

## Bill would reinstate winner-take-all electoral system



Sen. Julie Slama said LB76 would give all Nebraskans an equal say in how the state's electoral votes are cast.

All five of Nebraska's Electoral College votes would be assigned to the statewide winner in presidential elections under a bill considered Feb. 17 by the Government, Military and Veterans Affairs Committee.

LB76, introduced by Peru Sen. Julie Slama, would end Nebraska's split system of awarding electoral votes, in place since 1991. Currently, the statewide winner receives two electoral votes and the winner of each of the state's three congressional districts receives one electoral vote. Nebraska is one of two states to use this system.

Allocating electoral votes by congressional district does not increase voter turnout and makes the redistricting process hyper-partisan, Slama said.

"It incentivizes gerrymandering

when drawing congressional districts for the benefit of Electoral College votes, which is exactly what the framers of our Constitution fought against by empowering states — not segments of states — to choose the president of the United States," Slama said. "Outcomes of presidential elections should never be determined by lines drawn by state-level politicians."

Ryan Hamilton, executive director of the Nebraska Republican Party, testified in support of the bill. He called the current allocation a "voter inflation scheme" that benefits the Omaha-based 2nd Congressional District at the expense of the rest of the state.

"This way of doing business has exacerbated the urban-rural divide

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## COVID-19 liability protections considered

The Judiciary Committee heard testimony Feb. 18 on a proposal meant to discourage frivolous lawsuits related to the ongoing coronavirus pandemic.

LB139, sponsored by Albion Sen. Tom Briese, would provide civil liability protections for a broad range of individuals and organizations.

As businesses, educational institutions and health care providers struggle to recover from the impact of the pandemic, Briese said, they are faced with the threat of unwarranted, needless lawsuits.

"I believe it's incumbent upon us as policymakers to do everything we can to facilitate our state's recovery from this pandemic," he said. "Implementing the protections found in LB139 is one very substantial step that we can take to help this recovery."

Protected groups under the bill would include medical and other health care providers, first responders, medical facilities, schools, restaurants, retail stores, churches, senior care facilities and individual citizens — as long as they follow public health guidance.

The bill would prevent a civil action arising from exposure or potential exposure to COVID-19 unless an individual could prove by clear and convincing evidence that an inpatient hospitalization or death was caused by the defendant's gross negligence or willful misconduct.

LB139 also would provide protected individuals and organizations with "safe harbor" protections from

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# Bill would reinstate winner-take-all electoral system

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within our state and divides our political strength for little or no reward,” Hamilton said.

Former state senator DiAnna Schimek testified in opposition to LB76. Schimek sponsored the legislation that established the current system and said it has achieved its original goal of increasing voter participation.

“It encourages more people to vote and that is very important in this era of deep personalization of politics,” Schimek said.

Also in opposition was Jaden Perkins of Black Votes Matter. He called the bill “anti-democratic” and a form of voter suppression.

“Many organizers, like myself, worked tirelessly to mobilize thousands of voters, specifically in north and south Omaha,” Perkins said. “All of that hard work resulted in President Biden and Vice-President Harris gaining the 2nd District’s electoral vote. And for the first time ever, a black woman got to cast that vote on our district’s behalf. This moment is history that should be honored by simply keeping the split vote the way it is.”

Al Davis, testifying on behalf of the Sierra Club, also spoke in opposition. Winner-take-all systems disenfranchise Republicans in “blue” states and Democrats in “red” states, he said.

“Nebraska’s current method builds enthusiasm among voters and offers a

system that should be the model for the nation,” Davis said. “Winner-take-all amplifies the power of the large states over the small ones, and the swing states over the red or blue ones.”

The committee took no immediate action on the bill. ■

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# COVID-19 liability protections considered

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paying civil damages as long as they acted in accordance with federal or state law, regulation or order or public health guidance related to COVID-19.

Under the bill, a civil action arising out of COVID-19 exposure must be brought within two years after the date of exposure. The liability protections established in LB139 would expire on Dec. 31, 2022, or one year after the COVID-19 state of emergency ends, whichever is later.

Mark Schorr, speaking on behalf of the Nebraska Chamber of Commerce and Industry, testified in support of the bill. He said the proposal would provide a middle-ground approach that ensures reasonable protections.

“Here in Nebraska, as in other states, we are easing restrictions on social and economic activities,” he said. “However, as we continue to reopen the state, there is continued fear and legitimate concerns over facing the issue of COVID-19 claims and liability from not only individuals who are opening their businesses again, but also organizations, religious organizations, their patrons and individuals.”

Also supporting the bill was Emily Bottorf, representing the Nebraska Defense Counsel Association. The ease with which the coronavirus spreads can make it nearly impossible to take all necessary steps to prevent exposure, she said.

“Our current body of law ... is simply not a good fit for these lawsuits,” Bottorf said. “It would leave individuals, businesses and health care providers vulnerable to very expensive litigation.”

Andy Hale, representing the Nebraska Hospital Association, spoke in support of LB139. He said exposing health care workers to potential li-



Sen. Tom Briese said liability protections would help Nebraska's economy recover from the pandemic.

ability would ignore that many had to work through the pandemic despite a lack of personal protective equipment, resources and adequate staffing.

“We need to provide our hospitals and the over 44,000 employees the peace of mind that comes with the protection from civil liability,” Hale said. “They need a sense of calm so they can continue to provide great quality care without the worry of being sued.”

Opposing the bill was Jonathan Urbom, representing the Nebraska Association of Trial Attorneys. He said an individual would have to cause injury knowingly, intentionally or with complete reckless disregard in order to meet the bill's burden of proof.

“Nebraska does not have a COV-

ID-19 litigation problem that requires immunity provisions or an increased higher standard,” Urbom said.

Todd Stubbendick, speaking on behalf of AARP Nebraska, also testified against LB139. Many senior care facilities have done well during the pandemic, he said, but some have not.

“While there may be circumstances beyond a facility's control for which they should not be held responsible, pursuing a nursing home neglect or abuse case in court is already a [difficult] thing to do,” Stubbendick said. “No family who has lost a loved one due to neglect or abuse pursues this course of action lightly.”

The committee took no immediate action on LB139. ■

# MEET THE SENATOR

## Day is ready for legislative heavy lifting

If one had to guess which current Nebraska state senator has competed in Olympic weightlifting at the international level, it might take a few guesses before choosing Omaha Sen. Jen Day.

Born and raised in Sarpy County, Day has always been a natural athlete. Her early years were invested in gymnastics and competitive cheerleading. As an adult, she started chasing new goals, literally – competing in marathons and triathlons. Day’s introduction to CrossFit and barbell lifting in 2009, however, was a personal turning point.

“Women are kind of discouraged from lifting really heavy [weight] and getting involved in strength sports,” she said. “It was interesting to me and I wanted to pursue it personally and get more women involved.”

Day cofounded a strength and fitness center in Omaha with her husband, Jon, where she also coaches athletes. Like many families, they have had to learn to balance work schedules while also supporting their sons – Canyon, 12, and Noah, 8 – through remote learning.

“It has definitely been difficult, but we’re so fortunate to have a lot of family in Omaha that have helped support us, taking care of the kids while we had to go to work,” she said. “But my kids are very independent and they’re just wonderful little people.”

It was her experience as a parent that spurred Day to get involved in local politics. After opening her business, she made the decision to go back to school to earn her bachelor’s degree in political science.

Day graduated thinking that she would work on political campaigns as a manager or staff member. When she



Sen. Jen Day and her family at Rocky Mountain National Park in 2019.

found herself frustrated by her representation in the Legislature, however, she didn’t complain about it. She filed her paperwork to run.

“I think that a lot of people think that it requires years of experience as a politician to be ‘qualified’ to run for office,” she said. “But I don’t think that’s the truth at all. I think sometimes having a more adequate representative government – in terms of having people in office that are a lot like their constituency – is a good thing.”

Day says she is “ecstatic” to be working on issues close to her heart as a member of the Education and Health and Human Services committees. Despite the long days and heavy workload of a state senator, she welcomes the nonstop pace of her new job with the passion and energy one might expect from a lifelong athlete.

“You know, I’ve had a lot of jobs in my life that I have really, really loved,” Day said. “But the work [in the Legislature] is so fulfilling and wonderful that I don’t mind the busy aspect of it. I just feel very privileged to be here.” ■

# APPROPRIATIONS

## State funds sought for museum renovation

Nebraska would provide matching funds to assist in the renovation of the Museum of Nebraska Art in Kearney — known as MONA — under a bill considered Feb. 19 by the Appropriations Committee.

LB141, as originally introduced by Gering Sen. John Stinner, would appropriate \$7.5 million in general funds in fiscal year 2021-22 to the University of Nebraska at Kearney as a dollar-for-dollar match for any private donations to the project.



Sen. John Stinner

Stinner said he has since learned that the University cannot receive funds for that purpose, so he offered an amendment that instead would direct the appropriation to the Nebraska Arts Council and create a fund there to distribute the state dollars to the museum.

“I have visited MONA; it’s well worth getting off the interstate for,” Stinner said, adding that it would take the average visitor nearly four hours to view all the exhibits. Matching funds would allow MONA to modernize and draw even more visitors, he said.

MONA executive director Nicole Herden testified in favor of the bill, saying the museum has expanded to more than 5,000 works of art and needs more gallery and storage space. She said upgrades to infrastructure and technology also would help MONA engage with more Nebraskans.

“There is no more eloquent way to showcase our history and story than

through art,” Herden said.

Also testifying in support was Kearney mayor Stan Clouse. He said the city has committed to relocate utilities, donate land and vacate an alley for the museum expansion, which already has been approved by the city planning commission and city council.

He said that those resources, combined with funds raised by MONA and matched by the state, would allow the museum to continue the important work of safeguarding and showcasing Nebraska art.

