

## Chief justice notes successes, challenges

Nebraska Supreme Court Chief Justice Michael Heavican delivered his State of the Judiciary address to lawmakers Feb. 21.

He began by noting the “extraordinary measures” taken to fill the approximately 1,600 vacant judicial positions across the state, as of July 2022.

“Along with the new and partially implemented comprehensive salary study, we began giving hiring and referral bonuses as well as retention benefits,” Heavican said. “We also upgraded our judicial branch education opportunities to improve skills and encourage advancement to leadership positions.”

Calling special attention to probation, Heavican said evidence-based practices and innovative programs have transformed probation administration in recent years, bringing national acclaim to the state.

In addition, he said, efficient and economical management of both adult and juvenile probation has allowed the Nebraska Supreme Court to return \$35 million to the state general fund in the last two state budget cycles.

With those successes, however, Heavican noted that challenges remain — most notably in the area of mental health. The Legislature has increased provider reimbursement rates in recent years, he said, but the need to expand provider access remains, particularly 24-hour care facilities for

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## Highway bonding proposal considered



Sen. Mike Moser said completing Nebraska’s expressway system is critical to economic development in much of the state.

The state could use bond proceeds to speed completion of Nebraska’s expressway system under a bill heard Feb. 22 by the Revenue Committee.

LB706, introduced by Sen. Mike Moser of Columbus, would authorize the state highway commission, upon recommendation of the state Department of Transportation, to issue up to \$450 million in bonds between 2023 and 2029 to accelerate completion of highway construction projects under the Build Nebraska Act.

The act, passed by the Legislature in 2011, dedicates one-fourth of 1 percent of state sales tax revenue to road projects, including the expressway system, between 2013 and 2033.

Moser introduced an amendment that would extend the act’s sunset date to 2042, which he said would allow

the department to use the dedicated sales tax revenue to retire any bond debt. In certain situations, he said, LB706 would allow the department to complete segments of the expressway system in less time than it otherwise could.

The amendment also would increase the authorized amount of annual debt service from \$30 million to \$35 million.

Any bonds issued would be special obligations of the state payable only from the State Highway Capital Improvement Fund and any other funds specifically pledged by the commission. They would not be a general obligation or debt of the state and would be exempt from state income tax. All bonds would be paid off by June 30, 2042.

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## Chief justice notes successes, challenges

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the mentally ill. Currently, county jails are the default 24-hour facility, he said.

“I would also call your attention to the ongoing and long-standing problem of mental health competency determinations for criminal defendants to stand trial,” Heavican said. “The Lincoln Regional Center currently has a six month backlog to perform such evaluations. This problem has festered for years and needs a resource supplement.”

Despite that challenge, he said, the courts continue to innovate and expand the use of technology to serve the state and ensure equal access to justice.

“Access to the courts in the 21st century means more than the courtroom door is unlocked,” Heavican said. “Please be assured that Nebraska’s judicial branch is always striving to find ways to do it better.” ■

## Highway bonding proposal considered

(continued from front page)

LB706 would require that at least 75 percent of the bond proceeds be used for construction of the expressway system and federally designated high-priority corridors. The remaining proceeds would be used to pay for surface transportation projects of the highest priority, as determined by the department.

Gov. Jim Pillen testified in support of the proposal, saying it would allow the department to complete needed highway projects on a “much faster timeline.” He said Nebraska has sacrificed economic growth and public safety by using a pay-as-you-go method to fund the long-delayed expressway and other highway projects.

“I believe we’ve really missed the boat as a state,” Pillen said.

Also in support was Vicki Kramer, director of the state Department of Transportation. She said issuing bonds when interest rates are lower than the rate of inflation on construction costs would allow the department to speed completion of approved

projects.

“Because NDOT has been fiscally responsible in the past,” Kramer said, “we can be selective about when we issue bonds and only use the authority when conditions are right and the benefits of issuing the bonds and accelerating projects outweigh the costs of using the funding method.”

Bryan Slone testified in support of LB706 on behalf of the Nebraska Chamber of Commerce and Industry. He said expanding Nebraska’s highway network is critical to the agriculture, manufacturing and transportation industries, which make up approximately 30 percent of the state’s GDP.

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

## UNICAMERAL UPDATE

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# MEET THE SENATOR

## Ballard takes on new Capitol role

It's not often that someone as young as Sen. Beau Ballard can say they've spent half their lives in politics. The recently appointed senator began knocking doors and talking to constituents at age 12 while helping with his grandfather's 2008 campaign for the legislative seat Ballard now holds.

Although that run was unsuccessful, Ballard said, it gave him "intimate" knowledge of Legislative District 21 and is an experience he carries with him to this day.

"I've been talking to constituents and voters in this district for a little over a decade," Ballard said. "I know this district and think I can be a strong voice for the constituents of District 21."

His early political experience led to an internship at the U.S. House of Representatives and with a Colorado state senator before Ballard became a legislative aide for then-Sen. Mike Hilgers.

Hilgers was elected as Nebraska's Attorney General in November 2022, creating a vacancy in LD21. Ballard was appointed to the seat — an experience he calls one of the greatest honors of his life.

His time working with Hilgers in particular helped Ballard to understand Capitol dynamics, bill drafting and the committee process, but he said it's still "wildly different" to be "the guy pressing the button."

When he's not handling his duties as a state senator, Ballard can be found playing basketball on Saturday mornings at his old high school stomping grounds, walking his

beloved cocker spaniel, Cosmo, or managing one of his businesses.

Ballard owns BJB Strategies, a political consulting firm he started in 2021 that aims to help candidates run for office.

He also co-owns Rabbit Hole Bakery, located in Lincoln's Historic Haymarket, where he handles business

operations and finances while his business partner, Amanda, handles the baking. His favorite pastry is the macaron, he said, because they remind him of sitting in a café in Paris.

"I don't do any of the baking — you don't want that," Ballard laughed. "But, I love to travel, and I noticed that there was a need for a bakery in downtown Lincoln and so it's an opportunity to fill a void in this community."

Food also serves as another connection to the new senator's love for public service, one he traces back to his grandmother. She worked as a lunch lady and Ballard recalled that she "always knew when somebody needed a friend."

"She just wanted to serve and to be generous with her time, talents and treasures and I think that's what public servants should strive to do — not do it for themselves, but do it for their community," he said. ■



Sen. Beau Ballard and Cosmo relax at James Arthur Vineyards — the family business in Raymond, Nebraska.

## EDUCATION

### Bill would bar inquiries into college applicants' criminal history

Nebraska's public higher education institutions could not ask about a person's criminal background when they apply for admission under a bill heard Feb. 21 by the Education Committee.

Under LB222, introduced by Omaha Sen. John Fredrickson, a public college or university could not inquire about a person's criminal history or juvenile court record as part of its application and admission process except as required by state and federal law.



Sen. John Fredrickson

Fredrickson said asking about a person's criminal history during the college admission process deters formerly incarcerated people from applying, which can prevent them from gaining the education and job training they need to reintegrate into society.

"Approximately 95 percent of state prisoners will be released from prison at some point," he said, "so we need to ensure opportunities are available for them to get the education they need to contribute to our workforce."

Fredrickson brought an amendment to the hearing that he said is intended to address concerns raised by the University of Nebraska.

He said the amendment would clarify that LB222 would not apply to an institution's inquiries into criminal history that occur subsequent to admission as part of a professional licensure process or an academically required clinical placement.

Courtney Wittstruck testified in support of the measure on behalf of the Nebraska Community College Association. She said it would provide greater access to higher education for more Nebraskans while still allowing postsecondary institutions to ask about a person's criminal history when they apply for on-campus housing or particular academic programs, such as early childhood education.

Also in support was Jasmine Harris of RISE, a nonprofit that offers rehabilitation programs in several Nebraska prisons.

Harris said many RISE participants take college courses offered by Metropolitan Community College and the University of Nebraska at Omaha while in prison. Such participation in higher education programs by incarcerated people has been shown to reduce recidivism by 48 percent, she said.

"LB222 will offer people like our [participants] coming out of incarceration the opportunity to continue their higher education aspirations without having to bear the guilt and shame of checking a box on an admissions application," Harris said.

Rose Godinez testified in support of the bill on behalf of the ACLU of Nebraska. Research shows that asking about an applicant's criminal history during college admission does nothing to enhance public safety but does deter individuals from applying, she said.

