

Abortion ban, other restrictions considered



From left: Sens. Joni Albrecht, Julie Slama and Suzanne Geist introduced a trio of bills to the Judiciary Committee Feb. 24 that would restrict abortion access in Nebraska.

The Judiciary Committee heard testimony Feb. 24 on three bills that would change abortion regulation in Nebraska. One proposal would ban all abortions in the state while the other measures would restrict access to the procedure.

LB933, introduced by Thurston Sen. Joni Albrecht, would ban abortion in Nebraska if states are given full regulatory authority over the pro-

cedure. The bill would become operative contingent upon one of the three national “triggering” events: if the U.S. Supreme Court overturns *Roe v. Wade*, Congress enacts a law giving states complete authority to regulate abortion or the U.S. Constitution is amended to give states that authority.

The bill would prohibit both medical and chemical abortions starting at fertilization. A physician who know-

ingly violates the bill’s provisions would be subject to a Class IIA felony charge, which carries a maximum penalty of 20 years imprisonment.

A physician charged under the bill’s provisions could claim a defense that a procedure was necessary to prevent a woman’s death. A woman who attempts or has an abortion would not be liable under the bill. Medical

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Groene resigns amid harassment allegations, Jacobson appointed

Former North Platte Sen. Mike Groene resigned from the Legislature this week amid news reports that he took inappropriate photographs of a female legislative staffer. In a letter to Speaker Mike Hilgers of Lincoln, Groene stated that his resignation was effective at 11:59 p.m. on Feb. 21.

Groene, who was scheduled to be term limited in January 2023, reportedly took photographs of a legislative staff member without her permission, which she later discovered on his laptop during the course of her office duties. The staff member subsequently filed a workplace harassment complaint with the Executive Board,

the administrative arm of the Legislature.



Sen. Mike Groene

Sen. Dan Hughes of Venango, chairperson of the Executive Board, spoke with senators when the Legislature convened Feb. 22 regarding the ongoing harassment investigation. He said the process laid out in the Legislature’s workplace harassment policy has been followed and allows for a formal investigation if an informal resolution is not agreeable to the complainant.

Hughes said the staffer informed him Feb. 18 that an informal resolution was not acceptable and that, as a result, a three-member special panel of state senators has been empowered to conduct a formal examination of the complaint with the help of an outside investigator. Sens.

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Groene resigns amid harassment allegations, Jacobson appointed

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John Arch of LaVista, Tom Briese of Albion and Anna Wishart of Lincoln comprise the panel.

“This investigation will be thorough, prompt [and] will continue to protect the complainant’s rights while also ensuring the Legislature and the public has confidence in our process,” he said. “I want to stress that if the panel uncovers any evidence of any potential criminal activity, that information will be referred to the attorney general’s office for appropriate action.”

Senators had until adjournment Feb. 22 to offer to assume sponsorship of the bills Groene introduced this session.

Gov. Pete Ricketts announced the appointment of Mike Jacobson to fill the Legislative District 42 seat at a press conference Feb. 23. Five people were interviewed for the position, he said, including the three announced candidates for the seat. Jacobson said he intends to run for a full term in the 2022 general election.

Ricketts said he chose Jacobson for his conservative values and as a representative of a “fantastic American success story.” Jacobson, founder and principal share-



Sen. Mike Jacobson takes the oath of office in the governor’s press room Feb. 23.

holder of NebraskaLand National Bank in North Platte, is a native Nebraskan who graduated from the University of Nebraska-Lincoln. He and wife Julie have two children and have lived in North Platte for 27 years.

“[He] is a conservative who will reflect the values of the people of District 42,” Ricketts said. “He’s going to be an advocate for efficient and effective government, family values and for making sure we’re creating opportunities for families here in the state of Nebraska.”

Jacobson was sworn in by Nebraska Supreme Court Chief Justice Michael Heavican after the announcement and his term began immediately. He will serve on the same standing committees as his predecessor. ■

UNICAMERAL UPDATE

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treatment provided by a licensed physician that results in accidental death or injury of an unborn fetus also would not be a violation.

Albrecht said both women and children are worthy of being loved and deserve better than abortion. LB933 is not just pro-life, she said, it's pro-women, pro-baby and pro-science.

"In Nebraska, there have been almost 200,000 abortions since *Roe v. Wade* was decided in 1973. That's 10 percent of our state's population," Albrecht said. "Every abortion ends the life of an innocent human being — a baby that is alive, growing and has their own unique DNA separate from their mother."

Sandy Danek, executive director of Nebraska Right to Life, testified in support of LB933. A debate that began almost 50 years ago by proclaiming support for women's rights now harms women, Danek said, by pressuring them to have abortions because children are viewed as a threat to their freedom.

"If we as a society truly care about women and the unplanned pregnancy, then we must look to life-affirming options that are before us," Danek said.

Testifying on behalf of Nebraska Family Alliance, Nate Grasz also spoke in favor of the bill. All people have the inherent right to life, he said, by virtue of their humanity and not because it is granted to them by the government or other people.

"Nebraskans know it is inconsistent and unsustainable that our laws recognize the intentional death of a child in the womb as fetal homicide when they're wanted, but when that life is ended in an abortion clinic, it's called reproductive care," Grasz said.

Scout Richters spoke in opposition

to the bill on behalf of the ACLU of Nebraska. The decision of whether and when to become a parent is one of the most important life decisions a person faces, Richters said, and the government is in the worst position to make that decision for Nebraska families.

"When someone has made the decision to have an abortion, they should be able to get one without being forced to delay care, get on a plane to another state or carry a pregnancy against their will, as we've seen become a reality in Texas," she said. "This bill has nothing to do with supporting Nebraskans and everything to do with denying them essential care, dignity and the ability to determine their own futures."

Christon MacTaggart, executive director of the Nebraska Coalition to End Sexual and Domestic Violence, also testified in opposition to LB933. She said the bill would add barriers to care for domestic abuse and sexual violence survivors.

"If a pregnant person is experiencing abuse, not being able to access a full range of reproductive health care will put their safety in jeopardy and offenders will use it to keep victims under their control," MacTaggart said.

The committee also considered two bills that would restrict abortion access but would not enact an outright ban.

LB781, introduced by Sterling Sen. Julie Slama, would require a physician to perform an ultrasound prior to an abortion for the purpose of detecting a fetal heartbeat and record the estimated gestational age of the fetus. Knowingly performing an abortion after a fetal heartbeat is detected would be illegal, except in cases of a medical emergency.

Under the bill, a physician who

knowingly performs an abortion after a fetal heartbeat has been detected could face a Class IIA felony charge, which carries a maximum penalty of 20 years imprisonment.

"By six weeks gestation, an ultrasound can pick up a baby's heartbeat," Slama said. "When we hear this sound, we know that we are listening to the rhythm of life coming from a tiny human being in his or her earliest moments. Abortion stops that beating heart."

LB1086, introduced by Lincoln Sen. Suzanne Geist, would establish a safety protocol to prohibit anyone but a physician from providing an abortion-inducing drug. The bill also would prohibit an abortion-inducing drug from being mailed or otherwise delivered.

The bill would require a physician to examine a woman in person, verify that a pregnancy exists and document the gestational age of the fetus. A physician could not provide an abortion-inducing drug to a woman whose pregnancy is more than 49 days of gestational age.

Intentional violation of those provisions would be a Class IV felony, which carries a maximum penalty of up to two years imprisonment, a \$10,000 fine or both.

LB1086 also would require a physician to file a report with the state Department of Health and Human Services detailing all encounters with a patient directly affected by an abortion-inducing drug, including any complications experienced. Intentional failure to file a report would be a Class II misdemeanor.

A woman upon whom an abortion is attempted, induced or performed

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would not be subject to prosecution under either LB781 or LB1086.

Geist said chemical abortions make up over 70 percent of abortions performed in Nebraska and that there currently is no prescribed standard of care. The bill would limit the use of chemical agents to the first seven weeks of pregnancy because the risk of complications increases each week after that, she said.

“Currently, there is little to no reporting of chemical abortions and complications in our state and therefore no accountability or follow up with women who have complications,” Geist said. “Since this accounts for such a large majority of abortions in our state, advocating for safety measures seems to be a commonsense solution and in the best interest of women.”

John Quinn spoke in favor of both bills on behalf of the Democrats for

Life of America Education Fund, saying LB781 would protect the dignity of unborn children and open “more dignified horizons” for their mothers. In addition, the regulations under LB1086 would prevent “modern day back-alley abortions” from occurring, he said.

“Leaving women to administer powerful drugs in their bathroom is no way to safeguard their health,” Quinn said.

Testifying on behalf of the Nebraska Catholic Conference was Marion Miner, who also spoke in support of both bills. Between 5 and 20 percent of women suffer from a chemical abortion-related complication, Miner said, but almost none of these cases are reported by Nebraska abortion clinics.

Testifying in opposition to both bills was Deborah Turner, associate medical director of Planned Parenthood North Central States. She said the safety

and efficacy of medication abortions up to 70 days gestational age is well-documented and there is no reason to decrease the time frame to 49 days.

“Serious complications associated with abortion are exceedingly rare, occurring in less than a fraction of a percent of medication abortion patients,” Turner said.

Andi Curry Grubb, state executive director for Planned Parenthood North Central States, also testified in opposition to both bills, which she said would place limits on abortion before many women know they’re pregnant.

A 2020 report from the state Department of Health and Human Services showed that less than 2 percent of patients received abortions at that stage of pregnancy, Curry Grubb said.

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



The Judiciary Committee heard more than six hours of testimony from supporters and opponents of the three proposals.

AGRICULTURE



Catastrophic livestock mortality bill clears first round

A bill intended to improve Nebraska’s ability to plan for and respond to emergency catastrophic livestock mortality events advanced from general file Feb. 25.

LB848, introduced by Hastings Sen. Steve Halloran, would require the state Department of Agriculture to support the development and execution of catastrophic livestock mortality disposal plans developed by a county or other local emergency management organization.

The bill also assigns a duty to livestock owners to properly dispose of dead animals in a timely manner and adds express authority to transport them to a disposal site designated by a local authority in the event of an emergency that results in large-scale livestock deaths or necessitates wide-scale depopulation.

Halloran said the state needs to be prepared for future events that may lead to large-scale livestock mortalities. The coronavirus pandemic caused recurring closures and diminished capacity at livestock processors, he said, and the ensuing disruption in the meat processing chain led to the need to depopulate herds and euthanize animals.

“The COVID-19 emergency was a catalyst that drew attention to this issue [and] it emphasized a need to ensure planning, capacity and preparedness to respond appropriately,” Halloran said.



