

Abortion restrictions considered

Members of the Health and Human Services Committee heard six hours of testimony Feb. 1 on a bill that would prohibit abortions in all but the earliest weeks of pregnancy in most cases.

Current Nebraska law prohibits abortions at 20 weeks post fertilization.

LB626, introduced by Thurston Sen. Joni Albrecht, would create the Nebraska Heartbeat Act.

Under the bill, physicians would be required to test for “steady and repetitive contractions” within the



Sen. Joni Albrecht's measure contains exceptions not included in last year's proposed ban, which stalled during general file debate.

gestational sac that would be used to estimate gestational age before inducing an abortion. If such activity is detected, a physician would be prohibited from performing an abortion

the bill:

- removal of an ectopic pregnancy;
- removal of the remains of an unborn child who has already died;

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except in cases of sexual assault, incest or medical emergency.

A physician who knowingly violates the bill's provisions would be subject to removal of their license to practice medicine. No one who undergoes an abortion would be considered to be in violation of LB626.

The following would be excluded from the definition of an abortion under

Bill would establish voter ID legal framework

A proposal that would implement the provisions of an initiative petition approved by voters last year establishing a photo ID requirement to vote in Nebraska was considered Feb. 1 by the Government, Military and Veterans Affairs Committee.

Among other provisions, LB535, as introduced by Dunbar Sen. Julie Slama, lays out the requirements for a valid form of photographic identification, including that such document must:

- be issued by the U.S. government, the state of Nebraska or a Native American tribe or band recognized by the U.S. government;
- show the individual's name, which must conform to the name on the individual's voter registration record;
- show a photograph or digital image of the individual



Sen. Julie Slama

to whom the document was issued; and

- not be expired, if an expiration date is included.

If an individual has a religious objection to being photographed, the document must show a digital image of an affidavit signed by the individual indicating the religious objection.

Under the bill as introduced, the Nebraska secretary of state would be required to implement a public awareness campaign and provide instructions and information on how to obtain a free, valid photo ID.

Slama brought an amendment to the hearing that would replace the bill. Among the changes included in the amendment is a requirement that a voter wishing to vote by mail present their photo ID to a notary public, who then would stamp the envelope requesting a vote by mail ballot. The state would cover the cost of the notary's services.

Only notary publics would be authorized to act as

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- an act done with the intention of saving the life or preserving the health of the unborn child; and
- termination or loss of life to an unborn child who is not being carried inside an individual's body during the practice of in vitro fertilization or other assisted reproductive technology.

Albrecht said protecting the “unborn” — the state’s most vulnerable citizens — is the single most important issue the Legislature will address. Every woman and every child deserves love, she said, and Nebraska will be at its best when every life counts.

“Let’s start here, in a place where we should all be able to agree,” Albrecht said. “Women deserve support and babies with beating hearts should be protected.”

Sandy Danek, executive director of Nebraska Right to Life, testified in support of LB626. Danek highlighted a recent study conducted on behalf of Susan B. Anthony Pro-Life America, which indicated that 58 percent of registered voters in Nebraska would support a bill protecting “preborn

babies” after a heartbeat is detected.

“There’s a recurring theme within our state that people want preborn life to be protected,” she said. “Advancing policies like the Nebraska Heartbeat Act is consistent with Nebraska values.”

Nebraska Catholic Conference representative Marion Miner also testified in support of the bill. From the first moment of a child’s existence, they must be recognized as a human being, he said.

“Human beings have rights, not to be asserted over and against other human beings, but to be recognized equally before the law as persons deserving of love and protection,” Miner said.

Sherry Jones, testifying in favor of LB626, said the bill exhibits both common sense and compassion.

“A heartbeat is a universal sign of life, the most basic indicator of the existence of life,” she said.

Several physicians testified in support of LB626, stating that the bill would not interfere with their ability to provide emergency care to their patients and noting the long-term effects a woman may experience after having

an abortion.

Robert Bonebrake, a board certified OBGYN and maternal fetal specialist, said physicians already care for patients with a wide range of pregnancy complications outlined in the bill. The paramount concern is the health and safety of the mother, he said, but there always should be care and consideration for the human dignity of babies, as well.

“LB626 lays out the clear standard for protecting a woman’s life and health,” Bonebrake said. “Any physician providing best medical practice is safe under this framework.”

Courtney Miller, a licensed psychologist with the Immaculate Heart of Mary Counseling Center, also supported the bill. Women can experience a multitude of physical, emotional and spiritual effects following an abortion, she said, including infertility, depression, substance abuse and subsequent childbearing complications.

“[LB626] recognizes the human nature of a beating heart and protects both baby and mother from the undeniable traumatic effects of an

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UNICAMERAL UPDATE

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Bill would establish voter ID legal framework

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agents — individuals allowed under current state law to assist in the voting process — under the amendment.

Individuals whose mail in ballot envelopes lack a notary stamp or who do not show a photo ID at the polls would have one week to present a valid ID to the election office in order to have their ballot counted.

The amendment also would require the secretary of state's office to send a postcard describing voter ID requirements to all registered voters who lack a driver's license or state ID. Other forms of photo ID than those outlined in the original bill would be accepted only if they include enhanced citizenship checks and cannot be used for purposes other than voting.

"Nebraskans have spoken and it is now our responsibility as legislators to ensure that only the votes of eligible voters are counted and to protect public confidence in the integrity and legitimacy of our representative government," Slama said.

Secretary of State Bob Evnen testified in support of the proposal, while acknowledging that he had not had time to "closely study" the amendment. Evnen said his office is committed to partnering with the Legislature on a bill that is "passable, workable and lawful under the U.S. Constitution" and to developing a program that ensures that the approximately 2 percent of Nebraskans without a state issued photo ID are able to obtain one without charge.

Several election commissioners and county clerks from across the state testified in support of the bill while offering suggestions on implementation changes to consider going forward.

Tracy Overstreet, Hall County elec-

tion commissioner, said voters have spoken and it is the duty of commissioners to implement and administer any new voter ID process. She called the bill a "strong start" but suggested additional flexibility regarding qualifying documents.

Overstreet asked the committee to consider allowing school IDs and to develop mobile voter units to register individuals with mobility limitations. The goal, she said, is "no voter left behind."

Also speaking in support was Sherry Schweitzer, Seward County clerk, who urged lawmakers to consider the impact of the proposal on the role of voting agents — individuals who may obtain early voting ballots for a parent in a nursing home or for a child whose work schedule makes it difficult for them to obtain one.

"Remember that this bill is about voter ID and making sure that every voter who votes has proper identification," she said. "It's not about making it harder for people to vote."

Suzan DeCamp, AARP volunteer state president, spoke in opposition to the bill, citing potential barriers for older voters that might arise from strict voter ID requirements. Many older Nebraskans have expired driver's licenses, she said, and in a recent survey, one-third said they would be unlikely to obtain a new ID card if required to do so in order to vote.

Corie Sass of Vetter Health Services, which serves approximately 1,800 Nebraskans in assisted living facilities, also opposed the bill. Facilities do not have sufficient staff to assist voters on election day, she said, so any additional restrictions on mail-in voting, such as notary requirements,

would be a "hardship."

"Our residents can't even get notaries for power of attorney documents that come up every once in a while," Sass said.

Several testifiers also expressed concern regarding how LB535 would impact low-income Nebraskans, communities of color, individuals whose first language is not English and those who prefer to vote by mail.

Heidi Uhing, public policy director at Civic Nebraska, said the measure would put Nebraska in a small subset of eight states with strict voter ID laws that require an individual without acceptable ID on election day to vote provisionally and follow up with election officials in order for their vote to be counted.

In addition, she said, only two other states require a notary for voting by mail.

"Even among these strict states, LB535 is an outlier," Uhing said. "It fails to provide important accommodations approved by even the most strict [voter] ID states in the country, needlessly turning people away from the polls."

Gavin Geis, executive director of Common Cause Nebraska, also testified in opposition. He encouraged the committee to slow down the process given the range of concerns voiced at the hearing and the lack of time provided to fully examine the proposed amendment.

"What I have been hearing, sitting here all day, is that Nebraskans want the Legislature to take more time — to do this right and to make [voter] ID accessible and easy for every Nebraskan," Geis said.

The committee took no immediate action on the bill. ■

Abortion restrictions considered

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abortion,” Miller said.

Opponents of LB626 argued that many women do not find out they’re pregnant until they are past six weeks gestation, which is roughly when the bill’s provisions would apply, and outlined additional concerns.

Meghan Oakes, an infertility specialist, stated that women with irregular menstrual cycles do not always consider pregnancy as a possibility right away, a situation which could impact more than 37,000 women in Nebraska.

“All of these women will be slower to consider a pregnancy if their menstrual cycle is late – increasing the chance that termination is no longer an option,” Oakes said.

Reproductive endocrinology and infertility specialist Abigail Delaney also testified in opposition to the bill. She stressed the importance of keeping personal and religious beliefs out

of medical practices.