No one testified in opposition to LB222 and the committee took no immediate action on it.

### Dyslexia reporting requirement clears first round

The state would collect data on students with dyslexia under a bill advanced by lawmakers Feb. 22.

LB298, introduced by Sen. Lou Ann Linehan of Elkhorn, would require

school districts to provide information on dyslexia to the state Department of Education.



Sen. Lou Ann Linehan

The information would include the number of students in each school district who were tested for dyslexia, those identified as exhibiting characteristics of dyslexia and those diagnosed with dyslexia who have improved their reading skills as a result of that diagnosis.

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

Linehan said LB298 is intended to "bolster" existing law that requires schools to report data on specific learning disabilities, including dyslexia. She said some Nebraska students are not being diagnosed correctly as having dyslexia or receiving the specific instruction they need.

"It is more than irritating to run into families ... who are still not getting the help they need and are being told by schools that they should just wait and see," Linehan said.

Bellevue Sen. Carol Blood supported the bill, saying it would give lawmakers data they can use to make better education policy decisions.

Also in support was Sen. Justin Wayne of Omaha, who said he is concerned that schools are not already collecting data on dyslexia. He said students who cannot read at grade level by third grade often have difficulty catching up and become disengaged at school.

Senators voted 37-0 to advance LB298 to select file.

## Voter approval for certain school bonds advanced

Lawmakers gave first-round approval Feb. 22 to a bill intended to ensure that voters must approve certain bonds issued to pay for the construction of school buildings.

LB299, introduced by Sen. Lou Ann Linehan of Elkhorn, would prohibit any joint entity that includes a Nebraska school district or educational service unit from issuing bonds without approval from a majority of their qualified voters in a special election. The restriction would apply to joint public entities created on or after the bill's effective date.

If the bond question fails, it could not be submitted to voters again for at least six months.

Linehan said current law allows school districts, in partnership with an ESU, to issue bonds for building projects without approval from voters, as is required in a traditional bond issue.

"If the citizens are going to be paying for these projects over the decades," she said, "they deserve to approve the projects."

Sen. Tom Brandt of Plymouth supported LB299. He said a joint entity created by Beatrice Public Schools and its educational service unit circumvented the will of voters by issuing bonds to replace four aging elementary schools with a new building after two similar bond issues had failed.

Also in support was Adams Sen. Myron Dorn. Although the method used by Beatrice Public Schools and at least two other Nebraska school districts is allowed under current law, he said, a public vote on bond issues is "very important."

Senators voted 38-0 to advance the bill to select file.

## GOVERNMENT, MILITARY & VETERANS AFFAIRS

### Bill would eliminate waiting period on voting rights

Nebraskans who have been convicted of a felony would have their voting rights automatically restored upon completion of their sentence or probation under a bill considered Feb. 22 by the Government, Military and Veterans Affairs Committee.

Omaha Sen. Justin Wayne, sponsor of LB20, said the ability to engage in civic life reduces recidivism and that the current two-year waiting period is "arbitrary" and rooted in systemic racism. Even a small reduction in recidivism rates would save the state money, he said, and eliminating the waiting period is a matter of fairness.

Voting is a fundamental right, he said, and individuals who have been released from prison have served their time and should not continue to be punished.

"We don't need to be the last state in the union to make this right," Wayne said. "This issue addressed in the bill should neither be partisan nor controversial."

Jasmine Harris of RISE — an organization that assists individuals recently released from prison — testified in support of the measure. Nebraska is one of only 11 states with post incarceration restrictions on voting, she said, and passage of LB20 would help remove the "invisible handcuffs" on the nearly 18,000 ex-felons in the state whose voting rights are restricted under current law.



Sen. Justin Wayne

"One of the keys of reentry well-being is positive social engagement," Harris said. "Giving people the immediate right to vote after they complete their felony sentence or probation can help them feel like a part of the community — reinforcing the positive changes they have made in their lives — which leads them to be productive and their chances of recidivating decrease."

Also testifying in favor was Daniel Gutman of the ACLU of Nebraska, who said the ability to vote immediately upon completion of a sentence would remove existing confusion about when individuals with felony convictions can vote.

Gutman cited a 2016 study done by the organization that found confusion among Nebraska election officials regarding the current rules, including several who thought the ban lasted for five years and one official who believed an individual had to be pardoned before voting rights could be restored.

"There is misinformation among well-meaning election officials who are trying to comply with the nuances of the current law," he said. "But even one mistake by an election official in this process is de facto disenfranchisement."

Michelle Labaughne Feiling, a U.S. Army veteran on federal felony probation, also spoke in favor of LB20. She was released in 2020 after spending nine years in prison, she said, and now works full time at an Amazon fulfillment center and has been sober for six months.

"While I have been able to build a life I am proud of, it has not been easy," Labaughne Feiling said. "Regaining the right to vote — a fundamental part of participating in a democracy — would give me and others with stories similar to mine additional motivation to stay on the right track."

Testifying in opposition to the bill was Kathy Wilmot, who said she

worked in the Kansas prison system for more than 20 years. She said the current two-year waiting period could help reinforce in former felons that voting rights are “special.”

“We know that individuals do place value on things that they [have to] work to attain,” Wilmot said.

The committee took no immediate action on LB20.

### Bill would create Malcolm X state holiday

Nebraska would celebrate Malcolm X’s birthday as a state holiday under a bill considered Feb. 22 by the Government, Military and Veterans Affairs Committee.

LB53, sponsored by Omaha Sen. Terrell McKinney would establish May 19 as El-Hajj Malik El-Shabazz, Malcolm X Day in Nebraska.



Sen. Terrell McKinney

Calling Malcolm X “the most famous Nebraskan in the world,” McKinney noted the leader’s importance in American, Black and Muslim history. Malcolm X is a central figure in the history of the social movements for civil and political rights, McKinney said, who has long been mischaracterized by those who falsely believe him to have been an advocate for violence.

“Malcolm X is one of the most fundamentally misunderstood people in American history,” McKinney said. “And perhaps the stigma around him would be extinguished if his achievements and contributions were recognized.”

JoAnna LeFlore-Ejike, executive director of the Malcolm X Memorial Foundation, testified in support of the bill. The foundation, located in North Omaha where Malcolm X was born,

works to ensure his legacy, she said, and recently won a victory when the civil rights leader was inducted into the Nebraska Hall of Fame.

She said the impact of a statewide holiday could be “monumental” for future generations of Nebraskans. If more young people learn about Malcolm X at a younger age through commemoration, she said, they could become stronger, more resilient and more excited about their cultural origins.

“There would be more motivated youth willing to grow from their experiences, transform and be more insightful about their contributions to the world,” LeFlore-Ejike said.

Gwen Easter, testifying on behalf of the Nebraska Commission on African American Affairs, also spoke in support of LB53. A “world-renowned” civil rights leader should be honored by his birth city and state, she said.

“Nebraska should be proud to recognize a day to celebrate one of the few international icons from Omaha, Nebraska,” Easter said. “Many cities around the United States already do in many ways.”

Also testifying in support was Y’Shall Davis, who said Malcolm X stands out among leaders as someone who saw that he was on the wrong path and changed his life. She said his teachings kept her out of jail and encouraged her to become politically active.

“Like Malcolm X, I had to change my way of thinking,” Davis said. “When the streets of North Omaha led me astray, I was blessed to receive a copy of Malcolm X’s autobiography and it gave me hope.”

Kathy Wilmot testified in opposition, saying there aren’t enough days in the year to honor a specific individual to reflect every Nebraskan’s heritage. In addition, she said, lawmakers should ask themselves if such recognition is “proper” given

Malcolm X’s exhortation to use “any means necessary” to advance the cause of Black people.

The committee took no immediate action on LB53.

### Grants sought to bolster infrastructure ahead of missile project

A multi-million-dollar grant fund would be established to aid panhandle communities as they prepare for an influx of contractors to upgrade the area’s aging ICBM missile system under a bill considered Feb. 23 by the Government, Military and Veterans Affairs Committee.

LB712, sponsored by Gering Sen. Brian Hardin, would create the Ground Based Strategic Deterrent Deployment Fund and transfer \$26 million to it from the state’s Cash Reserve Fund. A grant program to distribute those funds would be administered by the office of the state’s adjutant general.