“We think it’s great for our community; it’s great for the state,” Clouse said.

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

## Bill seeks to address university deferred maintenance needs

The University of Nebraska would have more tools to address facilities maintenance under a bill considered Feb. 16 by the Appropriations Committee.

LB588, introduced by Gering Sen. John Stinner, would extend existing appropriations for deferred maintenance under the University of Nebraska Facilities Program until 2062 and the State College Facilities Program until 2040.

Stinner said the university currently is facing nearly \$800 million in deferred maintenance for existing structures. The nearly 1,000 buildings owned by the university system are important state assets that require modernization and a long-term maintenance plan, he said.

“As part of our effort to produce and educate a workforce, these [facilities] are a key economic driver for the state,” Stinner said. “Interest rates are at a historical low and the cost of capital presents a unique opportunity to

help the university and state colleges maximize state funds and solve this problem.”

The bill also would increase the university’s annual appropriation by \$2.5 million — to be matched by the university — to renew, renovate, replace or repair existing facilities. The bill would require that the university establish a revolving facility maintenance fund with a 2 percent allocation of all construction funds expended to mitigate further backlog.

“This oversight is critical to the Legislature’s ability to determine whether funds are being expended strategically and in concert with statewide needs and priorities,” Stinner said.

Ted Carter, president of the University of Nebraska, testified in support of the proposal. He said that most colleges and universities are dealing with rapidly aging infrastructure. More than one-third of the University of Nebraska’s buildings are at least 50 years old, he said — the result of a building boom in the 1960s and ‘70s — and are nearing the end of their natural lives.

Without LB588, Carter said, the price tag for deferred facility maintenance would grow to \$2.3 billion by 2062. Taking advantage of historically low interest rates would save the state \$1.5 billion over the next 40 years, he added, and would ensure world-class facilities for students and faculty.

“I’m often asked ‘what are the issues that keep you up at night?’” Carter said. “Many nights, it’s the state of our physical plant. I consider facilities to be a crucial part of our recruitment and retention strategy.”

Bob Phares, member of the University of Nebraska Board of Regents, also testified in support. He noted that last winter the steam tunnel that provides heat to the residence halls at the Nebraska College of Technical Ag-

riculture in Curtis suddenly collapsed. "We can't allow students to go without heat," he said. "Deferred maintenance is a real issue. The administration has done good work, but it is clear to me after 15 years that we're not going to solve this whole problem without a bolder, longer-term plan."

Veronica Miller of Crete, University of Nebraska-Lincoln student body president and student regent, also testified in support. Speaking on behalf of the university system's 52,000 students, she said facilities are an important part of keeping the University of Nebraska competitive.

"We attend different campuses, we are in hundreds of different areas of study and we all spend our time on campus in different ways," Miller said. "What we have in common, though, is a desire for safe, modern, high-quality buildings where we can learn, study and grow."

No one testified against LB588 and the committee took no immediate action on the bill.

## **BANKING, COMMERCE & INSURANCE**

### **Insurance changes sought for certain damaged vehicles**

Nebraska insurers would be restricted in the use of aftermarket parts for certain vehicles under a bill considered Feb. 16 by the Banking, Commerce and Insurance Committee.

LB602, introduced by Sen. Rich Pahls of Omaha, would require that vehicle repair is commensurate with a vehicle's condition if it is



Sen. Rich Pahls

three years old or newer and that insurance policies provide notice and consumer acknowledgement of the use of aftermarket parts in repairing vehicles older than three years.

The bill also would prohibit a vehicle from being declared a total loss if the cost to repair it is less than 75 percent of its fair market value at the time of the insurance claim.

Pahls said the bill would increase fairness and transparency in automobile repair.

"People who just bought a new car do not want aftermarket parts installed and they often would prefer to repair and keep their cars rather than have them totaled out by their insurance companies," he said.

James Rodis of the Nebraska Auto Body Association testified in support of the bill. Vehicles are much more sophisticated now than they used to be, Rodis said, and replacement parts that once were considered adequate no longer are.

"The sad and terrifying part is that the insurance companies directing the use of these aftermarket parts do not track or notify consumers when these parts are decertified," Rodis said. "Each one of these parts is integral in a collision."

Body shop owner Sean Sabin also spoke in support. He said insurance companies focus on reducing expenses and not on safety.

"I speak with hundreds of insurance adjusters every year. The only conversation that comes up is solely about the cost of the repair," Sabin said.

Robert Bell, speaking on behalf of the Nebraska Insurance Federation and the Nebraska Insurance Information Service, testified against LB602. Aftermarket parts save Nebraskans money on repairs and lowers insurance premiums, he said.

Bell added that Nebraska law re-

quires aftermarket parts to be equal in "like, kind, quality, fit and performance" to original parts.

"We do care about our policy holders," Bell said. "We don't want our insureds injured; we don't want unsafe vehicles either. If it's in an accident later and there's more injuries or more property damage because of this aftermarket part, guess who pays? It's the insurance companies."

Scott Merritt, director of Automotive Recycling Industry of Nebraska, also opposed LB602. He said the bill would create an unfair marketplace that benefits large auto parts manufacturers.

The committee took no immediate action on the bill.

### **Bill would double auto insurance liability minimums**

The Banking, Commerce and Insurance Committee heard testimony Feb. 16 on a bill that would increase compensatory damages for motor vehicle liability coverage and uninsured motorist coverage in Nebraska.

LB612, introduced by Sen. Steve Lathrop of Omaha, would increase damages for bodily injury and property damage for both types of coverage from \$25,000 to \$50,000 of one person in one accident and from \$50,000 to \$100,000 of two or more people in one accident.



Sen. Steve Lathrop

The bill also would increase the minimum limits for property damage from \$25,000 to \$50,000 and would take effect Jan. 1, 2022.

Lathrop said the current minimums no longer are adequate.

"The average claim is going to be more than \$25,000 and you, the insured, are exposed to what we call an

excess liability claim,” Lathrop said. “It’s bad for the person who gets hurt as well, so why do we keep doing this?”

Mark Richardson, testifying on behalf of the Nebraska Association of Trial Attorneys, spoke in support of the bill. He said medical costs have gone up 468 percent since 1983 and that while \$25,000 sounds like adequate coverage, it can quickly be exhausted in a serious accident.

“Ten years ago it was probably time to move these limits up. There’s no question that it’s time [to do so] today,” Richardson said.

Peggy McDonald of the Independent Insurance Agents of Nebraska also supported LB612. Nebraska hasn’t increased its insurance minimums since 1988, she said, and doing so would shift the cost of lost income, medical treatment and ongoing physical therapy from the injured to the driver responsible for the accident.

“Bottom line is that there’s no way the innocent party should have the financial hardship of paying their own bodily injury and property damage,” McDonald said.

Coleen Nielsen, testifying on behalf of the Nebraska Insurance Federation and the Nebraska Insurance Information Service, opposed the bill. She said increasing minimums would make auto insurance too expensive for some Nebraskans, leading to more uninsured drivers.

“Proponents argue that the limits haven’t been raised for years and medical costs have risen dramatically, but overall claim value hasn’t risen at the same pace because cars are safer, making more serious injuries less common,” Nielsen said.

The committee took no immediate action on LB612.

## EDUCATION

### All schools would incorporate multicultural education

Nebraska public and private schools would incorporate multicultural education into their instructional programs under a bill heard Feb. 16 by the Education Committee.

Currently, each public school district is required to incorporate studies related to the culture, history and contributions of African-Americans, Hispanic Americans, Native Americans and Asian Americans into their K-12 curriculum.

Under LB359, introduced by Lincoln Sen. Patty Pansing Brooks, multicultural education also would incorporate the histories, perspectives and contributions of those groups and reflect the “diverse races and cultures of all persons in Nebraska and the United States of America.”

The bill would require each school district, in consultation with the state commissioner of education, to incorporate multicultural education into its elementary, middle and secondary instructional programs. That requirement also would apply to each private, denominational and parochial school approved or accredited by the state Department of Education beginning with school year 2022-23.

Pansing Brooks said the proposed updates are in keeping with changes in the state’s demographics. More than one-third of Nebraska’s pre-kindergarten student population identifies as a race other than Caucasian, she said,

while the state’s current population is approximately 88 percent Caucasian.

“As we become more diverse, we also become more sensitive to the ways in which our education curriculum incorporates that diversity,” Pansing Brooks said. “Students need to understand how multicultural issues shape who we are.”

Under LB359, schools that do not provide evidence annually that multicultural education is included in their curriculum would lose their accreditation or approval status.

The bill also would require the department to hire a full-time consultant trained and experienced in the field of multicultural education.

Barbara Baier, a Lincoln Public Schools board member, testified in support of the proposal. She said a full-time consultant could help school districts ensure that their multicultural education plans match best practices and reflect state goals.

Judi gaiashkibos, executive director of the Nebraska Commission on Indian Affairs, also testified in support. She said hiring a full-time specialist would ensure that each culture is included in a school district’s curriculum in a respectful and meaningful way.

She also supported a proposed change that would require the commissioner, rather than the department, to design a system to evaluate multicultural education and report on that evaluation to the Legislature.

“[LB359] gives the commissioner that authority he needs and the accountability the bill needs,” gaiashkibos said.

Also in support was Anne Hunter-Pirtle, executive director of Stand for Schools. She said the incorporation of multicultural education has been correlated with a potential to reduce the incidence of bullying and increase



Sen. Patty Pansing Brooks

the degree of student self-efficacy and personal resilience.

Jeremy Ekeler, associate director of education policy at the Nebraska Catholic Conference, gave neutral testimony on LB359. He said the Catholic church values multicultural education but opposes state mandates for Catholic schools, which already teach multicultural education through study of the church's history and state social studies standards.

No opponents appeared at the hearing and the committee took no immediate action on the bill.