“I do not need you to believe abortion is okay – what I need from you all is to allow me to be a doctor,” Delaney said. “I need you to get out of our exam room. I need you to allow me to shoulder the ethical burdens of the profession I chose.”

Testifying against the bill on behalf of the Nebraska chapter of the American College of Obstetricians and Gynecologists was Abigail Drucker. Recent data indicates that states with the most restrictive abortion laws have experienced increased rates of maternal and infant mortality when compared to states with less restrictive abortion access, she said.

“Women with chronic medical conditions, such as heart disease, kidney disease, blood clotting disorders or even cancer would be forced to remain pregnant while we, their physicians, watch and wait for them to get sicker

or even die,” Drucker said.

Christon MacTaggart, executive director of the Nebraska Coalition to End Sexual and Domestic Violence, opposed the bill based on the unintended consequences it could have for survivors of sexual and domestic violence. A 2020 Nebraska Statewide Intimate Partner and Sexual Violence Survey found that over 50 percent of women in Nebraska have experienced sexual assault in their life, she said, and nearly 50,000 experienced an unwanted pregnancy as a result.

“If a survivor of any form of domestic or sexual violence decided they cannot go through with a pregnancy resulting from this, they deserve access to care that is not conditioned on their willingness to share the traumatic details of their victimization,” MacTaggart said.

The committee took no immediate action on LB626. ■

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MEET THE SENATOR

DeKay brings a referee's 'quiet confidence' to the Unicameral

Nebraskans who have attended a local basketball game in the past 40 years might recognize Sen. Barry DeKay of Niobrara.

The newest representative of District 40 estimates that, since 1983, he has refereed more than 4,000 junior high, high school and college basketball games, from Gordon to Syracuse.

“Once you’re in that atmosphere,” DeKay said, “it’s an adrenaline rush.”

An avid player in his youth, DeKay grew up wanting to be a basketball coach. At the high school level, that role usually is reserved for teachers, however, and he preferred working on his family’s ranch to spending his days in a classroom.

Shortly after graduating from Lynch High School, though, DeKay found another way to participate in his favorite sport when a friend who was working as a referee asked him to step in after the friend’s partner retired.

In his “heyday,” DeKay said, he policed fouls and double dribbles for an average of 60 nights each season.

DeKay credits a “quiet confidence” for his longevity in a job that requires an ability to act decisively under pressure. He said he brings that composure – and a com-

monsense approach to resolving disagreements – to the Legislature.

“I take the job very seriously,” DeKay said, “and I’m going to give it everything I’ve got.”

This isn’t DeKay’s first public service role. On a bookshelf in his Capitol office sits a basketball covered in signatures – a parting gift from employees of the Nebraska Public Power District, where he served on the board of directors. Before that, DeKay led his local electric distribution cooperative and served as a Nebraska Rural Electric Association board member.

In his free time, DeKay enjoys playing golf and spending time with his wife, Brenda, their two children and a new granddaughter. He likes to watch college basketball games and follows the state high school basketball tournaments, even if he isn’t assigned to work.

DeKay’s 40th season as a referee coincides with his first session as a state senator, but that won’t keep

him from working a few games. After the Legislature has finished its work for the day, DeKay said, he can always notify the schedulers that he’s ready for another night on the hardwood. ■



Sen. Barry DeKay (center) with fellow referees Mat Hager (left) and Preston Foster at the Pinnacle Bank Arena in Lincoln before the 2019 NSAA Class A girls state basketball final.

BANKING, COMMERCE & INSURANCE



Bill targets political use of state funds

The Banking, Commerce and Insurance Committee heard testimony Jan. 30 on a bill intended to ensure that state funds not be used for political purposes.

LB67, sponsored by Dunbar Sen. Julie Slama, would require the state treasurer to ensure that money deposited by the office not be used by financial institutions for “social or political causes or objectives.”



Sen. Julie Slama

Slama said she brought the bill to help ensure that anyone holding the office of state treasurer maintain neutrality when handling public funds.

“Nebraska taxpayers’ dollars should not be used to further political or social agendas,” Slama said. “Those dollars must only be used for the limited and specific purposes for which they are collected.”

State Treasurer John Murante testified in favor of the bill, saying there has been a “growing trend” nationally of attempts to use state funds for political purposes. In some states, he said, state treasurers have indicated that they will bank only with institutions that are committed to certain political objectives.

Murante said he has no concerns about the financial institutions that his office currently has relationships with, but that the bill is meant to head off problems in the future.

“There are now even candidates who are openly running for state

treasurer across the country who are saying that is why they are running — to use the power and influence of the capital they have under management for political causes,” Murante said.

Robert Hallstrom, representing the Nebraska Bankers Association, testified in opposition to the bill. The stated purpose of LB67 is to ensure that the state treasurer not use their office as a “bully pulpit” to further a political agenda, he said, but the bill as written instead would restrict the ability of the state’s banks to do business.

Financial institutions need to be able to make decisions based on return on investment, not political considerations, he said, and the bill would give state regulators the power to impose their political will on banks based on their authority to deposit or withhold state funds.

“The fundamental principles that have existed as long as I have been involved with the banking industry are that financial institutions should be free to lend to, invest in and generally do business with any entity or activity that is legal,” Hallstrom said.

In her closing statement to the committee, Slama indicated that negotiations on the bill with stakeholders are ongoing. The committee took no immediate action on LB67.

Microchip bill seeks to meet federal program requirements

A proposal that would attempt to align Nebraska’s economic development structure with the requirements of a federal microchip grant program was considered by the Banking, Commerce and Insurance Committee Jan. 31.

The CHIPS and Science Act, passed by Congress in 2022 to spur U.S. semiconductor manufacturing capacity, contains provisions that provide grant funds to qualifying states to help de-

velop the industry. Omaha Sen. Mike McDonnell said his LB617 would create the necessary framework for Nebraska to match any federal funds provided to the state for a semiconductor manufacturing company.



Sen. Mike McDonnell

The bill would transfer \$20 million from the state’s Cash Reserve Fund to the Economic Development Cash Fund, which would be created by the bill and housed within the state Department of Economic Development. DED then would provide a grant to a community college serving a metropolitan class city to offer skill-specific professional qualifications — known as microcredentials — to support manufacturing in the state in conjunction with the CHIPS and Science Act.

Omaha currently is the state’s only metropolitan class city.

McDonnell said the bill would provide state grant funds to Metropolitan Community College for education expansion and curricula development necessary for a Nebraska-based entity to qualify for grant funds under the federal law.

“[The bill] aligns our current economic development policy to better demonstrate to the U.S. Department of Commerce and semiconductor manufacturers that Nebraska is an engaged and willing partner in securing a domestic supply chain of semiconductors and microprocessor components,” he said.

Nine companies have indicated a desire to locate in Nebraska in order to engage in the semiconductor industry should the bill pass, McDonnell said, which could “make the ‘silicon prairie’ a real thing.”

Bryan Slone, president of the Nebraska Chamber of Commerce and In-

dustry testified in support on behalf of the state chamber, the Greater Omaha Chamber and the Lincoln Chamber of Commerce.

Slone said he spent the early days of his career in the semiconductor industry in Silicon Valley. Since that time, the US has lost its competitive advantage in the industry, he said, and the effect of the resulting weaknesses in the country's microchip supply chain were made painfully evident during the pandemic.

With passage of the CHIPS and Science Act, states are in competition to gain a foothold in the semiconductor industry, he said, and Nebraska is in a good position to compete if it can develop the necessary workforce.

"This would be a game changer for the state," Slone said.

Randy Schmailzl, president of Metropolitan Community College, also testified in favor of the bill. The college "checks all the boxes" in relation to federal requirements for CHIPS and Science Act funding, he said, due to its location and the student population it serves.

The bill's provisions would allow Metropolitan to train individuals to obtain the type of associate degree required to work in a semiconductor factory in the Omaha area, he said.

No one spoke in opposition to LB617 and the committee took no immediate action on it.

Funds sought for possible Lincoln convention center

A proposal considered by the Banking, Commerce and Insurance Committee Jan. 31 could provide a partial funding source for a future convention center in Lincoln.

LB709, sponsored by Lincoln Sen. Anna Wishart, would create the Convention and Event Center Capital

Construction Program within the state Department of Economic Development. The bill also states the intent to transfer \$71 million from the state's Cash Reserve Fund to the Convention and Event Center Capital Construction Fund, also created by the bill.

Under the proposal, grant funds could be used to construct a new convention and event space in a primary class city, renovate and improve an existing event space connected to an agricultural society in a primary class city and make capital improvements to any event space located near a recreational area in a county in which a primary class city is located.

Lincoln is Nebraska's only primary class city.

Wishart said plans for a convention center in Lincoln are well underway — with five potential sites in the downtown area under consideration — and that LB709 would provide "transformational" one-time state funding to help make the economic development project a reality.