Sen. Steve Halloran

Plymouth Sen. Tom Brandt supported the bill, saying it would allow the state to professionally and humanely dispose of animals in the event of a future disease outbreak or other catastrophic mortality event.

“Hopefully, this is something that we never see,” he said.

Following adoption of a technical Agriculture Committee amendment on a 43-0 vote, senators advanced LB848 to select file 43-0.

APPROPRIATIONS



Premium pay for front-line nurses considered

The Appropriations Committee heard testimony Feb. 22 on a proposal to provide funding for bonuses to certain front-line nurses.

Under LB1055, sponsored by Omaha Sen. Mike McDonnell, \$50 million of the federal American Rescue Plan Act funds allocated to Nebraska would be appropriated to the state Department of Health and Human Services to fund a grant program for any hospital or federally qualified health center to provide premium pay bonuses to front-line nurses.

The bill defines a front-line nurse as an individual with direct patient care responsibilities. Individual grants could not exceed \$5,000 and traveling nurses would not qualify for bonus pay under the bill.

McDonnell said the proposal would show Nebraska’s nurses that the state recognizes and appreciates their sacrifice during the pandemic



Sen. Mike McDonnell

and could help ensure that nurses stay in the profession and are able to continue providing needed care.

“The pandemic strained many facilities that were already short-staffed prior to COVID-19,” he said. “Nurses are now considering retiring early and many are leaving the profession altogether.”

Virginia Wolking, a registered nurse, testified in favor of the bill on behalf of Children’s Hospital and Medical Center, the Nebraska Hospital Association and the Nebraska Chamber of Commerce and Industry.

Nebraska hospitals are competing for a small pool of nurses, she said, and Children’s Hospital has been able to replace only 40 percent of the nurses who left in 2021.

“Nurses are the glue that make sure – no matter what [other] discipline is short – the patient gets what they need,” Wolking said.

Saying the stress of the COVID-19 pandemic has worn on members of her profession, Kaitlin Rogge, an intensive care nurse, testified in favor of the bill. She said that even with a strong support system, she has experienced anxiety and has trouble sleeping due to the memory of lost patients.

Many nurses are suffering from burnout and struggling with their mental health, she said.

“With each loss, it is getting harder to compartmentalize the things that I have seen,” Rogge said. “LB1055 will not take away the pain and stress the pandemic has caused. It will not fade the memories of the pandemic or slow my anxious mind. It will, however, send a strong message to my nursing colleagues and friends that Nebraska stands behind their nurses.”

Nichole Hanson, a registered nurse with 10 years of ICU experience, also testified in support. Many nurses have sought professional help to deal with

issues stemming from nursing during the pandemic, she said, and many have left the profession due to the stress.

“No matter how much death we may be accustomed to as an ICU nurse, nothing compares to wrapping a human body in a plastic bag,” Hanson said. “One thing you’re sure of, though, is that when you come home after your shift, you’ll have nothing left to give your family or yourself.”

No one testified in opposition to LB1055 and the committee took no immediate action on it.

Pandemic funds sought for health center capital projects

Nebraska would use \$20 million in federal pandemic relief funds for capital construction grants to the state’s federally qualified health centers under a bill considered Feb. 22 by the Appropriations Committee.

LB1183, sponsored by Grand Island Sen. Raymond Aguilar, states legislative intent to appropriate \$20 million in federal American Rescue Plan Act funds to the state Department of Health and Human Services for the grant program. Funds would be available to the state’s seven federally qualified health centers for costs associated with capital projects that would expand health care access to Nebraskans most impacted by the COVID-19 public health emergency.

Aguilar said the grants would allow the health centers, which serve the state’s most vulnerable populations, to expand their services through shovel-ready construction projects. Nebraskans have sought health care at the centers during the pandemic in high numbers, he said.



Sen. Raymond Aguilar

“[They] have been the safety net on the front lines of this crisis,” Aguilar said. “I can’t think of any other proposal that [would serve] more of our citizens that have felt the most negative economic impact of this pandemic.”

Kenny McMorris, CEO of Charles Drew Health Center in North Omaha, spoke in favor of the bill. Representing the Health Center Association of Nebraska, which encompasses all seven federally qualified health centers, he said the grant funds outlined in LB1183 would allow the centers to expand current sites and build new locations to reach more of the state’s medically underserved population.

The state’s federally qualified health centers provided over 64,000 COVID-19 tests and vaccinated more than 42,000 people during the pandemic, he said.

“We know that the work that we do every day is transformational,” McMorris said.

Tami Smith, CEO of Heartland Health Center in Grand Island, also testified in support. She said the federally qualified health center, which served 841 patients when it opened in 2104, served nearly 6,700 patients last year.

Heartland Health Center recently opened a satellite clinic in Ravenna after that community’s local clinic closed, she said. The center would like to expand further but does not have the space to bring on new providers or patients, she said, noting that limited access leads to worse health indicators and a higher likelihood that people will forego health care altogether.

“People come to Heartland all the way from North Platte to receive health care at the clinic,” Smith said. “Can you imagine how difficult it is for a patient to keep their diabetes under control when they have to make a four-hour trip just to attend a medical appointment?”

Representing the ACLU of Nebraska, Karsen Sims spoke in favor of LB1183. The state’s federally qualified health centers have served the essential workers who grow Nebraska’s food, stock supermarket shelves and staff meat processing plants, she said, all of whom have been among the individuals hardest hit by the pandemic.

“These health centers have always been integral parts of the communities they serve [but] they are more important now than ever,” Sims said.

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

Proposal would fund health equity liaisons

Nebraska would use federal pandemic relief funds to facilitate the collection of health inequity data by several state commissions that serve the state’s minority populations under a bill considered Feb. 23 by the Appropriations Committee.

Under LB1267, sponsored by Omaha Sen. Tony Vargas, the state would appropriate \$2.5 million in fiscal year 2023 from American Rescue Plan Act funds allocated to



Sen. Tony Vargas

Nebraska to five state commissions. The bill would allocate \$500,000 to each of the following entities to hire health equity liaisons:

- Commission on Indian Affairs;
- Commission on Latino-Americans;
- Commission on African American Affairs;
- Commission for the Deaf and Hard of Hearing; and
- Commission for the Blind and Visually Impaired.

Each commission's liaison would work with the state Department of Health and Human Services, the University of Nebraska and other organizations to collect data and would be required to submit a report to the Legislature no later than Oct. 1, 2024. The report would outline recommendations to address health inequities for the population served by each respective commission.

Vargas said DHHS has found that there are "moderate to significant disparities" between white residents and people of color in Nebraska in health status, health coverage and ability to see a physician. These inequities put people at a greater risk of illness and death from COVID-19, he said.

In addition, Vargas said, the pandemic "exacted a steep toll" on certain populations of people with disabilities and created new barriers to access to health care.

"By providing this funding to the commissions, the goal is to have tangible recommendations for addressing health disparities that are specific to each constituency," he said.

Kim Davis, advocacy specialist for the Nebraska Commission for the Deaf and Hard of Hearing, testified in support of LB1267 on behalf of the commission. She said the COVID-19 pandemic has exacerbated challenges faced by Nebraska's deaf and hard of hearing community, especially in medical settings.

Social distancing requirements and limits on the number of people allowed in hospital rooms made effective communication even more difficult for deaf and hard of hearing patients, Davis said, because it hampered access to interpreters.

Lazaro Spindola, former executive director of the Commission on Latino-Americans, also spoke in support of the proposal. Even before the pan-

demic, the state's Latino population suffered from high levels of poverty and limited access to good paying jobs, housing and health care, he said. The pandemic magnified the impact of those inequities, Spindola said, especially for individuals employed in industries deemed essential, such as meatpacking.

National studies show that Latino populations may experience more severe cases of COVID-19 and have a higher mortality rate, he said, but Nebraska lacks similar state-level data.

"Without this information, it becomes virtually impossible to create programs that will overcome the inequality," Spindola said.

Representing the Commission on Indian Affairs, executive director Judi gaiashkibos also testified in favor of LB1267. All the state's commissions that serve minority populations face health disparities, she said, and the Indian commission would welcome additional funding to study ways to improve the situation.

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

BUSINESS & LABOR

Increased compensation for first responders' families advanced

A proposal to increase a one-time death benefit available to families of public safety officers killed in the line of duty advanced from general file Feb. 25.

During the 2021 legislative session, senators passed a bill that provides a one-time death benefit of \$50,000

to the family of a paid or volunteer law enforcement officer, firefighter, correctional officer or government or nonprofit EMS ambulance squad member. The compensation increases each year to an amount equal to the previous year's compensation increased by the percentage of the consumer price index.

LB717, introduced by Lincoln Sen. Adam Morfeld, would increase the monetary compensation to \$250,000 for deaths occurring in 2022. The benefit would increase in future years in the same manner as the previous legislation.



Sen. Adam Morfeld

"I truly believe while \$50,000 is laudable, it isn't nearly enough for the death of a public safety officer whose duty it is to protect all of us," Morfeld said. "In many cases, this does not come even close to covering the medical bills and funeral costs, let alone ensuring the surviving family and spouses are compensated for the loss of income and their pain and suffering."

Lincoln Sen. Patty Pansing Brooks spoke in support of the bill, saying it would help families in a time of "devastating tragedy."

"It is the least we can do as a state to honor those who are killed in the line of service [while] keeping our Nebraska citizens safe and well," Pansing Brooks said.

Also in support of the proposal was Omaha Sen. Mike McDonnell, who said increasing the death benefit for people who take an oath and lay down their lives should matter more than dollars.

In opposition to the bill was Thurston Sen. Joni Albrecht. She said many agencies offer life insurance policies and communities can offer support

to families when a person dies in the line of duty.

“I don’t believe it’s being fiscally responsible with the tax dollars that we have,” Albrecht said. “In my community, if we have someone that has fallen, our communities come together and raise money for those families like no other.”

Henderson Sen. Curt Friesen also spoke in opposition. He questioned increasing the death benefit when some departments, counties and cities already provide some level of compensation. If counties want to provide greater benefits, they can budget for it and do so, he said.

“I just think that when the state starts getting involved in some of these things, some of it gets to be excessive and it doesn’t take into account some of the other benefit packages that are out there,” Friesen said.

Lawmakers gave the bill first-round approval on a 32-6 vote.

EDUCATION

Behavioral health points of contact proposed for schools

The Education Committee heard testimony Feb. 22 on a bill intended to improve access to mental and behavioral health services for public school students.

LB852, introduced by Omaha Sen. Jen Day, would require each district to designate at least one employee in each school building who has knowledge of community behavioral



Sen. Jen Day

health service providers and other resources for students and families.

