

## Cloture attempt fails on changes to state truancy law

A bill that would provide additional resources to students with excessive school absences stalled on select file Jan. 31 after a failed cloture motion.

In 2010, the Legislature passed a bill requiring school districts to report truancy cases to a county attorney when a student has been absent at least 20 days in a year, whether the absences are excused or unexcused.

Under LB568, introduced last session by Lincoln Sen. Patty Pansing Brooks, excessive absenteeism would no longer be an independent basis for a juvenile court action. It could, however, still be considered as a factor in other juvenile cases.



Sen. Patty Pansing Brooks

The bill also would replace official references to “truancy” with “excessive absenteeism.”

Pansing Brooks offered an amendment that would ensure that county attorneys exhaust all diversion options before relying on the juvenile justice system, while maintaining excessive absenteeism as a status offense — conduct that would not be a crime if committed by an adult.

She said the county attorneys’ association expressed their support for the bill with the amendment after opposing it last session.

“It’s an important step forward to  
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## Bill would direct pandemic funds to North Omaha



Sen. Justin Wayne said he is open to broadening the proposal to include areas of South Omaha that also have been hard hit by the pandemic.

A bill to aid COVID-19 recovery efforts in North Omaha was heard Feb. 1 by the Urban Affairs Committee.

LB1024, introduced by Omaha Sen. Justin Wayne, would appropriate \$450 million of the federal American Rescue Plan Act funds allocated to Nebraska to North Omaha, an area he said has poverty rates persistently higher than the state average. Federal guidance has specified that such areas are presumptively eligible for ARPA funds.

The bill also would create the North Omaha Recovery Special Committee of the Legislature, which would direct funds to North Omaha through grants to public and private entities targeted at one of four categories: housing and homelessness, small business

recovery, community well-being and community assistance and programming. The special committee would include the chairperson of the Urban Affairs Committee, the speaker of the Legislature and at least two additional senators who represent districts located in eligible areas of Omaha.

Wayne said ARPA funds were designed to assist low-income areas like North Omaha that have been affected disproportionately by the COVID-19 pandemic.

“Now is the time for big and bold ideas,” Wayne said. “For generations, the North Omaha that I represent, along with Sen. [Terrell] McKinney, has been neglected by state and local officials of all political stripes. The  
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# Bill would direct pandemic funds to North Omaha

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social and economic challenges that North Omaha has been dealing with for generations and generations, COVID has made worse.”

Omaha Police Chief Todd Schmaderer testified in support of LB1024. He said city priorities like violence prevention, affordable housing and job training align with those of the bill.

“The North Omaha community has worked closely with the Omaha Police Department to reach some of our lowest violent crime records in the history of the city, however, they are still disproportional and they have spiked during the pandemic,” Schmaderer said. “I’d rather have 1,000 jobs strategically placed in the right part of our city to affect poverty. That would reduce violent crime far more than 1,000 more police officers.”

Also supporting the bill was Osie Combs, CEO of Pacific Engineering. The Lincoln-based company would like to expand into North Omaha, he said, but needs qualified workers.

“We need to go to Omaha North High School, where the talent is, and start early,” Combs said. “We can’t start high-level programs in two days. It takes a measured program that this bill offers.”

Mark Norman of the Greater Omaha Chamber of Commerce also spoke in support. Norman said LB1024 could help make an airport business park – a longstanding GOCC priority – a reality. Norman said a nearly 150-acre site has been identified for such a park, with an estimated cost of \$80 million to \$90 million for site acquisition and infrastructure development.

“We estimated that seven projects could locate [in the park] and could employ up to 1,700 people,” Norman said. “This would generate a direct and indirect economic impact of \$650 million annually to Douglas County, and \$738 million statewide.”

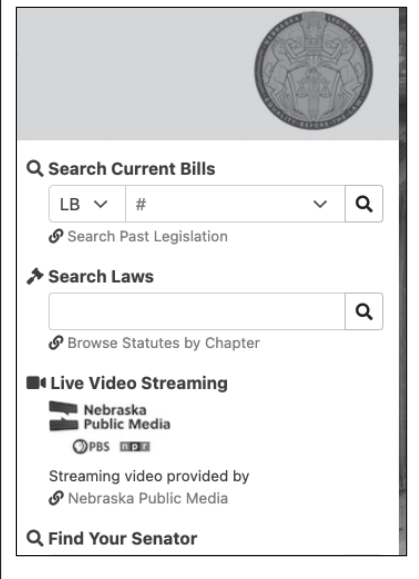
No one testified in opposition to LB1024 and the committee took no immediate action on it. ■

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ensure our kids receive appropriate interventions to help keep them in school and out of our juvenile justice system,” Pansing Brooks said. “A lot of these kids have problems at home and need help ... let’s give them the help that they need and provide the resources to the counties that they need for these diversion programs.”

Under the bill as amended during general file debate in 2021, juveniles could be referred to pretrial diversion programs and receive services to address their needs or those of their families. The bill would create a new position within the Nebraska Crime Commission charged with developing regulations for diversion programs and assisting in the review of applications for grant funding.

LB586 also would expand eligibility for grant funding to programs that serve families of juveniles who are experiencing excessive absenteeism, and allow aid not distributed to counties to be used for statewide programs to benefit individual counties and the state’s Indian tribes.

The amended bill would increase funding to the Community-based Juvenile Services Aid Program from \$5 million to \$8 million in fiscal year 2023-24 and each subsequent fiscal year to fund those expanded diversion services.

Pansing Brooks said there are still a few counties in Nebraska that do not offer diversion, and that the bill would allow those counties to establish diversion programs.

Norfolk Sen. Michael Flood opposed the bill during select file debate Jan. 27. He said LB568 would go too far in its attempt to keep juvenile offenders out of the criminal justice system and would remove the discretion

of county attorneys who are elected to ensure public safety.

“We have a justice system that needs to be able to be used by the prosecutors. If you don’t want to let prosecutors have access to the justice system, or if you want to put [up] ... these statutory barriers to get a juvenile into the juvenile court system, then why don’t we call our county attorneys social workers?” Flood said.

Sen. Suzanne Geist of Lincoln also opposed LB568, saying the real problem for many juveniles is a lack of consequences and appropriate sanctions for their behavior. The pendulum has swung too far in favor of leniency, she said, and the juvenile justice system is out of balance.

“One of the best things that government can do is mimic a good parent,” Geist said. “Using swift, certain and proportionate sanctions is the best way to get through to an individual who’s [engaged] in bad behavior.”

Omaha Sen. Terrell McKinney supported the bill and Pansing Brooks’ amendment, saying lawmakers should be steering juveniles away from the justice system rather than into it.

“We need to pass bills to help families,” McKinney said. “A lot of the individuals that I went to school with that were truant were dealing with issues in the home — not having water, not having heat, not having proper transportation, not having food — that’s why most of these kids are truant; we’re not meeting their needs as a state.”

Also in support was Omaha Sen. John Cavanaugh, who said Nebraska needs consistency in how it applies the law across the state within the juvenile justice system. It’s politically popular to appear “tough on crime” he said,

but lawmakers instead should focus on keeping young people in school and out of the criminal justice system.

“A lot of children, once they get into the system, continue in the system and it is self-perpetuating,” Cavanaugh said. “Our job is not to do popular, it is to do right.”

After debate spanning several days, Pansing Brooks withdrew her amendment Jan. 31 in an attempt to garner support for the measure, instead saying she would back an alternative amendment offered by North Platte Sen. Mike Groene to remove all provisions of the bill except the additional funding to counties. Groene responded that senators lacked the time to fully consider his proposal.

“I brought this amendment to make a bad bill better if possible. But we’re so late in the game, we don’t have enough time to debate this amendment,” he said.

Pansing Brooks then offered a motion to invoke cloture, which ends debate and forces a vote on the bill and any pending amendments. The motion failed on a 26-18 vote. Thirty-three votes were needed.

A failed cloture motion results in debate on a proposal ceasing for the day. LB568 is unlikely to be placed on the agenda again this session. ■

# APPROPRIATIONS

## Provider rate bills considered

The Appropriations Committee heard testimony Jan. 31 on four bills aimed at increasing rates for providers of behavioral health, developmental disability, child welfare and nursing and assisted living facility services.

LB762, sponsored by Adams Sen. Myron Dorn, states legislative intent to increase the rate for Nebraska behavioral health service providers by 10 percent in fiscal year 2022-23. The state Department of Health and Human Services estimates the bill's cost at \$9 million in general funds and \$15.3 million in federal funds.



Sen. Myron Dorn

Dorn said the state's own studies have shown that behavioral health rates cover only 30 percent of the cost of providing services. The bill would help "shore up" Nebraska's Medicaid system and help professionals continue to do critical front-line work, he said.

"Our providers in both urban and rural communities cannot continue to meet the need, let alone balance their books or consider expanding services," Dorn said.

Jon Day, executive director of Blue Valley Behavioral Health, testified in favor of the bill on behalf of the Nebraska Association of Behavioral Health Organizations.

Prior to 2020, Day said, the number of youth and adults seeking behavioral health services at Blue Valley was rising at approximately 4 percent per year. That rate grew by 20 percent during the height of the pandemic, he said, and is on pace to be even higher

this fiscal year.

"That's a lot more people dealing with problems such as anxiety, depression, family conflict, trauma, substance abuse and [other behavioral health issues]," Day said. "People are truly hurting in a way that we've never experienced before."

In addition, he said, the cost to provide behavioral health services has "skyrocketed" due to pandemic related increases in operational costs.

Also testifying in support was Katie McLeese Stephenson, executive director of Lincoln behavioral health provider HopeSpoke. She said her organization's outpatient waiting list has increased 400 percent since the start of the pandemic, and 10 percent of staff positions are vacant despite wage increases and bonuses.

"We're unable to operate all of our programs at full capacity," McLeese Stephenson said.

LB1164, sponsored by Lincoln Sen. Anna Wishart, states legislative intent to increase certain child welfare service provider rates by 15 percent beginning July 1, 2022. The bill specifies that the intention is for the increase to be in addition to any other increase provided in state law.