Sen. Brian Hardin

Funds could be used to address deficiencies in infrastructure, transportation, schools, health care facilities, child care, law enforcement and workforce development to support an upcoming decommissioning and replacement of the Minuteman ICBM systems.

Hardin said the panhandle is home to roughly 80 missile launch facilities and nine missile alert facilities that were built in the 1960s. The U.S. Air Force has been in contact with local leaders in the Kimball area regarding the upcoming changeover to the new Sentinel weapons system, he said, which is scheduled to last roughly 10 years and bring approximately 3,700 contract workers to the area.

While that influx of workers could be a boon for a town like Kimball, Hardin said, it also comes with challenges. The predicted number of workers would mean a 155 percent increase in the town’s population in a very short period of time, he said, which would strain existing infrastructure.

“That’s a scary number,” Hardin said. “We’re told to expect people onsite this year.”

Kimball city administrator Annette Brower testified in support of the bill, calling the Sentinel missile project an “absolute.” The town has been working with the U.S. Department of Defense for the last two years, she said, and Kimball is set to be the housing hub for the project beginning in 2024 – with “shovels in the ground” by this summer.

The city has no choice but to prepare for the influx of workers, she said, and already has invested significant resources in power and wastewater projects.

“We are just too small to tackle it all on our own,” Brower said. “We’re not here asking for a handout; we’re asking for a partner.”

Christy Warner, Kimball County public transit administrator and member of the Kimball City Council, also testified in favor of LB712. The Sentinel project is both exciting and a challenge for the town, she said, and presents a chance to make infrastructure and quality of life changes that could attract permanent residents to the area.

Kimball simply does not have sufficient population to tax in order to meet the growth, she said, and state dollars would enable leaders to access millions in federal grant funds.

“We’re on the brink of a once-in-a-lifetime opportunity to inject the community and the region with the largest economic [project] we’ve seen

in over half a century,” Warner said.

Maj. Gen. Daryl Bohac, adjutant general of the Nebraska National Guard, testified in a neutral capacity. Modernizing the nation’s missile system is critical to the country’s national security and defense strategy, he said, but the cost of such an upgrade is “best funded” by the initiating institution – in this case, the U.S. Air Force.

Bohac also expressed concern that the bill as written does not provide any resources to the adjutant general’s office to administer the grant program.

No one testified in opposition to LB712 and the committee took no immediate action on the proposal.



**Expansion of behavioral health coordination proposed**

The Health and Human Services Committee heard testimony Feb. 23 on a proposal to implement a new statewide delivery model for behavioral health services.

LB276, introduced by Lincoln Sen. Anna Wishart, would adopt the Certified Community Behavioral Health Clinic Act in an attempt to increase access to outpatient mental health and substance abuse treatment through service delivery coordination with community partners.



Sen. Anna Wishart

The CCBHC model began in 2017 as a Medicaid demonstration project in collaboration with grants provided by the federal government.

Wishart said coordination between

health care facilities and community partners is a key component to the success of the CCBHC model.

Rather than focusing only on health care challenges, she said, the state should be collaborating with law enforcement agencies, schools, hospitals, primary care providers and other organizations to help improve care, reduce recidivism and address health disparities.

“[The CCBHC model] glues investments together so that when an individual comes in and needs help, they’re getting the full array of support,” Wishart said. “It truly is a holistic approach.”

The state Department of Health and Human Services would be required to apply for a Medicaid state plan amendment through the federal Centers for Medicare and Medicaid Services to implement the bill’s provisions by Jan. 1, 2026.

Under the CCBHC model, DHHS would develop a prospective payment system through which providers would be reimbursed based on the anticipated cost of providing required services to Medicaid recipients on either a daily or monthly basis.

Gov. Jim Pillen testified in support of the proposal. One of the most important things the state can do is acknowledge that there are people in our communities who need help with mental health and substance use issues, he said.

“This bill is really important for us to step up and help,” Pillen said. “[The] services provided are person-centered, family-centered, recovery-oriented [and operate] with nationally developed criteria and standards.”

Carole Boyle, CEO of Community Alliance, also testified in favor of LB276, noting that the organization is one of five CCBHCs currently operating in Nebraska. CCBHCs are not new,

she said, and are a framework by which services are organized and coordinated based on an individual's needs.

Boyle said Community Alliance data indicates that, over a six-month period, the organization reduced the number of days participants were hospitalized by 242 and the number of days spent in jail by 54. Passage of LB276 would allow gathering of similar data on a statewide basis, she said.

"It's really important to understand that our system right now is really fragmented and it's really complex," Boyle said. "[LB276] is a model where we have to work together."

Tony Green, interim director for the Division of Behavioral Health at DHHS, also testified in support. CCBHCs are designed to enhance access to comprehensive behavioral health care, he said, which includes 24/7 access to crisis services, care coordination to help navigate the health care system and access to all necessary social services to ensure that individuals are on the right path to recover.

"The enactment of LB276 is poised to make meaningful impacts on the estimated one in five Nebraskans with a mental illness and in the 88 counties considered mental health shortage areas," Green said. "The CCBHCs will be a vital component in the modernization efforts of Nebraska's behavioral health system."

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

### **Nursing workforce measure considered**

A bill intended to alleviate a nursing workforce crisis in Nebraska was considered by the Health and Human Services Committee Feb. 22.

LB586, introduced by Seward Sen. Jana Hughes, would appropri-

ate \$3 million in general funds in fiscal year 2024-25 and \$7 million in FY2025-26 to the Nebraska Center for Nursing to expand clinical training sites for nurses throughout the state.

Under the bill, The Nebraska Center for Nursing would be responsible for establishing a committee of experts to examine how best to utilize the funding, while giving preference to areas that have a lower number of registered nurses per capita compared to the state average.

Hughes said the funding provided in LB586 would help address the state's nursing shortage by encouraging the development of clinical nurse faculty, expanding simulation training for clinical nursing education and incentivizing hospital facilities to support the Nebraska Center for Nursing in carrying out its goals.

"LB586 will ensure that even more nursing students have access to clinical education in Nebraska and can continue to receive high quality education to provide quality care to patients," Hughes said.

Testifying in support of the bill was Nebraska Hospital Association president Jeremy Nordquist. Nursing deans and other education professionals across the state report that the biggest barrier to getting more students through their nursing programs is a lack of clinical faculty and clinical nursing sites, he said.

"The long-term solution to these problems is a continued investment in [the] workforce," Nordquist said. "LB586 will jumpstart our workforce and it will benefit all of the programs in the state."

Theresa Delahoyde, dean of under-



Sen. Jana Hughes

graduate nursing at Bryan College of Health Sciences, also spoke in support of the bill. Nursing schools that would like to offer clinical education in rural Nebraska are impeded from doing so by a lack of clinical nursing faculty and rural housing options, she said, as well as the high cost of travel for students.

"Rural clinical opportunities create an exposure for students to learn about rural nursing and determine if it's the right fit for them," Delahoyde said.

She also noted that the funding provided under LB586 would provide additional nursing refresher courses for nurses who have been out of practice but desire to return to the profession. Increased accessibility for nurses who wish to return to practice would help expand the state's nursing workforce, Delahoyde said.

Proponent Stacey Ocander, dean of health careers at Metropolitan Community College, noted the impact that simulation training could have on increasing diversity in the workforce.

"Our Native population, they cannot touch a deceased body once the spirit has left," she said. "When we sit around and wonder why there [are few] Natives in medicine, it's because we put up barriers to make sure it didn't happen."

No one testified in opposition to LB586 and the committee took no immediate action.

### **PTSD pilot program considered**

Members of the Health and Human Services Committee heard testimony Feb. 22 on a bill meant to address the impact of post-traumatic stress disorder in Nebraska's largest city.

LB792, introduced by Omaha Sen. Justin Wayne, would require the state Department of Health and Human Services to create a pilot program located in a metropolitan class



city to assess and treat individuals with PTSD resulting from community gun violence. Omaha currently is the state's only metropolitan class city.



Sen. Justin Wayne

The bill also states legislative intent to appropriate \$25 million in general funds to carry out the pilot project.

Wayne said LB792 is intended to find ways to provide support and access to mental health resources to Nebraska youth who are impacted by community gun violence before they enter the criminal justice system.

"The problem is [that] until you get into the system, there's no resources," he said. "[LB792 would focus on] those who are undiagnosed, those who are having problems in school and those who are maybe outside the system."