### Community school pilot program considered

The Education Committee heard testimony Feb. 16 on a bill that would create a five-year community school pilot program administered by the state Department of Education.

Under LB538, sponsored by Fremont Sen. Lynne Walz, a group of community organizations and at least one eligible public school could apply for funding to plan, implement and improve community school programming.

Walz said the proposal is based on a successful model used at public schools in Chadron, Hastings and South Sioux City. She said community schools improve academic performance by providing a comprehensive network of academic, health and social services to meet the needs of students, their family members and others in the community.

"Offering services at school would reduce absenteeism and time spent out of school as well as [address] the needs of the whole child, which is shown to improve academic perfor-

mance at school," Walz said.

Beginning with school year 2022-23, the State Board of Education, in consultation with the state commissioner of education, would award funding to two eligible schools in each congressional district. A school could receive up to \$150,000 each year for five consecutive fiscal years.

A school designated as a priority school or that is at the lowest performance level under a state accountability system would be eligible.

The commissioner would prioritize schools with significant populations of students who qualify for free or reduced-price lunches, students experiencing homelessness, highly mobile students or students with disabilities.

Each community school would establish a leadership team, including a site coordinator, that would develop school-specific programming goals, assess program needs and oversee programming implementation.

Before starting programming, each community school would complete a detailed baseline analysis including a need assessment and analyses of several factors, including the student body, enrollment and retention data and the assets and needs of the surrounding community.

The bill would require each community school to offer at least two types of programming from a list of options including high-quality child care or early childhood education programming, academic support and enrichment activities, juvenile crime prevention and rehabilitation, school-based mental health services and homeless prevention.

The program would be funded with income from solar and wind agreements on school lands received through Dec. 31, 2024. Each community school would submit a report to the board and the Legislature after the

pilot project ends.

Matt Blomstedt, state commissioner of education, testified in support of LB538, saying it would help Nebraska schools coordinate with community services related to school safety, food security and behavioral and mental health.

He said the South Sioux City community school, which receives federal grant funding, recently offered mental health resources to students and families in response to a growing number of suicides in a nearby Native American community.

Anne Hunter-Pirtle, executive director of Stand for Schools, also testified in support. The pandemic has shown that Nebraska schools serve not only as places of instruction, she said, but as food distribution centers and, in some cases, health care providers and counseling centers.

She said research on community schools shows that they improve students' test scores and grades. It also indicates that community schools can help close opportunity gaps for students of low-income families, students of color, English language learners and students with disabilities.

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



Sen. Lynne Walz



### Redistricting proposal considered

The Executive Board heard testimony Feb. 17 on a proposal to guide the Legislature's redistricting process.

The Legislature is responsible for drawing new governmental boundaries every 10 years after the U.S. Census



for districts pertaining to the U.S. House of Representatives, Legislature, Public Service Commission, University of Nebraska Board of Regents and the state Board of Education.

Redistricting is scheduled to be undertaken in 2021.

LB107, sponsored by Omaha Sen. John McCollister, would adopt the Redistricting Act. He said the bill incorporates the best practices of several redistricting bills introduced by a variety of senators over the last several years.



Sen. John McCollister

“It’s essential that we get this [redistricting] process right,” McCollister said, calling it “one of the most consequential” processes that senators undertake.

McCollister said that unless lawmakers remove the perception that redistricting is politically motivated, residents may attempt to remove the process from the Legislature through the initiative process and place it in the hands of an independent commission.

Among other provisions, the act would require that maps be drawn using politically neutral criteria and using only data and demographic information from the U.S. Census. The bill would prohibit consideration of residents’ political affiliation or registration and previous voting data.

Data used in the redistricting process would be made available to the public and at least one public hearing would be required. Once a map is created, only amendments to correct technical errors would be allowed and the governor would be required to call a special session if the Legislature fails to adopt new maps.

Gavin Geis of Common Cause Nebraska testified in support of the bill, saying that previous redistricting

efforts in Nebraska have been “extremely partisan.” It’s important to improve public trust in the process, he said, adding that the predicted delay of census data this year allows ample opportunity for senators to decide how best to achieve that goal.

“We have time yet to make a fair, more transparent process for Nebraska,” Geis said.

Danielle Conrad, representing the ACLU of Nebraska, also supported LB107. A sound redistricting process should be transparent, participatory and nonpartisan, she said, and should protect minority voting rights. Relying solely on census data rather than partisan data would help in that effort, she said.

“We want to ensure trust in the process, we want to ensure fair elections and we want to ensure that voters choose their elected representatives — not the other way around,” Conrad said.

No one testified against LB107 and the committee took no immediate action on the bill.



**Ranked-choice voting considered**

The Government, Military and Veterans Affairs Committee heard testimony Feb. 18 on a bill that would end traditional voting in certain elections and instead allow voters to rank candidates.

Under LB125, introduced by Sen. John McCollister of Omaha, voters would note on a ballot their most-preferred candidate, second-most preferred candidate and so on for all candidates. The bill would apply to elections for governor and members of

Congress and the state Legislature if at least three candidates are on the ballot.

McCollister said ranked-choice voting would reduce partisanship and give voters confidence that their vote won’t be wasted.

“Ranked-choice voting is a process that will increase voter satisfaction, efficiency and fairness in future state elections,” McCollister said.

Cindy Maxwell-Ostdiek, president of Rank The Vote Nebraska, testified in support of the bill. She said ranked-choice voting discourages negative campaigning and creates more opportunity for women and non-white candidates.

“We want better choices. We want better candidates, better ideas,” Maxwell-Ostdiek said.

Kimberly Jones of Bellevue also supported LB125. Ranked-choice voting enables voters to avoid “choosing the lesser of two evils” and encourages voting for third-party candidates, she said.

“Voters should be able to vote for candidates they support not just vote against candidates they oppose,” Jones said.

Lancaster County Election Commissioner David Shively testified in opposition to the bill. Changing voting procedures could lead to voter confusion, he said, and would delay election results and double the cost of printing ballots.

“We spend an enormous amount of time testing the ballots to go through the machines to make sure all the ovals are accurately counted,” Shively said. “This would [add] some additional time.”

The committee took no immediate action on the bill.

**Voter ID constitutional amendment proposed**

Nebraskans would decide if photo identification is required for voting

under a constitutional amendment considered Feb. 17 by the Government, Military and Veterans Affairs Committee.

LR3CA, introduced by Sen. Julie Slama of Peru, would place a proposed amendment on the 2022 general election ballot asking voters if ID should be required at the polls.



Sen. Julie Slama

The proposal would enhance election integrity and increase voter confidence, Slama said.

“If approved by the voters of Nebraska, [the amendment] would add another layer of security to our elections – already implemented by 35 other states – without disenfranchising a single voter,” She said.

Nebraska Secretary of State Bob Evnen testified in support of the proposal. He said showing an ID is “common sense” and supported by a majority of Americans.

“Voter ID increases the accuracy of records at the polls, prevents wrongdoing and gives the voters additional confidence in the security and integrity of elections,” Evnen said.

Also testifying in support was Doug Kagan of Nebraska Taxpayers for Freedom. He said there is no way to know how much voter fraud exists without a system like voter ID to detect it.

“Consider it a vaccination process to prevent the spread of vote fraud,” Kagan said.

Preston Love, Jr. of Black Votes Matter testified in opposition to the proposal. He said an ID requirement would create an unnecessary burden on elderly and non-white voters, adding that the current system isn’t broken.

“The voters have confidence and if we keep persisting and implement an amendment for voter ID, some voters

will lose their confidence,” Love said.

Sheri St. Clair of the League of Women Voters of Nebraska also testified in opposition. She said the proposal “promotes the myth of voter fraud” and would make it more difficult for Nebraskans to vote.

“This is at least the ninth time that such a proposal has been brought before the Legislature, yet we still have not had a conviction on voter-impersonation fraud in this state or even tangible proof of voter fraud,” St. Clair said.

The committee took no immediate action on LR3CA.



### Local health department DHM authority sought

Local public health departments would have authority to issue directed health measures to combat contagious disease under a bill considered Feb. 19 by the Health and Human Services Committee.

Under current law, local public health department measures to contain the spread of contagious disease are subject to review and approval by the state Department of Health and Human Services.

LB637, introduced by Omaha Sen. Tony Vargas, would remove that requirement and give local health departments exclusive authority to investigate the existence of contagious diseases and adopt measures necessary to limit the spread of disease within the health department’s boundaries.



Sen. Tony Vargas

The bill also would remove the authority of second class cities to implement policies to prevent or contain the spread of disease.

Vargas said local health departments in Nebraska knew what steps to take to contain the COVID-19 pandemic in its early stages but were unable to act because state officials wouldn’t approve those directed health measures.

“Decisions about public health should be made by the experts in the field,” he said.

Douglas County Health Director Dr. Adi Pour testified in support of the bill. She said local authorities should be allowed to implement DHMs because the tools needed to combat health emergencies can vary between urban and rural areas.

“The law, as written, is not protective of public health at the local level but is dependent upon politics,” Pour said.

Teresa Anderson, director of the Central District Health Department, also testified in support of LB637. She said that early in the current pandemic her department’s “hands were tied” by current law and they were unable to contain the rapid spread of the coronavirus.

Tana Fye, testifying on behalf of the Two Rivers and Southwest Nebraska public health departments, also spoke in support. Currently, public health is governed by what Fye called a “patchwork” of memoranda between health districts and political subdivisions leading to confusion and enforcement difficulties.

“LB637 really is a clean-up bill. It cleans up the situation so that cities and counties no longer have these overlapping powers with questions of who ultimately has jurisdiction to enact what is necessary,” Fye said.

Ashley Newmyer testified in opposition to the bill on behalf of DHHS.

She said a cohesive, statewide strategy has been critical to combating the current pandemic, which would not be possible if LB637 were approved.

