communication System

LB1210 (Clements) State legislative intent to appropriate funds to the Department of Administrative Services and provide for a transfer from the Cash Reserve Fund

LB1275 (Brewer) Appropriate funds to the Department of Administrative Services

LB1378 (Dover) State legislative intent to appropriate funds to the Department of Administrative Services as prescribed and change provisions relating to certain funds

LB1380 (Dover) State intent to appropriate funds for Wyuka Cemetery and provide for a transfer from the Cash Reserve Fund

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

**Room 1507 - 1:30 PM**

LB1122 (Ballard) Change enforcement provisions relating to written solicitations for financial products or services

LB1227 (Ballard) Change provisions of the Professional Employer Organization Registration Act

LB1176 (Dungan) Adopt the Public Entities Pooled Investment Act

LB1332 (Dungan) Adopt the Prepaid Card Consumer Protection Act

LB1395 (Murman) Adopt the Natural Asset Company Prohibition Act

LB872 (Clements) Prohibit acceptance of central bank digital currency by state and local governments

### **Business & Labor**

**Room 2102 - 1:30 PM**

LB961 (Dungan) Prohibit noncompete agreements for lower-wage employees

LB1213 (Walz) Require employers to provide twenty hours of paid leave

per year for school-related activities

LB1139 (M. Cavanaugh) Adopt the Paid Family and Medical Leave Insurance Act

LB1170 (Riepe) Change provisions of the Employment Security Law relating to benefit amounts and periods of disqualification for benefits

### **Education**

**Room 1525 - 1:30 PM**

LB997 (Ibach) Require the State Department of Education to establish criteria for salary supplements for child care and early education providers

LB939 (Erdman) Adopt the My Student, My Choice Act

LB1066 (Lippincott) Authorize a school board to adopt a policy for participation in an elective course in religious instruction conducted off school district property by a sponsoring entity

LB1201 (Hardin) Change provisions relating to the Early Childhood Education Grant Program and redefine terms under the Tax Equity and Educational Opportunities Support Act

LB1385 (Kauth) Change provisions relating to the issuance of and eligibility for certificates and permits issued by the State Department of Education

LB1238 (Walz) Adopt the Special Educators of Tomorrow Act

LB1270 (Murman) Change provisions relating to the Door to College Scholarship Act

LB1399 (Murman) Change provisions relating to the involvement of parents, guardians, and educational decisionmakers in the education of their children

LB1193 (Conrad) Provide a process for a parent or guardian to request that such person's child repeat a grade under certain circumstances

LB1083 (Conrad) Change provisions relating to the Nebraska Career Scholarship Act

### **General Affairs**

**Room 1510 - 1:30 PM**

LB1204 (J. Cavanaugh) Define rickhouse and authorize a holder of a manufacturer's license or microdistillery license to operate a rickhouse under the

Nebraska Liquor Control Act

LB875 (Hughes) Prohibit sales of alcohol or beer for consumption off the premises at less than cost under the Nebraska Liquor Control Act

LB1276 (Brewer) Change provisions relating to issuance of certain liquor licenses in a city of the second class or village under the Nebraska Liquor Control Act

LB1296 (Hughes) Change provisions relating to electronic nicotine delivery systems and tobacco products and provide for a directory of manufacturers of such systems

LB838 (Lowe) Change provisions relating to the appointment of members of the Nebraska Arts Council

### **Transportation & Telecommunications**

**Room 1113 - 1:30 PM**

*Appointment:* Heath Mello - State Highway Commission

LB1030 (Bostelman) Change provisions of the County Bridge Match Program and provide for a transfer of funds from the Roads Operations Cash Fund

LB1127 (Bosn) Provide a requirement for personal vehicles used for purposes of transportation network companies

LB1163 (Lowe) Authorize the operation of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal as prescribed

LB1250 (J. Cavanaugh) Provide for grants for bike-sharing programs

## **Tuesday, Feb. 6**

### **Agriculture**

**Room 2102 - 1:30 PM**

LB844 (Erdman) Change provisions of the Farm Labor Contractors Act

LB1061 (Ibach) Change provisions of the Nebraska Corn Resources Act

LB1301 (DeKay) Adopt the Foreign-owned Real Estate National Security Act

### **Appropriations**

**Room 1524 - 1:30 PM**

*Agency 13:* Dept. of Education

LB858 (Linehan) State intent to appropriate funds to the State Department of Education to expand the office of