The total cost of the convention center is expected to be around \$120 million, she said, with \$60 million coming from the grant outlined in the bill and \$60 million matched by the city. Additional grant dollars outlined in LB709 would be directed to the Lancaster Event Center and Fairgrounds.

Lincoln is a vibrant city, Wishart said, but it needs a convention center to draw people in so that they can "fall in love" with it.

Jeff Maul, executive director of Visit Lincoln, testified in favor of the bill on behalf of the Lincoln Chamber of Commerce, the Lincoln



Sen. Anna Wishart

Young Professionals Group and Visit Lincoln. Lincoln ranks first among comparable cities that can support a new convention space based on existing restaurants, retail locations and hotels in the downtown area, he said, adding that the city's largest convention property currently is serving only 30 percent of demand.

"This bill will better equip our community to host new and retain existing state, regional and national association conferences that have longed for more space under one roof," Maul said.

Phil Erdman, representing the Iowa-Nebraska Equipment Dealers Association, also testified in support of the bill. The Lancaster Event Center currently hosts the Nebraska Ag Expo each December, he said, which is the second largest indoor ag show in the country. LB709 would provide additional resources to meet the event center's growing needs, Erdman said.

Cindy Johnson, president of the Grand Island Chamber of Commerce, spoke in favor of the bill, while also suggesting that it could be broadened to include Grand Island, home of the Nebraska State Fair. The fairground campus facilities offer a unique opportunity to host national livestock shows, she said, but the buildings are aging and in need of renovations and updates.

"To continue to host these shows, we must be competitive," Johnson said. "And to be competitive, additional funding to enhance and offer top-notch facilities is needed."

No one spoke in opposition to the LB709 and the committee took immediate action on the bill.

Bill would allow creation of 'silent' trusts

The Banking, Commerce and Insurance Committee heard testimony

Jan. 31 on a bill that would allow the creation of silent trusts – also referred to as confidential trusts – in Nebraska.

LB711, sponsored by Omaha Sen. Christy Armendariz, would amend the Nebraska Uniform Trust Code to remove a provision that requires a trustee to keep qualified beneficiaries reasonably informed about the trust’s administration and material facts necessary to protect their interests.



Sen. Christy Armendariz

The bill instead would allow a trust’s creator to alter the right of a beneficiary to be informed of their interest in the trust based on their age, the lifetime of the trust’s creator, a specific term of years or a specific event.

Armendariz said silent trusts are designed to “protect” beneficiaries from knowing the full extent of their future wealth and are legal in South Dakota and Wyoming, potentially putting Nebraska trust companies at a competitive disadvantage.

Such trusts allow the creator to determine when a beneficiary would be informed and could help families with “great wealth” shield their children from potentially life-altering information until the creator of the trust believes that they are able to deal with that information, she said.

“Silent trusts can achieve goals such as avoiding a decline in the beneficiaries’ self-motivation, protecting privacy [and] protecting beneficiaries with substance abuse or other psychological struggles who may be easily influenced by outside forces,” Armendariz said.

Brett Lindstrom of Omaha testified in support of the bill. A handful of other states allow silent trusts, he said, and allowing them in Nebraska could make the state’s tax and trust laws

more competitive. The bill’s intent is to offer flexibility to parents who may not want their children to know how much they will inherit until a certain time has passed or a specific event has occurred.

Susan Spahn, testifying on behalf of the Nebraska State Bar Association, spoke in opposition to the bill. The Uniform Trust Code has been in effect in Nebraska since 2005, she said, and the duty of trustees to report to beneficiaries is a key element of that law. An individual can only protect their interests if they know that they are a beneficiary, she said.

“Sometimes people are serving as trustee who shouldn’t be serving as trustee,” Spahn said. “Practicing in the contested area, I’ve seen the good, the bad and the truly ugly.”

The committee took no immediate action on LB711.



Youth minimum wage considered

The Business and Labor Committee heard testimony Jan. 30 on a bill that would create a youth minimum wage and a training wage for certain new employees in Nebraska.

At the November 2022 general election, Nebraskans voted to increase the state minimum wage from \$9 to \$10.50 per hour on Jan. 1, 2023. The rate then increases incrementally until reaching \$15 per hour on Jan. 1, 2026, and adjusts annually to account for cost of living increases.

LB15, as introduced by Albion Sen. Tom Briese, instead would set the minimum wage for employees age 14 to 17 at \$9 through 2023, increasing .25

cents per year until reaching \$10 per hour in 2026.

The bill also would allow employers to pay new employees who are not seasonal or migrant workers between ages 18 and 20 a minimum training wage of \$9.25 through 2024, increasing to \$10 per hour through 2026. Beginning Jan. 1, 2027, the training wage would be 75 percent of the otherwise applicable minimum wage.

Briese said a minimum wage carveout for youth workers is necessary to preserve and protect the financial viability of small businesses across the state. Independent businesses make up 99 percent of all employers in Nebraska, he said, many of which already are facing supply chain shortages, labor issues, fluctuating energy and transportation costs and “ever-changing” rules and regulations.

Treating urban and rural businesses the same way disproportionately hurts small and medium sized businesses, Briese said. Additionally, LB15 would encourage businesses to hire youth workers and allow them to experience the responsibility of employment, he said.

“Youth workers typically occupy entry level positions and many of our small businesses can’t afford to pay the ballot minimum for those entry level jobs,” Briese said. “It creates financial hardship on our small businesses or it forces youth labor out of the labor market – both of which are bad things.”

Briese brought an amendment to the hearing that would set both the youth and training minimum wages at \$10.50 per hour, with the training wage increasing to 75 percent of the regular minimum wage beginning



Sen. Tom Briese

in 2027. He said the change would prevent an individual who currently is earning the state’s minimum wage from seeing a decrease in their pay under the bill’s provisions.

Shannon McCord, a third-generation grocery store owner from Superior, testified in support of LB15 on behalf of the Nebraska Chamber of Commerce and Industry and the Nebraska Grocery Industry Association.

Labor and energy costs and rules and regulations are driving inflation across the state, he said, making it difficult to operate a small rural business. A “one-size-fits all” mandate is a “mainstreet killer,” McCord said.

“The burden that the minimum wage increase will have on rural grocery stores fills me with fear for my small rural community,” he said.

Bud Synhorst, president and CEO of the Lincoln Independent Business Association, also spoke in support. Historically, there have been times when teenagers have earned a lower wage than more experienced workers, he said, due to the minimum wage operating as an entry-level training wage rather than as a living wage.

“I think this bill brings forward an opportunity for small business owners to come in and help young people learn the trade and different skills that are involved in these jobs,” Synhorst said.

Ken Smith, director of the Economic Justice program at Nebraska Appleseed, testified in opposition to LB15. Research shows that a higher minimum wage does not cause employers to hire fewer young workers, he said, and the bill directly contradicts the initiative petition passed by voters in 2022.

“This isn’t hammering out the details, it’s changing a policy. It’s taking a policy that our state elected — that our second house opted for — and say-

ing that this doesn’t apply to 40,000 young workers,” Smith said. “This runs contrary to the will of the voters — the will that was clearly expressed in November.”

Felicia Hilton, representing the North Central States Regional Council of Carpenters, spoke in opposition to the bill. An individual should be paid for the work they do rather than having that wage be dependent upon their age, she said.

“Young people deserve to be paid the minimum wage increases that were passed by the ballot because of the actual labor they perform,” Hilton said.

Emma Haar, a Grand Island high school student, also testified in opposition to the bill. LB15 overlooks the reality that young people may need to work to support their families and undermines the positive economic effect of the minimum wage increase that was passed in November, she said.

“My family and I live in poverty, so I have to help my family with bills, and I’m also responsible for the costs of part of my school and extracurricular activities. I navigate a pay period like there’s a scale in my head that’s counting down the hours, money and energy I have for those two weeks,” Haar said. “This bill treats me like a child when I have the responsibilities of an adult.”

The committee took no immediate action on LB15.



Proposal to create parental ‘bill of rights’ considered

The Education Committee heard testimony Jan. 31 on a bill intended, in part, to ensure parental access to

learning materials and curriculum in public schools.

Glenvil Sen. Dave Murman, sponsor of LB374, said the bill would establish a “parents’ bill of rights” to clarify the principle that parents, not “educational bureaucrats,” are the foremost decision makers in their children’s lives.



Sen. Dave Murman

Murman said he introduced the bill because of parents’ concerns about comprehensive sex education standards considered by the State Board of Education in recent years.

Under LB374, parents could request that books, magazines, images and other library content that contains certain sexual content or “excessive” profanity or violence be designated as inappropriate for minors.

The bill also outlines a process by which parents could challenge the educational benefit of an item of library content. If a challenge is upheld, the item would be removed.

LB374 would require school districts to create an internet-based tool with which parents could access learning materials, activities and curriculum used for student instruction, as well as other information.