Sen. Anna Wishart

The department estimates the cost to implement the bill's provisions at approximately \$18 million in general funds and \$4.8 million in federal funds in FY2022-23.

The governor has provided a temporary, one-year rate increase for some child welfare services, Wishart said, but more services need to be covered and the increase needs to be permanent.

Representing CEDARS Home for Children, a child welfare service

provider, Jim Blue testified in support of LB1164. Child welfare is the responsibility of all Nebraskans, he said, and the state's history of failed privatization attempts are evidence that services should not focus on who is able to provide them at the cheapest cost.

"The current [reimbursement] rate for our nationally accredited emergency shelter — which is one of the few remaining in the state — is approximately half of our actual cost of care," Blue said. "And we were full this morning."

Mike Betzold, testifying on behalf of the Nebraska Alliance of Family and Child Service Providers, also supported the bill. Child welfare service providers in rural areas are refusing to take cases because the state reimbursement rate is less than the cost of services, he said.

"We can no longer do what DHHS is asking us to do based on what they are paying," Betzold said. "And families cannot wait years for the state to figure out what to do and how much to pay."

Two additional bills discussed are intended to prevent a "cliff effect" when existing temporary state supports expire at the end of the current fiscal year.

LB893, sponsored by Gering Sen. John Stinner, would appropriate \$26.4 million in general funds in FY2022-23 to DHHS to fund a developmental disability provider rate increase and direct \$41.3 million in federal funds to the department for the same purpose. The bill would result in a 15 percent base rate increase, Stinner said.



Sen. John Stinner

The one-time rate increase would help stabilize developmental disability



provider rates when the current temporary rate increase expires, Stinner said. Even with the pandemic subsidy, he said, developmental disability providers are unable to compete for employees in the larger job market.

“The developmental disability system is currently 35 percent short staffed on front-line positions, creating a massive amount of overtime,” he said. “This leads to a lack of services provided to families and unsafe conditions for all involved.”

Sara Bartruff, representing MO-SAIC and the Nebraska Association of Service Providers, testified in support of LB893. Providers across the state are posting significant losses because they could not provide services in congregate settings during the pandemic and some family members were afraid to have providers entering their homes, she said.

LB989, also sponsored by Stinner, would appropriate \$26 million in general funds and \$60.5 million in federal funds in FY2022-23 for nursing facility provider rates. The bill also states that the increase is to be combined with existing appropriations to form the base on which future appropriations are calculated. The rate adjustment would begin on July 1, 2022.

Kierstin Reed, CEO of LeadingAge Nebraska, testified in support of LB989. Many skilled nursing facilities in rural Nebraska are in danger of closing, she said, and are being forced to accept fewer Medicaid patients due to low reimbursement rates.

“Workforce and recruitment have been consistent problem in long-term care – partially due to underfunding by Medicaid – leaving providers generally not able to attract and retain top talent,” Reed said. “COVID-19 has only exacerbated an incredibly difficult situation and the tightening of the labor market has really tipped

us to this point.”

Testifying in opposition to the proposals, Terry Jessen said the media has done a disservice by suggesting that Nebraska has “extra” money and urged senators to show “fiscal restraint” in the face of requests from providers for additional funds.

“Rather than looking for ways to spend, spend, spend – we should be looking for ways to return money to the taxpayer where it [came] from,” Jessen said.

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

### Capitol maintenance fund proposed

The state would provide \$20 million to a newly created fund for projects at the Nebraska State Capitol under a bill considered Feb. 2 by the Appropriations Committee.

LB1151, sponsored by Omaha Sen. John McCollister, would create the Nebraska Capitol Maintenance, Preservation, Restoration and Enhancement Fund. The fund could receive revenue from any source and the state would make a one-time \$20 million transfer to it from the Cash Reserve Fund.

McCollister said the Capitol, which is 90 years old, needs a dedicated, reliable funding source to address ongoing maintenance and preservation needs. Other state buildings are subsidized by rent, he said, but none of the agencies that occupy the Capitol pay for use of space in the building.

Past attempts to develop a funding source have happened in “fits and starts” he said, including an effort by the Legislature in 2001 that was to

appropriate \$1 million annually to a program for Capitol maintenance, but which hasn’t been funded consistently.

“Sometimes nothing was appropriated at all,” McCollister said. “The effort simply couldn’t be sustained due to budget constraints.”

Under the bill, no more than 4 percent of the fund balance could be appropriated annually for materials, equipment or labor for projects as approved by the Nebraska Capitol Commission.

Kent Rogert, representing the Nebraska Association of Former State Legislators, testified in support of the bill. The association was active in raising money to complete the Capitol courtyards, he said, including raising \$1 million for an ongoing maintenance fund.

Rogert said the building is facing approximately \$200 million in projects over the next 20 years.

“This is our favorite place,” he said. “It’s where we became part of the political process, and we want to make sure that it stays in good shape.”

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



Sen. John McCollister



### Pharmacy benefit manager regulation advanced

Senators gave first-round approval Feb. 1 to a bill that would regulate pharmacy benefit managers in Nebraska.

LB767, introduced by Sen. Mark Kolterman of Seward, would establish licensure and regulation standards for pharmacy benefit managers – com-

panies that manage prescription drug benefits on behalf of health insurers – by the state Department of Insurance.



Sen. Mark Kolterman

Among other provisions, the bill would:

- allow the DOI director to audit a PBM and assess penalties of up to \$100,000 per violation;
- prohibit a PBM from charging any fee, chargeback or other adjustment to any pharmacy participating in the federal 340B drug discount program;
- establish an audit process for pharmacies;
- require PBMs to update the maximum allowable cost price list at least every seven days;
- prohibit PBMs from excluding a pharmacy from participating in the PBM's network if the pharmacy holds a specialty pharmacy accreditation; and
- prohibit a PBM from restricting certain actions by a pharmacist, including disclosing to a client the risks of treatment, informing a client of alternative treatments that may be available, describing the process used to authorize or deny a service or benefit and disclosing the financial incentives used by a health carrier.

Kolterman said the bill would provide much needed regulation of PBMs, reduce pharmacy administrative costs and allow small pharmacies to better compete with larger ones.

"PBMs have never been regulated by anybody," Kolterman said. "What they've been doing is ... hurting our small-time pharmacies because the larger they get, the more ability they have to control those small pharmacies."

Sen. Robert Clements of Elmwood supported LB767, saying PBMs effectively have created a monopoly in Nebraska and are causing prescription drug prices to increase.

"Rural pharmacies and rural consumers need to have more of a choice," he said.

Senators voted 41-0 to adopt a Banking, Commerce and Insurance Committee amendment that further defined a 340B entity. Lawmakers then advanced the bill to select file on a 42-0 vote.

## EDUCATION

### Student loan repayment for teachers proposed

The Education Committee heard testimony Feb. 1 on two proposals intended to address Nebraska's teacher shortage.

Under LB1128, introduced by Bennington Sen. Wendy DeBoer, a full-time preschool, primary or secondary school teacher who is a Nebraska resident could receive up to \$6,000 per year in student loan repayment assistance for five years.



Sen. Wendy DeBoer

DeBoer said her proposal would encourage students to enroll in teacher preparation programs and stay in Nebraska when they graduate.

"I think that this is an investment in our state to ensure that we have the best quality education for our students," she said.

Under LB945, sponsored by Sen. Lou Ann Linehan of Elkhorn, a similar program would provide qualifying teach-

ers up to \$5,000 per year in loan repayment assistance for five years.



Sen. Lou Ann Linehan

To qualify for assistance under Linehan's proposal, a teacher must be certified and teaching full time at a public or private school. Applicants also must have completed a bachelor's degree and a teacher education program at an approved college or university.

Linehan said her proposal would help attract and retain young teachers, who have relatively low starting pay.

"I think that most teachers with student loans would be thrilled to receive this type of assistance," she said.

Both proposals call for the Legislature to appropriate \$5 million per year to the programs.

Sara Skretta testified in support of both bills on behalf of the Nebraska Association of Colleges for Teacher Education. She said student loan repayment terms for new teachers, whose starting salary is around \$40,000 per year, can be "overwhelming."

"This will help our students coming into the profession know that they have a pathway out of that financial burden," Skretta said.

Also in support of both proposals was Tim Frey, dean of Doane University's College of Education. He said the assistance could help attract people to the profession who otherwise might not consider it.

"For many individuals considering postsecondary education," Frey said, "financial assistance is a significant motivator in selecting a college major or career path."

Rachel Gibson of the League of Women Voters of Nebraska also testified in support of both bills. She suggested, however, that LB945 might limit the number of teachers who qualify for as-

sistance by requiring a bachelor's degree.

Gibson said nearly half of all teachers take out loans to pay for their education and about half of those individuals still owe an average of \$58,000. Student loan debt can affect teachers' mental, emotional and physical well-being, she said, and can prevent young teachers from buying a house, starting a family or returning to school.

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

### Basic skills requirements for teaching candidates considered

Teaching candidates no longer would be required to pass a standardized test to demonstrate proficiency in basic reading, writing and math under three bills heard Jan. 31 by the Education Committee.

Fremont Sen. Lynne Walz, chairperson of the Education Committee, said students currently are required to pass the Praxis core exam before enrolling in a Nebraska teacher education program. The State Board of Education also may require applicants to pass the exam before receiving an entry-level teaching certificate or permit.

She said LB1218, introduced by the committee, would help address the state's teacher shortage by instead allowing teaching candidates to demonstrate proficiency in multiple ways, including a college admission examination or college coursework.

"These changes can substantially increase the teacher population in Nebraska while still ensuring that all teachers in our state continue to be high quality and provide [a] robust education experience for our kids in the classroom," Walz said.

LB1218 also would provide \$1,000 in loan forgiveness to student teachers under the Attracting Excellence

to Teaching Program. An individual would have to provide service for a full academic semester within an accredited or approved public or private school and meet certain requirements to qualify.

LB690, introduced by Sen. Carol Blood of Bellevue, would not eliminate the basic skills exam as a demonstration of competency but would allow a teaching candidate to demonstrate competency through coursework.