Testifying in support of the bill was LaVon Stennis-Williams, executive director of ReConnect, Inc. — a nonprofit organization that provides services to youth and adults involved in or at risk of involvement in the criminal justice system.

Youth experiencing PTSD often are misdiagnosed with behavioral issues, ADHD or other defiant or conduct disorders, she said, which can result in prosecution rather than treatment.

"If it's not diagnosed properly, it cannot be treated properly," Stennis-Williams said.

She also noted that data collected through the pilot program would bring awareness to PTSD symptoms. The pilot program not only would help Nebraska's youth, she said, but would educate community members on the signs and symptoms of PTSD.

Douglas County Sheriff Aaron Hanson also spoke in support of LB792. After facing a traumatic event on the job, Hanson said he began to experience

symptoms of a post-traumatic stress injury. Hanson said flashbacks would startle him awake — and he would find himself swinging his arms wildly.

Unlike young people living in neighborhoods impacted by poverty, Hanson said he realized that he had options and knew where to get help due to his specialized training as a peer support officer.

"I was aware of it, there was no stigma to me because I've dealt with other officers with it, I knew exactly who to call and I called quick enough," he said. "Think about if we can repeat that cycle for young people."

Testifying on behalf of Nebraska Medicine, Charity Evans also supported the bill. Evans said Nebraska Medicine admits approximately 250 patients per year who were traumatically injured by gun violence and stabbings. Level I Trauma Centers are fully equipped to care for patients' physical injuries, she said, but there is a significant need to more adequately address psychological trauma.

"Fifty percent of patients who survive or witness a violent injury will experience symptoms of post-traumatic acute distress immediately following the injury," Evans said. "Of that 50 percent, another half will go on to have post-traumatic stress disorder or chronic distress for months and years following the injury."

Evans also noted that PTSD is not limited to those physically injured by violence. For every individual physically injured by gun violence, she said, an estimated 10 additional people are indirectly impacted.

"Because those witnesses are not physically injured, and therefore are not taken to a medical facility, it's very unlikely they will ever receive care," Evans said.

No one testified in opposition to LB792 and the committee took no immediate action.

## JUDICIARY



### Updates to child abuse, neglect definitions proposed

The Judiciary Committee heard testimony Feb. 22 on a bill that would redefine child abuse and neglect in Nebraska.

LB42, sponsored by Blair Sen. Ben Hansen, would update Nebraska's definition of child abuse and neglect by excluding certain independent childhood activities as a consideration for child abuse as long as the child is of sufficient maturity, physical condition and mental ability to avoid substantial risk of harm.



Sen. Ben Hansen

Under the bill, independent activities could include walking or biking to and from school or a nearby commercial or recreational facility, playing outdoors, remaining unattended in a motor vehicle in good weather or remaining home alone for a reasonable period of time.

Hansen said current law is misunderstood by the public and the bill would clarify that neglect exists only when danger is sufficiently obvious and if a reasonable person would not permit their child to be placed in such a situation.

"Parents know their children's abilities and strengths better than anyone else," Hansen said. "They also understand the [differences] between each child."

Sarah Helvey of Nebraska Appleseed testified in favor of the bill, saying the current definition of neglect in state law is "outdated and overbroad." The result is that too many Nebraska

families are reported to the state Department of Health and Human Services and investigated, she said, although only about 5 percent of those reports are substantiated.

“We support LB42 because we believe it would allow DHHS to screen out cases where there is no evidence of neglect and conserve resources for more pressing types of cases,” Helvey said.

Anahí Salazar of Voices for Children in Nebraska also testified in support. A child neglect investigation can be traumatic for children and families, she said, and situations that may initially appear as neglectful may be rooted in issues of poverty that can be better addressed through other means.

“We are continuing to put families through investigations that may not be necessary to ensuring child safety,” Salazar said. “A family’s lack of economic security is not, in itself, a reason for a child welfare system response.”

Deputy Douglas County Attorney Dara Delehant testified in opposition to the bill, calling it “extremely vague and imprecise.” For example, she said, a determination that a child is of “sufficient maturity” to engage in an activity can vary widely from one individual to the next, making prosecutions more difficult.

“The proposed language limits the situation in which a jury could find someone had committed child abuse,” Delehant said.

The committee took no immediate action on the bill.

## REVENUE

### Vaping excise tax proposed

The Revenue Committee heard testimony Feb. 22 on a proposal to

impose a state excise tax on vaping products.

LB584, as introduced by Sen. Jana Hughes of Seward, would impose a tax on the selling or dealing of electronic nicotine delivery systems at a rate of 5 cents per milliliter of consumable material beginning July 1, 2023.

Hughes said she would introduce an amendment that instead would tax those materials based on their wholesale price to make the bill easier for retailers to implement.

She said the use of electronic cigarettes has “exploded” among Nebraska youth in recent years, reversing decades of progress in reducing underage nicotine use. Increasing the price of vaping products could discourage teenage use, as it has for cigarettes, Hughes said.

The state Department of Revenue estimates that the bill would increase state general fund revenue by \$1.3 million in fiscal year 2023-24 and \$1.5 million in FY2024-25.

Seth Ford, superintendent at Centennial Public School, testified in support of LB584. He said student vaping has become a significant problem in the past few years, forcing schools to install special detectors in bathrooms and buy software that tracks when students leave and return to class.

Laura McDougall, director of the Four Corners Health Department, testified in support of the bill on behalf of Friends of Public Health. In a 2021 survey of Nebraska high school students, she said, approximately 34 percent reported that they had tried vaping, and 15 percent reported vaping at least once a month.

McDougall said tax increases deter initiation to and reduce tobacco use



Sen. Jana Hughes

among youth and young adults, and she recommended that lawmakers tax vaping products at the same rate as tobacco products.

Sarah Linden, owner of Generation V, testified in opposition to LB584 on behalf of the Nebraska Vape Vendors Association. She said the proposed excise tax would make it more expensive for adult smokers to switch to a less harmful product than cigarettes while doing little to reduce vaping among teens, who generally use low-cost products.

The committee took no immediate action on the bill.

### Tax credit proposed for pregnancy help organizations

The Revenue Committee heard testimony Feb. 24 on a bill intended to incentivize private contributions to organizations that assist women in carrying their pregnancies to term.

LB606, sponsored by Thurston Sen. Joni Albrecht, would allow individuals, passthrough entities, corporations, estates and trusts to claim a nonrefundable income tax credit of up to 50 percent of their state income tax



Sen. Joni Albrecht

liability on contributions they make to qualifying pregnancy help organizations beginning in calendar year 2024.

Eligible organizations would have to provide the state Department of Revenue a written certification that they meet certain criteria. Among other requirements, an organization would have to be a nonprofit located in Nebraska that does not provide, pay for, provide coverage of, refer for, recommend or promote abortions.

The department would compile and make available a list of approved

eligible charitable organizations.

The amount of credits would be limited to \$10 million per year, and a single charitable organization could claim no more than 50 percent of the credits in one year.

Albrecht said LB606 would help support and expand Nebraska’s network of pregnancy help organizations, which provide services to “undersupported” pregnant and parenting women and their families.

“I believe it is one of the most important things that we can do in a time where we are also working to enable greater protections for the unborn in Nebraska,” she said.

Laura Buddenberg, former executive director of Essential Pregnancy Services of Omaha, testified in support of the bill. She said EPS provides parenting and life skills classes, financial aid and behavioral health and case management services to women during their pregnancies and up to 18 months postpartum at no cost.

She said the need for pregnancy help organizations is growing, reflected in a 36 percent increase in new client registration at EPS from 2021 to 2022.

Buddenberg said EPS is careful to tell women that its sites are not clinics and offer only medical-grade pregnancy tests and limited first trimester obstetric ultrasound services provided by licensed nurses.

Also in support was Karen Bowling of the Nebraska Family Alliance. She said the more than 25 pregnancy help organizations in Nebraska are a “bright light of compassion and care” that provide a supportive environment for pregnant and parenting women in need.

Sandy Danek testified in support of LB606 on behalf of Nebraska Right to Life. In addition to providing basic services to undersupported pregnant women, she said, pregnancy help or-

ganizations also discuss alternatives to abortion with their clients and provide counseling to women and families who suffer from negative psychological and physical effects after an abortion.