Additionally, the bill would prohibit schools from administering an attitude or belief examination to a student without parental consent.

Murman said LB374 also would prevent schools from requiring students or teachers to “adopt, affirm, adhere to or profess” certain teachings, including that individuals “bear collective guilt and are inherently responsible for actions committed in the past by other members of the same race, ethnicity, color or national origin.”

Teachers who refuse to teach those

ideas or other matters that contradict their sincerely held religious beliefs could not be subject to “adverse licensure or employment action” because of that refusal.

Finally, the bill would allow a parent, student or teacher aggrieved by a violation to bring a civil action for appropriate relief, including actual damages and attorney’s fees.

Robbie Adams testified in support of LB374, saying she was “appalled” by parents’ recent discovery of sexually explicit books in school libraries and the “sexualization of children by curriculum wholly inappropriate for any school setting.”

“Schools must be free of political and social agendas and dedicate the school day to the primary goal of dissemination of basic knowledge and skills,” Adams said. “Transparency makes schools accountable.”

Marni Hodgen also testified in support. She said many Nebraska parents feel they have little say over what their children learn in school. LB374 would give parents easy access to curriculum and the power to decide whether certain books are appropriate for students, Hodgen said.

Shavonna Holman testified in opposition to the bill on behalf of Omaha Public Schools. She said the district’s curriculum review and textbook approval processes already include parent input and require board approval at a meeting that is open to the public.

Holman said making learning materials available on the proposed portal would require a significant investment of time and financial resources. Additionally, she said, the bill could give every parent veto authority over virtually any of the district’s educational programs.

“Should we really be giving a single parent the right to dictate the education

of all of our children?” Holman said.

Tim Royers testified in opposition to LB374 on behalf of the Nebraska State Education Association. He said many of the bill’s components are redundant to existing state law or proposed in response to “nonexistent concerns” about things public schools are not allowed to do, such as direct a child’s religious training.

“We are not opposed to transparency,” Royers said. “But this bill does not promote transparency – it promotes an image that teachers are a danger to kids and not to be trusted.”

Also in opposition was Khenda Mustafa of Nebraska Appleseed. She said the proposal would have a chilling effect on classroom discussion of American history, particularly race-based laws and institutions that continue to cause economic, social and civic disparities for Black people, indigenous people and other people of color.

“Past history is not our fault,” Mustafa said, “but it is our opportunity and our responsibility to understand and fix it together to prevent future disparities and harm.”

Rachel West testified in opposition to the bill on behalf of the Nebraska Coalition to End Sexual and Domestic Violence. She said LB374 could prevent schools from offering students evidence-based, age appropriate programming intended to prevent sexual and dating violence.

The committee took no immediate action on the bill.

Teacher recruitment and retention grants proposed

Nebraska would offer \$5,000 grants to recruit and retain new teachers under a bill heard Jan. 30 by the Education Committee.

Under LB385, introduced by

Elkhorn Sen. Lou Ann Linehan, teachers who complete their first full school year teaching full-time in a Nebraska school could apply to the state Department of Education for a recruitment grant. Individuals would be eligible for further \$5,000 retention grants after their second and third years of teaching.



Sen. Lou Ann Linehan

Linehan said the grants are intended to help new teachers through their first few challenging years in the classroom, when they are still learning their job and their pay is lowest. LB385 could supplement the retention payments and other policies that some school districts have adopted to recruit and retain teachers, she said.

“It’s what seems to work,” Linehan said of the payments. “If you want people to stay, you have got to pay them.”

Linehan said the proposal also would incentivize current teachers to earn an endorsement to teach in certain high-need areas. Under LB385, teachers who become certified to teach in special education, math, science, technology or dual credit and complete a year of full-time teaching also would qualify for a grant.

The bill states legislative intent to appropriate \$10 million from the state’s general fund to the new program. The act would terminate Jan. 1, 2028.

Mike Lucas, superintendent at Westside Community Schools in Omaha, testified in support of LB385. He said retention stipends that Westside and other Nebraska school districts have offered to teachers and staff in the past year or two have “gone over very well.”

Offering grants to teachers who are certified in high-need areas would

benefit schools across the state, Lucas added. Although Westside has no unfilled teaching positions this year, he said, the district cannot offer certain dual-credit courses because it lacks teachers with those certifications.

Courtney Wittstruck testified in support of the bill on behalf of the Nebraska Community College Association. She said a 2022 state Department of Education survey found that teachers who are certified in dual credit, special education and several other subject areas are in short supply across Nebraska.

The survey also found that the number of open teaching positions at the beginning of the 2022-23 school year had increased 60 percent since the previous year, Wittstruck said.

“It’s clear that the teaching shortage in Nebraska needs to be addressed and soon,” she said.

Tim Royers provided neutral testimony on LB385 on behalf of the Nebraska State Education Association. The NSEA supports creating a state-level grant program to recruit and retain teachers, he said, but the proposal could be more effective with modifications.

At the proposed level of funding, the state could award only 2,000 grants, Royers said, which is far below the number of potentially eligible teachers. Reducing the individual grant amount would make them available to more teachers and prevent a steep dropoff in pay after a teacher enters their fourth year, he said.

Additionally, Royers said, limiting the eligibility of the high-need grant to newly certified teachers could make more experienced teachers in those areas more likely to leave the profession.

The committee took no immediate action on the bill.

Retention program for Nebraska teaching graduates considered

A new loan program would require graduates of the state’s teacher education programs to teach in Nebraska public schools under a bill heard Jan. 30 by the Education Committee.

Fremont Sen. Lynne Walz, sponsor of LB519, said a 2022 state Department of Education survey found that Nebraska school districts have 768 unfilled positions this school year, in many cases because there are no applicants.

She said the proposed loan program and other changes in the bill would remove financial barriers that keep otherwise qualified people from becoming teachers and staying in the profession.

“We have many smart, skilled and prepared students in the state of Nebraska who want to be a part of the solution,” Walz said. “We just need to give them the tools to succeed.”

Under LB519, eligible students could apply annually for a loan of no more than \$8,500. If the borrower meets the bill’s requirements, the loans would be forgiven in four years, or two if the borrower teaches in a rural school district or a school with a certain percentage of students in poverty.

Eligible students would:

- agree to complete a teacher education program at an accredited, not-for-profit college or university in Nebraska;
- enroll in the program before the start of the next academic semester following an application for a loan under the act;
- maintain status as a full-time student during the student



Sen. Lynne Walz

teaching semester in which a loan is requested; and

- commit to teach in an approved or accredited public school in Nebraska upon completion of the teacher education program and become certified to teach.

Walz said she would introduce an amendment under which teaching graduates who commit to work at Nebraska private schools also would qualify for the program.

LB519 also would eliminate fees for certain teaching certificates – including those for entry-level teachers – and increase the amount of loan assistance and loan forgiveness available under the Attracting Excellence to Teaching Program.

Additionally, the bill would require the state Department of Education to administer a program to provide retention payments to public and private elementary and secondary school teachers and staff, except administrators.

Tim Royers testified in support of LB519 on behalf of the Nebraska State Education Association. He said eliminating the \$75 certification fee could be a “difference maker” for teachers who are in financial need.

Colby Coash testified in support of the bill on behalf of the Nebraska Association of School Boards, the Nebraska Council of School Administrators and two groups representing Nebraska school districts.

He said the proposed school employee retention program recognizes that school districts also are struggling to hire and retain paraeducators, food service workers, bus drivers, custodians and other staff.

Sara Skretta testified in support of LB519 on behalf of the Nebraska Association of Colleges for Teacher Education. Student teachers generally are unpaid but still are required to pay for their tuition, fees and living

expenses while working full time in the classroom, she said.

“Being a student teacher is really more than a full-time job,” Skretta said, “and they’re doing it for free.”

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

GENERAL AFFAIRS

Bill would expand farm winery provisions

Farm wineries would be authorized to sell alcoholic beverages produced by other manufacturers under certain circumstances under a bill heard by the General Affairs Committee Jan. 30.

LB259, introduced by Kearney Sen. John Lowe, would allow farm wineries to sell beer, mixed drinks and other alcoholic beverages not produced by the farm winery for consumption on their premises if they hold the appropriate retail license.



Sen. John Lowe

Lowe said he introduced LB259 to grant farm wineries the same opportunities afforded to craft breweries by a bill passed last session.

Hobert Rupe, executive director of the Nebraska Liquor Control Commission, spoke in support of LB259. He said passage of the bill would reduce significantly the number of special designated license applications processed by the commission, which temporarily authorize alcohol sales on a premises.

“The only way a [farm winery] can have any product other than that produced on their own is through an SDL,” Rupe said. “This is probably going to be

600 SDLs we [currently] issue a year that are going to come off our plate.”

Also testifying in support of the bill was Mick McDowell, co-owner of Miletta Vista Winery. McDowell said the bill would help meet Nebraskans needs by increasing flexibility for customers, decreasing the Nebraska Liquor Control Commission’s SDL workload, improving customer service and broadening the customer base.