Sen. Carol Blood

LB960, sponsored by Omaha Sen. Tony Vargas, would eliminate the requirements that entry-level teachers demonstrate basic skills competency and that applicants for a temporary teaching certificate demonstrate basic skills competency and complete a subject area examination.



Sen. Tony Vargas

Vargas said standardized tests like the Praxis core are a barrier for students who have trouble with timed tests or for whom English is a second language.

"The Praxis test is an expensive hurdle that is not serving our prospective teachers, our students or our education system," he said. "This standardized test does not and should not determine what type of teachers they will be for our students."

April Buschelman testified in support of LB1218 on behalf of the Nebraska Association of Colleges for Teacher Education. She said alternatives to the Praxis core exam are essential because the test has not been linked to teaching effectiveness and research shows that pass rates are significantly lower for students of color.

LB1218 would remove barriers for otherwise qualified teaching candi-

dates by acknowledging that multiple measures can demonstrate academic competency to teach effectively, Buschelman said.

"We teach our students to look beyond test scores, identify strengths through multiple intelligences and build relationships with students in the classroom," she said. "We should demonstrate this as a state as well."

Sara Skretta, educator certification officer at the University of Nebraska-Lincoln, testified in support of LB1218 on behalf of the University of Nebraska. She said it would allow postsecondary institutions to use their expertise and engagement with students to determine whether they can demonstrate proficiency in basic skills through coursework, experiential learning and other assessments.

Using multiple measures would save those students time and money and help alleviate a "critical" teacher shortage, Skretta said.

Between 2015 and 2017, she said, 14 percent of the more than 1,400 University of Nebraska-Lincoln students who took the Praxis core exam failed at least one section. Of those individuals, Skretta said, 90 percent left the teacher preparation program.

Jenni Benson testified in support of LB1218 on behalf of the Nebraska State Education Association, the Nebraska Council of School Administrators, the Nebraska Child Health and Education Alliance and the Nebraska Rural Community Schools Association.

She said the additional loan forgiveness would be a "small token of encouragement" for college students who in most cases have worked as unpaid full-time teachers for four months.

Adrienne Kruger, a junior education major at Wayne State College, testified in support of LB960. Over the past three years, Kruger said, she has spent almost \$850 trying to pass the

Praxis core exam so that she can move on to upper-level education courses.

No one testified in opposition to the bills and the committee took no immediate action on them.

## EXECUTIVE BOARD

### Proposal would end nonpartisan legislative elections

A measure to consider repeal of a constitutional requirement that members of the Legislature be elected on nonpartisan ballots was heard by the Executive Board Feb. 3.

The Nebraska Constitution currently requires that state senators be nominated and elected on ballots that do not list their political party affiliation. If approved by lawmakers, LR282CA, sponsored by Sterling Sen. Julie Slama, would place a proposed constitutional amendment on the 2022 general election ballot to remove that provision.



Sen. Julie Slama

Calling the proposal a “simple transparency measure,” Slama said listing party affiliation would prevent candidates from “deceiving” voters about their political affiliation.

Voters want to know a candidate’s party affiliation, she said, citing her experience while campaigning for office. Slama said that while going door to door she was asked “right off the bat” whether she was a Democrat or a Republican.

“I truly believe that we need to be transparent in everything we do, and this includes being transparent about which political party we are affiliated with,” Slama said.

Testifying in support of the proposal, Charlotte Ralston said she was confused when she moved to Nebraska from Kansas and didn’t see the political party affiliation of legislative candidates listed on the ballot. Voters deserve to know that information when choosing their state senators, Ralston said.

“We now know that the nonpartisan experiment of the unicameral has failed, and those involved in it are fully aware of which side of the aisle they stand [on],” Ralston said. “The only ones left in the dark are the voters.”

Several former state senators from both political parties testified in opposition to the proposal, including former speaker Galen Hadley of Kearney. He said leaders from other state legislatures often were surprised to learn that political party caucuses do not have the power to control committee chairperson selection or committee membership in the Nebraska Legislature.

“Right now, the emphasis is on you as an individual senator, it’s not the party,” Hadley said.

Former senator DiAnna Schimek of Lincoln said that although the proposal would remove only one line from the state constitution, it would “profoundly” change how the Legislature functions.

Legislators would be less likely to work cooperatively in a formally partisan legislature, she said, and the measure likely would not improve the power of the people to hold state senators accountable.

“Senators would be expected to toe the [party] line on issues, constituents would not be as apt to approach someone of a different party and legislators would not be as apt to listen if they were beholden to a party of a different point of view,” Schimek said.

Angie Philips, founder of the Nebraska Progressive Legislative Study Group, which seeks to educate voters about the Legislature, also opposed the measure.

The state needs nonpartisan solutions to the problems residents face, she said, not increased partisanship.

“Our country, our state, is so polarized right now,” Philips said. “We have people that can’t communicate with their family members – they don’t talk to old friends – it’s just so divided along party lines and it’s hurting our communities, regardless of what side of the [political] fence you’re on.”

Representing the League of Women Voters, Linda Duckworth spoke in opposition to the proposal. She said having legislative candidates run under a party banner would leave registered nonpartisan voters without a voice in primary elections. Approximately 22 percent of Nebraska voters – roughly 271,000 people – are nonpartisans who don’t affiliate with a political party, she said.

Westin Miller of Civic Nebraska also testified in opposition. Nonpartisan ballots encourage voters to learn about individual candidates without the assumptions that come with party labels, he said.

“This resolution would, objectively, make us look a little bit more like Congress which ... ought to be a red flag for all of us at this point,” Miller said.

The committee took no immediate action on the proposal.

## GENERAL AFFAIRS

### Bill would allow more microdistillery tasting rooms

The General Affairs Committee heard testimony Jan. 31 on a bill that would allow Nebraska microdistilleries – entities that make their own whiskey, gin and other spirits – to operate up to five tasting rooms. Current law



limits holders of a microdistillery license to one tasting room.

Kearney Sen. John Lowe said he introduced LB900 because breweries in the state are allowed to operate up to five taprooms and other industries should be able to benefit in the same way.



Sen. John Lowe

“This has allowed many breweries to expand and grow our state,” Lowe said. “I believe it is time for the same opportunities for microdistilleries.”

Cody Schmick of Kinkaidier Brewing testified in support of the bill. He said he also is a partner in the state’s first licensed distillery, located in Lincoln. Nebraska brewery owners currently can move beer and cider between their licensed taproom locations without a distributor if those locations have identical ownership structures, he said.

“We are asking [the Legislature] to catch up the craft distilling industry with the craft beer industry and align that five-taproom law,” Schmick said.

Laura Ebke, representing the Platte Institute, also testified in support. Government sometimes erects barriers to small business growth and opportunity, she said, and removal of the current tasting room cap would be a “modest” step in allowing microdistillery expansion.

The committee took no immediate action on the bill.

lot drop boxes was heard Feb. 2 by the Government, Military and Veterans Affairs Committee.

LB1263, introduced by Sen. Robert Clements of Elmwood, would establish statewide standards for counties that employ ballot drop boxes. The bill would require drop boxes to be:



Sen. Robert Clements

- securely fastened to the ground or on a concrete slab connected to the ground;
- secured with a lock that can be opened only by the county election commissioner, county clerk or an election official designated by the commissioner or clerk;
- compliant with the Americans with Disabilities Act;
- emptied each business day; and
- opened for accepting ballots no later than the sixth Friday before a statewide election or the fourth Friday before a special election.

The measure also would require a county election commissioner or county clerk to inform the Nebraska Secretary of State of each drop box location in the county no later than 42 days prior to a statewide election.

Clements said the bill would standardize the security of ballot drop boxes across Nebraska.

Wayne Bena, deputy secretary of state for elections, testified in support of LB1263. All county election commissioners were provided with drop boxes for the 2020 primary election, he said, but the department currently lacks authority to regulate their use. The bill would ensure that all drop boxes comply with state standards, Bena said.

“Not to say, necessarily, that there’s something wrong right now, but if you want to replace a drop box, you’re not just going to buy a cheap one that’s not

going to be secure,” he said.

Also in support was Westin Miller of Civic Nebraska. He said secure drop boxes are an essential part of a fair election.

“This bill is a great example of how to actually improve election security by creating a defined, meaningful infrastructure, not by passing evidence-free restrictions that make life more difficult for voters,” Miller said.

Edison McDonald, executive director of the Ark of Nebraska, also testified in support of the bill. He said the proposal would increase election security while ensuring that all drop boxes are accessible to voters with disabilities.

Richard Jost testified in opposition to the bill. He said nothing in LB1263 would expose wrongdoing in previous elections.

“I don’t see how screwing a ballot box into the ground is going to help [instill] faith in upcoming elections,” Jost said.

The committee took no immediate action on the bill.

**Measure would allow recall of governor, state senators**

The Government, Military and Veterans Affairs Committee heard testimony Feb. 2 on a proposed constitutional amendment that would allow Nebraska voters to recall the governor and state lawmakers.

If passed by the Legislature, LR268CA, introduced by Albion Sen. Tom Briese, would put the question before voters in the 2022



Sen. Tom Briese

general election. If approved by voters, the Legislature would have to adopt enacting legislation to establish procedures for the process. Current state



**Increased security sought for ballot drop boxes**

A bill to increase the security of bal-

law already allows for the recall of local elected officials.

Briese said he thought recall elections would be rare, but would give citizens a chance to remove a corrupt official without having to wait for the next election.

“The bad actor in an elected office can do a whole lot of damage to our rights, our programs and our constituents’ faith in government with an extra two or three years [in office],” Briese said.

Doug Kagan of Nebraska Taxpayers for Freedom testified in support of the measure. Expanding recall options would engage more voters and would encourage elected officials to follow through on campaign promises, he said.

“We cannot take back our votes given on Election Day to candidates who failed to keep campaign pledges,” Kagan said.

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

## HEALTH & HUMAN SERVICES

### Developmental disability waiver advances

A bill intended to supplement existing services for children with developmental disabilities in Nebraska advanced from select file Feb. 1.