“A local health district could enact their DHM and then the state DHHS could enact a DHM. You could run into inconsistencies; one could be more or less restrictive than the other,” Newmyer said. “The intent of directed health measures is to impact the health behavior of people so they know what precautions they need to take. That requires very consistent messaging.”

Christy Abraham of the League of Nebraska Municipalities also testified in opposition. She said the league appreciates the bill’s concern for public health but could not support a measure that would take authority away from certain classes of cities.

“The authority to help prevent ... the spread of contagious diseases has been in state statute as an authority for municipalities for decades and decades,” Abraham said.

Also speaking in opposition was Mary Hamilton. She said unelected officials should not have the authority to close churches, restaurants and other public venues.

“Quarantine is when you restrict the liberty of people who are sick; tyranny is when you restrict the liberty of people who are healthy,” Hamilton said.

The committee took no immediate action on LB637.

## JUDICIARY

### Sentencing reform proposed for younger offenders

Members of the Judiciary Committee heard testimony Feb. 17 on a bill that would change certain sentencing

provisions for young offenders.

LB34, sponsored by Lincoln Sen. Patty Pansing Brooks, would prohibit life imprisonment without the possibility of parole for crimes committed by someone under 21.

The United States is the only nation that sentences people to life without parole for crimes they committed before turning 18, Pansing Brooks said, although 24 states already have prohibited life without parole as a sentencing option for young people.

“When we sentence youth under 18 to life in prison without parole, we are sentencing them to die in prison,” she said. “Under LB34, these children may still receive harsh sentences, but they will also know that they have the option of paying their debt, coming to terms with their mistakes and someday returning to society and becoming productive citizens.”

The bill also would eliminate mandatory minimum sentences for Class IC and ID felonies committed by someone under 21.

Tom Riley, speaking on behalf of the Nebraska Criminal Defense Attorneys Association, supported LB34. He said the science clearly shows that an individual’s brain is not fully developed until age 25.

“The juveniles act irrationally ... they don’t think things through and sometimes do really bad stuff,” Riley said. “That doesn’t mean that they’re irreparably corrupt.”

Also speaking in support of the bill was Dwayne Tucker of Omaha. He said he was sentenced to life in prison without parole at 17, but was paroled after a U.S. Supreme Court decision overturned automatic life sentences



Sen. Patty Pansing Brooks

for juveniles as unconstitutional.

“I was thrown into an adult system with no knowledge of what that really meant,” Tucker said. “I was 32 before I realized what it really meant to be incarcerated for the rest of my life. Growing up in an adult prison, a child doesn’t have the opportunity to grow as a child should.”

Opposing the bill was Erin Tange-man, appearing on behalf of the Nebraska Attorney General’s Office. The bill minimizes the nature of the crimes committed, she said, and the danger that offenders pose to the public.

Age should be a factor in sentencing, she said, but not the sole factor.

“The leniency given by LB34 ignores the victim and the victim’s family whose lives have often been shattered by these offenses,” Tange-man said. “Determining the appropriate punishment and best outcomes for public safety should be done on a case-by-case basis with life imprisonment without parole as an option.”

The committee took no immediate action on the bill.

### “Clean slate” proposed for certain convictions

The Judiciary Committee heard testimony Feb. 17 on a bill meant to address the stigma of criminal conviction.

LB114, sponsored by Omaha Sen. John McCollister, would allow individuals convicted of certain crimes to petition the court to have their record sealed, removing all records relevant to the crime from the public record and limiting dissemination of such records to criminal justice agencies.

McCollister said that sentencing, good time and parole reform are the



Sen. John McCollister

true answers to solving Nebraska’s prison overcrowding.

“Under LB114 ... once an individual completes his or her sentence and obeys the law long enough to demonstrate rehabilitation, the individual has rightfully earned relief from low-level offenses hanging over one’s head like a scarlet letter for the rest of his or her life,” he said.

Many offenses would be excluded from qualifying under the bill, including those that require registration as a sex offender or involve serious bodily injury or death.

Under the bill, a person convicted or adjudicated for an eligible offense could petition the court to have their record sealed if they have not been convicted or adjudicated for a subsequent misdemeanor or felony and has satisfied all court-ordered financial obligations.

The eligibility period for qualified offenses would be 10 years following conviction of a Class III or lower felony or a Class I or II misdemeanor, seven years following adjudication of a Class III or lower felony or a Class I or II misdemeanor or five years following conviction or adjudication for a Class III or lower misdemeanor or infraction.

Beginning Jan. 1, 2022, an individual convicted of an eligible misdemeanor offense would be eligible to have their criminal record sealed automatically if the offense was committed after Jan. 1, 2017, and if they have not been convicted or adjudicated for a subsequent offense and have paid all court-ordered financial obligations.

The eligibility period for a qualified misdemeanor offense would be 10 years after conviction of a Class I or II misdemeanor, seven years after adjudication for a Class I or II misdemeanor or five years following conviction or adjudication for a Class III or lower misdemeanor.

The state court administrator would be required to determine eligibility for such relief within 30 days following expiration of the eligibility period established under LB114.

Deanna Hobbs, a student attorney, spoke in support of the bill. Due to the stigma of having a criminal record, she said, individuals face significant challenges to finding employment, securing housing and obtaining an education.

“This bill would ensure that thousands of Nebraskans that have had past run-ins with the justice system have the opportunity to fully re-enter society and be an active member of their communities,” Hobbs said.

Also supporting the bill was Natalie Scarpa, an Omaha social worker. Reducing system-involved discrimination is good for everyone, she said, and the bill would impact thousands of Nebraskans.

“As a professional social worker — and person in recovery with previous [legal] system contact — I can tell you that people do change their lives,” Scarpa said. “They change their lives, every day and against all odds.”

Speaking in opposition to the bill was Mary Jacobson, on behalf of the Consumer Data Industry Association. She did not oppose the concept of sealing criminal records, she said, but asked that a uniform reporting system be added to protect the bill’s original spirit.

“We want individuals who are granted clean slate relief to fully realize the benefit of their modified criminal history record information,” Jacobson said. “Providing a centralized and uniform means of accessing clean slate orders is the best way to ensure our members have accurate and up-to-date information when generating consumer products.”

The committee took no immediate action on LB114.

## Alternative proposed to DUI incarceration

Individuals found guilty of driving under the influence of alcohol and other drugs could enroll in an alternative diversion program under a bill heard Feb. 17 by the Judiciary Committee.

LB271, sponsored by Lincoln Sen. Adam Morfeld, would authorize county-level 24/7 sobriety programs created by the sheriff or a designated entity.



Sen. Adam Morfeld

Morfeld said evidence from states that have implemented similar programs shows increased rates of sobriety among participants and reduced incidents of alcohol-related traffic accidents and domestic violence.

“Research has shown these programs are more effective at reducing recidivism of drug and alcohol related offenses than traditional monitoring methods,” Morfeld said. “Seeing the same facility staff twice daily gives a unique sense of accountability that is often lacking with just an [ignition] interlock device or suspended license.”

Under the bill, a person convicted of driving under the influence could join a voluntary 24/7 sobriety program and submit to twice-daily sobriety testing or use of a continuous alcohol monitoring device. Participants would agree not to consume alcohol or any drug not prescribed by a physician while enrolled in the program.

An individual who violates a program’s terms would face immediate sanctions as established in their participation agreement. A sixth violation would result in immediate expulsion from the program and exclusion from further participation.

LB271 also would authorize a spe-

cial motor vehicle operating permit for individuals enrolled in a 24/7 sobriety program. The permit would be subject to court approval, a \$45 issuance fee and at least 30 consecutive days in the program without sanction.

An individual with a 24/7 sobriety permit who is found to be driving under the influence or who refuses a chemical test would be guilty of a Class IV felony, punishable by up to two years imprisonment with 12 months post-release supervision, a \$10,000 fine or both.

Lancaster County Public Defender Joe Nigro spoke in support of the bill. He said it would be a valuable tool in efforts to reduce DUI offenses and make the state's roads safer.

"Most people convicted of a first-offense DUI get a seven-day jail sentence. Whether they serve it in jail or on house arrest, it does nothing to address the drinking problem," Nigro said. "A diversion program can identify those who need treatment."

Opposing the bill was Ken Lackey, speaking on behalf of the state Department of Motor Vehicles. He said pre-trial diversion programs were designed specifically to educate individuals who commit only minor traffic offenses.

"LB271 would allow first-time DUI offenders to enter the pre-trial diversion program for the first time in Nebraska history," Lackey said. "Current statute is very clear that minor traffic offenses do not include driving under the influence."

The committee took no immediate action on LB271.

### **Decriminalization of marijuana proposed**

Nebraskans with nonviolent drug convictions could apply for "clean slate" relief under a bill heard by the Judiciary Committee Feb. 19.

Under LB481, sponsored by Omaha Sen. Terrell McKinney, an individual convicted of a minor or nonviolent drug offense would be eligible to have their criminal record sealed automatically if the offense was committed after Jan. 1, 1994, and they have completed their sentence and paid all court-ordered financial obligations related to the offense.



Sen. Terrell McKinney

The federal government's "war on drugs" disproportionately targeted black and brown people, McKinney said, and arguably was never intended to increase public safety.

"With this acknowledgement comes the duty to address discriminatory policing practices as well as the structural racial basis at every step of our criminal legal system," he said. "Equity is a vital component of this bill as it seeks to repair past harm, avoid future harm and help address the years of stigma that criminalizing marijuana has brought about."

The bill also would allow an individual convicted of an eligible offense to petition the court beginning June 1, 2023, to have their record sealed regardless of when the offense was committed, removing all records relevant to the crime from the public record and limiting dissemination of such records to criminal justice agencies.