# COMMITTEE HEARINGS

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finance and administrative services  
LB1008 (Walz) Appropriate funds to the State Department of Education  
LB1402 (Linehan) Appropriate funds to the State Treasurer for the purpose of providing grants to scholarship-granting organizations

## **Banking, Commerce & Insurance Room 1507 - 1:30 PM**

LB1416 (Bostar) Adopt the Child Care Capacity Building and Workforce Act  
LB1229 (Wayne) Transfer duties related to housing from the Department of Economic Development to the Nebraska Investment Finance Authority and change and provide powers and duties for the authority  
LB1132 (Lippincott) Change motor vehicle liability insurance and financial responsibility requirements  
LB1147 (Bostar) Provide requirements for separate investment accounts holding assets of index-linked variable annuity contracts  
LB849 (Jacobson) Change provisions relating to insurance rate adjustments

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

LB1339 (Brewer) Change provisions relating to possession of firearms in schools and authorize schools to provide emergency response mapping data to public safety agencies  
LB1391 (Ballard) Require certain high schools to have automated external defibrillators and an athletics emergency action plan as prescribed  
LB1141 (McKinney) Change provisions of the Student Discipline Act  
LB899 (Hughes) Exempt Class III school districts from the prohibition on suspending a student in pre-kindergarten through second grade  
LB1146 (Murman) Provide an additional exception to the prohibition on suspending a student in pre-kindergarten through second grade  
LB1029 (Conrad) Change provisions relating to compulsory school attendance regarding illness  
LB1012 (Walz) Change provisions relating to certain tax levy and bonding authority of school districts

LR278CA (Murman) Constitutional amendment to change the membership of the State Board of Education  
LB1284 (Walz) Provide for a statewide computer science education expansion program  
LB1056 (Walz) Create the School Construction Assistance Task Force  
LB1337 (Walz) Adopt the School Construction Financing Act

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

LB965 (Holdcroft) Change provisions relating to certain license plates issued to persons with military affiliation as prescribed  
LB1129 (Raybould) Provide for autism acceptance license plates and change provisions relating to license plates and the Autism Treatment Program Cash Fund  
LB1298 (Lippincott) Provide for the issuance of veteran, honorary, and distinctive licenses under the Motor Vehicle Operator's License Act

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

LB1314 (McKinney) Provide for grants under the Municipal Inland Port Authority Act and change the distribution of certain interest earnings  
LB1344 (Wayne) Change provisions of the Nebraska Innovation Hub Act  
LB1046 (J. Cavanaugh) Provide for appointment of counsel for terminating hearings and eviction proceedings under the Nebraska Housing Agency Act  
LB1384 (Raybould) Provide for grants to cities and villages from the Affordable Housing Trust Fund

## **Wednesday, Feb. 7 Appropriations**

### **Room 1003 - 1:30 PM**

*Agency 24:* Dept. of Motor Vehicles  
*Agency 33:* Game & Parks Commission  
*Agency 31:* Military Department  
LB1233 (Wayne) Change appropriations and contract provisions regarding a museum and visitor center honoring Chief Standing Bear  
LB1239 (Wayne) Appropriate funds to the Game and Parks Commission for

the Mayhew Cabin site  
LB1289 (Bostar) State legislative intent to appropriate funds to the Adjutant General and provide for a transfer from the Cash Reserve Fund  
LB1407 (Sanders) Rename and change provisions relating to the Military Base Development and Support Fund

## **Executive Board Room 2102 - 12:00 PM**

LB1235 (Wayne) Provide for life insurance for certain members of the Legislature as prescribed  
LR283CA (M. Cavanaugh) Constitutional amendment to create the Legislative Salary Commission

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

LB1358 (McDonnell) Require approval of the registered voters to increase salaries of governing bodies of political subdivisions as prescribed  
LB1375 (Lowe) Change powers and duties of county planning commissions and county boards related to conditional use permits and special exceptions  
LB1175 (Holdcroft) Change provisions relating to redemption of bonds of political subdivisions