LB376, as introduced last session by Omaha Sen. Machaela Cavanaugh and amended on general file, would require



Sen. Machaela Cavanaugh

the state Department of Health and Human Services to apply for a three-year Medicaid waiver to start a family support program for developmental disability services. The program would:

- have an annual budget for long-term services and supports capped at \$10,000 per person;
- allow approximately 850 individuals currently on the state’s wait list to participate;
- offer Medicaid eligibility for children with disabilities by disregarding parental income;
- be administered by the state Division of Developmental Disabilities of DHHS; and
- allow families to self-direct services.

The family support program would be set at an intermediate care facility institutional level of care.

Sen. John Arch of La Vista, chairperson of the Health and Human Services Committee, offered an amendment that would prevent the program from going forward unless the federal Centers for Medicare and Medicaid Services approve the state’s waiver application or another funding mechanism is authorized.

Sen. John Stinner of Gering supported LB376 and the amendment, calling it a “creative” solution to the lengthy waiting list for services. Stinner added that DHHS has two funding sources that could potentially supplement the bill’s costs.

The amendment also would add provisions of LB1004, introduced by the committee, which would require DHHS to engage a nationally recognized and independent consultant to evaluate Nebraska’s developmental disabilities system. The consultant would complete their report no later than Dec. 31, 2023.

Arch said the study could help determine if there are more cost-effective

ways for Nebraska to provide community-based services to individuals with developmental disabilities.

“We have a labyrinth of waivers that have been layered on top of each other over decades,” Arch said. “We believe that it is time to step back and do a thorough evaluation of our system.”

Following the 45-0 adoption of the amendment, lawmakers advanced LB376 to final reading on a voice vote.

### Bill would promote cancer education

The Health and Human Services Committee heard testimony Feb. 3 on a bill that would create a cancer education program in Nebraska.

LB1230, introduced by Sen. Robert Hilkekmann of Omaha, would appropriate \$500,000 annually from the Nebraska Health Care Cash Fund to a Nebraska-based organization to provide comprehensive cancer



Sen. Robert Hilkekmann

education and support. The program would educate Nebraskans about the causes of cancer and available services.

Hilkekmann said education and prevention efforts can reduce cases of cancer significantly.

“These are dollars that will save lives,” Hilkekmann said. “Detecting asymptomatic patients as early as possible gives them the best chance for successful treatment. When care is delayed or inaccessible, we see a lower chance of survival, greater problems associated with treatment and higher costs of care.”

Alan Thorson testified in support on behalf of the Nebraska Medical Association. He said an estimated 42 percent of cancers could be prevented with current medical knowledge and practices.

“To do so requires extensive public education about screening, early detection, treatment alternatives, caregiver support, survivorship management and support for nutrition and physical therapy,” Thorson said. “LB1230 provides an opportunity to sustainably fund administrative staff of such an organization.”

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

## JUDICIARY

### Pretrial risk assessment proposed

The state court administrator would develop a pilot program for pretrial risk assessment and services in two Nebraska counties under a bill heard by the Judiciary Committee Feb. 3.

Under LB1155, introduced by Omaha Sen. John Cavanaugh, the three-year pilot program would require use of an evidence-informed, validated risk assessment



Sen. John Cavanaugh

tool to inform bond decisions and conditions of release to avoid pretrial incarceration. In cases of intimate partner abuse, the bill would require mandatory use of a tool specifically designed to assess the risk posed by a defendant to their partner.

The pilot program would be deployed in one county with a population of 100,000 or more and one county with a population of fewer than 100,000 inhabitants. The bill states the Legislature’s intent to appropriate \$500,000 per year in general

funds to the program for three years.

Cavanaugh said the program would give judges and prosecutors more information when setting bonds and determining the need for custody supervision.

“Increasing access to pretrial services is an important way to reduce the number of people detained in our county jails,” he said. “LB1155 will provide an important resource for counties for pretrial services and help our criminal justice system in a meaningful way.”

Jasmine Harris, director of public policy and advocacy at RISE, an organization that provides reentry services for individuals leaving the criminal justice system, also spoke in support of the bill. She said LB1155 would increase funding and assistance to people on the front-end of that system.

“If individuals have access to pretrial programs and services, it helps them get a start on addressing some of those issues in their life that aren’t managed,” Harris said. “Instead of being detained in the county jail, these participants are able to stay employed, be with their family and get access to various resources and services that they need.”

Cavanaugh brought an amendment to the hearing that would move authority to administer program funds to the Nebraska Crime Commission.

State court administrator Corey Steel testified in a neutral capacity on LB1155. The crime commission already has a mechanism to administer funds to counties and would be the best fit to administer funds for the pilot program outlined in the bill, he said.

There currently are very robust pretrial programs run by the counties, Steel added, and the courts would not want to compete with those programs.

No one testified in opposition to LB1155 and the committee took no immediate action on it.

### Sexual assault, sex trafficking identity protection considered

The identity of an individual alleging sexual assault or sex trafficking would remain confidential in the period immediately following a reported crime under a bill heard by the Judiciary Committee Feb. 3.

LB1246, sponsored by Lincoln Sen. Patty Pansing Brooks, would require attorneys and criminal justice agencies to withhold any personal identifying information of an alleged victim from the public record until charges are filed. Under the bill, relevant information could be shared between criminal justice agencies, attorneys and victim advocacy agencies under certain circumstances.



Sen. Patty Pansing Brooks

Pansing Brooks said the most frequent reason an individual doesn’t report crimes of sexual violence is the fear of retaliation. The state should create an environment where victims feel safe to come forward, she said, to protect themselves and others.

“When identifying information of victims in these cases is available to the public, it can leave them vulnerable to intimidation, threats or harm,” Pansing Brooks said. “There have been instances in Nebraska where victims of trafficking have been physically harmed or received death threats from their traffickers after reporting to law enforcement.”

Under LB1246, an individual’s identity could be released if he or she waives their right to confidentiality or dies as a result of their abuse or if charges are filed against an alleged perpetrator. An alleged victim’s identity also could be released as part of a

child abduction alert system.

In support of the bill was Molly Nocita, an advocate for survivors of sex trafficking. She said LB1246 would provide time for an individual to heal, seek justice and move forward.

“In abusive situations, the most dangerous time for a victim is when a person attempts to leave,” Nocita said. “If the perpetrator sees the victim’s name on a public report, what’s to protect them from further abuse?”

Capt. Tracy Scherer testified in support of the bill on behalf of the Omaha Police Department. Individuals who report an assault may be contacted by the local media, Scherer said, which can impact their ability to participate in an investigation and may alert a suspect that an investigation is being conducted.

Glen Parks, coordinator for the Nebraska Human Trafficking Task Force, also spoke in support of the bill on behalf of the Nebraska Attorney General’s Office. LB1246 would help mitigate the fear of retaliatory violence that keeps victims from coming forward, he said.

Jo Giles, executive director of the Women’s Fund of Omaha and board member of the Nebraska Journalism Trust, testified in support of LB1246. She said the bill could alleviate embarrassment for an individual making an allegation by limiting contact from unwanted parties – such as the media – when they are at their most vulnerable after filing a report.

“While it’s best practice [for journalists] not to publish or report the names of minors, there can be inconsistencies with adults,” Giles said. “LB1246 would provide confidentiality for victims while not jeopardizing journalistic efforts.”

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



### Additional authority for environmental regulator proposed

The Natural Resources Committee heard testimony Feb. 3 on a bill intended to give a state agency the ability to respond more quickly to the release of pollution.

LB1102, introduced by Sen. Bruce Bostelman of Brainard, would authorize the director of the state Department of Environment and Energy to issue an order requiring a person responsible for releasing a pollutant to clean it up or to take action to clean it up if the responsible person fails or refuses to do so.



Sen. Bruce Bostelman

If the state responds to a release, the responsible person would be liable to the state for its cleanup costs, Bostelman said, which would become a lien on any real property owned by the responsible person and subject to or affected by the cleanup.

“This bill helps to ensure that responsible parties pay for cleanups rather than Nebraska taxpayers,” he said.

LB1102 also would authorize the director to issue a cease and desist order if the director finds that any person has performed or failed to perform any act that presents harm to the environment.

Jim Macy, director of the department, testified in support of the bill. He said cease and desist orders are intended to be used against “bad actors” whose current practices break the law and pose a substantial risk of harm to the environment.

“The cease and desist order is one

way to put a quick stop to ongoing significant pollution events and order compliance actions that may continue beyond abating the immediate emergency,” Macy said.

Al Davis testified in support of LB1102 on behalf of the Nebraska chapter of the Sierra Club. He said the Sierra Club supports the bill’s framework but questions whether it would prevent a future release of pollution like the one at the AltEn ethanol plant near Mead.

Davis said the proposal would give the director “significant latitude” to regulate releases of pollution but would not require the director to take action against a violator.

“The use of permissive language causes a lack of trust among the environmental community because we have seen NDEE drag their feet and slow-walk compliance at AltEn and elsewhere,” he said.

Amy Svoboda testified in opposition to the bill. She said it contains a “good framework” but needs several changes to ensure that the department can respond effectively to releases of pollutants.

Among those are a clearer cleanup standard and a more precise definition of who is responsible for a release, Svoboda said.

The committee took no immediate action on LB1102.



### Bill would clarify school retirement rules

The Nebraska Retirement Systems Committee heard testimony Feb. 2 on a bill that would codify current retire-



ment practices and rules for some certified teachers in Nebraska.

Seward Sen. Mark Kolterman, sponsor of LB1043, said the bill would clarify rules for former members of the state's school employee retirement plan who subsequently go to work for state agencies such as the Nebraska Department of Education, Department of Health and Human Services and Department of Correctional Services.



Sen. Mark Kolterman

The federal tax code requires that an individual terminate employment with all employers covered by a multiple employer retirement plan — which the state school plan is — before they can take a distribution, Kolterman said.

“The intent of this bill is to cover any agency of the state which may in the future employ certified teachers who are covered by the [State Code Agency Teacher Association] contract,” he said.