The behavioral health point of contact would coordinate access to behavioral health services for students and families and facilitate access to services at a student’s school during the school day whenever possible and as approved by a student’s parent or guardian.

Day said the pandemic has worsened a mental health crisis among Nebraska youth. LB852 would be a simple way to help connect students with the behavioral and mental health services they need, she said.

“As our schools are responding to the mental health needs of students, providing information for parents to determine who is available to provide treatment and counseling should not be an obstacle,” Day said.

The bill would require the state Department of Education to provide each district with a registry of state and local behavioral health resources for students and families by geographic area.

Day said such a registry already is maintained by the Nebraska Family Helpline at Boys Town and funded by the state Department of Health and Human Services.

LB852 would require the registry to be updated at least annually and include both school-based services and those accessible outside of school.

Each district would report its designated behavioral health points of contact to the state Department of Education before the beginning of each school year.

Liz Lyons testified in support of LB852 on behalf of Children’s Hospital and Medical Center in Omaha, the Nebraska State Education Association, the Nebraska Association of Behavioral Health Organizations and the Nebraska Child Health and Education Alliance.

She said the bill would improve communication between educators and health care providers at a time when symptoms of depression and anxiety, as well as the risk of suicide, among children and adolescents have increased.

“Without early intervention and adequate access to mental health across the state,” Lyons said, “we are not doing our job to protect the most vulnerable among us.”

Kyle McGowan testified in support of the bill on behalf of the Nebraska Council of School Administrators. He said school employees often are the first to notice mental and behavioral health problems in children but often need help from service providers in their community to address those problems.

“Having a systematic way to assure that we can help families get further assistance ... is a great idea,” McGowan said.

Colby Coash also testified in support on behalf of the Nebraska Association of School Boards. Many districts take the approach outlined in LB852, he said, but the bill would make the process uniform across the state.

Kyle Kinney, manager of the Nebraska Family Helpline, testified in support of the bill on behalf of Boys Town. Schools often serve as a focal point for health and social services, as well as cultural and recreational events, he said, so it is logical that schools are the first and maybe only place where families seek help for mental and behavioral health problems.

“Ensuring schools are equipped with the resources to connect children and families to the mental and behavioral health supports they need is key to healthy school environments and communities,” Kinney said.

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

EXECUTIVE BOARD

AltEn investigative committee proposed

The Legislature would appoint a special committee to study and investigate operations at the AltEn ethanol plant in Mead under a measure considered Feb. 24 by the Executive Board.

The now-closed ethanol production plant used treated seed as raw material, leaving behind toxic byproducts – known as wet cake – that may have contaminated the water, soil and air surrounding the facility.

Bellevue Sen. Carol Blood, sponsor of LR159, said an investigative committee is needed to provide a fuller understanding of the extent of the



Sen. Carol Blood

environmental and health impacts of the situation and to recommend possible rules, regulations or laws needed to ensure compliance by AltEn’s owners.

“This disaster unfolded while Nebraska agencies failed to act,” Blood said. “A special legislative committee is a powerful tool to be implemented when there is a need for broad action via engagement from members of multiple committees.”

The proposed committee would consist of nine members of the Legislature, appointed by the Executive Board, including the chairperson or designee of the Agriculture, Appropriations, Natural Resources, Health and Human Services, Judiciary and Natural Resources committees, as well as two additional members from the Judiciary and Natural Resources committees and one member each representing Lincoln and Omaha.

The committee would be authorized to hold hearings and issue subpoenas to compel attendance of witnesses and production of accounts, documents and testimony.

Ray Loftus, formerly of Mead, testified in support of the resolution, saying he moved his family from their “dream home” less than a half a mile from the AltEn plant in 2021. The family felt forced to leave when it became evident that living so close to the plant might not be safe, he said.

“Can anybody tell me who’s going to pay for this?” Loftus said.

Also testifying in support was Janece Mollhoff. The lack of transparency since the state Department of Environment and Energy first granted a permit to the AltEn plant to use seed corn in 2012 indicates a need for an investigation, she said, adding that the department currently lacks accountability for the quality of Nebraska air, water and soil that it is supposed to manage.

“I live in Saunders County and we want answers,” Mollhoff said. “How did we get to 99,000 tons of contaminated wet cake and sludge covering 16 acres on unlined ground?”

Jim Macy, director of the state Department of Environment and Energy, testified in opposition to the proposal. He said the department is coordinating with the federal Environmental Protection Agency to monitor and assess the situation at AltEn and conducts three inspections a week at the site.

Litigation is pending, he said, but the agency makes all non-confidential information regarding AltEn available on a dedicated webpage and is working with six former seed suppliers to clean up the wet cake at the plant at no cost to taxpayers.

“We’re committed to working with the local leadership – and we have been – and will continue to work with

the Mead community until this site’s cleaned up,” Macy said.

Mead village board chairperson Bill Thorson also testified in opposition. He said the Department of Environment and Energy has dealt with similar situations and is the right agency to handle the complicated circumstances at AltEn.

“We feel if we add another committee of multiple people to oversee what’s already being overseen [it] will just cost us valuable time and probably more money also,” Thorson said.

The committee took no immediate action on LR159.

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Bill would pair Arbor Day with Election Day

Nebraskans would celebrate Arbor Day on the first Tuesday after the first Monday in November of even-numbered years under a bill heard Feb. 24 by the Government, Military and Veterans Affairs Committee.

LB965, introduced by Lincoln Sen. Eliot Bostar, would move the state holiday to coincide with the statewide general election in even-numbered years. Arbor Day would remain on the last Friday in April in odd-numbered years.



Sen. Eliot Bostar

Last year, Bostar introduced a bill that, among other provisions, would have designated Election Day as a state holiday. The proposal has not advanced out of committee. He

said opponents argue that Nebraska already has too many state holidays.

“This is my response to that,” Bostar said. “Election Day should be a holiday. It makes a statement about the importance that we all place on civic responsibility.”

Westin Miller of Civic Nebraska testified in support of LB965. He said 19 other states observe Election Day as a holiday and that doing so in Nebraska would increase voter participation.

“It’s odd that we get a day off to celebrate presidents but not elect them,” Miller said.

Tammy Partsch, marketing director of Nebraska City Tourism, spoke in opposition to LB965. She said Arbor Day is a 150-year tradition with deep roots in Nebraska City and its celebration in April coincides with planting trees in springtime.

“That is our hometown pride,” Partsch said. “It’s being poached and being thrown under the bus as if it doesn’t matter.”

Beth Bazyn Ferrell of the Nebraska Association of County Officials also testified in opposition to the bill. She said 75 Nebraska counties observe Arbor Day but 18 do not, which could complicate achieving the bill’s goal of increased voter participation. She added that it would be impossible for county officials involved in an election to take the day off as a holiday.

The committee took no immediate action on LB965.

State purchasing, contracting bill advanced

A bill that would require an evaluation of Nebraska Department of Administrative Services procurement practices advanced from general file Feb. 25.

LB1037, introduced by Sen. John

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



Sen. John Arch

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

Arch said the bill grew out of the department’s selection of St. Francis Ministries in 2019 to manage child welfare cases in the Eastern Service Area. It later was revealed that St. Francis had underbid the contract significantly causing the organization to come back to the state for \$80 million in additional funding, Arch said.

The state ended the contract with St. Francis a year earlier than planned and is taking over case management in the Eastern Service Area.

Arch said the St. Francis contract was just one of several failures of the state’s procurement system.

“The history of these decisions spans multiple administrations and directors of departments. The names change but the pattern continues,” he said.

The Government, Military and Veterans Affairs Committee offered an amendment to add the provisions of LB1064, also introduced by Arch, to the bill. The proposal would establish a funding system to allow the DAS Materiel Division to obtain an electronic procurement system.

“Every bid in the state of Nebraska is still done through a myriad of paperwork,” Arch said. “The hassle of filling out all that paperwork by hand deters bidders, particularly small businesses.”

Sen. Mark Kolterman of Seward supported the bill and the amendment.

He said the state’s current procurement system is a “wreck” that hasn’t been updated in more than 20 years.

“We’ve wasted a lot of money,” Kolterman said.

Lincoln Sen. Matt Hansen also spoke in support of the bill, saying the current system is “directionless and unclear” and often doesn’t result in good outcomes for the state.

Senators adopted the committee amendment on a 40-0 vote and advanced LB1037 to select file 42-0.

Bill would ban racial, gender ‘scapegoating’ in education and training

Nebraska public schools, public postsecondary institutions and government entities would be prohibited from teaching, advocating, encouraging, promoting or acting upon race or sex “scapegoating” or stereotyping and from discriminating against students because of their political ideology under a bill heard Feb. 24 by the Government, Military and Veterans Affairs Committee.

LB1077, introduced by Blair Sen. Ben Hansen, defines race and sex scapegoating as assigning fault, blame or bias to a race or sex or to members of a race or sex or claiming that, consciously or unconsciously, by virtue of an individual’s race or sex, that members of any race are inherently racist or are inherently inclined to oppress others or that members of a sex are inherently sexist or inclined to oppress others.



Sen. Ben Hansen

The bill defines race stereotyping as ascribing character traits, values, moral and ethical codes, privileges, status or beliefs to a race or to an indi-

vidual because of the individual's race.

Also prohibited under the bill would be teaching that the U.S. or the state of Nebraska is fundamentally or systemically racist or sexist.

An individual who believes an institution has violated the bill's provisions could file a complaint with the state attorney general's office. The state would withhold funding from schools found to be in violation of the bill's provisions.

Hansen said the bill's intent is not to prohibit teaching of America's history of racism or sexism, but rather to ensure that no student feels "discomfort, guilt, anguish or any other form of psychological distress on account of their race or sex" while in the classroom.

"History is objective," Hansen said. "It should be taught without subjective editorializing that assigns fault to a whole race or sex."

Kate Anderson, a senior at the University of Nebraska-Omaha, testified in support of LB1077. During a political science class, Anderson said she was required to read books and heard articles that suggested that white Americans have rigid and bigoted definitions of what it is to be an American and that racism led to Donald Trump being elected president in 2016.

"I did not appreciate that race was the predominant topic of the entire semester," she said. "I never intended to pay for my professor to shame my race in the name of higher education."

Tyler Henningsey also spoke in support of the bill, which he said would promote education instead of indoctrination.

Dozens of students, educators and administrators testified against the bill, many raising concerns that it would discourage accurate teaching of American history.

Richard Moberly, dean of the

University of Nebraska College of Law, spoke against LB1077 on behalf of the University of Nebraska System. He said the bill's language is broad and vague and would subject universities to the "speech police."

"[It] would chill speech and make our educational institutions weaker rather than stronger," Moberly said.