“We support the modification of the Farm Winery Act to allow the sale of beer and other alcoholic liquor not produced by our winery to help meet customer requests as we work to create a wine culture in our state,” McDowell said.

Project Extra Mile representative Chris Wagner spoke in opposition to the bill. He said LB259 would go against the established literature on how to reduce the harmful effects of alcohol.

“The World Health Organization recommends three ‘best buys’ for state and local governments to prevent and reduce excessive alcohol consumption and its harms — reducing advertising, affordability and availability,” Wagner said. “[LB259] increases the availability of alcohol in communities across the state.”

The committee took no immediate action on the bill.

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Bill seeks to protect Second Amendment

State and local officials in Nebraska would be limited in their ability to enforce federal firearm regulations under a bill considered Feb. 2 by the Government, Military and Veterans

Affairs Committee.

LB194, introduced by Sen. Steve Halloran of Hastings, would prohibit any state or political subdivision employee from enforcing any federal law regulating a firearm, firearm



Sen. Steve Halloran

accessory or ammunition unless the measure also is codified in state law.

An individual in violation of the bill’s provisions would be subject to a fine of up to \$3,000 for a first offense and a Class I misdemeanor for second or subsequent offenses. A political subdivision that adopts an ordinance in violation of the bill would be ineligible to receive state funds for one fiscal year.

Halloran said the bill would not prevent Nebraska state troopers from issuing concealed carry permits or implementing the National Instant Criminal Background Check system, but it would prevent the federal government from “commandeering” Nebraska officials to enforce federal gun laws.

“The people of Nebraska depend on us to uphold and protect their constitutional rights,” Halloran said, “Which is why LB194 is necessary.”

Dave Kendle testified in support of the bill, which he said “clearly represents” the will of the state’s people. Ninety-one of Nebraska’s 93 counties adopted resolutions declaring themselves “Second Amendment sanctuaries” in 2021, he said, and former Gov. Pete Ricketts declared Nebraska a “Second Amendment sanctuary state” that same year.

“This bill codifies the spirit of these efforts into a single state law,” Kendle said.

Matt Franken, representing the Lincoln Police Union, spoke in opposition to the bill. The measure would have unintended consequences that could

negatively impact community safety, he said, particularly in terms of the city's ability to address gun violence.

Trafficking, drugs and gang violence often involve guns, Franken said, and the assistance of federal prosecutors in addressing those crimes frees up local prosecutors to focus on an existing backlog of other cases from the pandemic.

Speaking on behalf of the Omaha Police Department, Michael Todd Kozelichki also testified in opposition. He said the bill could affect the department's eligibility to receive federal grant funding and its ability to partner with federal task forces. In addition, he said, many investigations develop into situations that involve federal firearms violations.

"Essentially, LB194 handcuffs the cooperation between local law enforcement and federal law enforcement more than it handcuffs the criminals who are out there committing violent crimes," Kozelichki said.

Sheri St. Clair of the League of Women Voters of Nebraska testified in opposition, saying the bill would put public employees in a situation where they could be subject to criminal penalties for following federal law. LB194 also likely would open the state up to legal challenges, she said.

"Fruitless and expensive court battles don't serve the needs of our communities," St. Clair said.

The committee took no immediate action on the bill.



Array of criminal justice reform programs proposed

A bill that would establish a variety of criminal justice reform programs

was considered by the Judiciary Committee Feb. 1.

LB50, introduced by Lincoln Sen. Suzanne Geist, would create several programs for the purpose of improving the state's criminal justice system, including a program to expand problem-solving courts, a pilot program to establish parole-violation residential housing and creation of a probationer incentive program.



Sen. Suzanne Geist

During the 2022 legislative session, Geist offered an amendment to LB920, a criminal justice reform measure introduced by former Omaha Sen. Steve Lathrop that stalled on the first round of debate. LB50, she said, is a combination of LB920 and her previously offered amendment based on consensus items from the 2021 Criminal Justice Reinvestment Group.

"We need to focus on rehabilitation, providing good programming and safe and secure housing for those who are exiting our criminal justice system," Geist said. "We also need to continue to provide opportunities for people to succeed and become productive members of our state."

The bill contains a number of provisions intended to address courts, reentry, release and supervision, including:

- requiring each judicial district to establish a problem-solving court;
- creating a pilot program to administer virtual behavioral health treatment services for court-involved individuals;
- requiring a court or a probation officer to notify an offender who may be eligible for a set-aside and information on filing a petition;

- creating a pilot program to hire assistant probation officers in a probation district;
- providing for streamlined parole contracts for qualified offenders;
- prioritizing restitution payments;
- establishing a housing program for parolees who commit technical parole violations; and
- terminating the Committee on Justice Reinvestment Oversight.

Bob Denton, deputy probation administrator for the Adult Probation Services Division, testified in support of the bill. As of 2022, Denton said, 84 percent of individuals who completed problem-solving court have remained crime-free for at least three years after release.

"In relation to criminal justice reform, problem-solving courts and probation have consistently risen to the top as an effective solution for reducing recidivism ... however, we need more," Denton said.

Jasmine Harris, testifying on behalf of RISE — a nonprofit focused on prison programming and reentry — also spoke in support. The technical parole-violation housing pilot program would provide resources and support to individuals with mental health and substance abuse problems, she said, instead of reincarcerating them.

"Forty percent of people who returned to the department of corrections were due to technical violations of parole, so that would be a significant [relief] to some of the prison population overcrowding," Harris said.

Spike Eickholt, speaking on behalf of the ACLU of Nebraska and the Nebraska Criminal Defense Attorneys Association, testified in support of the bill. Currently, Eickholt said, restitution payments are considered along with court costs, fines and probation

fees. Under LB50, restitution payments to victims would be prioritized, he said.

Timothy Melcher, representing Nebraskans Unafraid, testified against the bill. Melcher said individuals convicted of sex crimes also should be considered for streamlined parole because they already are part of a monitoring program upon release from incarceration.

The committee took no immediate action on LB50.

Bill would add central Nebraska county judge

The Judiciary Committee heard testimony Feb. 3 on a bill that would add a county judge to the judicial district serving Buffalo and Hall counties.

Current state law sets the number of county judges in Nebraska's 9th District, which contains Buffalo and Hall counties, at four. LB81, introduced by Grand Island Sen. Raymond Aguilar, would increase that number to five.



Sen. Raymond Aguilar

Aguilar said the juvenile justice system in central Nebraska, which can be an important turning point in determining the direction of a young person's life, is facing significant needs. LB81, he said, would be an important investment in assisting Nebraska's youth.

"Young people who go through the juvenile justice system — many of whom come from disadvantaged backgrounds — their voices deserve to be heard, and every case needs to be considered carefully and not rushed through the system like products off a factory assembly line," Aguilar said.

Judge Arthur Wetzel of the 9th Dis-

trict spoke in support of the bill. The needs of juveniles in Hall County currently are not being met sufficiently, he said, but the area does not meet the population threshold for a separate juvenile court.

"We have an overwhelming juvenile population that unfortunately continues to grow and the depth of their crimes and behaviors continue to grow," Wetzel said. "We're hoping that if LB81 is passed, that the new judge can do ... primarily juvenile work to help us provide a better service to the juveniles of Hall County."

Jason Grams, president of the Nebraska State Bar Association, also spoke in support of LB81. Grams said a recent report shows that the 9th District needs 4.43 judges to address its current caseload. This shortage negatively impacts juveniles waiting for court processing and also creates a considerable cost to counties, he said.

"Providing an adequate level of judicial resources is essential to effectively administering justice and providing meaningful [court] access to the citizens of Nebraska," Grams said.

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

County jail program funding sought

The Judiciary Committee heard testimony Feb. 1 on a bill that seeks to help certain counties enhance treatment, rehabilitation and diversion programming.

LB368, introduced by Lincoln Sen. Danielle Conrad, states legislative intent to appropriate \$2.1 million in general funds in fiscal year 2023-2024 to create



Sen. Danielle Conrad

the County Criminal Justice Enhancement Grant program. The program would be administered by the Nebraska Commission on Law Enforcement and Criminal Justice and grants would be available to a county containing a primary class city to improve and expand correctional services.

Lincoln currently is the state's only primary class city.

Under the bill, the commission would be required to develop eligibility criteria for grants and counties would be required to submit an application to the commission to qualify for funding.

Conrad said county jails in Nebraska struggle to provide needed services due to staff and funding shortages. The grant program would "go a long way" in reducing recidivism rates and keeping more people out of the state's already overcrowded prison system, she said.

"Every dollar that we can invest in alternatives to incarceration is a better value for the taxpayers and has better outcomes for every stakeholder involved," Conrad said.

A county that receives grant funding under the bill would be required to work with a community partner to incorporate culturally informed substance use treatment and with an accredited postsecondary educational institution with a program in criminal justice research to establish program enhancement and expansion outcomes.