Orron Hill, legal counsel for the Public Employees Retirement Board, testified in support of the bill, saying it would allow the board to better inform members of the regulations that govern their retirement plans.

“We need clearer rules in our plans to define what termination of employment and reemployment rules exist, especially when we have an employer like the State of Nebraska that participates in multiple different retirement plans,” Hill said.

LB1043 also would eliminate a current option that allows 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. The bill instead would establish specific rules for such officials.

Jason Hayes, testifying on behalf of the Nebraska State Education Association, spoke in support of that provision.

“We support eliminating the election option for certificated teachers who are school plan members and remain in the school employee retirement plan when they take a position with the State of Nebraska,” Hayes said. “Rarely does a member elect not to remain in the school plan, so the clarification helps reflect what is current practice.”

No one testified in opposition and the committee voted to amend the bill's provisions into LB700, which they advanced to general file on a 6-0 vote.

## REVENUE

### Tax incentives for carbon capture and storage proposed

Companies that capture, transport or store carbon dioxide from anthropogenic sources would qualify for certain tax incentives under a bill heard Feb. 2 by the Revenue Committee.

Venango Sen. Dan Hughes, sponsor of LB801, said the bill would clarify whether such activities, which are regulated under last year's LB650, qualify for incentives under the ImagiNE Nebraska Act.



Sen. Dan Hughes

Tony Goins, director of the state Department for Economic Development, testified in support of the bill. Under current law, he said, Nebraska businesses that pressurize and transport carbon dioxide via pipeline for sequestration outside the state may qualify,

but businesses that sequester their carbon dioxide emissions onsite do not.

The change would ensure that the ImagiNE Nebraska Act does not favor one technology over the other, Goins said.

Mick Mines testified in support of LB801 on behalf of the Nebraska Corn Growers Association, Nebraska Farm Bureau and Nebraska Soybean Association. Since the passage of LB650, he said, several Nebraska ethanol plants and private companies have announced pipeline projects intended to reduce the industry's carbon dioxide emissions.

Testifying in support of the bill on behalf of the Nebraska Ethanol Board, Reid Wagner said incentivizing those projects would benefit the state's economy by making Nebraska ethanol more valuable in states such as California and Oregon that have adopted low-carbon fuel standards.

Kenneth Winston testified in opposition to LB801 on behalf of Bold Alliance. He questioned whether tax incentives are needed to encourage business activity that already is taking place. Additionally, he said, carbon dioxide pipelines are a relatively new technology and present the risk of leaks.

The state Department of Revenue, in its fiscal note for LB801, assumes that one project would qualify for incentives in 2025 and another in 2027. It estimates that the bill would reduce state general fund revenue by approximately \$3.1 million in fiscal year 2025-26 and \$3.7 million in FY2028-29.

The committee took no immediate action on the bill.

### Consumption tax proposal considered

Nebraskans could vote to replace property, income and other current taxes with retail consumption and

excise taxes under a proposed constitutional amendment heard Feb. 3 by the Revenue Committee.

Sen. Steve Erdman of Bayard, sponsor of LR264CA, said replacing Nebraska's "broken" tax system with a consumption tax would boost employment and investment.



Sen. Steve Erdman

Such a tax would be fairer, easier to understand and less expensive for the government to administer while generating the same amount of revenue as the current system, he said.

If passed by the Legislature, LR-264CA would place the question on the November 2022 general election ballot. The change would go into effect Jan. 1, 2024, if voters approve it.

Marvin Reichert of Elm Creek testified in support of the proposal, saying a consumption tax would be more equitable than the current tax system. Taxing all retail sales would broaden the tax base, resulting in a lower tax rate for everyone, he said.

Kelley Hasenauer of North Platte also testified in support, saying Nebraska's strong fiscal position makes this an opportune time to change its tax system. She said the current system is an "incredible burden" for small business owners like her and that a consumption tax would encourage saving and investment.

"There is no doubt that taxes would be fairer across the board, saving would increase and the long-term economic boost for families and businesses would be astounding," Hasenauer said.

Several testifiers who supported LR264CA said its main benefit would be the elimination of property taxes.

Jeanne Greisen of Lincoln said the property taxes on her house have in-

creased by 126 percent over the past six years despite efforts by the Legislature to provide property tax relief.

Walter Fredrickson of Omaha said Nebraska's property taxes are much higher than most other states and have a real influence on whether people decide to move when they retire.

Testifying in opposition to LR-264CA was Tiffany Friesen Milone of OpenSky Policy Institute. She said a Nebraska consumption tax rate would need to be at least 20 percent to generate the same amount of revenue as the current tax system.

Additionally, Friesen Milone said, a consumption tax would fall disproportionately on middle income Nebraskans and leave local governments entirely dependent on the state for funding.

Bryan Slone testified in opposition to the proposal on behalf of the Nebraska Chamber of Commerce and Industry, Greater Omaha Chamber of Commerce and Lincoln Chamber of Commerce.

To raise the same amount of revenue as the taxes LR264CA would repeal, he said, a consumption tax would have to apply to services such as health care and education. A 15 to 20 percent consumption tax rate also would drive retail businesses to neighboring states, Slone said.

"With 45 percent of our economy within [an] easy drive from state borders," he said, "this would be an economic development act for Council Bluffs, North Sioux City and other communities on our border."

The committee took no immediate action on the proposal.

## TRANSPORTATION & TELECOMMUNICATIONS

### Public-private transportation partnerships discussed

The Transportation and Telecommunications Committee heard testimony Jan. 31 on a proposal to allow certain public-private partnerships for transportation projects in Nebraska.

LB1016, introduced by Fremont Sen. Lynne Walz, would allow the state Department of Transportation to enter public-private partnerships for construction or financing of capital projects or procurement of services under the Transportation Innovation Act. For capital projects exceeding \$100 million, NDOT would be required to receive legislative approval prior to the project start date.



Sen. Lynne Walz

Eligible projects could include the accelerated completion of improvements and expansion projects on the Nebraska segments of the National System of Interstate and Defense Highways, highway resurfacing and the accelerated completion of the state expressway system.

Walz said the Nebraska expressway system, authorized by the Legislature in 1988, isn't scheduled to be completed until 2040. She said the department needs more tools to speed that process, including a mechanism for a private partner to finance a project and for the state to make payments over time.

"We are a pay-as-you-go state, which is fantastic, but I do have a concern that as we continue to see inflation, wages and supply costs increase, we may not have the financial resources to continue

down that path,” Walz said. “[Public-private] contracts would provide us with a different option for completion.”

Under the bill, the NDOT director would be required to develop regulations by July 1, 2023, to determine when a public-private partnership could be used for a particular project.

NDOT Director John Selmer testified in support of LB1016. He said the bill’s language – largely based on legislation from other states – should be updated to reflect that Nebraska’s highway commissions are advisory only and do not have decision-making authority.

With that change, Selmer said, the department would hope to see the bill passed.

Also in support of the bill was Lynn Rex, director of the League of Nebraska Municipalities. Rex said LB1016 would provide the Department of Transportation with additional authority and flexibility.

“In the same way that municipalities across the state are involved in public-private partnerships, we think that this can only help the state to move things forward,” she said. “What we see is the opportunity to expedite some projects.”

No one testified in opposition to LB1016 and the committee took no immediate action on the bill.

**License plate fees, issuance cycle considered**

A bill heard by the Transportation and Telecommunications Committee Feb. 1 would increase the cap on license plate fees and extend the length of license plate issuance cycles in Nebraska.

LB1259, introduced by Lincoln Sen. Suzanne Geist on behalf of the state Department of Motor Vehicles, would allow the DMV to charge a

license plate fee of up to \$5. The fee currently is capped at \$3.50. The bill also would change the plate issuance cycle from 6 years to 10 years starting with new plate issuance in 2023.



Sen. Suzanne Geist

Geist said that LB1259 would help the Nebraska Department of Correctional Services recover from the rising cost of license plate production.

DMV director Rhonda Lahm testified in support of LB1259, saying the current plate fee of \$3.30 has not changed in 18 years.

“[The NDCS] has experienced an increased cost for materials and for production which make them unable to continue producing the plate at the current maximum fee,” Lahm said. “Extending the cycle of plate issuance to 10 years will result in a lower per-year cost for the plate.”

Also testifying in support of the bill was Scott Frakes, director of NDCS. Cornhusker State Industries provides work and educational training to nearly 500 incarcerated men and women, he said, which includes the manufacturing of Nebraska license plates. The increased cost of metals and the need for modernized equipment is contributing to increased production costs, he said.

“When reviewing pricing for the 2023 license plate reissue cycle, CSI determined that [the] statutory limit ... would not be sufficient to cover projected expenses,” Frakes said.

In opposition to LB1259 was Jon Cannon, executive director of the Nebraska Association of County Officials. He expressed concern that a license plate’s durability would not hold up for 10 years.

“Materials that we use in our license plates are reaching the end of life

after five or six years,” Cannon said. “[That’s] a concern for our law enforcement because they need to be able to visually see and inspect license plates when they’re pulling someone over.”

The committee took no immediate action on LB1259.

**Northeast highway expansion proposed**

A bill to encourage highway expansion through additional state funding was heard by the Transportation and Telecommunications Committee Jan. 31.

LB1274, introduced by Norfolk Sen. Michael Flood, would state legislative intent to appropriate funds to the state Department of Transportation to plan, design and purchase rights of way for portions of



Sen. Michael Flood

U.S. Highway 81, including stretches from York to Columbus and Norfolk to the South Dakota border, as well as Nebraska Highway 20 from U.S. Highway 81 to the Iowa border.

The bill’s stated intent is to provide four-lane continuity, connect urban centers with a population of 15,000 or more to Interstate 80 and to add routes with daily traffic of 500 or more heavy commercial vehicles.

Flood said the Legislature can assist in growing the state’s population by finishing the expressway system, originally authorized by lawmakers in 1988.