Edward Ventura Jr. also testified in opposition. He said America cannot become an anti-racist society unless individuals have uncomfortable conversations.

"Teaching through an anti-racist lens means helping students understand racism's origins and guises, past and present, so they can act to disrupt white supremacy," Ventura said.

Also speaking against LB1077 was history teacher Jake Bogus. He said the bill would "rob" students of the opportunity to learn about individuals who are different from themselves.

"Education isn't just about algebra and proper punctuation, it's about the reality of the world that we live in," Bogus said.

The committee took no immediate action on the bill.



Bill would expand authorized abortion practitioners

More medical professionals would be authorized to perform abortions in Nebraska under a bill considered Feb. 24 by the Health and Human Services Committee.

Currently, only physicians are classified as qualified practitioners authorized to perform abortions in the state.

LB716, sponsored by Omaha Sen. Megan Hunt, would add advanced practice registered nurses, certified nurse midwives and physician assistants as qualified practitioners.



Sen. Megan Hunt

Hunt said one-third of states in the U.S. allow these practitioners to provide abortion care and the American Public Health Association and American College of Obstetricians and Gynecologists recommend that all appropriately trained health professionals in those categories be allowed to provide abortion services.

"In one ... peer-reviewed, six-year study, the complication rate was low and it did not differ between physicians and these non-physician, advanced practice providers," she said.

Claire Wiebe of Planned Parenthood North Central States in Nebraska testified in support of LB716. Calling the bill a "step in the right direction" to ensuring access to health care, Wiebe said many Nebraska women must travel hours to seek abortion care.

Such travel often requires time off from work, travel expenses and child care, she said.

Representing the ACLU of Nebraska, Danielle Conrad also testified in favor of the bill. She said that over 90 percent of abortions in Nebraska are provided through medication, making physician-only laws "relics of time gone by."

"LB716 rightly removes unnecessary restrictions that are not grounded in science — that are not grounded in medicine — and [would] help more Nebraskans who are in need of abortion care to access it ... in a more timely manner," Conrad said.

Gary Anthone, director of public health at the state Department of

Health and Human Services, testified in opposition to the bill. Any expansion of a health care practitioner's scope of practice in Nebraska should go through the state's established credentialing review process, he said.

"There are no such credentialing reviews completed or pending at this time for any of these licensed health care providers," Anthone said.

Dave Watts, president of the Nebraska Medical Association, agreed. Also testifying in opposition, he said the credentialing review process is essential for patient safety even if the likelihood of complications is rare.

"It's especially concerning given unexpected complications that can arise suddenly with any procedure and may need immediate specialized medical attention," Watts said.

The committee took no immediate action on LB716.

COVID-19 vaccine exemption passed

Senators approved an exemption process for employer COVID-19 vaccine mandates Feb. 25.

LB906, introduced by Blair Sen. Ben Hansen, requires the state Department of Health and Human Services to create and publish a form on its website to be filled out by employees seeking an exemption based either on a health care practitioner's recommendation or the individual's sincerely held religious belief, practice or observance.

The bill applies to entities with one or more employees, including state agencies and other political subdivisions. The federal government, any corporation wholly owned by the federal government, Indian tribes and



Sen. Ben Hansen

bona fide private membership clubs, other than labor organizations, that are exempt from federal taxation are exempt from the bill's provisions.

Under LB906, employers may require unvaccinated employees to wear personal protective equipment or submit to COVID-19 testing at the employer's expense. Medicare-certified and Medicaid-certified providers or suppliers and federal contractors may require additional processes, documentation or accommodations as necessary to comply with federal law and Centers for Medicare and Medicaid Services regulations.

The bill passed on a 37-5 vote and takes effect immediately.

State would fund free contraceptives

The Health and Human Services Committee considered a bill Feb. 24 that would provide state-funded, free contraceptives to women upon request.

Under LB1129, introduced by Lincoln Sen. Adam Morfeld, the state would provide free contraceptives approved by the federal Food and Drug Administration to any woman who requests them. Contraceptives would be distributed through Title X and family planning clinics, public health clinics, hospitals, pharmacies and other distribution points.

The bill's cost would be covered through General Fund appropriations.

Morfeld said many women struggle to afford contraception, even those who have private health insurance, and often pay up to 60 percent of the cost out of pocket. The resulting lack of access to contraception is a significant factor in unintended pregnancies, he said, which



Sen. Adam Morfeld

in turn is a major cause of abortions.

A 2019 Nebraska study found that "no contraception used" was the most common reason given for seeking an abortion, he said.

"Even though most people use some form of contraception in their reproductive lifetime, barriers still exist that prevent people from obtaining contraception," Morfeld said. "This bill will help support uninterrupted access to birth control to prevent unintended pregnancy — ultimately reducing abortion."

Jo Giles, executive director of the Women's Fund of Omaha, testified in support of the bill. Approximately 21,000 Nebraska women live in an area that lacks a full range of reproductive health care, she said.

Medicaid pays for more than 30 percent of births in Nebraska, Giles said, at a cost of roughly \$4,700 per birth, while a prescription for oral contraceptives costs less than \$40 a month.

"The state could pay for 10 years of birth control through Medicaid and it would still be cheaper than one unintended pregnancy," she said.

Julia Keown, representing the Nebraska Nurses Association, also testified in support. She said contraceptives are prescribed for myriad reasons in addition to birth control, including as treatment for migraines, acne, menstrual cramps and endometriosis. Yet women in Nebraska have limited access to contraceptives to optimize their health, she said.

David Zebolsky of Nebraskans Embracing Life testified in opposition, saying oral contraceptives have severe negative impacts on women's health.

"The harm — the damage to a woman's body — can be extensive and it can be permanent, and it can be lethal," he said.

The committee took no immediate action on the bill.

Omnibus child welfare bill advanced

A bill that would establish a work group to transform Nebraska’s child welfare system was amended to become an omnibus child welfare measure and advanced from general file Feb. 25.

LB1173, as introduced by the Health and Human Services Committee, would create a work group to find ways to improve the state’s child welfare system. The group would seek input from individuals with experience within the child welfare system, providers, law enforcement, county attorneys and others.

Under the bill, the group would include the following state Department of Health and Human Services directors or their designees: Behavioral Health, Children and Family Services, Developmental Disabilities, Medicaid and Long-Term Care and Public Health. The group also would include the commissioner of education, the state court administrator, a member of the Nebraska Supreme Court and representatives from each federally recognized Native American tribe in Nebraska.

Committee chairperson Sen. John Arch of La Vista offered an amendment, adopted 45-0, allowing any member of the state judiciary to serve on the work group rather than requiring a member of the state Supreme Court.

The work group would be tasked with developing program goals and finance models for service delivery, engagement strategies for community involvement and increased engagement across different branches of government and state agencies, as well as developing accountability, data collection and outcome monitoring strategies.

The group also would be required to evaluate the state’s claiming ef-

forts for federal dollars and how to optimize federal reimbursement. The work group would submit a report to the Health and Human Services Committee and the Legislature by Dec. 1, 2023.

Arch, a member of a special committee established to evaluate privatized child welfare case management, said privatization was poorly planned, caused problems in delivering services and ultimately cost Nebraska as much money as maintaining state service delivery would have.

“We have not had a good, strategic direction with our child welfare services for a number of years,” he said.

The committee offered an amendment, adopted 45-0, to add provisions of three additional bills:

- LB491, introduced by Omaha Sen. Machaela Cavanaugh, which would remove DHHS’ authority to contract with a lead agency for case management in the department’s eastern service area of Douglas and Sarpy counties;
- LB541, introduced by Fremont Sen. Lynne Walz, which would require the Division of Children and Family Services to implement statewide tiers for a specialized level of care for foster care reimbursement and to partner with the Division of Medicaid and Long-Term Care to develop a plan for treatment family care services by Oct. 1,



Sen. Machaela Cavanaugh



Sen. Lynne Walz

2022, and to implement that plan by Oct. 1, 2023; and

- LB854, introduced by Omaha Sen. Jen Day, which would require the Division of Children and Family Services to immediately notify the Division of Public Health of any reports DHHS receives of alleged out-of-home child abuse or neglect by a child care provider or child care staff member.



Sen. Jen Day

Senators advanced LB1173 to select file on a vote of 45-0.

JUDICIARY

Law enforcement reciprocity program advances

A bill intended to streamline the reciprocity process for law enforcement officers to become certified in Nebraska advanced from general file Feb. 25.

LB1241, introduced by Sen. Steve Lathrop of Omaha, would make a number of changes to the current law enforcement reciprocity program. Among other provisions, the bill would change the reciprocity process for law enforcement officers certified in another state.

It would require an applicant to pass a physical fitness test and a reciprocity test approved by the Police Standards Advisory Council. An



Sen. Steve Lathrop

applicant also would be required to have completed a training program equivalent to a Nebraska academy or have actively engaged in performing the duties of a law enforcement officer.

A person seeking certification under the reciprocity process would not be allowed to exercise law enforcement authority until all requirements have been met, however they could serve as a non-certified conditional officer under the bill.

LB1241 also would require that a reciprocity test be offered at least once a month and would redefine a training academy as any facility operated by multiple agencies that offers certification training. Additionally, the bill would remove a requirement that a law enforcement officer complete continuing education in the year of their retirement.

Lathrop said the bill would improve the way Nebraska trains and certifies its law enforcement officers.

“If you are trying to recruit an officer from outside of the state, the hoops they have to jump through to become certified law enforcement officers in Nebraska were unnecessary and they impeded the ability of Nebraska agencies to recruit from outside the state,” he said.

The Judiciary Committee offered an amendment to the bill that would require the council to take action on an application within 45 days after all requirements have been met. Additionally, the amendment would require the council create a study guide for the program by July 1, 2022.

Bennington Sen. Wendy DeBoer spoke in support of LB1241 and the amendment, which she said would be an important workforce development tool for the state.

“[The bill] would address law enforcement and making sure that they have the best possible candidates to

choose from when they’re having to pick which officers they will recruit and making sure they are able to retain those officers, not just in the rural areas, but also in the urban areas,” DeBoer said.

Sterling Sen. Julie Slama also spoke in support of the bill and the amendment, saying the proposal would incentivize rural police officers by giving them the resources and the manpower needed to serve communities.

The amendment was adopted on a 46-0 vote and LB1241 advanced from general file 45-0.



Healthy soils learning community advances

A peer-to-peer learning community would help farmers adopt practices that protect Nebraska’s soil and water under a bill advanced from the first round of debate Feb. 24.

Under LB925, introduced by Creighton Sen. Tim Gragert, the state Department of Natural Resources would provide technical and legal assistance to a non-profit, voluntary learning community led by agricultural producers that would foster skills and share knowledge related to healthy soil management.