An order for clean slate relief under LB481 would nullify an individual's conviction and remove all civil disabilities and disqualifications imposed as a result of the conviction. It would not require the reinstatement of any office, employment or position which was lost or forfeited as a result of conviction or affect eligibility for, or obligations relating to, a commercial driver license.

Among other provisions, the bill would establish an appeal process for an individual whose petition for relief is denied. It also would decriminalize marijuana possession and possession with intent to manufacture, distribute, deliver or dispense marijuana.

Representing the Nebraska Criminal Defense Attorneys Association, Joe Nigro spoke in support of LB481. He said black people are three times as likely as white people to be arrested for marijuana offenses in Nebraska.

"The failed war on drugs has created a greater burden on the criminal justice system than any other factor over the last 50 years, especially harming people of color," Nigro said. "All of this for a substance that has the same dependency rate as caffeine at 9 percent."

Spike Eickholt, speaking on behalf of the ACLU of Nebraska, also supported LB481. He said criminalization of marijuana does not increase public safety.

"All the horror stories you're seeing about what marijuana does to people is happening when we have prohibited marijuana and criminalized it," Eickholt said. "This is a medical and societal issue and there are other ways to address it than just criminalizing it."

Opposing the bill was Dr. Gary Anthonie, chief medical officer for the state Department of Health and Human Services Division of Public Health. LB481 would pose a public safety risk, he said, because information on marijuana convictions no longer would be available when approving or denying state-required licenses.

"The bill's provisions regarding clean slate relief would impact professional and occupational licensure duties performed by DHHS," Anthonie said. "This poses a risk to the safety of vulnerable adults and children who receive care from these licensed

individuals and entities.”

Corey O’Brien, speaking on behalf of the Nebraska Attorney General’s Office, also opposed the measure. If passed, he said it would undo nearly 10 years of progress made by the Legislature in the fight against synthetic forms of marijuana.

“State law changes like the ones proposed in [LB481] are in direct conflict with and are preempted by the Federal Controlled Substances Act and, as such, would violate the Supremacy Clause of the U.S. Constitution,” O’Brien said.

The committee took no immediate action on the bill.

### Constitutional amendment would legalize cannabis

Legalization of cannabis in Nebraska for individuals 21 and older would be placed on the ballot for voter consideration under a measure heard Feb. 19 by the Judiciary Committee.

LR2CA, sponsored by Omaha Sen. Justin Wayne, would put the question on the November 2022 general election ballot. If approved by voters, the Legislature would be required to pass legislation governing the cultivation, manufacture, distribution, consumption and sale of cannabis in any form.

Wayne said an individual is arrested for marijuana possession every minute in America – evidence that marijuana use is widespread.

“The fact of the matter is that there’s a black market that we all know [exists],” he said. “This, if passed by the voters, would give the [Legislature] that opportunity to provide safety protections for the consumer.”



Sen. Justin Wayne

Joe Nigro, speaking on behalf of the Nebraska Criminal Defense Attorneys Association, supported the proposal. LR2CA is an important step in ending the “failed” war on drugs, he said, which has negatively impacted people of color disproportionately.

“Besides the consequences of criminal penalties for possession, conviction can affect eligibility for federal student loans and housing, as well as loss of immigration status,” Nigro said.

Also speaking in support of the proposal was Seth McBride of Lincoln. If the state is going to continue to criminalize marijuana, he said, it should justify that position with evidence.

“The discussion surrounding cannabis [often] turns into a conversation about the pros and cons of individual use and speculation about [societal] impacts,” McBride said, “But we need to focus on the role of government, which is to protect the rights of citizens and not micromanage every aspect of their lives.”

Opposing the measure was Dr. Gary Anthonie, chief medical officer for the state Department of Health and Human Services Division of Public Health. The Federal Drug Administration has a robust review process for approving drug products containing cannabinoids, he said.

“Legalization of a drug by a state circumvents the process set out in federal law for approving drugs for safety and efficacy and leads to an increased risk to the public,” Anthonie said. “Permitting marijuana use, for any purposes, poses an increased risk to the health and safety of Nebraskans by exposing them to a drug that does not meet the standards set forth by the FDA.”

Nebraska State Patrol Superintendent John Bolduc also spoke in opposition. He said that during his time as a police chief in California – a state that has legalized medical marijuana – he

routinely saw legal marijuana products diverted to the black market.

“The demand for high-grade marijuana, edibles and vape cartridges is exceptionally high because of the demand and potential profit,” Bolduc said. “I fear Nebraska will become a source state and not just a destination state, ultimately contributing to the dangerous problem the black market poses to public safety.”

The committee took no immediate action on LR2CA.



### Sales tax turnback proposed for sports complexes

Cities could use state sales tax revenue to build sports complexes under a bill heard Feb. 19 by the Revenue Committee.

Currently, the Sports Arena Facility Financing Assistance Act allows political subdivisions to apply for state assistance to build eligible sports arena facilities.

Under LB39, sponsored by Omaha Sen. Brett Lindstrom, they could use that assistance to build sports complexes – facilities that are used primarily for competitive sports and contain a certain number of sports venues such as outdoor arenas or baseball, softball or multipurpose fields.

Lindstrom said the construction of sports complexes would lead to new hotels, restaurants, convenience stores and retail shops built to serve visiting spectators, athletes and their families.

“This is a massive opportunity to collect on sports tourism and [an] eco-



Sen. Brett Lindstrom

conomic development tool for communities both large and small,” he said.

The bill would direct 100 percent of state sales tax revenue generated by certain retailers near a sports complex back to the political subdivision.

The turnback would apply to state sales tax collected by nearby retailers that started collecting it during the period of time beginning on the date the project commenced and ending four years after its completion date.

Lindstrom said the provision would ensure that the turnback applies only to the sales tax revenue generated by new businesses.

Jeff LeDent, general manager of Millard United Sports, testified in support of LB39. He said Omaha needs a sports complex to compete with facilities in the Des Moines and Kansas City areas.

LeDent said a proposed sports complex at Tranquility Park in Omaha could host 30 national and regional tournaments every year, drawing nearly 90,000 attendees and generating \$78.4 million in direct visitor spending and \$4.3 million in state sales tax revenue.

“Sports tourism is a \$9 billion a year industry that has exploded in recent years,” he said. “Omaha and all of Nebraska [are] missing out on our true potential ... due to [a] lack of sports complexes.”

Kevin Andersen, deputy chief of staff in the Omaha mayor’s office, testified in support of the bill on behalf of the city. He said LB39 would benefit local teams, clubs and the general public in Omaha and communities across the state and help cities build the large facilities needed to attract youth sports tournaments.

“We’re losing our own teams, clubs and families as they travel out of state to communities that host events of this magnitude over countless weekends,” Andersen said, “and they’re taking

their dollars with them.”

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

### State funding sought for rail access project

The state would provide matching funds for the development of an industrial rail access business park under a proposal heard Feb. 18 by the Revenue Committee.

Under LB40, sponsored by North Platte Sen. Mike Groene, a nonprofit economic development corporation could apply to the director of the state Department of Economic Development for up to \$10 million in matching funds to cover the project’s development costs.



Sen. Mike Groene

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

The project would have to be located in a county with a population of fewer than 100,000 inhabitants.

If the application is approved and the Legislature appropriates the funds, the applicant would receive a dollar-for-dollar match from the state for the total amount of their investment in the project over a five-year period.

Groene said the proposal is similar to legislation passed last year that requires the state to provide matching funds for a potential project at the University of Nebraska Medical Center in Omaha. LB40 could provide a similar economic boost to rural

Nebraska by directing state funds to a potential facility near Union Pacific’s Bailey Yard in North Platte, he said.

Groene said the project could attract manufacturers and distributors seeking to reduce their shipping costs and provide jobs in an area of the state that has lost population in recent years.

“Rural Nebraska needs good jobs,” he said. “People want to live there – we just need good jobs.”

Gary Person, president of the North Platte Area Chamber and Development Corporation, testified in support of the bill. He said Union Pacific historically has discouraged rail development near Bailey Yard because of the scale and complexity of the yard’s operations. With the rise of automation and precision scheduling, he said, the company now supports development of a nearby rail access business park.

Person said LB40 would help North Platte compete for companies whose priority when choosing a new site is direct rail access. He said a number of companies, none with a current presence in Nebraska, are interested in the idea.

“We believe this bill can assist not only our community but other rural communities [to] diversify their economies,” Person said.

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

### Inheritance tax rate cuts proposed

The Revenue Committee considered a proposal Feb. 18 that would cut state inheritance tax rates while increasing the amount of property value that is exempt from the tax.

Sen. Robert Clements of Elmwood, sponsor of LB310, said Nebraska is one of only six states that impose an inheritance tax. He said inheritance tax

revenue, which is collected by counties, has increased by approximately 5 percent per year for the past 27 years, much faster than inflation.



Sen. Robert Clements

Clements said the bill would cut rates in half on each of the three classes of beneficiaries subject to the tax over three years while allowing exemptions to increase at a rate close to inflation.

“Allowing people to keep more of their inheritance will increase capital formation and encourage economic growth,” he said. “Reducing rates and increasing exemptions creates a fairer and more reasonable tax.”

Sarah Curry, policy director at the Platte Institute, testified in support of LB310, saying it would modernize Nebraska’s tax code. She said most states repealed their inheritance and estate taxes after a federal tax change in the early 2000s.

The bill’s effect on counties is difficult to determine because there is no statewide inheritance tax reporting requirement, Curry said, but a Platte Institute analysis shows that inheritance tax revenue made up an average of 3.6 percent of county revenues in 2020.

To help counties offset the loss, the Legislature could authorize them to levy a sales tax, Curry said, which is a more stable source of revenue than the inheritance tax.

Deb Schoor, Lancaster County commissioner, testified in opposition to the bill, saying it would have a disastrous effect on county inheritance tax revenue and result in a greater reliance on property taxes to fund county services.