Testifying in opposition to the bill was Joey Adler Ruane of OpenSky Policy Institute. He said the proposed credit would provide a greater tax benefit to those who contribute to pregnancy help organizations than to those who donate to other nonprofits.

Also in opposition was Claire Wiebe of Planned Parenthood North Central States. Pregnancy help organizations, also called crisis pregnancy centers or anti-abortion centers, Wiebe said, restrict and manipulate the information that people facing unintended pregnancies receive.

Several Planned Parenthood patients who first visited a crisis pregnancy center reported being told that they could schedule an abortion only after receiving the results of an STI test, Wiebe said, a common tactic intended to prevent women from receiving an abortion within the legal timeframe.

She said others who received an ultrasound at a crisis pregnancy center were lied to about how far along they were in their pregnancy or told that they could receive the results of an STI test only by returning to the clinic in person.

Mindy Rush Chipman testified in opposition to LB606 on behalf of the ACLU of Nebraska. She said crisis pregnancy centers, which often are affiliated with national anti-abortion organizations and evangelical groups, are intended to look like medical clinics but rarely are staffed by medical professionals.

She said a 2022 ACLU report found that many of the organizations operating crisis pregnancy centers in Nebraska provide medically inaccurate information about abortion on their

websites and use deceptive tactics to discourage or prevent people from accessing abortion care and contraception.

Erin Feichtinger testified in opposition to the bill on behalf of the Women’s Fund of Omaha. She said anti-abortion centers outnumber licensed abortion clinics in Nebraska by eight to one, and, nationally, anti-abortion centers are funded at five times the rate of health care centers that offer abortion access.

“Pregnant Nebraskans deserve compassionate health care that is free from coercive practices and based in medically accurate research,” Feichtinger said.

The committee took no immediate action on the bill.

## TRANSPORTATION & TELECOMMUNICATIONS

### Czech heritage license plates clear first round

A bill that would create a new specialty license plate celebrating Czech heritage advanced from general file Feb. 22.

LB140, introduced by Plymouth Sen. Tom Brandt, would authorize the state Department of Motor Vehicles – in consultation with the Czech Honorary Consul of Nebraska – to design and issue Czech heritage motor vehicle license plates.

The fee for alphanumeric plates would be \$5 and a personalized license plate would cost \$40. All funds would be credited to the Department of Motor Vehicles Cash Fund.



Sen. Tom Brandt

Many Nebraskans claim Czech ancestry, Brandt said, and a license plate would be an important acknowledgement of the significance of Czech culture in the state.

“Czech heritage is an integral part of Nebraska history,” he said.

Omaha Sen. Megan Hunt offered an amendment during debate Feb. 21 that would have removed ‘Choose Life’ specialty license plates from state law. She said a pending bill in the Legislature this session that would ban abortion in all but the earliest weeks of pregnancy effectively would remove any meaningful reproductive choice in Nebraska.

The amendment failed on a 4-26 vote just before the Legislature adjourned for the day. A motion from Hunt to reconsider that vote also failed when debate resumed Feb. 22. Lawmakers then voted 44-0 to advance LB140 to select file.

## URBAN AFFAIRS

### State infrastructure grant program considered

Nebraska municipalities of any size could apply for state grant funding for infrastructure projects under a bill heard by the Urban Affairs Committee Feb. 21.

LB224, introduced by Omaha Sen. Terrell McKinney, would create the Aid to Municipalities Act to be administered by the state Department of Economic Development. Under the act, municipalities in Nebraska would be eligible to apply for state grants to fund qualifying infrastructure



Sen. Terrell McKinney

projects within their city or village.

The bill also would create the Aid to Municipalities Fund and states legislative intent to appropriate \$15 million each fiscal year to fund the program and help defray administrative expenses incurred by DED.

The department would be required to review and approve grant applications in the order submitted. An individual grant could not exceed \$5 million and must exclusively be used to pay for construction or bonds related to an approved project.

McKinney said the state discontinued the Aid to Municipalities program in 2011 due to budget constraints. That program sent between \$8 million and \$10 million annually in aid from the state to Nebraska cities.

“Unlike the previous Aid to Municipalities program, this bill would not act as a direct state aid program,” he said. “[LB224 would] instead be a grant based program.”

Executive vice president of the Lincoln Chamber of Commerce Bruce Bohrer spoke in support of the bill. The chamber continually is seeking ways to locally fund infrastructure investments, he said, but it has not been easy. Now is the right time to bring the state back into the equation, he added.

“It would be really nice to have the state as a partner in this growth and development again,” Bohrer said.

Mark Stursma, deputy administrator of community development for Papillion, testified in favor of the bill. Other development cannot occur without adequate infrastructure in place, he said, the cost of which is often the determining factor in whether or not a development or redevelopment project goes forward.

“Access to infrastructure is the key predictor of where [and if] development will occur,” Stursma said. “Infrastructure is quite simply the key to economic development.”

Don Wesely also testified in support of LB224 on behalf of Greater Nebraska Cities – which represents the cities of Grand Island, Hastings, Holdrege, Kearney, Lexington and North Platte. He said investing in infrastructure is crucial to growth in the state.

“Infrastructure is the first step in revitalizing any city, any community,” Wesely said. “If you put in the sewer system, housing will follow; if you put in roads, commercial [properties] will follow.”

No one testified in opposition to LB224 and the committee took no immediate action. ■

### Economic forecasting board maintains current revenue projections

The Nebraska Economic Forecasting Advisory Board voted to reaffirm the state’s revenue projections during its Feb. 24 meeting at the Capitol.

The board provides an advisory forecast of general fund receipts used by the Legislature to craft the state’s budget.

At the October 2022 forecast meeting, the board set revenue projections for the current fiscal year at \$6.44 billion. Projections for FY2023-24 were set at \$6.47 billion and \$6.55 billion for FY2024-25.

The board voted not to revise the October projections. The next meeting is scheduled for April 26. ■

# COMMITTEE HEARINGS

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

## Tuesday, Feb. 28

### **Appropriations**

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

Agency 28: Dept. of Veterans' Affairs  
 Agency 33: Game and Parks Commission  
 Agency 40: Motor Vehicle Licensing Board  
 Agency 52: State Fair Board  
 Agency 91: Neb. Tourism Commission  
 LB80 (Aguilar) State intent regarding appropriations to the Department of Veterans' Affairs  
 LB609 (McDonnell) State intent to appropriate funds for construction of a Vietnam War memorial  
 LB744 (Erdman) State intent to appropriate funds to the Game and Parks Commission

### **Education**

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

LB708 (Arch) Require the Office of Probation Administration, the State Court Administrator, the State Department of Education, and the Department of Health and Human Services to enter into a memorandum of understanding for the sharing of data regarding data relevant to students who are under the jurisdiction of the juvenile court  
 LB550 (Ballard) Change provisions relating to the enrollment option program  
 LB528 (Hansen) Create the Nebraska Option Enrollment Tuition Account Program  
 LB356 (Walz) Redefine terms under the Nebraska Opportunity Grant Act  
 LB811 (Murman) Change provisions relating to the Student Discipline Act and provide for use of physical contact or physical restraint or removal from a class in response to student behavior, provide for behavioral awareness and intervention training, and change provisions relating to lottery funds used for education  
 LB703 (Murman) Change provisions relating to the University of Nebraska  
 LB700 (Murman) Remove redundant language relating to the community college system

### **Transportation & Telecommunications Room 1113 - 1:30 p.m.**

*Appointment:* Bret R. Blackman - Neb.  
 Information Technology Commission  
 LB645 (McDonnell) Change provisions relating to state highways and roads  
 LB212 (Slama) Require the Department of Transportation to plan, design, and purchase right-of-way for U.S. Highway 75 and pave all unpaved state highways  
 LB721 (Ballard) Appropriate funds to the Department of Transportation for the East Beltway project in Lancaster County  
 LB453 (DeKay) Provide an additional use of the Highway Cash Fund and change provisions relating to bridge replacement and road construction contracts  
 LB454 (DeKay) Require the Department of Transportation to plan, design, and purchase right-of-way for U.S. Highway 81

### **Urban Affairs**

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

LB223 (McKinney) Provide and change reporting requirements under the Municipal Density and Missing Middle Housing Act  
 LB6 (Blood) Prohibit conditional use permits and zoning exceptions for delinquent property taxpayers  
 LB530 (McKinney) Change provisions of the Nebraska Housing Agency Act  
 LB462 (Conrad) Redefine a term under the Middle Income Workforce Housing Investment Act  
 LB746 (M. Cavanaugh) Restrict the use of tax-increment financing