The department also would hire a facilitator to help organize the learning community and help it acquire gifts, grants and sponsorships. The bill states legislative intent to appropriate \$250,000 to the program for the next five years.



Sen. Tim Gragert

Gragert said Nebraska’s natural resources districts and other entities have succeeded in helping some producers adopt conservation practices – such as no-till farming, nutrient management and the planting of cover crops – that reduce soil erosion and help address high nitrate levels that have been associated with health problems in some areas of the state.

LB925 is intended to accelerate the adoption of such practices by connecting farmers with other producers who have implemented them on their own farms, he said.

The proposal also would require the department to divide the state into different regions representative of each area’s diversity of soils, topography, rainfall, cropping systems and other factors. It would authorize the department to lease private land for the purpose of establishing demonstration and research farms in those regions.

As introduced, the bill would require the department to submit an annual report to the governor and the Legislature’s Agriculture and Natural Resources committees beginning in 2022.

Gragert introduced an amendment, adopted 37-1, that would end the reporting requirement after 2027. He said the change reflects his intent that the learning community be self-funded after five years.

Omaha Sen. John Cavanaugh supported the bill, saying it would help preserve Nebraska’s vital water resources at a relatively low cost. Similar programs in other states have been successful, he said, and LB925 would allow producers to learn about conservation practices from fellow farmers if they are unwilling or unable to seek help from other programs.

“This is an efficient, intelligent, proven way to innovate on how we’ve done things in the past,” Cavanaugh said.

Sen. Mike Moser of Columbus opposed LB925, saying it points to the failure of government agencies, including NRDs, to better promote water and soil conservation practices. He said there is no guarantee that farmers would be more receptive to the proposed learning community.

“To me, it’s replacing a failed government program with another government program, thinking this one is going to be different,” Moser said. “All good intentions aside, generally, that’s not how it works.”

Henderson Sen. Curt Friesen also opposed the bill. He said Nebraska Extension and several commodity organizations promote soil health initiatives and work with producers who want to adopt best management practices.

“We’re trying to do it within the industry,” Friesen said, “and I’m not sure [LB925] is needed to get us there.”

Lawmakers voted 34-7 to advance LB925 to select file.

NEBRASKA RETIREMENT SYSTEMS

Retirement rules clarified

Senators passed a bill Feb. 25 that makes several changes to laws covering administration of Nebraska’s state, county and school retirement programs.

LB700, introduced by Seward Sen. Mark Kolterman, eliminates obsolete language, changes job requirements for the Nebraska Public Employees Retirement Systems di-



Sen. Mark Kolterman

rector and attorney and changes duties of the Public Employees Retirement Board regarding retirement education programs that must be offered to members of all retirement systems under the PERB’s jurisdiction.

The bill reduces from four to three the number of paid workdays that county and state plan members receive to attend in-person or live webinar trainings, which are offered during regular work hours. It also eliminates mandated early retirement incentive reporting to the Omaha School Employees Retirement System.

The bill includes provisions of LB1043, also introduced by Kolterman, which codifies current retirement practices and rules for certified teachers who are former members of the state’s school employee retirement plan who subsequently are employed by other state agencies.

Finally, the bill eliminates an option that allowed a state school official employed by the Nebraska Department of Education to elect to remain in, or become a member of, the school plan or the state plan. LB700 instead establishes specific rules for such officials.

Lawmakers passed the bill on a 45-0 vote and it took effect immediately.

REVENUE

Proposal to cut income tax rates advances after cloture vote

Lawmakers gave first-round approval Feb. 24 to a bill that would cut Nebraska’s top individual income tax rate after amending it to include a proposed reduction in the top corporate income tax rate.

LB939, introduced by Elkhorn Sen. Lou Ann Linehan, would cut Nebraska’s top individual income tax rate in three steps, from the current 6.84 percent to 5.84 percent by tax year 2025.



Sen. Lou Ann Linehan

The rate applies to taxable income of \$29,000 and over for individuals and \$58,000 and over for those who are married filing jointly.

Linehan said the proposal would help the state attract workers and businesses and provide a tax cut to middle class Nebraskans at a time when the state is collecting hundreds of millions of dollars more in revenue than is necessary to fund its operations.

“When we are collecting too much money from people, we need to send it back to the people,” she said.

The state Department of Revenue estimates that LB939 would reduce general fund revenue by \$61.7 million in fiscal year 2022-23 and \$176.5 million in FY2023-24. By FY2026-27, the reduction would grow to \$363.4 million.

Linehan said lawmakers may have to adjust LB939 on select file to account for updated revenue projections and the Appropriations Committee’s proposed budget.

A Revenue Committee amendment, adopted 39-2, added the provisions of LB938, also introduced by Linehan. That measure would incrementally cut the state’s top corporate income tax rate, which applies to taxable income in excess of \$100,000, from the current 7.5 percent to 5.84 percent by tax year 2026.

The amendment would continue the phased-in reduction of the top corporate rate approved by the Legislature last year, Linehan said.

The department estimates that

the corporate rate cut would reduce general fund revenue by \$1.9 million in fiscal year 2022-23, \$10.6 million in FY2023-24, \$29.3 million in FY2024-25 and \$53.5 million in FY2025-26.

Speaker Mike Hilgers of Lincoln supported LB939, saying the tax cut would give middle-class families more disposable income that they could use to save for a house or invest in a business. Allowing individuals to keep more of their money is especially important at a time of rapid inflation and high housing costs, he said.

Albion Sen. Tom Briese also supported the bill. He said Nebraska's top individual income tax rate is higher than the top rate in all neighboring states except one and applies to taxable income starting at a "ridiculously" small amount.

Briese said the high rate discourages people and businesses from moving to the state.

"If we're going to grow Nebraska, we need a competitive tax structure," he said, "and this bill represents one step in that process."

Sen. Megan Hunt of Omaha opposed the bill, saying millionaires and billionaires would benefit most from cutting the top individual income tax rate.

"If this was really a tax cut for middle-income earners ... then we would be supporting a bill to create additional income tax brackets, not cut rates for top earners," she said.

Hunt said a state's minimum wage, types of available jobs and housing and child care costs — not its tax rates — are what young families and professionals consider when deciding whether to move.

Omaha Sen. Machaela Cavanaugh said she opposed a further corporate income tax cut but would support an individual income tax cut as long as it benefits middle-class Nebraskans.

Cavanaugh introduced an amendment that she said would remove the corporate income tax provisions from the committee amendment and change individual income tax brackets and rates to provide a larger tax cut for individuals with a taxable income of less than \$200,000.

A new top bracket, with a rate of 8.01 percent, would apply to families with a taxable income of more than \$1 million.

Sen. John Cavanaugh of Omaha supported the amendment, saying it would provide a substantial benefit to individuals whose income is near the state's median of approximately \$60,000. He said Linehan's proposal would provide little or no benefit to those Nebraskans.

Families with a taxable income of approximately \$1 million still would receive a tax cut under the amendment, Cavanaugh said, but it would be about half as much as under the committee amendment.

The amendment failed on a vote of 8-34.

Lincoln Sen. Patty Pansing Brooks said she would vote "with hesitancy" to advance LB939 to select file and wait for updated fiscal projections. She suggested amending the bill on the second round of debate to increase the state's earned income tax credit, which would benefit low-income, working Nebraskans.

After eight hours of debate on general file over several days, Linehan filed a motion to invoke cloture, which ends debate and forces a vote on the bill and any pending amendments. The motion was adopted on a vote of 41-1. Thirty-three votes were needed.

Senators then voted 40-1 to advance LB939 to select file.

Bill would change sales and use tax collection fees

The Revenue Committee heard testimony Feb. 23 on a bill that would raise the amount businesses receive for collecting and remitting sales tax.

The current collection fee for merchants — the amount that they are allowed to retain when remitting the taxes — is equal to 2.5 percent of the sales or use tax collected each month, up to \$3,000 per month. LB984, introduced by Columbus Sen. Mike Moser, would increase the fee to 2.5 percent of the first \$6,000 remitted each month beginning Oct. 1, 2022.



Sen. Mike Moser

Moser said the change most would benefit businesses that have between \$400,000 and \$800,000 in annual sales. When combined with fees charged by banks to swipe cards, the remittance fee eats away at profits, he said.

"Merchants in our state, particularly smaller merchants, shouldn't have to pay the cost of collecting a tax," Moser said.

Rich Otto, testifying on behalf of the Nebraska Retail Federation, the Nebraska Hospitality Association and the Nebraska New Car and Truck Dealers Association, spoke in favor of the bill. He said the measure would correct an "injustice" in sales tax collection.

Otto said LB984 would double the current monthly cap on remittance fees from \$75 per month to \$150 per month, helping to offset the cost small businesses incur when filing sales taxes.

In addition, he said, some small retailers are paying between 3.5 and 4 percent on each transaction for card-

swipe and processing fees. The result is that some merchants are remitting more in sales tax to the state than they are collecting, he said.

“This is a fairness issue,” Otto said. “The state needs some skin in the game.”

Ansley Fellers also testified in support of the bill on behalf of the Nebraska Grocery Industry Association, the Nebraska Petroleum Marketers and Convenience Store Association, the Lincoln Independent Business Association, the Nebraska State Chamber of Commerce and Industry and the Columbus Area Chamber of Commerce.

The current fee has not kept pace with the cost of collecting sales tax, she said, especially as it relates to credit card fees.

“We have created a situation where credit card companies can make more money on a transaction than the retailer,” Fellers said. “And it now actually costs retailers – in some cases, significant amounts – to collect the tax.”

Testifying against the bill was Christy Abraham, speaking on behalf of the League of Nebraska Municipalities. She said LB984 would have a negative fiscal impact on municipalities due to the loss of sales and use taxes.

Abraham said Omaha estimates a loss of between \$800,000 and \$1 million under the bill. About 300 municipalities have sales and use tax rates, she said, and also would be impacted by the proposed change.

The league could move to a neutral position on the bill, she said, if businesses were allowed to retain 2.5 percent of state and local taxes on the first \$3,000 collected each month but were limited to only the state’s portion of the sales tax on the second \$3,000 collected each month.

The committee took no immediate action on LB984.

Proposal seeks to modernize Nebraska’s tax system

Nebraskans with taxable income of less than \$50,000 would pay no state income tax under a proposal heard Feb. 23 by the Revenue Committee.

Omaha Sen. Mike McDonnell, sponsor of LB1264, said the proposal is based on a tax modernization plan from the Blueprint Nebraska initiative.

McDonnell said the changes are intended to grow the state’s economy by helping Nebraska compete with other states for middle class residents needed to fill current job openings.