“Property tax is our primary source of revenue,” she said, “and I don’t need to tell you how sensitive our

constituents are about property taxes.”

Dennis Ostgren, Phelps County commissioner, also testified in opposition. He said the county’s inheritance tax fund allows it to cover unexpected expenses — such as road and bridge repairs after the 2019 flooding — and to qualify for lower interest rates on bonds for large projects.

Ostgren said his family recently had to pay inheritance tax.

“I did not feel at all like it was unfair or excessive,” he said. “I felt like it was a tip, if you will, a reward to our county government for its partnership and cooperation in our success.”

Also testifying in opposition was Joe Lorenz, Douglas County finance director. He said the county uses the inheritance tax to fund essential and mandated social services such as a long-term care center, a community mental health center, the county health department and others.

Lorenz said LB310 would reduce Douglas County’s inheritance tax revenue by approximately \$9 million per year, forcing it to cut those services or raise its property tax levy.

The committee took no immediate action on the bill.

### Nebraska Property Tax Incentive Act update sought

The Revenue Committee heard testimony Feb. 17 on a bill that would change the way that a refundable income tax credit is calculated under the Nebraska Property Tax Incentive Act.

The credit, created last year under LB1107, is calculated by multiplying the amount an eligible taxpayer paid in property taxes to their school district during the taxable year by a percentage set by the state Department of Revenue.

For taxable years beginning or deemed to begin during calendar

year 2020, the department will set the credit percentage so that the total amount of credits for the taxable year is \$125 million.

Plymouth Sen. Tom Brandt, sponsor of LB524, said LB1107 did not take into account the fact that many Nebraskans pay their property taxes in arrears.



Sen. Tom Brandt

Therefore, those who paid their 2019 property taxes in 2020 will receive the credit, he said, but those who paid their 2019 taxes by the Dec. 31, 2019, due date will not.

“This is a fairness issue,” Brandt said.

Under LB524, any 2019 school district taxes that were both levied and paid during calendar year 2019 would be deemed to have been paid in calendar year 2020 for purposes of calculating the credit for taxable years beginning or deemed to begin during calendar year 2020.

The department estimates that LB524 would reduce general fund revenue in fiscal year 2021-22 by \$7.3 million, assuming that approximately 5.5 percent of property taxes levied in 2019 were paid in 2019, that the credit percentage for 2020 is not changed and affected taxpayers file amended 2020 income tax returns.

Trenton Buhr of the Center for Rural Affairs provided written testimony in support of the bill. He said LB1107 did not state whether the credit would apply to taxes levied in earlier years but paid in 2020 or later.

LB524 would specify that the credit applies to 2019 taxes levied and paid in that year, Buhr said, but it should further clarify that the credit does not apply to taxes paid in arrears after Jan. 1, 2020.

“The credit is designed to give relief to overburdened taxpayers, not to reward delinquency,” he said.



Jon Cannon, executive director of the Nebraska Association of County Officials, also testified in support. He said it would be good tax policy to reward those who paid their 2019 taxes on time.

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

## URBAN AFFAIRS

### Extended TIF repayment bill advances

A bill that would implement the provisions of a constitutional amendment approved by Nebraska voters last November advanced from general file Feb. 16.

LB25, introduced by Omaha Sen. Justin Wayne, would extend the repayment period of tax-increment financing from 15 years to 20 if more than one half of the land in a project is designated as extremely blighted.



Sen. Justin Wayne

Wayne said several commercial developers have expressed interest in using the extended payback period on projects in Omaha since voters approved the constitutional change.

“In Omaha, Lincoln and a handful of other Nebraska communities, there are pockets of the city that undoubtedly meet the current definition of substandard and blighted for purposes of TIF but struggle to attract developers,” Wayne said. “By allowing for a longer TIF repayment period in these areas that we deem extremely blighted, LB25 would help incentivize the use of TIF where it is sorely needed.”

Sen. Mike Groene of North Platte

supported the bill, saying it would prohibit abuse of TIF funding.

“Maybe finally, finally we’ll have some TIF done where it’s supposed to be done – not for economic development but to help the blighted and substandard areas.”

Lawmakers advanced LB25 to select file on a 39-0 vote.

### Bill would expand SID authority

Sanitary and improvement districts could build off-street parking facilities under a bill considered Feb. 16 by the Urban Affairs Committee.

LB81, introduced by Sen. Robert Hilkemann of Omaha, would enable SIDs to acquire, purchase, own, erect, construct, equip, operate or maintain off-street parking facilities.



Sen. Robert Hilkemann

Commercial development projects in western Omaha need parking, Hilkemann said, but under current law the SIDs governing the projects aren’t allowed to build it.

Developer Jason Lanoha testified in support of the bill. He said SIDs originally were designed to build housing and not commercial areas.

“They create beautiful suburbs, but suburbs with significant infrastructure and low-density populations,” Lanoha said.

No one testified in opposition to LB81 and the committee took no immediate action on it.

### Bill would end creation of sanitary and improvement districts

Nebraska cities no longer would be able to create new sanitary and

improvement districts under a bill considered Feb. 16 by the Urban Affairs Committee.

LB168, introduced by Lincoln Sen. Matt Hansen, would prohibit the creation of such districts after July 1, 2021.



Sen. Matt Hansen

SIDs are limited-purpose political subdivisions primarily used by larger cities to finance infrastructure outside city limits with the expectation that the developed area eventually will be annexed, Hansen said.

He said SIDs contribute to a lack of affordable housing and deter investment in older neighborhoods.

“I believe SIDs disincentive any sort of coordinated housing effort at the local level and lead to a near sole focus on suburban single-family homes,” Hansen said.

No one testified in support of the bill.

Developer Denny Van Moorlegem testified in opposition. He said SIDs provide less-expensive lots, creating lower housing costs.

“In my mind, they are the answer to affordability,” Van Moorlegem said.

Sarpy County Administrator Dan Hoins also spoke in opposition. He said SIDs transfer risk from taxpayers to developers by allowing cities to limit a project’s debt-to-value ratio prior to construction.

Also in opposition was Papillion City Planner Mark Stursma. Eliminating SIDs would hinder economic development significantly in Sarpy County, he said.

“Only a few, large well-funded developers would be capable of financing a development project,” Stursma said.

The committee took no immediate action on LB168. ■

# COMMITTEE HEARINGS

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

Further committee information is available at: [NebraskaLegislature.gov/committees/standing-committees.php](http://NebraskaLegislature.gov/committees/standing-committees.php)

## **Tuesday, Feb. 23**

### **Appropriations**

#### **Room 1507 - 1:30 p.m.**

Agency 32: Board of Educational Lands and Funds

Agency 34: Neb. Library Commission

Agency 47 Neb. Educational

Telecommunications Commission

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

#### **Room 1507 - 9:30 a.m.**

LB648 (Flood) Adopt the Transactions in Digital Assets Act

LB649 (Flood) Adopt the Nebraska Financial Innovation Act

LB654 (Wayne) Adopt the Public Entities Investment Trust Act

### **Education**

#### **Room 1525 - 9:30 a.m.**

LB5 (Blood) Adopt the Purple Star Schools Act

LB669 (Vargas) Adopt the Veteran Promise Act

LB281 (Albrecht) Require child sexual abuse prevention instructional programs for school students and staff

### **Education**

#### **Room 1525 - 1:30 p.m.**

LB550 (Wayne) Change enrollment option limits and provisions for part-time enrollment in schools

LB651 (Wayne) Provide a termination date for the enrollment option program

LB396 (Brandt) Adopt the Nebraska Farm-to-School Program Act

### **Nebraska Retirement Systems**

#### **Room 1507 - 4:00 p.m.**

LB144 (Kolterman) Define terms under the Class V School Employees Retirement Act

LB145 (Kolterman) Provide for and change audit, reporting, and billing practices under the Class V School Employees Retirement Act

LB146 (Kolterman) Define and redefine terms relating to school retirement provisions

LB147 (Kolterman) Change provisions relating to retirement systems for Class V school districts

LB582 (Nebraska Retirement Systems)

Change administration of the retirement system under the Class V School Employees Retirement Act

### **Transportation & Telecommunications**

#### **Room 1113 - 9:30 a.m.**

LB522 (Friesen) Change a motor vehicle identification inspection training provision under the Motor Vehicle Certificate of Title Act

LB633 (Vargas) Change provisions of the Motor Vehicle Industry Regulation Act

LB504 (J. Cavanaugh) Change certain penalty provisions for the suspension, revocation, or impoundment of a motor vehicle operator's license

### **Transportation & Telecommunications**

#### **Room 1113 - 1:30 p.m.**

LB317 (J. Cavanaugh) Provide for Nebraska History license plates

LB166 (Geist) Provide for Josh the Otter-Be Safe Around Water Plates and provide powers and duties for the Game and Parks Commission

LB215 (Hughes) Change 911 service surcharge provisions

### **Urban Affairs**

#### **Room 1510 - 9:30 a.m.**

LB647 (Flood) Change powers of cities of the first class

LB446 (M. Hansen) Adopt the Nebraska Housing Index and Financing Investment System Act

LB131 (Hunt) Change provisions relating to the enactment of ordinances

### **Urban Affairs**

#### **Room 1510 - 1:30 p.m.**

LB555 (M. Hansen) Change reporting requirements under the Municipal Density and Missing Middle Housing Act

LB556 (M. Hansen) Change provisions relating to redevelopment contracts under the Community Development Law

LB653 (Wayne) Require goals for using historically underutilized businesses under the Community Development Law

## **Wednesday, Feb. 24**

### **Appropriations**

#### **Room 1525 - 9:30 a.m.**

Agency 28: Dept. of Veterans' Affairs

Agency 25: Health & Human Services  
*(Note: Division of Development Disabilities, Children and Family Services, Behavioral Health)*