## Wednesday, March 1

### **Appropriations**

#### **Room 1307 - 1:30 p.m.**

Agency 14: Public Service Commission  
 Agency 21: State Fire Marshal  
 Agency 54: Neb. State Historical Society  
 Agency 69: Neb. Arts Council  
 LB361 (Dorn) State legislative intent to appropriate funds for the Precision Agriculture Infrastructure Grant Program  
 LB563 (Dorn) Appropriate funds to the Nebraska State Historical Society

LB615 (McDonnell) Appropriate funds to the State Fire Marshal  
 LB718 (Dover) Appropriate funds to the Nebraska Arts Council

### **Government, Military & Veterans Affairs Room 1507 - 1:30 p.m.**

LB675 (Day) Change provisions relating to elections and identification documents (*rescheduled*)  
 LB228 (Erdman) Create state holidays for statewide primary and general election days, require in-person voting, photographic identification to vote, counting of ballots on election day, and counting of ballots at the precinct level, and allow voting by mail for registered military personnel and residents of nursing homes and assisted-living facilities (*rescheduled*)  
 LB230 (Erdman) Require qualifying identification for voter registration and voting, require in-person voting, provide penalties, eliminate certain fees for state identification cards and certified copies of birth certificates, and change provisions relating to operators' licenses and state identification cards (*rescheduled*)

### **Health & Human Services**

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

LB488 (Hunt) Adopt the Sexual Assault Emergency Care Act  
 LB204 (Riepe) Provide for reimbursement for pharmacy dispensing fees under the medical assistance program  
 LB62 (M. Cavanaugh) Provide for coverage of translation and interpretation services under the medical assistance program  
 LB179 (Fredrickson) Prohibit conversion therapy

### **Judiciary**

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

LB480 (Holdcroft) Change medical lien provisions  
 LB331 (DeBoer) Provide for adoption by two persons jointly and change provisions relating to adoptions  
 LB169 (Hunt) Prohibit discrimination based upon sexual orientation and gender identity

# COMMITTEE HEARINGS

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

LB316 (Fredrickson) Change and eliminate provisions relating to marriage  
LR26CA (Day) Constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska

## Natural Resources

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

*Appointment:* Dan Hughes - Game and Parks Commission

LB396 (Erdman) Provide for streamflow augmentation projects and retention of water rights

LB656 (McDonnell) Change provisions relating to the Small Watersheds Flood Control Fund

## Revenue

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

LB303 (Linehan) Change provisions relating to an annual estimate for necessary funding under the Tax Equity and Educational Opportunities Support Act

LB580 (Holdcroft) Change provisions relating to agricultural or horticultural land receiving special valuation

LB495 (Briese) Redefine nonqualified withdrawal for purposes of the Nebraska educational savings plan

LB180 (Brandt) Adopt the Nebraska Biodiesel Tax Credit Act

LB209 (Bostar) Provide tax exemptions relating to data centers

## Thursday, March 2

## Appropriations

### Room 1307 - 1:30 p.m.

Agency 37: Workers' Compensation Court

Agency 77: Commission of Industrial Relations

Agency 45: Board of Barber Examiners

Agency 68: Latino-American Commission

Agency 70: Foster Care Review Board

Agency 76: Neb. Indian Commission

Agency 90: African American Affairs Commission

LB275 (Wishart) State intent regarding appropriations to the Foster Care Review Office

## Government, Military & Veterans Affairs Room 1507 - 1:30 p.m.

LB650 (McDonnell) Allow certain cybersecurity records to be withheld from the public

LB776 (Bostar) Provide for nomination and election of candidates on the nonpartisan ballot

LB684 (Briese) Provide for a review of services provided by state agencies

LB366 (Conrad) Change provisions relating to public records and include body-worn camera recordings in certain circumstances

## Health & Human Services

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

LB35 (DeBoer) Change provisions relating to child care assistance

LB84 (Day) Change provisions relating to the Supplemental Nutrition Assistance Program

LB357 (Walz) Change the maximum support allowable under the Disabled Persons and Family Support Act

LB748 (M. Cavanaugh) Adopt the Persons with Intellectual and Developmental Disabilities Assistance Act

## Judiciary

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

LB110 (McDonnell) Change potential conditions of pretrial release and provide for a pretrial risk assessment services pilot project

LB631 (McKinney) Change provisions relating to the Board of Parole

LB76 (Geist) Provide access to certain information relating to probationers, juveniles, and parolees to law enforcement agencies

LB479 (Wayne) Transfer the Office of Probation Administration to the executive branch, rename the Division of Parole Supervision as the Parole Supervision Agency, and remove such agency from the Board of Parole

LB348 (Wayne) Adopt the Community Work Release and Treatment Centers Act and change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration

## Natural Resources

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

LB725 (Dungan) Change provisions relating to electric companies and electric cooperative corporations

LB726 (Dungan) Adopt the Nebraska Electric Consumer Right to Transparency and Local Control Act

## Nebraska Retirement Systems

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

LB196 (Bostar) Change provisions relating to the Nebraska State Patrol Retirement System and benefits provided upon the death of an officer after retirement and annual benefit adjustment calculations

LB378 (McDonnell) Change retirement system participation provisions

## Revenue

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

LB407 (Linehan) Extend an application deadline under the Nebraska Transformational Projects Act

LB616 (McDonnell) Provide for awards under the ImagiNE Nebraska Act relating to the federal Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act

LB165 (Geist) Include elementary and secondary schools in the Nebraska educational savings plan trust and change tax benefits

LB699 (Murman) Change the valuation of certain real property for purposes of taxes levied by school districts

LR30CA (Murman) Constitutional amendment to provide for a different method of taxing commercial real property

## Friday, March 3

## Appropriations

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

Agency 48: Coordinating Commission for Postsecondary Education

Agency 50: Neb. State College System  
Agency 51: University of Nebraska System

Agency 83: Community College Aid  
LB273 (Vargas) State intent regarding appropriations to the Coordinating Commission for Postsecondary Education

# COMMITTEE HEARINGS

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

LB373 (Murman) State intent regarding appropriations to the University of Nebraska

LB802 (Vargas) State intent to appropriate funds to the Board of Regents of the University of Nebraska

## Executive Board

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

LR5 (Blood) Legislative Resolution to ratify an amendment to the Constitution of the United States relating to regulation of child labor

LR22CA (Dover) Constitutional amendment to change legislative term limits to three consecutive terms

## Government, Military & Veterans Affairs Room 1507 - 1:30 p.m.

LB485 (Hunt) Provide for applicability of provisions regarding state contracts for services to certain state entities

LB486 (Hunt) Change the prohibition on use of state funds for advertising or promotional materials

## Health & Human Services

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

LB523 (Walz) Require a state plan amendment to include school psychologists as medicaid providers

LB676 (Day) Create the Nebraska Diaper Distribution Grant program

LB233 (J. Cavanaugh) Provide for child support payment disregard under aid to dependent children program and eliminate child support income in determining eligibility

## Judiciary

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

LB494 (Dungan) Change the business records hearsay exception and provide for additional self-authenticating items of evidence

LB576 (J. Cavanaugh) Provide limitations on liability and nuisance related to land-management burning

LB139 (Brandt) Change the jurisdictional amount of the Small Claims Court

LB767 (DeKay) Increase the indigent defense court filing fee

LB799 (DeBoer) Change judges' salaries

LB156 (DeBoer) Change the caseload ratio for the Public Guardian

LB157 (DeBoer) Authorize appointment of temporary guardians for certain purposes

## Revenue

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

LB79 (Erdman) Adopt the Nebraska EPIC Option Consumption Tax Act

LR6CA (Erdman) Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes

LR7CA (Erdman) Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items

## Monday, March 6

## Appropriations

### Room 1307 - 1:30 p.m.

Agency 16: Dept. of Revenue

Agency 35: Liquor Control Commission  
Agency 93: Tax Equalization and Review Commission

Agency 24: Dept. of Motor Vehicles

Agency 27: Dept. of Transportation

Agency 31: Military Department

LB560 (Blood) State intent to seek federal funds under the Inflation Reduction Act of 2022