Grant funding would be used to:

- design, expand or implement substance use and cognitive behavioral programming in county jails;
- hire full-time case managers to expand the use of systematic treatment strategies that look to reduce recidivism;
- hire a full-time peer support

recovery specialist to provide social support services to jail inmates and to assist in reentry case management;

- provide residential housing with 24-hour support, crisis stabilization and continued individualized recovery and support for reentering inmates with mental health needs;
- enhance the county’s diversion program by adding pre-program support services;
- expand diversion options for young adults charged with offenses that currently are ineligible for diversion and hire two full-time case managers to accommodate intensive supervision; and
- provide staff training and hire other employees as necessary.

In support of the bill was Kim Etherton, Director of Lancaster County Community Corrections. The grant program authorized under LB368 would support expanded programming, such as transitional housing, which in turn would minimize a program participant’s contact with the criminal justice system, she said.

“A key component to success [for individuals leaving incarceration] is a safe, healthy place to live,” Etherton said. “Grant funding will provide opportunities to expand this resource and secure temporary housing options for individuals leaving jail.”

Also in favor of the bill was Brad Johnson, Director of the Lancaster County Department of Corrections. Research shows that programming in correctional settings can reduce recidivism rates, he said, but the Lancaster County jail currently cannot provide all inmates with the necessary programming due to a lack of funding.

“In order to expand these and other program endeavors, more in-

structors are needed to facilitate programming,” Johnson said. “In order to expand, we have to receive more financial funding.”

Spike Eickholt, testifying on behalf of the ACLU of Nebraska and the Criminal Defense Attorneys Association, also testified in support of LB368. Individuals who reoffend multiple times often have higher needs, such as mental health issues or substance abuse problems, he said, and require more services.

“Eventually they’re going to get out of the jail system ... and we need to have some sort of meaningful transitional and supervisory [programming] so that they’re less likely to come back,” Eickholt said. “That’s why this bill is a good idea.”

No one testified in opposition to LB368 and the committee took no immediate action on it.



Flexibility sought for water-related projects

Nebraska could use a variety of alternate contract methods for state-sponsored water-related infrastructure projects under a bill considered Feb. 2 by the Natural Resources Committee.

LB723, introduced by Brainard Sen. Bruce Bostelman at the request of Gov. Jim Pillen, would allow the state Department of Natural Resources to use public-private partnerships, construction manager-



Sen. Bruce Bostelman

general contractor, design-build and progressive design-build project meth-

ods when contracting for public water and natural resource projects.

Under the bill, the department would develop guidelines by July 1, 2024, for entering into such contracts, including requests for proposals and evaluation criteria for ranking them. The department also would be required to pay a stipend in an amount determined at its discretion to qualified design builders that submit proposals but are not selected – giving the department ownership of the intellectual property contained in those proposals.

Bostelman said the Legislature has granted the state Department of Transportation, Nebraska Game and Parks Commission and several other political subdivisions the ability to use these innovative contract delivery methods – enabling greater efficiencies and best practices by engaging contractors earlier in the process – and LB723 simply would allow the Department of Natural Resources to do the same.

“All three [options] are intended to reduce a project’s overall costs and construction time,” he said.

Department of Natural Resources director Tom Riley testified in support of the bill, which he said would help the department facilitate large natural resources projects such as the Perkins County Canal Project approved by the Legislature last session. The bill doesn’t provide any funding or conflict with any current competitive bidding requirements, he said.

“The bill’s purpose is simple – provide the department flexibility in project delivery methods in order to provide the best value for the state,” Riley said.

Alex Linden, government and public relations manager for the Central Nebraska Public Power and Irrigation District, also testified in

favor of LB723.

The district already has the option to engage in the alternative contracting methods outlined in the bill, he said, and providing the same options to the Department of Natural Resources would allow them to complete major projects in a timely, well-designed and cost-effective manner.

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

REVENUE

Cap on school district property tax increases proposed

The Revenue Committee heard testimony Feb. 1 on a bill that would limit annual increases in the amount of property taxes collected by Nebraska public school districts.

Under LB589, introduced by Albion Sen. Tom Briese at the request of Gov. Jim Pillen, a district's property tax request — the amount of taxes requested to be raised through its levy — could not exceed its property tax request authority, which the state Department of Education would calculate annually.

Briese said Pillen has pledged to direct additional state funding to public schools in an effort to reduce the state's overreliance on property taxes to fund education. LB589 and the accompanying funding bills, one of which would provide per-student foundation aid to school districts, are a "package deal," he said.

"If we're going to put more ... state

dollars into education," Briese said, "we have an obligation to ensure those dollars yield relief for our taxpayers."

Under LB589 as introduced, a district's property tax request authority would be calculated using a base growth percentage of 3 percent or by a percentage based on the district's growth in student enrollment, the number of limited English proficiency students or the number of students in poverty, whichever is highest.

Briese said he would introduce an amendment under which the calculation instead would use a base growth percentage that is the sum of 3 percent and percentages based on those other factors.

The bill's provisions would not apply to the portion of a district's property tax request needed to pay the principal and interest on approved bonds, and a district could carry forward unused property tax request authority to future years.

A district's property tax request could exceed its property tax request authority by an amount approved by a 60 percent majority of legal voters at a special election.

As introduced, LB589 also would allow a school board to exceed a district's property tax request authority by 4 to 7 percent, depending on the number of students enrolled, if at least 75 percent of its members approve.

Under his amendment, Briese said, an override instead would require approval by at least 70 percent of a board's members.

Pillen testified in support of the proposal, saying it would set a "workable" cap on school revenue growth that respects local control while ensuring that the proposed increase in state K-12 funding results in property tax relief.

Bruce Rieker testified in support of LB589 on behalf of the Nebraska

Farm Bureau and seven other organizations representing the state's agricultural and ethanol industries. LB589 would give school districts the latitude to respond to changing economic conditions while protecting local control, Rieker said.

Connie Knoche testified in opposition to the bill on behalf of OpenSky Policy Institute. She said LB589 would limit growth in a school district's property tax asking by an arbitrary amount unrelated to its needs.

Omaha Public Schools superintendent Cheryl Logan also testified in opposition, saying property taxes historically have been a more stable school funding source than state aid. Logan said the proposed cap would make it more difficult for locally elected school boards to set budgets during times of high inflation, absorb increasing vendor costs and increase pay for teachers in a competitive labor market.

Liz Standish testified in a neutral capacity on behalf of Lincoln Public Schools. LPS opposes LB589 as introduced, she said, but the adoption of Briese's amendment would help address school board members' concerns.

Even with the proposed changes, however, LB589 would not give LPS enough flexibility to keep up with inflation or raise pay in order to attract and retain teachers, Standish said.

The committee took no immediate action on the bill.

Tax credit scholarship program considered

The Revenue Committee heard testimony Feb. 3 on a bill that would create a tax credit scholarship program for Nebraska private school students.

Elkhorn Sen. Lou Ann Linehan introduced LB753 at the request of Gov.



Sen. Tom Briese

Jim Pillen. The measure would allow individuals, passthrough entities, estates, trusts and corporations to claim a nonrefundable income tax credit of up to 50 percent of their state income tax liability on contributions they make to nonprofit organizations that grant scholarships to students to attend private school.



Sen. Lou Ann Linehan

Linehan said the proposal would give more children from low-income families the ability to attend private school if their public school is not a good fit.

“[LB753] creates an opportunity for all children in Nebraska, regardless of their parents’ income, to have access to an education they want and desire, and they deserve.”

Only Nebraska residents would be eligible for the scholarships, which could be used to pay tuition and fees at a qualifying privately operated elementary or secondary school in Nebraska.

Students would be eligible for the scholarships if, among other requirements, they are a dependent member of a household that qualifies for reduced-price meals under the National School Lunch Program.

LB753 would allow the state Department of Revenue to grant \$25 million in credits in 2024. After that, if at least 90 percent of the credits in any given year are claimed, the annual limit would increase by 25 percent.

The department estimates that the annual limit would increase each year and that LB753 would reduce general fund revenue by \$31.3 million in fiscal year 2025-26 and \$39.1 million in FY2026-27.

Pillen supported the proposal, saying Nebraska is one of only two states that does not have a similar program.

Neighboring Iowa has committed \$345 million per year in its budget for support to private schools, he said.

Jeremy Ekeler testified in support of the bill on behalf of the Nebraska Catholic Conference. He said the Children’s Scholarship Fund of Omaha, which provides scholarships to low-income students to attend private schools, turned away 235 applicants last year.

“There was a need, there is a need [and] there is more need coming,” Ekeler said.

Cheryl Logan, superintendent of Omaha Public Schools, testified in opposition to LB753. As the proposed scholarship program grows over time, she said, it could start to compete with public schools for state funding.

“Money and resources are finite,” Logan said.