The bill would reduce the number of individual income tax brackets from four to two beginning in tax year 2022. The lower bracket, with a rate of 0 percent, would apply to taxable income of up to \$49,999 for single individuals and up to \$99,999 for those married filing jointly.

The higher bracket would apply to taxable income above those amounts. Beginning in tax year 2022, the top individual income tax rate would be 5.6 percent, down from the current 6.84 percent. The rate would fall to 5.3 percent in tax year 2025 and 4.99 percent in tax year 2028.

The bill also would cut the state’s corporate income tax rates. Beginning in tax year 2022, it would set the bottom rate, which applies to the first \$100,000 of taxable income, at 4 percent, down from the current 5.58 percent.

It would set the top rate, which applies to income in excess of \$100,000, at 5.6 percent, down from 7.5 percent, beginning in tax year 2022. Like the top individual income tax rate, it would fall to 4.99 percent by tax year 2028.

McDonnell said LB1264 would



Sen. Mike McDonnell

end several sales tax exemptions on services to offset revenue lost due to the income tax cuts. These would include entertainment admissions, personal services and the cleaning, maintenance and repair of motor vehicles and real property.

The bill also would impose state sales tax on 20 percent of the gross income received for the services of physicians, dentists, optometrists and chiropractors and 40 percent of the gross receipts from the sale, lease or rental of durable medical equipment.

LB1264 would end the inheritance tax, repeal standard and itemized deductions and double the value of two tax credits for business expenses related to research and development.

The bill states legislative intent to create two student loan relief programs for graduates in certain in-demand fields and end most tax incentive programs to offset revenue losses resulting from the bill’s changes.

Lance Fritz, CEO of Union Pacific Railroad, testified in support of the proposal, saying it is intended to “jumpstart” a conversation about tax policy. He said LB1264 would broaden the state’s sales tax base to account for the fact that services now make up a larger portion of the economy than they did in the past.

Jim Smith of the Platte Institute also testified in support. He said an independent economic analysis estimates that the changes in LB1264 would attract or retain 70,000 residents over 10 years, including 25,000 people in the 18 to 34 age range.

Smith said the bill would increase Nebraska’s gross state product by \$65 billion and generate \$40 billion in personal income growth. Additionally, he said, individuals in the lower personal income tax bracket would receive the greatest percentage of tax reduction under the plan.

Testifying in opposition to LB1264 was Tiffany Friesen Milone of Open-Sky Policy Institute. She said the bill would reduce state tax revenue by more than \$1.3 billion annually while failing to generate the promised economic growth.

Additionally, Friesen Milone said, the proposal would shift the burden for paying for government services onto low- and middle-income Nebraskans because they pay a larger percentage of their income in sales taxes than high-income residents.

Dexter Schrodtt testified in opposition to the bill on behalf of the Nebraska Medical Association. If LB1264 passes, he said, Nebraska would be the only state other than Minnesota that imposes sales tax on medical services.

Schrodtt said the proposal would result in increased health care costs for Nebraskans in part because physicians likely would charge a per-visit fee to cover the cost of the new taxation requirement.

Also in opposition was Korby Gilbertson, who testified on behalf of more than a dozen organizations representing businesses that would be affected by the repeal of sales tax exemptions on services they provide.

She said LB1264 likely would lead to higher home, auto and health insurance premiums.

The committee took no immediate action on the bill.

TRANSPORTATION & TELECOMMUNICATIONS

Increased fees considered for alternative fuel vehicles

A bill that would increase annual registration fees incrementally for ve-

hicles powered by alternative fuels was heard by the Transportation and Telecommunications Committee Feb. 22.

LB1149, as introduced by Henderson Sen. Curt Friesen, would raise the current registration fee incrementally for electric vehicles from the current \$75 to \$150 in 2027



Sen. Curt Friesen

and each year after. The fee would be collected by the county treasurer and remitted to the State Treasurer to be credited to the Highway Trust Fund.

Friesen brought an amendment to the hearing that instead would require the state Department of Transportation and the state Department of Revenue to report jointly on recommendations and proposed legislation on the administration of a kilowatt-hour excise tax on electric energy used to charge and power electric motor vehicles used on public highways in Nebraska.

Under the proposed amendment, the departments would need to submit their recommendations to the Transportation and Telecommunications Committee and the Revenue Committee by Oct. 1, 2025.

Additionally, the amendment would require that any entity engaged in the retail sale of electric power solely to charge electric vehicles collect a per-kilowatt-hour excise tax on electric energy used for that purpose, beginning July 1, 2026. Funds would be remitted to the Department of Revenue and credited to the Highway Trust Fund.

Friesen said 52 percent of Nebraska Highway Trust Fund revenues came from motor fuel taxes in 2021. As electric vehicles continue to proliferate and less motor vehicle fuel is purchased, the state needs to find solutions for highway infrastructure funding, he said.

“In the near future, we will see a significant erosion of the primary base of our dedicated highway funding mechanism,” Friesen said. “It is way too early to panic, but the next few years will require this Legislature to address how we will fund highway infrastructure in a stable and predictable way ... that does not place pressure on other funding sources and priorities.”

Tim Keigher testified in support of the amendment on behalf of the Nebraska Petroleum Marketers and Convenience Store Association and the Nebraska Grocery Industry Association. Keigher said Nebraska receives \$284 million in motor fuel taxes each year. With an increase in electric vehicles going forward, he said, the state needs to find other ways to fund road infrastructure.

Also in support was Andrew Dunkley, who spoke on behalf of the Nebraska Farm Bureau and several other agricultural associations. Dunkley said LB1149 would remove a tax break for individuals who live in areas where infrastructure supports electric vehicles.

“Everyone who drives on our roads should bear their fair share of the cost of their maintenance and upkeep regardless of their energy source,” he said. “Electric vehicles cause wear and tear on our transportation infrastructure, as do all vehicles. It is simply a matter of fairness.”

Loy Todd, president of the Nebraska New Car and Truck Dealers Association, also spoke in support of the proposal. Currently, 2 percent of the market is electric, he said, but the industry is growing. In the next 10 years, it’s estimated the industry will spend a trillion dollars to convert to electric vehicles, he said.

“The commitment is there. We want to sell the vehicles,” Todd said. “But highway funding ... I don’t care how much you use it. You still need

the roads.”

No one testified in opposition to LB1149 and the committee took no immediate action on the bill.

URBAN AFFAIRS

State aid sought for municipalities

Nebraska municipalities could apply for state grants for infrastructure projects under a bill considered Feb. 22 by the Urban Affairs Committee.

Under LB821, introduced by Sen. Matt Hansen of Lincoln, the state Department of Economic Development would evaluate grant requests and all cities and villages in Nebraska would

be eligible to apply. The bill also states legislative intent to appropriate \$15 million annually to DED to fund the grant program.

Funds could be used to pay for construction costs or to pay the principal, interest, premium or issuance cost on infrastructure bonds.

The state discontinued direct aid to municipalities in 2011, Hansen said, and LB821 would restart that effort and provide a way for cities to improve infrastructure.

“Rather than being a set amount each year that goes automatically to [municipalities] it would be incumbent upon the municipality to request grant money for a specific infrastructure project,” Hansen said.

Lynn Rex of the League of Nebras-



Sen. Matt Hansen

ka Municipalities testified in support of the bill. State aid to municipalities was never considered a gift but rather a replacement for lost revenue due to legislative action that limited cities’ ability to levy property taxes, she said.

“Municipalities across the state have really been limited dramatically in what they can do, how they can spend their money and how they move forward,” Rex said.

Jack Cheloha, testifying on behalf of the city of Omaha, also spoke in support. He said Omaha lost about \$2.4 million annually in state aid when that funding stream was eliminated, causing the city to raise property taxes and limiting the development projects it could pursue.

No one testified in opposition to LB821 and the committee took no immediate action on it. ■

SEARCH FOR BILLS

Learn more about bills considered by the Unicameral by logging on to NebraskaLegislature.gov.

The Legislature’s website offers a bill search on the upper-right portion of the home page. Entering a bill number will retrieve the bill’s text, fiscal note, statement of intent, votes, transcripts and more.

You also can search current laws using the keyword search found below the bill search.

PRIORITY BILLS

Priority bills generally are scheduled for debate before other bills. Each senator may select one priority bill, each standing committee may select two priority bills and the speaker may select 25 priority bills.

SENATOR PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Aguilar	LB919	Lindstrom	Redefine terms under the Sports Arena Facility Financing Assistance Act
Albrecht	LB1213	Albrecht	Provide requirements regarding access to digital and online resources provided by school districts, schools, and the Nebraska Library Commission for students
Arch	LB1037	Arch	Require the Department of Administrative Services to contract for an evaluation of the state's procurement practices
Blood	LR263CA	Blood	Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed
Bostar	LB964	Bostar	Provide for per diems and actual meal expenses for the Nebraska State Patrol
Bostelman	LB1099	Bostelman	Create the Nebraska Hydrogen Hub Industry Work Group
Brandt	LB543	Brandt	Adopt the Agricultural Equipment Right-To-Repair Act
Brewer	LB773	Brewer	Provide for carrying of concealed handgun without a permit and prohibit regulation of such carrying by cities, villages, and counties
Briese	LB986	Briese	Adopt the School District Property Tax Limitation Act
J. Cavanaugh	LB921	Lathrop	Change where sentences of imprisonment are served
M. Cavanaugh	LB376	M. Cavanaugh	Require application for and implementation of federal approval for services and supports for children with developmental disabilities and their families and require evaluations and reports
Clements	LB310	Clements	Change inheritance tax rates, inheritance tax exemption amounts, and individuals who are considered relatives of a decedent
Day	LB853	Day	Provide a homestead exemption for certain disabled veterans
DeBoer	LB1241	Lathrop	Change provisions relating to law enforcement officer training and certification
Dorn	LB1261	Murman	Change limitations on tax credits under the Nebraska Advantage Rural Development Act
Erdman	LR264CA	Erdman	Constitutional amendment to prohibit the imposition of taxes other than retail consumption taxes and excise taxes
Flood	LB927	Pahls	Change provisions relating to the use of state assistance and a limitation on state assistance under the Convention Center Facility Financing Assistance Act
Friesen	LB873	Friesen	Change provisions relating to the levy authority for community college areas
Geist	LB1010	Geist	Require information to be included in the Nebraska Criminal Justice Information System and accessible to law enforcement
Gragert	LB925	Gragert	Adopt the Resilient Soils and Water Quality Act and state intent regarding appropriations
Halloran	LR14	Halloran	Resolution to Congress for convention of the states to propose amendments to the United States Constitution
B. Hansen	LB906	B. Hansen	Require employers to provide for vaccine exemptions and provide duties for the Department of Health and Human Services
M. Hansen	LB1073	Wayne	Create the Department of Housing and Urban Development
Hilgers	LB933	Albrecht	Adopt the Nebraska Human Life Protection Act
Hilkemann	LB981	Hilkemann	Revive the Trail Development Assistance Act and state intent to transfer funds
Hughes	LB1015	Hilgers	Adopt the Perkins County Canal Project Act
Hunt	LB121	Hunt	Change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits
Kolterman	LB767	Kolterman	Adopt the Pharmacy Benefit Manager Licensure and Regulation Act
Lathrop	LB353	Lathrop	Appropriate funds to the Department of Correctional Services for a community corrections facility