## Banking, Commerce & Insurance

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

LB69 (Jacobson) Provide requirements for life insurance policies

LB587 (Wishart) Adopt the Insurance Regulatory Sandbox Act

## Business & Labor

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

LB405 (Vargas) Change provisions of the Non-English-Speaking Workers Protection Act

LB272 (Vargas) Change provisions relating to the date when compensation begins under the Nebraska Workers' Compensation Act

LB464 (Vargas) Change provisions relating to proof of mental injuries and mental illness for first responders under the Nebraska Workers'

Compensation Act

LB203 (Riepe) Provide for a release of employee medical records as prescribed under the Nebraska Workers' Compensation Act

LB460 (McDonnell) Provide for reimbursement of mental health examinations and resilience training for certain persons under the Nebraska Workers' Compensation Act

LB380 (Conrad) Changes to the Nebraska Fair Employment Practice Act to provide for jury trials and prohibit discrimination for exercise of rights under the Nebraska Workers' Compensation Act

LB443 (Albrecht) Change provisions relating to compensation for total disability under the Nebraska Workers' Compensation Act

LB191 (Halloran) Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act

## Education

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

LB159 (McDonnell) Adopt the Fostering Independence Higher Education Grant Act

LB178 (Erdman) Require display of the national motto in schools

LB679 (Day) Create the Holocaust and Genocide Education Training Grant Program and provide duties for the State Department of Education, State Board of Education, and Commissioner of Education

LB372 (Murman) Change provisions relating to part-time enrollment in public schools and extracurricular activities

LB635 (Albrecht) Provide requirements regarding access to digital and online resources provided for students by school districts, schools, and the Nebraska Library Commission

LB638 (Albrecht) Adopt the Nebraska K-12 Cybersecurity and Data Protection Act

## General Affairs

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

LB144 (Brandt) Change and eliminate certain classes of licenses under the

# COMMITTEE HEARINGS

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

State Electrical Act  
LB257 (Lowe) Change provisions relating to cemeteries and abandonment and reversion of cemetery lots  
LB542 (Lowe) Change provisions relating to the Nebraska Racetrack Gaming Act  
LB543 (Lowe) Change provisions relating to entertainment district licenses under the Nebraska Liquor Control Act  
LB544 (Conrad) Change provisions of the Nebraska Bingo Act  
LB716 (J. Cavanaugh) Change provisions relating to licensure, registration, and state inspection fees under the State Electrical Act

## **Transportation & Telecommunications Room 1113 - 1:30 p.m.**

LB31 (Jacobson) Require train crews of at least two individuals as prescribed  
LB44 (Dungan) Adopt the Midwest Interstate Passenger Rail Compact  
LB234 (Walz) Require reporting of blocked railroad crossing complaints  
LB796 (Wayne) Provide for the Department of Transportation to develop and administer a safety oversight program for rail transit systems  
LB646 (McDonnell) Change provisions relating to telecommunications

## **Tuesday, March 7**

### **Appropriations**

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

Agency 72: Dept. of Economic Development  
LB349 (Wayne) Change award limitations and appropriations intent language under the Business Innovation Act  
LB444 (Linehan) Provide for a one-time grant for a health sciences education center, infrastructure costs, and a community athletics complex  
LB682 (Vargas) Appropriate funds to the Department of Economic Development  
LB784 (McKinney) Appropriate funds to the Department of Economic Development  
LB798 (Vargas) Appropriate funds to the Department of Economic Development

### **Banking, Commerce & Insurance Room 1507 - 1:30 p.m.**

LB640 (Kauth) Require an off-campus location of a hospital to obtain and use a separate National Provider Identifier in billing for health care services  
LB483 (Raybould) Redefine qualifying mutual financial institution for purposes of regulation of public funds deposit security

### **Transportation & Telecommunications Room 1113 - 1:30 p.m.**

LB226 (Brandt) Change provisions relating to construction manager-general contractor contracts and public-private partnerships under the Transportation Innovation Act  
LB166 (Bostelman) Change provisions relating to design-build, construction manager-general contractor, and public-private-partnership proposals under the Transportation Innovation Act  
LB564 (Dorn) Change provisions of the Economic Opportunity Program of the Department of Transportation  
LB600 (Lippincott) Change provisions relating to the Transportation Infrastructure Bank Fund and the Economic Opportunity Program of the Department of Transportation  
LB449 (Brandt) Provide an additional use for the County Bridge Match Program

### **Urban Affairs**

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

LB532 (McKinney) Change provisions of the Community Development Law  
LB531 (McKinney) Change provisions of the Economic Recovery Act  
LB424 (DeBoer) Create the Department of Housing and Urban Development

## **Wednesday, March 8**

### **Appropriations**

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

LB504 (Aguilar) State intent to transfer and appropriate funds for housing  
LB741 (Vargas) State intent to transfer money and appropriate funds relating to housing  
LB786 (McKinney) State intent to ap-

propriate funds to the Department of Economic Development  
LB789 (Wayne) Appropriate funds to the Department of Economic Development  
LB801 (Vargas) State intent to transfer money to the Middle Income Workforce Housing Investment Fund and the Affordable Housing Trust Fund

## **Thursday, March 9**

### **Appropriations**

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

LB445 (Wayne) Appropriate funds to the Department of Economic Development  
LB573 (Hansen) Appropriate funds to the Department of Economic Development for a time-limited grant program  
LB608 (McDonnell) State intent to appropriate funds to the Department of Economic Development  
LB719 (Dover) Appropriate funds to the Department of Economic Development  
LB785 (McKinney) State intent to appropriate funds to the Department of Natural Resources and the Department of Economic Development

### **Executive Board**

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

LB696 (Conrad) Provide for legislative oversight of the settlement funds administered by the Attorney General  
LR2CA (Erdman) Constitutional amendments to change from a unicameral legislature to a bicameral legislature, provide for election of members of the Legislature on a partisan ballot, require election of legislative officers and committee chairpersons by a public vote, and require all meetings of the Legislature to be open to the public ■