Also in opposition was Joey Adler Ruane of OpenSky Policy Institute. Under LB753, he said, an individual who contributes to a scholarship granting organization would receive a much greater tax benefit than one who makes a donation to other charitable organizations.

Lincoln Board of Education member Barbara Baier testified in opposition to the bill on behalf of the board. She said the proposal would allow scholarships to be used at schools that could deny enrollment to students based on factors other than race, including their religious beliefs or disabilities.

Additionally, Baier said, LB753 would not require private schools to collect or report data that could be used to measure scholarship recipients’ academic performance.

The committee took no immediate action on the bill.

Proposal would end community college levy

The state would assume responsibility for funding community colleges under a bill heard Feb. 2 by the Revenue Committee.

LB783, introduced by Sen. Dave Murman of Glenvil at the request of Gov. Jim Pillen, would eliminate the community college area levy after fiscal year 2025-26.



Sen. Dave Murman

“Eliminating the tax authority of these boards will quickly provide dollar-for-dollar property tax relief for Nebraskans,” Murman said.

Beginning in 2027, the state would distribute funds to community colleges to offset their lost property tax revenue.

For 2027, the state would distribute to each community college the amount of property taxes it levied in tax year 2025, increased by 3.5 percent. For each year after that, the amount would be equal to the prior year’s distribution, increased by 3.5 percent.

LB783 also would eliminate a refundable income tax credit the Legislature created last year intended to offset part of the amount of property taxes Nebraskans pay to community colleges.

Pillen testified in support of the bill, saying it would ensure community colleges receive the funding they need to train skilled workers while also correcting an “extraordinary inequity” in Nebraska’s tax structure. He said it should be the state’s responsibility to fund community colleges, not local property taxpayers.

“There’s just not a shadow of a doubt in my mind that [LB783] will enhance ... the impact that our community colleges will make for our workforce and for our kids,” Pillen said.

Also testifying in support was Michael Lucci of the Platte Institute. Eliminating the community college levy would reduce property tax collections by 5 to 6 percent statewide, he said.

The state would distribute more than \$300 million per year to community colleges under LB783, Lucci said, but it also would save approximately \$200 million per year by eliminating the credit created last year.

Jacy Schafer testified in support of the bill on behalf of Nebraska Cattlemen and the Nebraska Corn Growers Association. She said the amount of property taxes collected by community colleges has increased by approximately 80 percent over the past decade.

“While community colleges might be an affordable option for those enrolled,” Schafer said, “they are becoming far less reasonable for the property taxpayers footing the bill.”

Neal Stenberg testified in opposition to LB783 on behalf of Southeast Community College, saying future lawmakers would not be bound to continue funding community colleges at the proposed level. He said an “arbitrary” 3.5 percent annual increase in funding would not meet each college’s needs, which can fluctuate from year to year.

Additionally, Stenberg said, eliminating SCC’s levy authority could cause it to default on the financial instruments used to pay for recent capital improvements and prevent it from financing projects in the future.

Diane Keller, a member of the Nebraska Community College Association board of directors, also testified in opposition. Taking away locally elected college boards’ levy authority would limit their ability to offer new programs that meet their community’s needs, she said.

“Why are we looking at trying to change something that has worked well for 50 years ... and has been proven to

provide the workforce that we really need in our local areas?” Keller said.

The committee took no immediate action on the proposal.

Proposal would cut income tax rates to 3.99 percent by 2027

Nebraska’s top individual and corporate income tax rates would fall to just under 4 percent over the next several years under a bill heard Feb. 2 by the Revenue Committee.

Lawmakers last session passed LB873, which will cut the state’s top individual income tax rate in several steps from the current 6.64 percent to 5.84 percent by tax year 2027. It will cut the top corporate rate from the current 7.25 percent to 5.84 percent over the same period.

LB754, introduced by Elkhorn Sen. Lou Ann Linehan at the request of Gov. Jim Pillen, would cut both rates to 3.99 percent by tax year 2027.



Sen. Lou Ann Linehan

Linehan said improving Nebraska’s tax climate is critical to attracting businesses and young professionals. If LB754 is enacted, she said, Nebraska would rank in the top 15 states for lowest personal and corporate income tax rates, compared to roughly 30th now.

Two other proposals heard by the committee, LB804 and LB806, would accelerate last year’s cuts, reducing the top corporate and individual rates, respectively, to 5.84 percent beginning with tax year 2023. Sen. R. Brad von Gillern of Elkhorn, who sponsored those bills at the request of the governor, said proposed amendments instead would implement the rate changes beginning with tax year 2024.

Currently, the state’s top individual rate applies to income of \$29,000

and over for individual filers and \$58,000 and over for those married filing jointly. The top corporate rate applies to all taxable income in excess of \$100,000.

The state Department of Revenue estimates that LB754 would reduce state general fund revenue by \$221 million in fiscal year 2023-24. By FY2028-29, it would reduce general fund revenue by an estimated \$735 million.

Pillen testified in support of the bill. Even with the recent phased-in rate cuts, he said, Nebraska’s individual and corporate income tax rates are not competitive with those in many other states, including neighboring Iowa, which will phase in a flat 3.9 percent personal income tax rate by 2026.

“From my seat, this is not a hope or a dream,” Pillen said. “This is a dire need for Nebraska.”

Michael Lucci testified in support of LB754. Speaking on behalf of the Platte Institute, he said increased worker mobility and a recent federal cap on state and local tax deductions have made state tax rates more important in determining a state’s overall competitiveness.

Mark McHargue testified in support of the bill on behalf of the Nebraska Farm Bureau and the Nebraska State Dairy Association. He said property tax relief is the Nebraska Farm Bureau’s priority but that the organization also supports Pillen’s tax and education funding proposals as long as they deliver equal amounts of income and property tax relief.

Jim Greisch testified in support of LB754 on behalf of the Greater Omaha Chamber, the Nebraska Chamber of Commerce and Industry and Blueprint Nebraska. He said the proposed cuts would “at last” make Nebraska competitive for businesses and workers deciding where to locate.

Testifying in opposition to the bill

was Rebecca Firestone of OpenSky Policy Institute. Although Nebraska currently is in good fiscal shape, she said, OpenSky is concerned that the state might not be able to sustain the proposed tax cuts over the long term.

If lawmakers intend to return a portion of the current budget surplus to taxpayers, Firestone said, a tax rebate or child tax credit would do that without committing the state to ongoing revenue losses.

The committee took no immediate action on LB754.

Income-based ag land valuation method proposed

The assessed value of Nebraska agricultural and horticultural land would be based on its income potential rather than its market value under a proposal heard Feb. 3 by the Revenue Committee.

LB820, introduced by Thurston Sen. Joni Albrecht on behalf of Gov. Jim Pillen, would require county assessors to use an income-approach calculation to determine a parcel’s “agricultural use value” each year beginning in 2024.



Sen. Joni Albrecht

In determining that value, assessors would use income and expense estimates for each class of agricultural and horticultural land and capitalization rates set by a new, five-member Agricultural Land Valuation Committee.

The bill would cap annual increases in total statewide assessed value for agricultural and horticultural land at 3.5 percent.

Albrecht said an income-based valuation method, which is used in neighboring Kansas, Iowa and South Dakota, is a “more fair and equitable”

assessment method than a market-based approach.

Pillen testified in support of the proposal, saying Nebraska’s current method results in farm and ranch land values that are based on the sale price of a neighboring property, not a parcel’s ability to produce income.

He said this has led to “extraordinary” increases in agricultural and horticultural land valuations across the state, in some cases driving farmers and ranchers out of business.

Scott Peterson testified in support of LB820 on behalf of Nebraska Cattlemen. He said the current valuation method puts Nebraska farmers and ranchers at a disadvantage to those in surrounding states that have adopted an income-based approach.

Mark McHargue testified in support of the bill on behalf of Nebraska Farm Bureau and six other groups representing Nebraska’s agriculture and ethanol industries. Although those groups support the bill’s intent, he said, they are concerned that the proposed valuation method would require a “high degree of professional judgment.”

Testifying in opposition to LB820 was Jon Cannon of the Nebraska Association of County Officials. Depending on the types of property in a county, he said, a county board might not be able to increase its levy enough to make up for the revenue lost due to valuation changes caused by the new method.

Also in opposition was Rebecca Firestone of OpenSky Policy Institute. She said the change could shift more of the responsibility to pay for public schools and local government onto residential and commercial property owners in areas with a mix of property types.

Shane Rhian testified in opposition to LB820 on behalf of Omaha Public Schools, saying it could increase the number of school districts that receive state equalization aid. He

said lawmakers also are considering proposals this year to provide foundation aid to each district and reimburse districts for a greater percentage of their special education expenditures.

If those additional funding obligations prove unsustainable in an economic downturn, Rhian said, a future legislature likely would balance its budget first by cutting equalization aid, which OPS relies on for a substantial part of its budget.