SENATOR PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Lindstrom	LB825	Lindstrom	Change provisions relating to the taxation of benefits received under the federal Social Security Act
Linehan	LB364	Linehan	Adopt the Opportunity Scholarships Act and provide tax credits
Lowe	LB1086	Geist	Adopt the Chemical Abortion Safety Protocol Act
McCollister	LB709	McCollister	Change requirements relating to preliminary applications under the Occupational Board Reform Act
McDonnell	LB1023	Hilgers	Adopt the Lake Development Act and the Water Recreation Enhancement Act
McKinney	LB450	McKinney	Adopt the Nebraska Innovation Hub Act
Morfeld	LB519	Morfeld	Provide immunity from arrest and prosecution for certain drug and alcohol offenses for witnesses and victims of sexual assaults
Moser	LB984	Moser	Change sales and use tax collection fees
Murman	LB723	Briese	Change provisions relating to the calculation of tax credits under the Nebraska Property Tax Incentive Act
Pahls	LB833	Pahls	Change the statute of limitations on certain civil actions for sexual assault of a child
Pansing Brooks	LB717	Morfeld	Change the amount of compensation under the In the Line of Duty Compensation Act
Sanders	LB1158	Sanders	Change provisions relating to parental involvement in and access to learning materials in schools and provide for withholding of funding from school districts
Slama	LB977	Slama	Appropriate federal funds to the Department of Economic Development for expanding electrical system capabilities
Stinner	LB1068	Stinner	Change provisions regarding the Behavioral Health Education Center administered by the University of Nebraska Medical Center
Vargas	LB741	DeBoer	Provide for review of stillbirths under the Child and Maternal Death Review Act
Walz	LB852	Day	Require behavioral health points of contact for school districts
Wayne	LB917	Wayne	Provide an income tax deduction for certain wages paid to individuals convicted of a felony
Williams	LB1069	Williams	Change provisions of the Rural Workforce Housing Investment Act
Wishart	LB598	Wishart	Adopt the Small Business Stabilization Grant Program Act

COMMITTEE PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Agriculture	LB805	Hughes	Change provisions relating to prioritization of applications and intent to appropriate funds under the Noxious Weed Control Act
	LB848	Halloran	Change provisions of the Animal Health and Disease Control Act relating to catastrophic livestock mortality
Appropriations	LB340	Stinner	Create the Medicaid nursing facilities program
	LB1014	Speaker Hilgers	Appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021
Banking, Commerce & Insurance	LB863	Williams	Change provisions relating to the Insurance Holding Company System Act
	LB707	Williams	Change provisions relating to banks, financial institutions, bank subsidiaries, and residential mortgage loans and adopt certain updates to federal law
Business & Labor	LB512	Brewer	Adopt the Critical Infrastructure Utility Worker Protection Act
	LB780	Gragert	Change provisions relating to child labor and employment certificates and approval requirements for short-time compensation plans
Education	LB890	Walz	Change the Tax Equity and Educational Opportunities Support Act
	LB1218	committee	Change provisions relating to certification of school employees and student loan forgiveness

COMMITTEE PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Executive Board	LB686	Hughes	Change composition of the Executive Board of the Legislative Council
	LB897	Lathrop	Provide, change, eliminate, and transfer provisions regarding the offices of Inspector General of Child Welfare and Inspector General of the Nebraska Correctional System
General Affairs	LB876	Briese	Change provisions relating to powers and duties of the State Racing and Gaming Commission and the Nebraska Racetrack Gaming Act and authorize gaming operator and racetrack licenses
	LB1236	Lowe	Change provisions relating to craft brewery licensees under the Nebraska Liquor Control Act
Government, Military & Veterans Affairs	LR268CA	Briese	Constitutional amendment to provide for recall of the governor or a member of the Legislature
	LB843	Brewer	Change provisions relating to elections
Health & Human Services	LB752	Arch	Redefine respiratory care under the Respiratory Care Practice Act
	LB1173	committee	Create a work group and strategic leadership group for child welfare system reform
Judiciary	LB922	Lathrop	Increase the number of district court judges in the fourth judicial district
	LB920	Lathrop	Change criminal justice provisions including offenses, sentencing, set asides, restitution, pretrial diversion, and parole; provide for benefits under the Rural Health Systems and Professional Incentive Act; create criminal justice pilot programs; terminate an oversight committee; and create a task force
Legislative Performance Audit	LB937	Geist	Appropriate funds to the Legislative Council for economic modeling software
	LB1150	committee	Change provisions relating to the contents of applications and agreements under the ImagiNE Nebraska Act
Legislature's Planning	LB792	Lowe	Appropriate funds to the Department of Health and Human Services for the Youth Rehabilitation and Treatment Center-Kearney
Natural Resources	LB809	Moser	Change powers and duties of the Department of Environment and Energy and provisions relating to the use of certain funds relating to water
	LB1045	Bostelman	Change qualifications of certain public power district board members
Nebraska Retirement Systems	LB700	Kolterman	Change provisions relating to public retirement systems
Revenue	LB730	Lindstrom	Adopt the Growing Our Workforce Investment Now Act and provide tax credits
	LB939	Linehan	Change individual income tax rates
State-Tribal Relations	LB872	Brewer	Authorize the wearing of tribal regalia by certain students
Transportation & Telecommunications	LB750	Friesen	Change provisions relating to transfer-on-death motor vehicle certificates of title, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, and the International Fuel Tax Agreement Act
	LB1144	Friesen	Change provisions relating to the Nebraska Telecommunications Regulation Act and the Nebraska Broadband Bridge Act
Urban Affairs	LB800	committee	Change provisions relating to cities of the metropolitan class
	LB1024	Wayne	Adopt the North Omaha Recovery Act and state intent regarding appropriation of federal funds

SPEAKER PRIORITY BILLS

Priority	Bill	Introducer	One-line description
Speaker Hilgers	LB344	Friesen	Change provisions of the One-Call Notification System Act and create the Underground Excavation Safety Committee
Speaker Hilgers	LB436	B. Hansen	Change provisions of the Athletic Training Practice Act
Speaker Hilgers	LB596	Albrecht	Adopt the Nebraska Higher Blend Tax Credit Act
Speaker Hilgers	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
Speaker Hilgers	LB698	Kolterman	Require coverage of continuous glucose monitoring devices under the Medical Assistance Act
Speaker Hilgers	LB729	Lindstrom	Adopt the Quick Action Closing Fund Act
Speaker Hilgers	LB769	Halloran	Require certain state employees to submit to fingerprinting and criminal history record checks
Speaker Hilgers	LB777	Brewer	Require the Nebraska Educational Telecommunications Commission to develop and maintain a digital archive of Nebraska Legislature video coverage
Speaker Hilgers	LB804	Hughes	Change compensation of certain members of the Nebraska Power Review Board
Speaker Hilgers	LB820	M. Hansen	Change population thresholds for cities of the metropolitan class and cities of the primary class
Speaker Hilgers	LB840	Brewer	Change provisions relating to publication and rates for legal notices
Speaker Hilgers	LB864	Gragert	Authorize qualified education loan payments under the Nebraska educational savings plan trust
Speaker Hilgers	LB887	Slama	Change provisions relating to state colleges and the Board of Trustees of the Nebraska State Colleges and eliminate certain provisions relating to morals and prohibiting religious tests
Speaker Hilgers	LB888	Day	Redefine multicultural education for school districts
Speaker Hilgers	LB896	Lathrop	Change and provide requirements for program evaluation under the Nebraska Treatment and Corrections Act
Speaker Hilgers	LB902	Aguilar	Adopt the Nebraska Career Scholarship Act
Speaker Hilgers	LB998	Wayne	Change provisions of the Municipal Inland Port Authority Act
Speaker Hilgers	LB1016	Walz	Provide for public-private partnerships under the Transportation Innovation Act
Speaker Hilgers	LB1065	Wayne	Change provisions of the Community Development Law relating to redevelopment plans receiving an expedited review
Speaker Hilgers	LB1102	Bostelman	Adopt the Nebraska Environmental Response Act and change provisions relating to enforcement of environmental protection requirements
Speaker Hilgers	LB1112	McKinney	Adopt the Computer Science and Technology Act and provide graduation requirements and academic content standards
Speaker Hilgers	LB1130	Morfeld	Require data sharing and execution of agreements with the Nebraska Statewide Workforce and Education Reporting System by various state departments
Speaker Hilgers	LB1246	Pansing Brooks	Require confidentiality for victims of sexual assault and sex trafficking in criminal proceedings prior to the filing of charges
Speaker Hilgers	LB1273	Bostar	Provide an income tax deduction to retired law enforcement officers for health insurance premiums
Speaker Hilgers	LR283CA	Bostar	Constitutional amendment to authorize any city, county, or other political subdivision that operates an airport to expend revenue for developing regularly scheduled commercial passenger air service at the airport

COMMITTEE HEARINGS

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

Monday, Feb. 28

Appropriations

Room 1524 - 1:30 p.m.

LB696 (Blood) Appropriate federal funds to the State Department of Education for school employee retention payments
LB1085 (Pansing Brooks) Appropriate federal funds to the State Department of Education for career and technical educational student organizations
LB1182 (Pansing Brooks) Adopt the School Employees Pandemic Protection Act and state intent regarding federal funds
LB1198 (McDonnell) Appropriate federal funds to the State Department of Education to provide grants to nonprofit organizations providing programming for mentorship, career exploration, and access to job readiness or postsecondary education
LB1220 (Morfeld) Appropriate federal funds to the State Department of Education for premium payments for teachers working in underserved communities
LB1240 (Albrecht) Appropriate federal funds to the State Department of Education to provide family-directed education recovery accounts for low-income children and families
LB1217 (Walz) Appropriate federal funds to the Department of Administrative Services for incentive payments to eligible school employees

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB689 (Blood) Change provisions relating to fees in the Nebraska Uniform Limited Liability Company Act
LB718 (Morfeld) Provide requirements for cost-sharing and coverage relating to health care benefits and pharmacy benefit managers
LB1188 (Flood) Adopt the Uniform Personal Data Protection Act

Business & Labor

Room 1003 - 1:30 p.m.