## **Health & Human Services Room 1510 - 1:30 PM**

*Appointment:* Alyssa L. Bish - Div. of Children and Family Services, DHHS  
*Appointment:* Steven L. Corsi - Dept. of Health & Human Services  
LB1178 (Wishart) Create the Intergenerational Care Facility Incentive Grant Program  
LB932 (Fredrickson) Change provisions relating to provisional mental health practitioner licenses  
LB857 (Dungan) Create the Nebraska Prenatal Plus Program  
LB1355 (Vargas) Provide for disbursement of grants from the Nebraska Opioid Recovery Fund  
LB1325 (Vargas) Allow pharmacists and local public health departments to distribute fentanyl strips as prescribed

# COMMITTEE HEARINGS

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

## Judiciary

### Room 1113 - 1:30 PM

- LB876 (Holdcroft) Adopt the Newborn Safe Haven Act
- LB1195 (Conrad) Change provisions relating to county attorneys, public defenders, and loan repayments for attorneys practicing in certain rural areas
- LB963 (Wayne) Provide for powers and duties of county attorneys and deputy county attorneys to be performed by district attorneys and deputy district attorneys appointed by the Attorney General
- LB996 (Wayne) Provide for the Department of Correctional Services to operate the county jails
- LB894 (Ibach) Change law enforcement certification requirements for candidates for county sheriff
- LB898 (Ibach) Adopt the National Crime Prevention and Privacy Compact
- LB918 (Wayne) Allow individuals with Deferred Action for Childhood Arrivals status to receive law enforcement officer training and certification

## Natural Resources

### Room 1525 - 1:30 PM

- Appointments:* David Liegl, William F. Austin - Neb. Power Review Board
- LB956 (Bostar) Provide requirements for light-mitigating technology on certain wind turbines
- LB969 (DeKay) Change provisions relating to contracts and sealed bids for public power districts
- LB1260 (Jacobson) Provide authority for public power and irrigation district directors to take action on certain agreements in which they have an interest

## Revenue

### Room 1524 - 1:30 PM

- LB1183 (Bostar) Change provisions relating to county assessors and require counties to offer to purchase certain property at the assessed value
- LB1114 (Bostar) Adopt the Endow Nebraska Act and provide tax credits
- LB1299 (Hughes) Change the tax on sales of electronic nicotine delivery systems
- LB1134 (von Gillern) Change provisions

- relating to the accrual of interest on taxes due after an order by the Tax Equalization and Review Commission
- LB1315 (Linehan) Change the sales tax rate

## Thursday Feb. 8

### Appropriations

#### Room 1003 - 1:30 PM

- Agency 5:* Supreme Court
- Agency 64:* State Patrol
- Agency 78:* Neb. Commission on Law Enforcement and Criminal Justice
- Agency 94:* Commission on Public Advocacy
- LB864 (Dungan) State intent regarding appropriations to the Supreme Court for interpreter services
- LB1225 (McKinney) Appropriate funds to the Nebraska Commission on Law Enforcement and Criminal Justice

### Government, Military & Veterans Affairs

#### Room 1507 - 1:30 PM

- LB1300 (Bostar) Adopt the Pacific Conflict Stress Test Act and the Foreign Adversary Contracting Prohibition Act
- LB1198 (Moser) Provide for the withholding of the residential address of a county attorney or deputy county attorney from the public in county records
- LB1302 (Lippincott) Adopt the Cybersecurity Preparedness Act
- LB1303 (Lippincott) Require the employment of an ethical hacker by the Nebraska State Patrol

### Health & Human Services

#### Room 1510 - 1:30 PM

- LB822 (Blood) Adopt the Social Worker Licensure Compact and change provisions relating to criminal background checks
- LB933 (Bosn) Change medicaid coverage requirements for continuous glucose monitors
- LB1320 (Ballard) Require emergency medical services to report patient overdose information as prescribed
- LB1054 (Walz) Adopt the Child Care Safety and Security Act
- LB903 (DeBoer) Change provisions relating to membership of the Alzheimer's Disease and Other Dementia Advisory Council and the State Alzheimer's Plan