“This is an unprecedented opportunity to finish the expressway system, [to] help grow Nebraska, to serve agriculture and to promote tourism,” Flood said. “With the recreational opportunities available in northern Knox County, this is a chance to bring young people home [and] to reach out to oth-

ers and say: 'this is the place to be.'"

According to the bill's fiscal note, the department estimates a total cost of \$100 million to implement the measure's provisions.

Sue Crawford testified in support of LB1274 on behalf of the city of York and the York County Development Corporation. Making U.S. 81 into a four-lane highway should be a priority, Crawford said, because doing so would pull traffic to that area of Nebraska rather than Iowa.

"Right now, if someone is coming from the south, they are driving over to [and up] I-29 and all of the sales of gas, meals, hotels and all of the sales tax is going to Iowa," Crawford said.

Benjamin Benton, Randolph city administrator, also spoke in support of LB1274. The bill, he said, would greatly improve economic develop-

ment in the town of Randolph and northeast Nebraska.

"When people are looking to relocate their family or their business or their lives to northeast Nebraska, transportation truly is the major factor [in] their decision," Benton said. "So let's bring them home by passing LB1274 and funding the northeast Nebraska expressway."

Also testifying in favor of the bill was Austen Hagood, president and CEO of the Norfolk Area Chamber of Commerce. U.S. 81 not only is a manufacturing corridor, he said, but has become one of the most dangerous roads in the state.

"As Nebraskans, we can appreciate the fiscal conservatism that's led to a robust ... economy, but now is the time to live up to the promise made in the 80s," Hagood said. "It's important for

business, for growth and for the safety of northeast Nebraskans."

John Selmer, director of the state Department of Transportation, testified in opposition to LB1274. Selmer said that NDOT has completed over 70 percent of the identified expressway system with approximately 160 miles left to go. The bill would allow projects to move ahead of others already set in motion by the department, he said.

"NDOT is well aware of the disappointment many feel regarding the speed or lack thereof of the expressway system completion," Selmer said. "We feel it would be unwise to begin directing NDOT away from this goal of completing the expressway and toward the expansion of highway segments which are not part of the expressway system."

The committee took no immediate action on the bill. ■

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January 7, 2022 Sen. Tim Gragert, LB864 LB871 LB873 LB876 LB878 LB890 LB900 LB902 LB903 LB906

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# COMMITTEE HEARINGS

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

## **Tuesday, Feb. 8**

### **Appropriations**

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

LB788 (Groene) Change appropriations intent language and matching fund provisions under the Nebraska Rural Projects Act

LB1032 (McDonnell) Appropriate funds to the Department of Economic Development for industrial site development

LB1071 (Williams) Appropriate funds for the workforce housing grant program

LB759 (Dorn) Change a limitation relating to microloans under the Business Innovation Act

LB1090 (Dorn) Change award limits under the Business Innovation Act

LB1114 (McKinney) Change provisions of the Business Innovation Act relating to purposes, funding preferences, and the small business investment program

LB1156 (McDonnell) Increase appropriations to the Department of Economic Development for a grant to development districts

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

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

LB738 (Bostar) Adopt the LIBOR Transition Act for contracts, securities, and instruments

LB993 (Bostar) Provide for a limitation on digital asset and cryptocurrency custody services

LB1017 (Slama) Change provisions relating to the Nebraska Uniform Trust Code

LB973 (M. Hansen) Redefine terms and change powers under the Nebraska Investment Finance Authority Act

### **Education**

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

LB1001 (Erdman) Limit the school term for school districts and educational service units

LB1057 (Brewer) Change provisions relating to Class III school districts

LB997 (Day) Change school entrance requirements

LB1219 (Sanders) Adopt the Extended Learning Opportunities Act

LB1170 (Sanders) Require schools to allow certain youth organizations

to provide information, services, and activities

### **Executive Board**

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

LB777 (Brewer) Require the Nebraska Educational Telecommunications Commission to develop and maintain a digital archive of Nebraska Legislature video coverage

### **Transportation & Telecommunications**

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

LB914 (Bostelman) Require the Public Service Commission to create and maintain a broadband map and data repository

LB1101 (Bostelman) Change provisions relating to the Nebraska Telecommunications Universal Service Fund and the Nebraska Broadband Bridge Act

LB1214 (Geist) Change provisions of the Nebraska Broadband Bridge Act

LB1021 (Friesen) Provide for regulation of certain telecommunications companies by the Public Service Commission

LB1144 (Friesen) Change provisions relating to the Nebraska Telecommunications Regulation Act and the Nebraska Broadband Bridge Act

### **Urban Affairs**

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

LB713 (Flood) Prohibit the use of tax-increment financing for certain purposes

LB1065 (Groene) Change provisions of the Community Development

Law relating to redevelopment plans receiving an expedited review

LB1060 (Briese) Change provisions relating to certain findings and the validity of certain agreements under the Community Development Law

LB836 (Hunt) Require the review of substandard and blighted area designations and extremely blighted area designations

LB725 (M. Hansen) Authorize guidelines for approval of certain redevelopment projects under the Community Development Law

AM1708 (Wayne) Amending LB798

## **Wednesday, Feb. 9**

### **Appropriations**

#### **Room 1003 - 1:30 p.m.**

LB755 (Brandt) Appropriate federal funds for the Independent Processor Assistance Program

LB970 (Halloran) Appropriate federal funds to the Department of Agriculture for catastrophic livestock mortality and disposal events

LB783 (Groene) Appropriate federal funds to the Department of Economic Development for the beef processing industry

LB1006 (Murman) Appropriate federal funds to the Department of Economic Development for construction of new dairy processing plants

LB1277 (Clements) Appropriate federal funds to the Department of Economic Development to provide funds to a county agricultural society with facilities within a city of the primary class

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

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

LB787 (Groene) Redefine a term and change applicability provisions under the Nebraska Budget Act

LB742 (Erdman) Provide for minutes to be kept in an electronic record under the Open Meetings Act

LB743 (Erdman) Change provisions relating to when closed sessions may be held under the Open Meetings Act

LB691 (Blood) Include kidnapping victims under the Address Confidentiality Act

LB1178 (McCollister) Provide for the withholding of the residential address of a judge from the public in county records

### **Health & Human Services**

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

LB1113 (McKinney) Provide for a pilot program to transfer funds under the Young Adult Bridge to Independence Act and state intent to appropriate federal funds

LB1173 (Health & Human Services) Create a work group and strategic leadership group for child welfare system reform

# COMMITTEE HEARINGS

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

## Judiciary

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

*Appointment:* Gerald Randall (Rand) Hansen - Crime Victims Reparations Committee  
LB882 (McKinney) Change requirements regarding law enforcement records and require maintenance of Brady and Giglio lists  
LB1003 (McDonnell) Include parole officers in the protective service bargaining unit under the State Employees Collective Bargaining Act  
LB1200 (Halloran) Adopt the State and Political Subdivisions Child Sexual Abuse Liability Act and exempt actions from the State Tort Claims Act and Political Subdivisions Tort Claims Act  
LB1213 (Albrecht) Provide requirements regarding access to digital and online resources provided by school districts, schools, and the Nebraska Library Commission for students  
LB1276 (McKinney) Provide for civil actions against law enforcement officers who commit misconduct and exempt such actions from the Political Subdivisions Tort Claims Act and the State Tort Claims Act

## Natural Resources

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

LB1015 (Speaker Hilgers) Adopt the Perkins County Canal Project Act  
LB1099 (Bostelman) Create the Nebraska Hydrogen Hub Industry Work Group

## Revenue

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

LB1237 (Brewer) Adopt the Opportunity Scholarships Act and the Nebraska Child Care Contribution Tax Credit Act  
LB729 (Lindstrom) Adopt the Quick Action Closing Fund Act  
LB730 (Lindstrom) Adopt the Growing Our Workforce Investment Now Act and provide tax credits  
LB1093 (Flood) Adopt the Enhancement Project Financing Assistance Act and provide for the use of certain sales tax revenue  
LB1176 (Bostar) Change the Affordable Housing Tax Credit Act

## Thursday, Feb. 10

### Appropriations

#### Room 1003 - 1:30 p.m.

LB1232 (McDonnell) Appropriate funds from the Cash Reserve Fund to the Department of Economic Development for a capital construction grant for the United States Strategic Command Nuclear Command, Control, and Communications public-private partnership facility  
LB1233 (Sanders) Rename and change provisions relating to the United States Space Command Headquarters Assistance Fund, change provisions relating to the Cash Reserve Fund, and state legislative intent relating to development at Offutt Air Force Base  
LB1088 (Stinner) Change provisions relating to the Nebraska Transformational Project Fund  
LB722 (Hilkemann) Transfer and appropriate funds for lead-based paint hazard control

## Government, Military & Veterans Affairs

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

LB1096 (Halloran) Provide for participation in trusts and investment pools by certain governmental entities  
LB1165 (Sanders) Change provisions of the Nebraska Budget Act  
LB1037 (Arch) Require the Department of Administrative Services to contract for an evaluation of the state's procurement practices  
LB1064 (Arch) Change powers and duties of the materiel division and provisions relating to the Materiel Division Revolving Fund

## Health & Human Services

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

LB698 (Kolterman) Require coverage of continuous glucose monitoring devices under the Medical Assistance Act  
LB895 (Walz) Provide restrictions on prior authorizations by managed care organizations under the Medical Assistance Act  
LB857 (Day) Provide for express lane eligibility under the Medical Assistance Act and the Children's Health Insurance Program

## Judiciary

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

LB942 (Slama) Change powers, duties, and training requirements for noncertified conditional officers and law enforcement reserve officers and provide for notice of expiration of certification as a qualified firearm instructor  
LB1184 (Geist) Change provisions relating to duties of the Attorney General to defend the Nebraska State Patrol  
LB1241 (Lathrop) Change provisions relating to law enforcement officer training and certification  
LB1270 (Clements) Adopt the Law Enforcement Attraction and Retention Act  
LB1271 (Lindstrom) Adopt the Law Enforcement Marketing Act