LB1083 (Business & Labor) Provide for payment of claims against the state
LB1084 (Business & Labor) Deny claims against the state

LB1130 (Morfeld) Require data sharing and execution of agreements with the Nebraska Statewide Workforce and Education Reporting System by various state departments
LB815 (McKinney) Adopt the Diaper Changing Accommodation Act
LB1140 (M. Hansen) Change provisions relating to withholding of wages for health and human services agencies and associations
LB834 (Hunt) Redefine a term under the Wage and Hour Act
LB1029 (Hunt) Prohibit harassment by certain employers and provide an unlawful employment practice for a covered entity under the Nebraska Fair Employment Practice Act

Education

Room 1525 - 1:30 p.m.

LB1034 (Pahls) Provide for designation of progress schools and progress plans and state intent to appropriate federal funds
LB1251 (B. Hansen) Adopt the Equal Opportunity Scholarship for Students with Special Needs Program Act and change provisions relating to the distribution of lottery funds
LB912 (Morfeld) Provide for mental health first aid training for school districts and change provisions relating to the use of lottery funds

General Affairs

Room 1510 - 1:30 p.m.

LB1268 (Bostar) Remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device under the State Lottery Act
LB1109 (Murman) Provide for the issuance of a liquor license to the spouse of a law enforcement officer
LB1239 (Vargas) Change and eliminate provisions relating to liquor and agreements between manufacturers and wholesalers and beer suppliers and beer wholesalers

Tuesday, March 1

Appropriations

Room 1524 - 1:30 p.m.

LB1161 (Wishart) Appropriate federal funds to the State Department of Education for programs and interpreters that provide services to students who are deaf or hard of hearing
LB1162 (Wishart) Appropriate federal funds to the Commission for the Deaf and Hard of Hearing to support in-person interpreting in rural areas and legal communication access
LB1087 (Stinner) Appropriate federal funds for Aid to Community Colleges for dual enrollment
LB1079 (B. Hansen) State intent to appropriate federal funds for disbursement to Nebraska residents as prepaid debit cards
LB1131 (Morfeld) State intent to appropriate federal funds for bonus payments for teachers, child care workers, and health care workers
LB1138 (Vargas) Appropriate federal funds to the Department of Health and Human Services for local public health departments
LB1203 (Briese) Appropriate federal funds for child care programs

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB715 (Hunt) Eliminate the prohibition regarding publicly funded insurance coverage for abortion and repeal the Mandate Opt-Out and Insurance Coverage Clarification Act

Education

Room 1525 - 1:30 p.m.

LB1078 (B. Hansen) Prohibit possession of personal electronic devices by students in public school classrooms
LB711 (Hughes) Change provisions relating to the sale of educational land
LB1157 (Linehan) Require the State Department of Education to submit reports on federal funds
LR278CA (Linehan) Constitutional amendment to eliminate the State Board of Education and provide for the Governor to appoint the Commissioner of Education
LB1143 (Linehan) Require approval

COMMITTEE HEARINGS

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

by the voters of a school district or educational service unit for the issuance of certain bonds under the Interlocal Cooperation Act

Wednesday, March 2

Appropriations

Room 1525 - 1:30 p.m.

LB1141 (Vargas) Appropriate federal funds to the Commission on Public Advocacy for legal representation for indigent clients
 LB1002 (McDonnell) Appropriate federal funds to the Department of Health and Human Services for low-income home energy assistance
 LB1052 (J. Cavanaugh) Appropriate federal funds to the Department of Health and Human Services for the Nebraska Homeless Assistance Program
 LB1159 (Wishart) Appropriate federal funds to the Department of Health and Human Services for a model system of care
 LB1201 (DeBoer) Appropriate federal funds to the Department of Health and Human Services for grants to nonprofit organizations providing food assistance
 LB1193 (McDonnell) Provide limitations regarding federal funds appropriations relating to the federal Consolidated Appropriations Act, 2021, and the federal American Rescue Plan Act of 2021

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1181 (Lowe) Change provisions relating to required identification documents for registering to vote and voting and procedures for early voting
 LB1123 (Erdman) Change procedures for counting ballots under the Election Act
 LB1121 (Albrecht) Require inspection of vote counting devices under the Election Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB859 (Clements) Require city-county health departments to obtain approval for directed health measures
 LB963 (Murman) Adopt the Medical Ethics and Diversity Act
Briefing by the Department of Health and Human Services on the Heritage Health Procurement

Judiciary

Room 1113 - 1:30 p.m.

LB828 (Briese) Prohibit manipulation of elections under the Election Act and provide a penalty
 LB829 (DeBoer) Change provisions relating to offenses against animals
 LB851 (Wishart) Change enforcement procedures and redefine terms related to certain crimes involving animals
 LB903 (Bostar) Change provisions relating to criminal privacy violations and prohibit spying by unmanned aircraft
 LB990 (B. Hansen) Create the offense of stolen valor and provide a penalty
 LB994 (Lathrop) Change provisions relating to sale of catalytic converters to secondary metals recyclers and change a penalty

Revenue

Room 1524 - 1:30 p.m.

LB972 (M. Hansen) Change provisions relating to agricultural or horticultural land receiving special valuation
 LB1115 (McKinney) Require the development of certain property in order for the property to retain its property tax exemption
 LB1250 (B. Hansen) Change provisions relating to joint public hearings and postcards under the Property Tax Request Act

Thursday, March 3

Appropriations

Room 1525 - 1:30 p.m.

LB1160 (Wishart) Appropriate federal funds to the Department of Environment and Energy for reverse osmosis systems
 LB1248 (B. Hansen) Appropriate federal funds to the Department of Environment and Energy for a municipal water treatment plant
 LB1191 (Brewer) Appropriate federal funds to the Commission on Indian Affairs to improve tribal-owned community drinking water
 LB1196 (McDonnell) Appropriate federal funds to the Department of Economic Development for lead service line replacements for a utilities district
 LB1048 (Blood) Appropriate federal funds to the University of Nebraska to evaluate the chemicals released and

pollution caused by ethanol production facilities

LB1255 (Bostar) Appropriate federal funds to the University of Nebraska for an updated climate change report

Health & Human Services

Room 1510 - 1:30 p.m.

Appointment: Alysson Muotri - Stem Cell Research Advisory Committee
Appointment: Bazata, Claire C. - Child Abuse Prevention Fund Board
Appointments: Roger D. Wells, Rebecca A. Schroeder, Cherlyn Hunt, Jeffrey D. Harrison - Rural Health Advisory Commission

Judiciary

Room 1113 - 1:30 p.m.

LB692 (Blood) Prohibit causing sexual contact when a condom has been removed without consent
 LB1000 (B. Hansen) Change provisions relating to child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code
 LB1223 (M. Hansen) Require reimbursement for lodging certain defendants in county jails and require state hospitals to maintain beds for certain patients

Revenue

Room 1524 - 1:30 p.m.

LB979 (McCollister) Adopt the Remanufacturing Pilot Project Act and provide income tax credits
 LB982 (Hilkemann) Adopt the Education Savings Account Act and provide income tax adjustments
 LB1039 (McDonnell) Provide for state reimbursement of certain annual costs under the Firefighter Cancer Benefits Act
 LB1261 (Murman) Change limitations on tax credits under the Nebraska Advantage Rural Development Act ■

2022 Legislative Session*

Sun	Mon	Tues	Wed	Thur	Fri	Sat
January						
						1
2	3	4	5	6	7	8
			DAY 1	DAY 2	DAY 3	
9	10	11	12	13	14	15
	DAY 4	DAY 5	DAY 6	DAY 7	RECESS	
16	17	18	19	20	21	22
	HOLIDAY	DAY 8	DAY 9	DAY 10	DAY 11	
23	24	25	26	27	28	29
	DAY 12	DAY 13	DAY 14	DAY 15	DAY 16	
30	31					
	DAY 17					

Sun	Mon	Tues	Wed	Thur	Fri	Sat
February						
		1	2	3	4	5
		DAY 18	DAY 19	DAY 20	RECESS	
6	7	8	9	10	11	12
	RECESS	DAY 21	DAY 22	DAY 23	DAY 24	
13	14	15	16	17	18	19
	DAY 25	DAY 26	DAY 27	DAY 28	RECESS	
20	21	22	23	24	25	26
	HOLIDAY	DAY 29	DAY 30	DAY 31	DAY 32	
27	28					
	DAY 33					

Sun	Mon	Tues	Wed	Thur	Fri	Sat
March						
		1	2	3	4	5
		DAY 34	DAY 35	DAY 36	RECESS	
6	7	8	9	10	11	12
	RECESS	DAY 37	DAY 38	DAY 39	DAY 40	
13	14	15	16	17	18	19
	DAY 41	DAY 42	DAY 43	DAY 44	RECESS	
20	21	22	23	24	25	26
	RECESS	DAY 45	DAY 46	DAY 47	DAY 48	
27	28	29	30	31		
	DAY 49	DAY 50	DAY 51	DAY 52		

Sun	Mon	Tues	Wed	Thur	Fri	Sat
April						
					1	2
					RECESS	
3	4	5	6	7	8	9
	RECESS	DAY 53	DAY 54	DAY 55	DAY 56	
10	11	12	13	14	15	16
	DAY 57	DAY 58	DAY 59	RECESS	RECESS	
17	18	19	20	21	22	23
	RECESS	RECESS	DAY 60			
24	25	26	27	28	29	30

Federal & State Holidays

January 17 – Martin Luther King Jr. Day
 February 21 - Presidents' Day

Legislative Recess Days

January 14
 February 4, 7, 18
 March 4, 7, 18, 21
 April 1, 4, 14, 15, 18, 19

*The Speaker reserves the right to revise the session calendar.

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Sen. Carol Blood Bellevue, District 3 10th Floor (402) 471-2627 cblood@leg.ne.gov news.legislature.ne.gov/dist03	Sen. Wendy DeBoer Bennington, District 10 12th Floor (402) 471-2718 wdeboer@leg.ne.gov news.legislature.ne.gov/dist10	Sen. Mike Hilgers Lincoln, District 21 Room 2103 (402) 471-2673 mhilgers@leg.ne.gov news.legislature.ne.gov/dist21	Sen. John McCollister Omaha, District 20 12th Floor (402) 471-2622 jmccollister@leg.ne.gov news.legislature.ne.gov/dist20	Sen. John Stinner Gering, District 48 Room 1305 (402) 471-2802 jstinner@leg.ne.gov news.legislature.ne.gov/dist48
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