## Judiciary

### Room 1113 - 1:30 PM

- LB1123 (Dungan) Provide for post-conviction relief for a claim of actual innocence and for exceptions from time limitations and procedural defaults
- LB1045 (J. Cavanaugh) Prohibit use of peremptory challenges against jurors based on membership in certain groups
- LB983 (J. Cavanaugh) Provide for duties and procedures relating to plea agreements and sentencing
- LB1269 (Hardin) Change provisions relating to the duty to retreat when using force in self-defense or defense of another and provide for criminal and civil immunity
- LB934 (Bosn) Change provisions relating to venue and enforcement powers of the Attorney General under the Consumer Protection Act and the Uniform Deceptive Trade Practices Act and provide for jury trials
- LB1098 (DeKay) Adopt the Protection Orders Act
- LB1097 (DeKay) Change provisions relating to commitment of mentally incompetent defendants
- LR280CA (Wayne) Constitutional amendment to remove the Attorney General and the Secretary of State from the Board of Pardons

## Natural Resources

### Room 1525 - 1:30 PM

- Appointments:* Jan K. tenBensel, Tracy Zink - Neb. Ethanol Board
- LB837 (Lowe) Change procedures for voting or election precincts for public power districts
- LB1369 (J. Cavanaugh) Require interconnection for electricity distribution between local distribution systems and agricultural self-generation facilities

## Revenue

### Room 1524 - 1:30 PM

- LB1182 (Bostar) Increase the earned income tax credit
- LB1197 (von Gillern) Change the Sports Arena Facility Financing Assistance Act
- LB1326 (Dungan) Change a tax and

# COMMITTEE HEARINGS

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assessment provision under the Nebraska Housing Agency Act  
LB877 (Holdcroft) Change provisions relating to agricultural or horticultural land receiving special valuation  
LB1216 (Bostar) Change calculation of the base limitation for political subdivision budgets  
LB1309 (Linehan) Provide an income tax deduction for the costs of medical care  
LB1067 (Clements) Eliminate the inheritance tax, adopt the State Prisoner Reimbursement Act, and change the authorized uses of certain county funds

## **Monday, Feb. 12**

### **Appropriations**

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

*Agency 25: Health & Human Services*  
LB943 (Dorn) Change appropriations to the Department of Health and Human Services for behavioral health aid  
LB944 (Dorn) Provide for use of the Medicaid Managed Care Excess Profit Fund for behavioral health needs  
LB1128 (Vargas) Change provisions of the Opioid Prevention and Treatment Act  
LB1124 (Vargas) State intent to appropriate funds to the Department of Health and Human Services  
LB1125 (Wishart) State intent to appropriate funds to the Department of Health and Human Services

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

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

LB1120 (Hardin) Require affidavits for certain purchases of real property near military installations  
LB873 (Ballard) Change provisions relating to real estate closing agents  
LB1136 (Dover) Change provisions of the Nebraska Real Estate License Act  
LB1135 (Dover) Prohibit use of right-to-list home sale agreements and change provisions of the Nebraska Real Estate License Act  
LB1409 (Bostar) Change provisions relating to the Nebraska Condominium Act  
LB1405 (Wayne) Prohibit the purchase of single-family housing by certain entities

### **Business & Labor**

#### **Room 2102 - 1:30 PM**

LB1188 (Riepe) Provide for payment of claims against the state  
LB1189 (Riepe) Deny claims against the state  
LB1408 (Sanders) Require human trafficking informational posters in hotels, require hotels to adopt a policy and train employees, and limit liability as prescribed  
LB1017 (Bosn) Change the schedule of compensation for certain injuries resulting in disability under the Nebraska Workers' Compensation Act  
LB1393 (Hansen) Change provisions of the Nebraska Student-Athlete Name, Image, or Likeness Rights Act

### **General Affairs**

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

LB926 (Aguilar) Change provisions relating to the Museum Property Act  
LB1000 (Brandt) Provide for the anonymity of certain state lottery prize winners  
LB1164 (Lowe) Change provisions relating to the State Racing and Gaming Commission

### **Transportation & Telecommunications**

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

LB1038 (DeKay) Change membership of the Nebraska Information Technology Commission  
LB1336 (DeKay) Change provisions of the Nebraska Broadband Bridge Act and transfer certain powers and duties to the Nebraska Broadband Office  
LB1112 (Clements) Provide restrictions and requirements relating to permits for communications infrastructure placed on poles or towers