## Natural Resources

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

*Appointment:* Scott B. McPheeters - Neb. Ethanol Board  
*Appointment:* Nelson, Taylor D. - Neb. Ethanol Board  
LB1023 (Hilgers) Adopt the Lake Development Act and the Water Recreation Enhancement Act  
LB1185 (Morfeld) Change provisions relating to the powers of an electric cooperative corporation

## Revenue

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

LB818 (Linehan) Change authorized uses of state assistance and certain limitations under the Sports Arena Facility Financing Assistance Act  
LB919 (Lindstrom) Redefine terms under the Sports Arena Facility Financing Assistance Act  
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  
LB864 (Gragert) Authorize qualified education loan payments under the Nebraska educational savings plan trust  
LB1116 (Wayne) Change provisions of the Business Innovation Act relating to a financial assistance program for creating prototypes

# COMMITTEE HEARINGS

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

## **Friday, Feb. 11**

### **Appropriations**

#### **Room 1003 - 1:30 p.m.**

LB1152 (McCollister) Appropriate federal funds to the Department of Administrative Services for repair and restoration of the State Capitol

LB1228 (Wayne) Appropriate federal funds to the Nebraska Tourism

Commission for purposes of constructing a museum

LB1195 (McDonnell) Appropriate federal funds to the Department of Economic Development to award sponsorship grants for international competitions to be hosted in Nebraska

LB1202 (Day) Appropriate federal funds to the Department of Economic Development for a grant to any Nebraska-based soccer team or professional baseball team

LB1224 (Wayne) Appropriate federal funds to the Department of Economic Development for grants for new and upgraded tourism attractions

LB1229 (Hilkemann) Appropriate federal funds to the Department of Economic Development to provide funds to a tax-exempt organization for certain sports and fitness programs, stipends for certain internships, and certain facility rental costs

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

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

LB1122 (Erdman) Change provisions relating to the Land Surveyors Regulation Act

LB1008 (Albrecht) Prohibit a county, city, or village from restricting energy utility service

LB1146 (Friesen) Change provisions relating to the Interlocal Cooperation Act

LB983 (Moser) Change provisions relating to industrial development powers of counties, cities, and villages

### **Health & Human Services**

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

LB1044 (Hilkemann) Adopt the Care Team Innovation Grant Pilot Project Act and state intent regarding federal funds

LB865 (DeBoer) Change provisions relating to reimbursement for child

care and state intent to appropriate federal funds

LB1091 (Dorn) Adopt the Nebraska Nursing Incentive Act and state intent to appropriate federal funds

LB1007 (Murman) Change provisions relating to the Rural Health Systems and Professional Incentive Act

### **Judiciary**

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

LB1026 (J. Cavanaugh) Adopt the Unlawful Restrictive Covenant Modification Act

LB1038 (M. Hansen) Prohibit a cleaning and damage charge requirement in a rental agreement

LB1135 (Murman) Change provisions relating to conservation or preservation easements and property tax exemptions relating to such easements

LB1222 (M. Hansen) Change provisions of the Mobile Home Landlord and Tenant Act and provide for certificates of title and liens for abandoned mobile homes

### **Revenue**

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

LB735 (Bostar) Change an interest rate relating to property tax refunds

LB850 (Bostar) Change provisions relating to the cancellation and extinguishment of certain delinquent property taxes

LB873 (Friesen) Change provisions relating to the levy authority for community college areas

LB949 (Friesen) Change provisions relating to property tax statements

LB1030 (Friesen) Exempt all tangible personal property from property tax

### **Urban Affairs**

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

AM 1737 to LB 446

## **Monday, Feb. 14**

### **Appropriations**

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

LB1025 (Wayne) Appropriate federal funds to the Department of Economic Development for the North Omaha Recovery Grant Program

LB1238 (Vargas) Appropriate federal funds to the Department of Economic

Development for the South Omaha Recovery Grant Program

LB1210 (Slama) Appropriate federal funds to the Department of Economic Development for small businesses located in cities of the second class and villages

LB1120 (Wayne) Disqualify entities receiving federal funds from a high-population county or city of the metropolitan class from receiving such funds from the state

LB1163 (Wishart) Change award limitations under the Business Innovation Act and state intent regarding appropriation of federal funds

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

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

LB1092 (Flood) Authorize risk-loss trusts for Nebraska state colleges

LB1127 (Wishart) Adopt the Regulatory Sandbox Act

LB1215 (Geist) Adopt the Small Business Assistance Act and provide for grants

### **Business & Labor**

#### **Room 1003 - 1:30 p.m.**

LB935 (Bostar) Adopt the County Minimum Wage Option Act

LB1018 (McKinney) Set a minimum wage for employees of a Class V school district

LB1028 (Hunt) Change provisions of the Wage and Hour Act relating to tipped employees and provide for complaints, prohibited actions, and liquidated damages

LB1069 (Williams) Change provisions of the Rural Workforce Housing Investment Act

LB1040 (McDonnell) Redefine a term under the In the Line of Duty Compensation Act

LB1098 (Halloran) Change provisions relating to the State Fire Marshal, the Boiler Inspection Act, and the Conveyance Safety Act

### **Education**

#### **Room 1525 - 2:00 p.m.**

LB887 (Slama) Change provisions relating to state colleges and the Board of Trustees of the Nebraska

# COMMITTEE HEARINGS

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State Colleges and eliminate certain provisions relating to morals and prohibiting religious tests  
LB902 (Aguilar) Adopt the Nebraska Career Scholarship Act  
LB1050 (Flood) Prohibit public postsecondary institutions from discriminating against student organizations based on viewpoints, beliefs, and missions  
Appointment: Dennis A. Headrick - Coordinating Commission for Postsecondary Education

## General Affairs

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

LB866 (Brandt) Change inspection fees under the State Electrical Act  
LB840 (Brewer) Change provisions relating to publication and rates for legal notices  
LB1256 (McKinney) Change provisions relating to public libraries and require the election of library board members of a city of the metropolitan class

## Transportation & Telecommunications

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

LB1266 (Halloran) Change provisions relating to operations of common carriers  
LB1166 (Sanders) Change provisions of the One-Call Notification System Act  
LB1145 (Friesen) Change provisions relating to public information on motor vehicle accident reports  
LB1110 (Slama) Change provisions relating to the regulation and operation of all-terrain vehicles and utility-type vehicles

## Tuesday, Feb. 15

### Agriculture

#### Room 1003 - 1:30 p.m.

LB744 (Erdman) Change provisions relating to identification and inspection of livestock  
LR284 (Blood) Support an objective review of the "Product of U.S.A." label by the USDA and action to restrict the scope of use in a way that is beneficial for cattle producers and consumers, and is trade compliant

## Appropriations

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

LB968 (Dorn) Appropriate federal funds to the Department of Economic Development for affordable housing and job training  
LB1033 (Arch) Appropriate federal funds to the Department of Transportation for the Economic Opportunity Program and to the Department of Economic Development for various programs  
LB1070 (Williams) Appropriate federal funds to the Department of Economic Development for infrastructure related to rural workforce housing  
LB1252 (Vargas) Appropriate federal funds to the Department of Economic Development for middle-income housing  
LB940 (M. Hansen) Appropriate federal funds for housing  
LB1041 (McDonnell) Appropriate federal funds to the Nebraska Investment Finance Authority for loans for development of affordable housing units  
LB1142 (Vargas) Appropriate federal funds to the Nebraska Investment Finance Authority to support the development of affordable housing units

## Banking, Commerce & Insurance

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

LB943 (Bostar) Prohibit certain provisions in a health plan in relation to clinician-administered drugs  
LB1175 (Wayne) Prohibit a health insurer from removing a provider as an in-network provider under certain circumstances  
LB1190 (Lathrop) Change requirements for issuers of medicare supplement insurance policies or certificates relating to coverage of individuals under sixty-five years of age who are eligible for medicare by reason of disability

## Education

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

LB888 (Day) Redefine multicultural education for school districts  
LB1112 (McKinney) Adopt the Computer Science and Technology Act and provide graduation requirements and academic content standards  
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  
LB768 (Albrecht) Change provisions relating to establishment of academic content standards for school districts

## Transportation & Telecommunications

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

LB761 (Dorn) Adopt the Precision Agriculture Infrastructure Grant Act and state intent regarding appropriation of federal funds  
LB1208 (Friesen) Adopt the Broadband Pole Replacement Fund Act and appropriate federal funds  
LB1234 (Friesen) Provide for an expedited method of authorizing telecommunications wires to cross railroad rights-of-way  
LB916 (Wayne) Adopt the Rural Municipal Broadband Access Act

## Wednesday, Feb. 16

### Appropriations

#### Room 1003 - 1:30 p.m.

LB699 (Kolterman) Appropriate federal funds to the Department of Economic Development for grants to improve technology infrastructure  
LB977 (Slama) Appropriate federal funds to the Department of Economic Development for expanding electrical system capabilities  
LB969 (Dorn) Appropriate federal funds to the Department of Environment and Energy to improve reliability and resiliency of the electric grid  
LB1100 (Bostelman) Appropriate federal funds to the Department of Economic Development for a feasibility study relating to nuclear reactors  
LB1125 (Aguilar) Appropriate federal funds to the Department of Economic Development for new construction of industrial rail yards

## Health & Human Services

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

LB1136 (Hunt) Adopt the Senior Care LGBTQ Discrimination Prevention Act  
LB856 (Day) Provide for partnering organizations under the Aging and Disability Resource Center Act



# COMMITTEE HEARINGS

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

LB1243 (Murman) Change priorities relating to funding the medicaid home and community-based services waivers for persons with developmental disabilities

## Judiciary

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

LB745 (M. Cavanaugh) Change and eliminate provisions relating to marriage  
LB830 (DeBoer) Change provisions relating to cash medical support for child support

LB947 (Wayne) End child support payments upon the death of a custodial parent

LB1192 (McDonnell) Provide for a temporary injunction upon filing for separation or divorce, a presumption of joint custody and parenting time, sanctions for misconduct by a party, and reports

LB1245 (J. Cavanaugh) Change provisions and terminology relating to determinations of paternity and parentage, birth certificates, and related matters