# 2023 LEGISLATIVE COMMITTEES



## AGRICULTURE

**Chairperson:** Sen. Steve Halloran

**Members:** Sens. Brewer, Hansen, Holdcroft, Hughes, Ibach (VC), Raybould and Riepe

**Meets:** Tuesdays — Room 1524



## APPROPRIATIONS

**Chairperson:** Sen. Robert Clements

**Members:** Sens. Armendariz, Dorn, Erdman, Lippincott, McDonnell, Vargas and Wishart (VC)

**Meets:** Mondays, Tuesdays, Wednesdays, Thursdays and Fridays — Room 1307



## BANKING, COMMERCE & INSURANCE

**Chairperson:** Sen. Julie Slama

**Members:** Sens. Aguilar, Ballard, Bostar, Dungan, Jacobson (VC), Kauth and von Gillern

**Meets:** Mondays and Tuesdays — Room 1507



## BUSINESS & LABOR

**Chairperson:** Sen. Merv Riepe

**Members:** Sens. Blood, Halloran, Hansen, Ibach (VC) and McKinney

**Meets:** Mondays — Room 1524



## EDUCATION

**Chairperson:** Sen. Dave Murman

**Members:** Sens. Albrecht (VC), Briese, Conrad, Linehan, Sanders, Walz and Wayne

**Meets:** Mondays and Tuesdays — Room 1525



## GENERAL AFFAIRS

**Chairperson:** Sen. John Lowe

**Members:** Sens. Brewer, J. Cavanaugh, Day, Hardin, Holdcroft, Hughes (VC) and Raybould

**Meets:** Mondays — Room 1510



## GOVERNMENT, MILITARY & VETERANS AFFAIRS

**Chairperson:** Sen. Tom Brewer

**Members:** Sens. Aguilar, Conrad, Halloran, Hunt, Lowe, Raybould and Sanders (VC)

**Meets:** Wednesdays, Thursdays and Fridays — Room 1507



## HEALTH & HUMAN SERVICES

**Chairperson:** Sen. Ben Hansen

**Members:** Sens. Ballard, M. Cavanaugh, Day, Hardin (VC), Riepe and Walz

**Meets:** Wednesdays, Thursdays and Fridays — Room 1510



## JUDICIARY

**Chairperson:** Sen. Justin Wayne

**Members:** Sens. Blood, DeBoer (VC), DeKay, Geist, Holdcroft, Ibach and McKinney

**Meets:** Wednesdays, Thursdays and Fridays — Room 1113



## NATURAL RESOURCES

**Chairperson:** Sen. Bruce Bostelman

**Members:** Sens. Brandt, J. Cavanaugh, Fredrickson, Hughes, Jacobson, Moser (VC) and Slama

**Meets:** Wednesdays, Thursdays and Fridays — Room 1525



## NEBRASKA RETIREMENT SYSTEMS

**Chairperson:** Sen. Mike McDonnell

**Members:** Sens. Clements, Conrad, Hardin, Ibach (VC) and Vargas

**Meets:** At the call of the chairperson — Room 1525



## REVENUE

**Chairperson:** Sen. Lou Ann Linehan

**Members:** Sens. Albrecht, Bostar, Briese, Dungan, Kauth, Murman and von Gillern (VC)

**Meets:** Wednesdays, Thursdays and Fridays — Room 1524



## TRANSPORTATION & TELECOMMUNICATIONS

**Chairperson:** Sen. Suzanne Geist

**Members:** Sens. Bostelman, Brandt, M. Cavanaugh, DeBoer, DeKay, Fredrickson and Moser (VC)

**Meets:** Mondays and Tuesdays — Room 1113



## URBAN AFFAIRS

**Chairperson:** Sen. Terrell McKinney

**Members:** Sens. Blood, J. Cavanaugh, Day, Hardin, Hunt (VC) and Lowe

**Meets:** Tuesdays — Room 1510



## EXECUTIVE BOARD

**Chairperson:** Sen. Tom Briese

**Members:** Sens. Aguilar (VC), Arch, Bostar, Geist, Lowe, Riepe, Slama, Vargas and Clements (nonvoting ex officio)

**Meets:** At the call of the chairperson — Room 1525



## COMMITTEE ON COMMITTEES

**Chairperson:** Joni Albrecht

**Members:** Sens. Bostar, Bostelman, Erdman, Hunt, Jacobson, Linehan, Lowe (VC), Moser, Murman, Sanders, Vargas and von Gillern

# LEGISLATIVE PROCESS

**T**he lawmaking process in Nebraska officially begins when a bill is introduced. But the process actually begins much earlier, when senators formulate ideas for new laws. Anyone — concerned citizens, special interest groups, state agencies or the governor — may suggest an idea for a new law. But a senator, a group of senators or a legislative committee must introduce the idea before the Legislature

can formally consider it.

Legislative committees then consider each bill and may propose amendments to them before advancing them to the full Legislature. The legislative body then has an opportunity to debate a bill at least twice before voting on its final passage.

This is the process a bill must undergo before it becomes a Nebraska statute:

## Research

First, a senator and his or her staff research a problem and study possible legislative remedies. Senators may introduce bills to create new laws or to repeal or change existing laws.

Much research is done during the period between sessions called the interim. During this time, committees study a variety of issues that have been outlined in interim study resolutions passed by the Legislature.

## Drafting

A senator brings his or her idea for a new law to a bill drafter, who works with the senator to transform the idea into the proper legal form for a bill. Unlike some states, bills introduced in Nebraska must contain only one subject.

## Introduction

Most bills are introduced during the first 10 days of a regular legislative session, which begins each January.

To introduce a bill, a senator files it with the clerk of



*A legislative committee hearing*

the Legislature. The clerk reads the title of the bill into the record, assigns the bill a number and prints copies of it for public and legislative use.

## Committee Action

Except for a few technical bills, all bills and many resolutions must receive a public hearing before a legislative committee. A nine-member Reference Committee determines which bills will be heard by which committees, based on subject matter jurisdiction.

The Legislative Fiscal Office prepares budget statements known as fiscal notes for each bill

introduced. Fiscal notes generally are prepared before a committee conducts a hearing on a bill.

After the hearing, the committee may either indefinitely postpone the measure, hold it for further discussion or advance it to the full Legislature. The committee may forward recommended amendments to the bill if it is advanced.

## General File

General file is the first time the full Legislature can debate and vote on bills. At this stage, senators often consider amendments, which may be proposed both by committees and by individual senators. Many people consider general file to be the most crucial stage of the legislative process, because it is where most compromises are worked out through debate and amendment.

Bills on general file may be amended, indefinitely postponed, sent back to committee or advanced to the next stage. As with most legislative business, it takes a majority of senators (25 votes) to adopt any amendment or to move a bill from general file to the next stage.

After a bill is advanced from general file, it undergoes an initial process of enrollment and review, or E&R. During E&R Initial, adopted amendments are reviewed and the entire bill is checked for technical and grammatical accuracy.

## Select File

Select file is the second debating and voting stage. This stage offers another opportunity for amendment, compromise and reflection. Bills on select file may be amended, indefinitely postponed, sent back to committee or advanced to the next stage.

After a bill is advanced from select file, the bill and all of its adopted amendments are sent to enrollment and review final for a process called engrossment. Once all amendments are incorporated into the bill, it is considered to be “correctly engrossed.” The bill then is reprinted for final reading.

## Final Reading

Final Reading is the third and last stage of legislative consideration. The Nebraska Constitution requires the clerk of the Legislature to read every bill aloud in its entirety before the vote on whether to pass it. However, that requirement may be waived by a three-fifths vote (30 members) of the Legislature.

A bill may not be amended on final reading, but it may be returned to select file for specific amendment. No bill can be passed on final reading until at least five legislative days after the bill is introduced and one legislative day after it is placed on final reading.

## Governor

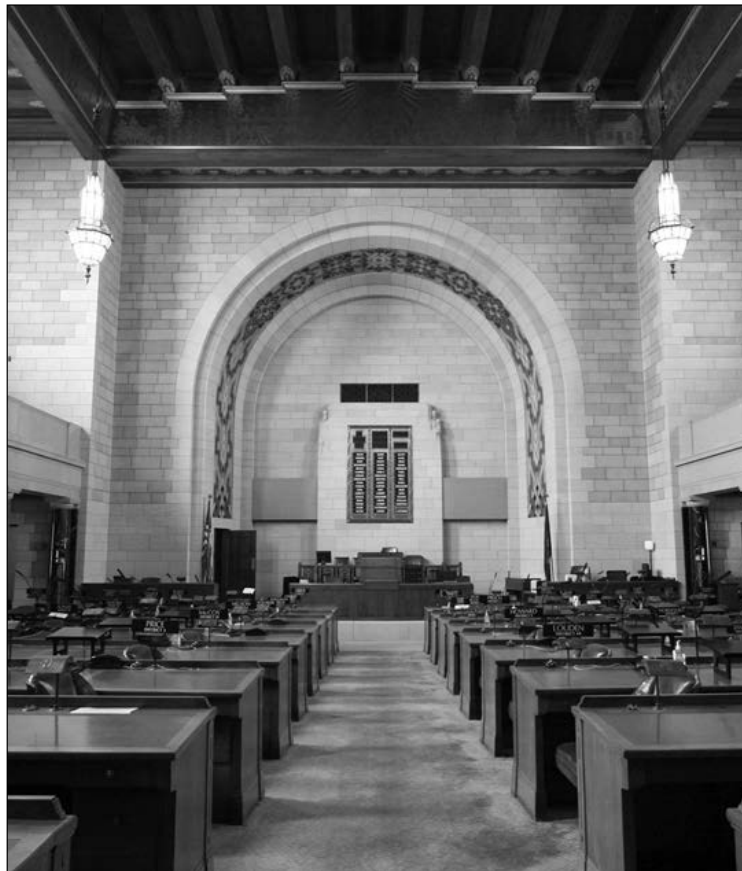
After the Legislature passes a bill on final reading, it goes to the governor. The governor has five days, excluding Sundays, to decide what to do with a bill.

If the governor signs a bill or declines to act on it, the bill becomes law. If the governor vetoes the bill, it is returned to the Legislature with the governor’s objections. A three-fifths vote of the Legislature is re-

quired to override a governor’s veto. The governor also may make reductions of specific figures in state budget bills. These reductions are line-item vetoes.

## Laws of Nebraska

Most bills passed and approved by the governor become law three calendar months after the Legislature adjourns. However, bills may take effect earlier if they contain an emergency clause or a specified operative date. An emergency clause allows a bill to take effect immediately after the governor signs it. It takes a vote of 33 members of the Legislature to pass a bill with an emergency clause. ■



*The George W. Norris Legislative Chamber*

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