## **Tuesday, Feb. 13**

### **Agriculture**

#### **Room 2102 - 1:30 PM**

LB1207 (Albrecht) Redefine a term under the Nebraska Agricultural Products Marketing Act  
LB1313 (Dover) Provide for regulation of health benefit plans for nonprofit agricultural organizations  
LB1368 (Ibach) Adopt the Nitrogen Reduction Incentive Act

LB1396 (Murman) Change labeling provisions relating to misbranded food under the Nebraska Pure Food Act

### **Appropriations**

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

LB935 (Ibach) Appropriate funds to the Department of Health and Human Services for medicaid dental services  
LB941 (Dorn) State intent regarding appropriations for medicaid assisted-living facility rates  
LB942 (Dorn) State intent regarding appropriations for medicaid nursing facility rates  
LB958 (Wishart) Provide for annual adjustments of provider rates under the Medical Assistance Act  
LB1376 (Riepe) Appropriate funds to the Department of Health and Human Services for prescription reimbursements  
LB1078 (McDonnell) State intent to appropriate funds for increase in rates for child welfare service providers

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

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

LB1307 (von Gillern) Require the Director of Insurance to identify certain health benefits and provide for reimbursements for qualified health plan issuers as prescribed  
LB1274 (J. Cavanaugh) Require insurance coverage of prosthetics and orthotics as prescribed  
LB917 (Wayne) Require the establishment of a standard prior authorization process for health benefit plans and the approval and use of prior authorization forms  
LB1094 (Bostar) Provide restrictions on insurance coverage of epinephrine injectors and inhalers  
LB1148 (Hansen) Change requirements relating to insurance coverage of step therapy for certain drugs  
LB1353 (Vargas) Change provisions relating to insurance coverage for screening mammography and breast examinations  
LB1364 (McDonnell) Change provisions of the Site and Building Development Act and provide for a transfer from the Cash Reserve Fund

# COMMITTEE HEARINGS

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## Transportation & Telecommunications

### Room 1113 - 1:30 PM

- LB966 (DeKay) Change provisions relating to traffic control signals and excise tax rates on certain fuels
- LB1133 (DeBoer) Provide for enforcement of federal railroad safety standards by the Public Service Commission
- LB1212 (Walz) Adopt the Railroad Safety Act

## Urban Affairs

### Room 1510 - 1:30 PM

- LB1359 (McDonnell) Change provisions relating to the issuance of bonds in a city of the metropolitan class
- LB947 (Day) Authorize virtual inspections for certain building permits and require certain inspection records be made available to the public under the Building Construction Act
- LB1118 (McKinney) Change the process for a mayor in a city of the second class to remove an officer from office
- LB1190 (McKinney) Adopt the Professional Service Contract Reporting Act
- LB1219 (J. Cavanaugh) Adopt updates to building and energy codes

## Wednesday, Feb. 14

### Appropriations

#### Room 1003 - 1:30 PM

- Agency 72: Dept. of Economic Development
- LB975 (Ibach) Redefine qualified non-profit organization under the Shovel-Ready Capital Recovery and Investment Act
- LB888 (Vargas) Appropriate funds to the Department of Economic Development
- LB889 (Vargas) Appropriate funds to the Department of Economic Development
- LB897 (Lippincott) Appropriate funds to the Department of Economic Development for a workforce housing grant program
- LB1039 (Vargas) Appropriate funds to the Department of Economic Development
- LB1323 (Vargas) Appropriate funds to the Department of Economic Development
- LB1333 (Vargas) Change provisions of the Business Innovation Act

## Natural Resources

### Room 1525 - 1:30 PM

- Appointments:* Donna Kush, John M. Hoggatt - Game & Parks Commission

## Thursday Feb. 15

### Appropriations

#### Room 1003 - 1:30 PM

- LB1154 (McDonnell) Appropriate funds to the Department of Health and Human Services
- LB1209 (Bosn) Appropriate funds to the Department of Health and Human Services
- LB1223 (Day) Appropriate funds to the Department of Health and Human Services
- LB1117 (Dungan) Appropriate funds to the Department of Health and Human Services
- LB1264 (Wishart) State intent regarding Federal Funds appropriated for developmental disabilities aid ■



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