### **Appropriations**

#### **Room 1525 - 1:30 p.m.**

LB464 (Bostar) State intent regarding behavioral health aid funding

LB465 (Bostar) Change provisions relating to the Behavioral Health Services Fund

LB493 (M. Cavanaugh) Appropriate funds to the Department of Health and Human Services

LB225 (Hilkemann) Appropriate funds to the Department of Health and Human Services

### **Executive Board**

#### **Room 1525 - 12:00 p.m.**

LB605 (Wishart) Create the Outdoor Recreation and Education Study

Committee of the Legislature

LB123 (M. Cavanaugh) Change meeting requirements for the Legislative Council

LB247 (Pansing Brooks) Create the Mental Health Crisis Hotline Task Force

### **Government, Military & Veterans Affairs**

#### **Room 1507 - 9:30 a.m.**

LB158 (Wayne) Provide for restoration of voting rights upon completion of a felony sentence or probation for a felony

LR10CA (M. Cavanaugh) Constitutional amendment to remove felony convictions other than treason from

being a disqualification for voting

### **Government, Military & Veterans Affairs**

#### **Room 1507 - 1:30 p.m.**

LB188 (Halloran) Adopt the Second Amendment Preservation Act

LB236 (Brewer) Permit counties to authorize carrying concealed weapons as prescribed

### **Health & Human Services**

#### **Room 1510 - 9:30 a.m.**

*Appointments:* Russell Crotty; Timothy A. Tesmer; Michael Kotopka; Mark R. Patefield; Dan Vehle; Robert (Bud) Synhorst - State Board of Health

# COMMITTEE HEARINGS

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*Appointment:* Joshua Dale Sevier - Commission for the Deaf and Hard of Hearing

## Health & Human Services

### Room 1510 - 1:30 p.m.

LB392 (Stinner) Adopt the Prescribing Psychologist Practice Act

## Judiciary

### Room 1113 - 9:30 a.m.

LB186 (Hilkemann) Change provisions relating to the offense of criminal child enticement

LB206 (McDonnell) Change provisions and penalties relating to arson, trespass, and graffiti

LB315 (J. Cavanaugh) Change penalties for assault by strangulation or suffocation and domestic assault

LB661 (McDonnell) Prohibit assault on a public transportation driver and clarify provisions relating to assault on officers, emergency responders, certain employees, and health care professionals

## Judiciary

### Room 1113 - 1:30 p.m.

LB104 (Friesen) Allow aggregation of pecuniary losses for criminal mischief offenses

LB111 (Albrecht) Change provisions relating to various offenses involving public safety

LB187 (M. Cavanaugh) Change definition of sexual penetration for purposes of sexual offenses

LB229 (Hunt) Provide for enhanced penalties and a civil action for crimes committed because of a victim's gender identity or association with a person of a certain gender identity

LB319 (J. Cavanaugh) Change penalties for theft offenses

LB360 (Pansing Brooks) Define and redefine terms relating to sexual assault offenses

## Revenue

### Room 1524 - 9:30 a.m.

LB115 (McCollister) Impose sales tax on candy and soft drinks and provide for distribution of proceeds

LB457 (McCollister) Change provisions relating to deductions for certain sales and use tax refunds

## Revenue

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

LB26 (Wayne) Provide a sales tax exemption for residential water service

LB595 (Albrecht) Provide a sales tax exemption for certain products used in the process of manufacturing ethyl alcohol

LB672 (Murman) Change the sales and use tax exemption on agricultural machinery and equipment

## Thursday, Feb. 25

### Appropriations

#### Room 1525 - 9:30 a.m.

Agency 25: Health & Human Services  
(*Note: Operations, Medicaid and Long Term Care, Public Health*)

### Appropriations

#### Room 1525 - 1:30 p.m.

LB426 (Health & Human Services) Require the Department of Health and Human Services to conduct a cost analysis for capital improvement and structural changes at the Youth Rehabilitation and Treatment Center-Kearney and submit a report

LB185 (Brewer) Appropriate funds to the Department of Health and Human Services for public health aid

LB585 (Vargas) Appropriate funds for local public health departments

LB662 (McDonnell) State intent regarding appropriations to the Department of Health and Human Services

LB421 (Stinner) State intent regarding appropriations for qualified educational debt under the Rural Health Systems and Professional Incentive Act

LB340 (Stinner) Create the medicaid nursing facilities program

LB462 (Dorn) Appropriate funds to the Department of Health and Human Services

LB340 (Stinner) Create the medicaid nursing facilities program

## Executive Board

### Room 1525 - 12:00 p.m.

LB212 (M. Cavanaugh) Prohibit charging members of the Legislature fees for public record requests

## LR25 (Health & Human Services)

Provide for appointment by the Executive Board of a special committee of the Legislature to be known as the Youth Rehabilitation and Treatment Center Special Oversight Committee of the Legislature

LR28 (Hilkemann) Rescind all resolutions previously passed by the Nebraska Legislature petitioning Congress to call a federal constitutional convention

## Government, Military & Veterans Affairs

### Room 1507 - 9:30 a.m.

LB557 (M. Hansen) Change provisions relating to public records and include body-worn camera recordings in certain circumstances

LB443 (M. Hansen) Exempt local foster care review boards from the Open Meetings Act

## Government, Military & Veterans Affairs

### Room 1507 - 1:30 p.m.

LB257 (M. Hansen) Change provisions relating to vacancies on public power and irrigation district boards

## Health & Human Services

### Room 1510 - 9:30 a.m.

*Appointment:* Diane Schutt - Commission for the Deaf and Hard of Hearing

*Appointment:* David J. Hansen - Neb. Child Abuse Prevention Fund Board

## Judiciary

### Room 1113 - 9:30 a.m.

LB543 (Brandt) Adopt the Agricultural Equipment Right-To-Repair Act

LB603 (Aguilar) Adopt the Organized Consumer Product Theft Protection Act

LB621 (Friesen) Adopt the Social Media Fairness Act

## Judiciary

### Room 1113 - 1:30 p.m.

LB102 (Dorn) Provide for transfer of duties of clerks of the district court to clerk magistrates

LB316 (J. Cavanaugh) Change provisions relating to limitations for a postconviction relief action

LB355 (Lathrop) Change provisions relating to county judges, clerk

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magistrates, and civil procedure  
LB386 (Lathrop) Change judges' salaries  
LB548 (Wayne) Adopt the Nebraska  
Racial Justice Act and provide grounds  
for postconviction relief

## Revenue

### Room 1524 - 9:30 a.m.

LB64 (Lindstrom) Change provisions  
relating to the taxation of social security  
benefits  
LB237 (Brewer) Change provisions  
relating to the taxation of benefits  
received under the federal Social  
Security Act  
LB410 (Linehan) Change provisions  
relating to itemized deductions

## Revenue

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

LB299 (McDonnell) Adopt the  
Firefighter Cancer Benefits Act and  
provide an income tax exemption for  
such benefits  
LB347 (Lindstrom) Change provisions  
relating to an income tax deduction  
for dividends received from certain  
corporations  
LB625 (Vargas) Impose a surtax on  
certain taxable income and use the tax  
proceeds for early childhood education  
LB680 (Linehan) Change the corporate  
income tax rate

## Friday, Feb. 26

### Appropriations

#### Room 1525 - 9:30 a.m.

Agency 29: Dept. of Natural Resources  
Agency 52: State Fair Board  
Agency 84: Dept. of Environmental  
Quality  
Agency 33: Game & Parks Commission  
LB449 (Wishart) Appropriate funds to  
the Department of Environment and  
Energy  
LB469 (Erdman) State intent regarding  
appropriations for the Game and Parks  
Commission

### Appropriations

#### Room 1525 - 1:30 p.m.

Agency 54: Neb. State Historical Society  
Agency 72: Dept. of Economic  
Development

Agency 91: Neb. Tourism Commission  
LB27 (Wayne) Provide for appropriations  
to the Nebraska State Historical Society  
LB279 (Bostar) Authorize certain  
activities that are eligible for assistance  
from the Affordable Housing Trust Fund  
LB391 (Bostar) Transfer funds to the  
Customized Job Training Cash Fund  
LB42 (Dorn) Provide for transfers to the  
Hall of Fame Trust Fund  
LB208 (McDonnell) State intent related  
to funding for development districts  
LB566 (McDonnell) Adopt the  
Shovel-Ready Capital Recovery and  
Investment Act  
LB526 (Wishart) Change limitations  
on awards and state intent regarding  
appropriations under the Business  
Innovation Act

## Government, Military & Veterans Affairs

### Room 1507 - 9:30 a.m.

LB284 (M. Cavanaugh) Provide  
requirements regarding federal funds  
under the Governor's Emergency Program  
LR27CA (M. Hansen) Constitutional  
amendment to provide legislative  
authority in emergencies resulting from  
a pandemic

## Government, Military & Veterans Affairs

### Room 1507 - 1:30 p.m.

LB424 (Brewer) Provide and change  
zoning requirements for wind energy  
generation projects

## Health & Human Services

### Room 1510 - 9:30 a.m.

*Appointment:* Anthony (Tony) R.  
Green - Division of Developmental  
Disabilities - Health & Human Services  
*Appointment:* Kevin Bagley - Division of  
Medicaid and Long Term Care - Health  
& Human Services

## Judiciary

### Room 1113 - 9:30 a.m.

LB167 (Geist) Protect religious freedoms  
as prescribed and provide for certain  
tort claims  
LB282 (Albrecht) Change provisions  
relating to obscenity  
LB517 (Hunt) Provide for a gender  
neutral designation on operator's

licenses and state identification cards  
and provide for amendment of a birth  
certificate