## Thursday, Feb. 17

### Appropriations

#### Room 1003 - 1:30 p.m.

LB703 (Williams) Appropriate federal funds to the University of Nebraska for an agricultural innovation facility

LB721 (Hilkemann) Appropriate funds for the University of Nebraska Medical Center Rural Health Complex

LB766 (Kolterman) Appropriate federal funds to the University of Nebraska for pancreatic cancer research

LB904 (Dorn) Appropriate federal funds to the University of Nebraska for an Artificial Intelligence, Cybersecurity, and Holland Computer Center facility

LB950 (DeBoer) Appropriate federal funds to the University of Nebraska for academic medical research and development

LB961 (Vargas) Appropriate federal funds to the University of Nebraska for the National Counterterrorism Innovation, Technology, and Education Center

LB962 (Vargas) Appropriate federal funds to the University of Nebraska to construct a Science, Technology, Engineering, and

Mathematics Teaching, Research, and Inquiry-based Learning Center  
LB1054 (McDonnell) Appropriate federal funds to the University of Nebraska to modernize academic research laboratories and equipment for the College of Education, Health, and Human Sciences at the University of Nebraska at Omaha

## Health & Human Services

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

LB756 (Brandt) Change provisions relating to properties contaminated by methamphetamine

LB956 (Murman) Change provisions relating to confidential public health information

LB954 (Wayne) Preempt certain county and municipality resolutions or ordinances relating to electronic smoking devices under the Nebraska Clean Indoor Air Act

## Judiciary

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

LB922 (Lathrop) Increase the number of district court judges in the fourth judicial district

LB1053 (Lathrop) Authorize courts to conduct proceedings using virtual conferencing

LB1059 (Flood) Exempt the Judicial Resources Commission from the Open Meetings Act

LB1124 (Erdman) Change provisions relating to small estate affidavits under the Nebraska Probate Code

LB1132 (Morfeld) Change provisions relating to insurance under the Nebraska Uniform Real Property Transfer on Death Act ■

# PUBLIC HEARINGS

Public hearings on bills are typically held in the afternoons during the first half of the legislative session. Committees have regularly scheduled rooms and meeting days, although they sometimes meet in different rooms at varying times in order to accommodate testifiers or large audiences.

The weekly schedule of committee hearings is published on the last legislative day of the week throughout the legislative session. The schedule is available on a table in front of the Clerk's Office, in the Sunday editions of the Lincoln Journal Star and the Omaha World-Herald, in the weekly Unicameral Update and at [www.nebraskalegislature.gov](http://www.nebraskalegislature.gov).



# LEGISLATIVE GLOSSARY

**“A” Bill** - see Appropriation Bill.

**Amendment On File** - an amendment of 10 or more pages, not printed separately or in the Journal, that is available in the Clerk’s Office (Room 2018).

**Amendment Printed Separate** - an amendment of 10 or more pages, printed separately from the Journal, that is available in the Bill Room (Room 1102).

**Appropriation Bill (“A” Bill)** - a bill to appropriate funds to finance another bill bearing the same number.

**Attorney General’s Opinion** - a written analysis of a question of law prepared by the attorney general for the governor, the head of an executive department or any state senator.

**Bill** - see Legislative Bill.

**Bracket** - to delay consideration of a bill.

**Call of the House** - a procedure used to compel attendance of unexcused senators in the chamber.

**Carry-over Legislation** - bills and resolutions introduced during the regular session in an odd-numbered year and held over for consideration during the regular session in an even-numbered year.

**Chair** - the presiding officer.

**Cloture** - a parliamentary action to cease debate on a bill and vote immediately on its advancement. A motion for cloture may be made after eight hours of debate on most bills and after 12 hours on appropriation bills introduced by the Appropriations Committee.

**Constitutional Amendment Resolution** - a proposal to amend the state constitution, ratify or reject an amendment to the U.S. Constitution, or petition Congress about amending the U.S. Constitution. State CA resolutions have the suffix “CA” by the resolution number, and they must be approved by the voters as well as the Legislature.

**Consent Calendar** - a portion of the agenda in which relatively noncontroversial bills are considered and quickly advanced to the next legislative stage. Usually, a bill on consent calendar can be debated for no more than 15 minutes.

**“E” Clause** - see Emergency Clause.

**E&R** - see Enrollment and Review.

**Emergency Clause (“E” Clause)** - a provision that allows a bill or a portion of a bill to take effect immediately after the governor signs it or after the Legislature overrides the governor’s veto.

**Engrossment** - the process of preparing a bill for Final Reading by incorporating all adopted amendments.

**Enrollment and Review (E&R)** - the process of incorporating adopted amendments into a bill and reviewing the bill for technical and grammatical accuracy.

**Executive Session** - a closed meeting of a committee to discuss and act on bills and resolutions. An executive session is open only to committee members, committee staff and the media.

**Final Reading** - the third and last stage at which a bill is considered by the entire Legislature. The clerk reads the entire bill aloud, unless final reading is waived, and senators vote without debate on whether to submit the bill to the governor.

**Fiscal Note** - a statement prepared by the Legislative Fiscal Office estimating the effect a bill would have on state and/or local expenditures and revenue.

**Floor** - the area of the legislative chamber where the senators sit. When a committee advances a bill “to the floor,” it means the bill is being sent to the full Legislature for consideration.

**General File** - the first stage at which a bill is considered by the full Legislature. Bills on General File may be amended, returned to committee, indefinitely postponed or advanced to Select File.

**Hearing** - a regularly scheduled committee meeting to receive public comment on proposed bills and resolutions.

**House Under Call** - the term used when all unexcused senators are required to be in their seats in the chamber and unauthorized personnel must leave the floor.

**Indefinitely Postpone (IPP)** - to kill a bill.

**Interim** - the period between regular legislative sessions.

**Interim Study Resolution** - a resolution authorizing a committee to study an issue following adjournment of a legislative session.

**IPP** - see Indefinitely Postpone.

**Journal** - see Legislative Journal.

**Laws of Nebraska (Session Laws)** - bound compilation of all laws and constitutional amendment resolutions passed in a legislative session, the state Constitution, and subject and section indexes.

**Legislative Bill (LB)** - a proposal to create, change or delete one or more laws.



**Legislative History** - the committee and floor debate records for any bill. A history includes transcripts of the bill's hearing and all floor debate.

**Legislative Journal** - official record of legislative floor action, including all motions, the number of yeas and nays on each vote, etc.

**Legislative Resolution (LR)** - a proposal to make a formal expression of opinion, intent or recognition; amend the state or federal constitution; or authorize a study of an issue during the interim. See also Constitutional Amendment Resolution, Interim Study Resolution.

**Line-Item Veto** - the power of the governor to make specific reductions in any part of a budget bill passed by the Legislature.

**Machine Vote** - a vote taken by electronic voting system. The voting board shows how each senator voted, but only vote totals are entered in the Legislative Journal.

**Major Proposal** - a bill or constitutional amendment resolution that the speaker designates as important enough for scheduling priority. Each session, up to five bills may be chosen as major proposals, all of which must be senator priority bills and must get the approval of two-thirds of the Executive Board.

**One-liner** - a one-line description of a bill or resolution.

**Override a Veto** - see Veto Override.

**President of the Legislature** - the lieutenant governor. While senators address whomever is in the chair as Mr. or Madam President, the lieutenant governor alone holds the official title.

**Presiding Officer** - the senator currently presiding over legislative proceedings.

**Priority Bill** - a bill that has priority status and generally is considered ahead of other bills in debate. Each senator may select one priority bill, each committee may select two priority bills, and the speaker may select up to 25 priority bills.

**Record Vote** - a vote on which a record is kept of how each senator voted. The vote is taken by electronic voting system and the senators' names and corresponding votes are then printed in the Legislative Journal.

**Regular Session** - the annual session that begins the first Wednesday after the first Monday in January.

**Resolution** - see Legislative Resolution.

**Revisor Bill** - a bill, prepared by the Office of the Revisor of Statutes, proposing a technical correction or the repeal of an obsolete statute.

**Roll Call Vote** - a vote during which the senators vote one at a time as the clerk reads their names. Senators cast their votes verbally, and their names and corresponding votes

may be printed in the Legislative Journal.

**Select Committee** - a permanent committee with a subject-matter jurisdiction related to the administration of the Legislature.

**Select File** - the second stage at which a bill is considered by the entire Legislature. Bills on Select File may be amended, returned to committee, indefinitely postponed or advanced to Final Reading.

**Session** - a period of time, usually a number of days, during which the Legislature meets and transacts business.

**Session Laws** - compilation of all laws and constitutional amendment resolutions passed in a session.

**Sine Die** - without setting a future date for reconvening. When the Legislature adjourns sine die, the legislative session is finished for the year.

**Slip Law** - a bill or constitutional amendment resolution printed individually in its approved form after being enacted into law or submitted to voters.

**Speaker of the Legislature** - the officer of the Legislature, elected from among the senators, who prepares the daily agenda and the session calendar and presides in the absence of the lieutenant governor.

**Special Committee** - a committee created by law for a specific reason. Except for the Executive Board, special committees have no jurisdiction over bills or resolutions.

**Special Session** - a limited legislative session called for a specific purpose by the governor or two-thirds (33 members) of the Legislature.

**Standing Committee** - a permanent committee with subject-matter jurisdiction related to an area of public policy. Almost all bills and resolutions are referred to one of the 14 standing committees.

**Summary Sheet** - a daily list of all legislative activity that has taken place in one legislative day, including action taken on bills and resolutions.

**Veto** - the power of the governor to reject bills passed by the Legislature. The governor has five days, excluding Sundays, to either sign or veto a bill. The Legislature then has an opportunity to override the veto.

**Veto Override** - the power of the Legislature to pass a bill over the governor's veto. A veto override requires the approval of three-fifths (30 members) of the Legislature.

**Voice Vote** - a vote in which senators cast their votes orally and no totals are recorded.

**Worksheet** - a list, prepared daily, that indicates the status of all bills and resolutions at the end of that legislative day.





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