## Judiciary

### Room 1113 - 1:30 p.m.

LB120 (Hunt) Prohibit discrimination  
based upon sexual orientation and  
gender identity  
LB230 (Hunt) Prohibit discrimination in  
public accommodations and under the  
Nebraska Fair Housing Act on the basis  
of sexual orientation or gender identity  
LB231 (Hunt) Prohibit conversion therapy  
LB321 (J. Cavanaugh) Prohibit  
defendant's discovery of victim's  
actual or perceived gender or sexual  
orientation as a defense to a crime

## Revenue

### Room 1524 - 9:30 a.m.

LB18 (Kolterman) Change provisions  
relating to equivalent employees and  
qualified locations under the ImagiNE  
Nebraska Act  
LB84 (Bostelman) Redefine terms  
relating to tax incentive performance  
audits and the ImagiNE Nebraska Act

## Revenue

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

LB134 (Brandt) Require the posting and  
reporting of tax incentive information  
under the Taxpayer Transparency Act  
LB523 (Albrecht) Change provisions  
relating to certain school taxes and  
special funds

## Monday, March 1

### Banking, Commerce & Insurance

#### Room 1507 - 1:30 p.m.

LB20 (Blood) Provide for insurance  
coverage of and medicaid access to  
prescribed contraceptives  
LB30 (Wayne) Limit the amount an  
insured pays for prescription insulin  
drugs

## Business & Labor

### Room 1524 - 9:30 a.m.

LB172 (M. Hansen) Change provisions  
relating to benefit payments under the  
Employment Security Law  
LB207 (McDonnell) Change provisions

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relating to the date when compensation begins under the Nebraska Workers' Compensation Act  
LB441 (M. Hansen) Change provisions relating to compensation for individuals affected by COVID-19 under the Nebraska Workers' Compensation Act  
LB480 (McKinney) Change the minimum wage as prescribed

## **Business & Labor**

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

LB512 (Brewer) Adopt the Critical Infrastructure Utility Worker Protection Act  
LB594 (Slama) Adopt the Rural Workforce Crisis Act  
LB632 (Bostar) Provide for a low-income student or first-generation college student internship program  
LB667 (Halloran) Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act  
LB241 (Vargas) Adopt the Meatpacking Employees COVID-19 Protection Act

## **Education**

### **Room 1525 - 9:30 a.m.**

LR21CA (Briese) Constitutional amendment to require the State of Nebraska to pay all classroom expenses related to the operation of public elementary and secondary schools  
LB378 (DeBoer) Require the Commissioner of Education to report data as prescribed  
LB640 (Day) Change provisions related to early childhood education in the Tax Equity and Educational Opportunities Support Act

## **Education**

### **Room 1525 - 1:30 p.m.**

LB630 (Bostar) Provide for a study of the efficacy of commercial air filters in classrooms  
LB565 (McDonnell) Provide for a youth initiated mentoring pilot program  
LB200 (Vargas) Provide a high school graduation requirement relating to federal student aid  
LB639 (Day) Adopt the Seizure Safe Schools Act

## **Executive Board**

### **Room 1524 - 12:00 p.m.**

LB393 (Hughes) Eliminate the Next Generation Business Growth Act  
LB657 (Vargas) Require the office of Legislative Research to prepare racial impact statements for legislative bills

## **Transportation & Telecommunications**

### **Room 1113 - 9:30 a.m.**

LB486 (Day) Require train crews of at least two individuals  
LB539 (Walz) Provide for a limit on the length of trains

## **Transportation & Telecommunications**

### **Room 1113 - 1:30 p.m.**

LB575 (Bostar) Adopt the Midwest Interstate Passenger Rail Compact  
LB12 (Blood) Require a commuter rail service study by the Department of Transportation

## **Tuesday, March 2**

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

#### **Room 1507 - 1:30 p.m.**

LB270 (Morfeld) Adopt the Pharmacy Benefit Manager Regulation Act and require an audit under the Medical Assistance Act  
LB375 (Kolterman) Adopt the Pharmacy Benefit Manager Regulation and Transparency Act

## **Education**

### **Room 1525 - 1:30 p.m.**

LB62 (Kolterman) Create the Access College Early Scholarship Cash Fund and change provisions relating to the Nebraska Education Improvement Fund, Nebraska Opportunity Grant Fund, and Community College Gap Assistance Program Fund  
LB36 (Erdman) Require display of the national motto in schools  
LB87 (Morfeld) Provide for mental health first aid training for school districts and change provisions relating to the use of lottery funds

## **Nebraska Retirement Systems**

### **Room 1525 - 12:00 p.m.**

LB478 (Blood) Adopt the Cities of the First Class Firefighters Cash Balance Retirement Act

## **Urban Affairs**

### **Room 1510 - 1:30 p.m.**

LB423 (Lathrop) Require registration of home inspectors  
LB549 (Wayne) Adopt the Aid to Municipalities Act  
LB219 (Wayne) Change legislative declarations and findings relating to traffic congestion in municipal areas

## **Wednesday, March 3**

### **Judiciary**

#### **Room 1113 - 9:30 a.m.**

LB13 (Blood) Prohibit possession of a deadly weapon by the subject of a foreign protection order  
LB85 (Bostelman) Require Nebraska State Patrol to provide notice of expiration of concealed handgun permits  
LB244 (Clements) Change permit renewal provisions of the Concealed Handgun Permit Act

### **Judiciary**

#### **Room 1113 - 1:30 p.m.**

LB116 (McCollister) Change provisions relating to handgun transfer certificates and require suicide prevention training and informational materials  
LB173 (B. Hansen) Change provisions relating to carrying a concealed weapon  
LB300 (Slama) Change provisions relating to justification for the use of force  
LB404 (Lowe) Change permit and renewal time periods under the Concealed Handgun Permit Act  
LB417 (Halloran) Authorize possession of a firearm on school grounds by a full-time, off-duty law enforcement officer

## **Nebraska Retirement Systems**

### **Room 1525 - 12:00 p.m.**

LB184 (Brewer) Provide for an insurance premium deduction from the retirement annuity of certain Nebraska State Patrol employees  
LB209 (McDonnell) Change provisions relating to treatment of deferred compensation by certain political subdivisions, state agencies, and the Public Employees Retirement Board

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## Revenue

### Room 1524 - 9:30 a.m.

LB180 (Linehan) Change provisions relating to certain public statements of the Tax Commissioner and certain estimates of General Fund net receipts  
LB431 (Revenue) Change taxation provisions relating to improvements on leased lands, the assessment of undervalued and overvalued property, methods for giving notice, and the collection of certain taxes and fees  
LB542 (Walz) Authorize the issuance of highway bonds under the Nebraska Highway Bond Act

## Revenue

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

LB434 (Revenue) Change provisions relating to tax expenditure reports and certain joint hearings of legislative committees  
LB459 (M. Cavanaugh) Change provisions relating to the cigarette tax and the Tobacco Products Tax Act and distribute tax proceeds as prescribed  
LB655 (Wayne) Change tax provisions relating to cigars, cheroots, and stogies

## Thursday, March 4

### Judiciary

#### Room 1113 - 9:30 a.m.

LB49 (M. Hansen) Change penalty for use of tobacco or nicotine products by a person under twenty-one years of age  
LB58 (Pahls) Change requirements for service by publication for delinquent liens arising from city or village special assessments  
LB95 (DeBoer) Change provisions relating to garnishment  
LB331 (Wayne) Prohibit contractual criminal enforcement of certain offenses related to animals  
LB540 (Walz) Change terminology related to disability in civil rights provisions

### Judiciary

#### Room 1113 - 1:30 p.m.

LB157 (Wayne) Change provisions relating to grand juries in cases of death during apprehension or custody  
LB204 (Slama) Change provisions of the Sex Offender Registration Act

LB496 (Hilkemann) Require collection of DNA samples for persons arrested for crimes of violence

LB636 (J. Cavanaugh) Eliminate cash bail bonds, appearance bonds, and related provisions

LB458 (McCollister) Change provisions of the Sex Offender Registration Act

## Revenue

### Room 1524 - 9:30 a.m.

LB564 (McDonnell) Redefine a term relating to the Nebraska educational savings plan trust  
LB681 (Linehan) Include elementary and secondary schools in the Nebraska educational savings plan trust and change tax benefits  
LB599 (Lindstrom) Change an exemption from the documentary stamp tax

## Revenue

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

LB329 (Wayne) Change provisions relating to taxes imposed on the average wholesale price of gasoline  
LB430 (Revenue) Change tax provisions relating to net book value  
LB432 (Revenue) Change income tax rates  
LB433 (Revenue) Change the sales and use tax rate  
LB676 (Linehan) Redefine a term relating to cigarette taxes  
LB679 (Linehan) Require the Tax Commissioner to collect lodging taxes as prescribed

## Wednesday, March 10

### Judiciary

#### Room 1113 - 1:30 p.m.

LB474 (Wishart) Adopt the Medicinal Cannabis Act  
LB31 (Wayne) Authorize punitive damages as prescribed and provide for distribution  
LB397 (Bostelman) Prohibit certain causes of action by motorists without liability insurance or convicted of DUI offenses, require the Department of Motor Vehicles to establish and maintain an online verification system for accessing certain private passenger motor vehicle insurance information, and authorize a disclosure of certain motor vehicle records

LB634 (J. Cavanaugh) Provide a cause of action for unsafe disposal of treated seed

## Thursday, March 11

### Judiciary

#### Room 1113 - 1:30 p.m.

LB199 (Vargas) Adopt the Face Surveillance Privacy Act  
LB227 (Morfeld) Adopt the Doxing Prevention Act and change and provide penalties and a civil action for false reporting  
LB370 (Sanders) Adopt the Personal Privacy Protection Act

## Friday, March 12

### Judiciary

#### Room 1113 - 9:30 a.m.

LB276 (Hunt) Eliminate a requirement that the physician be physically present in the same room when an abortion is performed ■

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