The committee took no immediate action on the bill. ■

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Enter your full address into the “Find Your Senator” search field on the right-hand side of the website homepage and press the Enter key. Your district number and a picture of your senator will be displayed on the right, along with a link to that senator’s landing page.

This page includes the senator’s contact information, biography and the committees they serve on. It also provides links to their photos, bills they’ve introduced and coverage of them in the Unicameral Update.

COMMITTEE HEARINGS

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

Tuesday, Feb. 7

Agriculture

Room 1524 - 9:30 AM

LB116 (Brandt) Change provisions of the Beginning Farmer Tax Credit Act
LB442 (Albrecht) State intent to transfer funds to the Livestock Growth Act Cash Fund

Agriculture

Room 1524 - 1:30 PM

Appointments: Marie A. Farr, Steven F. Stroup - Neb. Brand Committee
LB229 (Erdman) Change registered feedlot inspection requirements under the Livestock Brand Act
LB562 (Dorn) Adopt the E-15 Access Standard Act
LB218 (Ibach) Change provisions relating to intent to appropriate money for management of vegetation within the banks or flood plain of a natural stream

Banking, Commerce & Insurance

Room 1507 - 9:00 AM

LB32 (Jacobson) 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 or end-stage renal disease
LB145 (Bostar) Change provisions relating to coverage for screening mammography and breast examinations
LB142 (Briese) Limit the amount an insured pays for prescription insulin drugs
LB779 (Bostar) Limit the amount an insured pays for prescription insulin drugs

Banking, Commerce & Insurance

Room 1507 - 1:30 PM

LB383 (Bostar) Change provisions relating to insurance coverage for screenings for colorectal cancer
LB308 (Bostar) Adopt the Genetic Information Privacy Act

Education

Room 1525 - 9:30 AM

LB585 (Hughes) Change a duty of the

state school security director and require behavioral and mental health training for certain school personnel
LB520 (Walz) Change provisions relating to high school graduation requirements and academic content standards and the Computer Science and Technology Education Act
LB153 (DeBoer) Adopt the Extraordinary Increase in Special Education Expenditures Act
LB805 (von Gillern) Require schools to allow certain youth organizations to provide information, services, and activities

Education

Room 1525 - 1:30 PM

LB583 (Sanders) Provide for foundation aid and special education supplemental aid under the Tax Equity and Educational Opportunities Support Act
LB698 (Murman) Change provisions relating to residency for enrollment in a public college or university
LB414 (Conrad) Change provisions relating to the enrollment option program

Nebraska Retirement Systems

Room 1525 - 12:00 PM

LB104 (McDonnell) Change provisions of the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act
LB105 (McDonnell) Change provisions of public employee retirement plans relating to military service
Special: NPERS Briefing
Special: Neb. Investment Council Briefing

Transportation & Telecommunications

Room 1113 - 9:30 AM

Appointment: Kirk Langer - Neb. Information Technology Commission
LB683 (Transportation & Telecommunications Committee) Create the Nebraska Broadband Office and provide duties
LB412 (Geist) Provide powers for the Public Service Commission under the Nebraska Broadband Bridge Act

Transportation & Telecommunications

Room 1113 - 1:30 PM

Appointment: Russell L. Kreachbaum, Jr.
- Board of Public Roads Classifications and Standards
LB119 (Bostelman) Redefine a term under the Nebraska Broadband Bridge Act
LB359 (Hughes) Change application deadlines under the Nebraska Broadband Bridge Act
LB722 (Bostelman) Provide authority for the Public Service Commission regarding construction of broadband or other telecommunications infrastructure
LB155 (DeBoer) Change provisions regarding the applicability of the Small Wireless Facilities Deployment Act

Wednesday, Feb. 8

Government, Military & Veterans Affairs

Room 1507 - 9:30 AM

LB143 (Briese) Provide for year-round daylight saving time
LR14CA (Briese) Constitutional amendment to provide for recall of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts or a member of the Legislature
LB208 (Bostar) Prohibit counties from prohibiting the use of residential property as short-term rentals

Government, Military & Veterans Affairs

Room 1507 - 1:30 PM

LB277 (Brewer) Adopt the First Freedom Act and authorize the wearing of tribal regalia by students
LB70 (M. Cavanaugh) Eliminate the fee for certain state identification cards and certified copies of birth certificates for voting purposes

Health & Human Services

Room 1510 - 9:30 AM

LB590 (Holdcroft) Change the personal needs allowance for eligible aged, blind, and disabled persons
LB664 (Riepe) Provide powers and duties for the state medicaid fraud control unit and the Attorney General
LB13 (Blood) Require coverage of human

COMMITTEE HEARINGS

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

breast milk under the Medical Assistance Act

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

LB574 (Kauth) Adopt the Let Them Grow Act

Judiciary

Room 1113 - 9:30 AM

LB328 (Raybould) Create the Office of Liaison for Missing and Murdered Indigenous Persons

LB135 (J. Cavanaugh) Prohibit use of deception by peace officers in questioning juveniles

LB284 (McKinney) Adopt the Municipal Police Oversight Act, require maintenance of Brady and Giglio lists, restrict usage of no-knock warrants, prohibit collection of data on gang membership, require a bachelor's degree for law enforcement certification, change requirements on law enforcement records, and eliminate the offense of unlawful membership recruitment into an organization

Judiciary

Room 1113 - 1:30 PM

LB253 (Brewer) Provide for an additional location for the Nebraska Law Enforcement Training Center

LB417 (McDonnell) Provide for a leadership academy for law enforcement professionals

LB382 (Bostar) Provide powers and duties for University of Nebraska police departments and police officers

LB777 (Bostar) Change provisions of the Automatic License Plate Reader Privacy Act

LB788 (Wayne) Designate the Nebraska State Patrol as the agency to investigate criminal activity within Department of Correctional Services correctional facilities

Natural Resources

Room 1525 - 9:30 AM

LB400 (Brewer) Adopt the Nebraska Pheasant Restoration Act

LB450 (Brewer) Prohibit land disposal of wind turbine blades and their component parts

Natural Resources

Room 1525 - 1:30 PM

LB292 (M. Cavanaugh) Prohibit the use of eminent domain under the Jobs and Economic Development Initiative Act

LB636 (Albrecht) Prohibit political subdivisions from restricting certain energy services

Revenue

Room 1524 - 9:30 AM

LB447 (Bostar) Provide an income tax deduction for retired firefighters for health insurance premiums, rename and change provisions of the Law Enforcement Education Act to include tuition waivers for professional firefighters and dependents, and provide powers and duties for the Department of Revenue

LB497 (Linehan) Change provisions relating to itemized deductions

LB492 (von Gillern) Allow income tax deductions for the cost of certain property and for certain research or experimental expenditures

Revenue

Room 1524 - 1:30 PM

LB318 (Bostar) Adopt the Child Care Tax Credit Act and reauthorize tax credits under the School Readiness Tax Credit Act

LB294 (Conrad) Adopt the Child Tax Credit Act

LB295 (Conrad) Increase the earned income tax credit

Thursday, Feb. 9

**Government, Military & Veterans Affairs
Room 1507 - 9:30 AM**

LB471 (Geist) Rename and change provisions of the Engineers and Architects Regulation Act to include provisions relating to registered interior designers and to create a voluntary registry for interior designers

LB16 (Briese) Require occupational boards to issue certain credentials based on credentials or work experience in another jurisdiction and make a determination regarding an applicant with a criminal conviction, provide for jurisprudential examinations

and appeals from denial of a license, and change requirements for membership of the State Electrical Board

LB43 (Sanders) Require hearing officers and judges to interpret statutes and regulations to limit agency power and maximize individual liberty

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

LB41 (Hansen) Prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations

LB304 (Linehan) Require political subdivisions to disclose membership dues and lobbying fees

LB312 (Lowe) Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions

LB268 (Halloran) Authorize participation by certain entities in trusts or investment pools established by the State Treasurer

Health & Human Services

Room 1510 - 9:30 AM

LB433 (Jacobson) Provide requirements for distribution of funding for behavioral health regions

LB451 (Brewer) Provide for the Department of Health and Human Services to award a grant to assist a rehabilitation hospital

LB219 (Ibach) Require the Department of Health and Human Services to rebase rates for critical access hospitals

LB458 (Ballard) Allow certain central fill pharmacies to deliver to a patient under the Prescription Drug Safety Act

Health & Human Services

Room 1510 - 1:30 PM

LB286 (Walz) Provide for confidentiality of a physician wellness program under the Uniform Credentialing Act

LB326 (Raybould) Provide for eligibility for certain children under the Medical Assistance Act

LB468 (DeBoer) Create the position of State Dementia Director in the Department of Health and Human Services

COMMITTEE HEARINGS

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

LB353 (Raybould) Provide for grants for projects that increase long-term care facility capacity

Judiciary

Room 1113 - 9:30 AM

LB588 (Wishart) Adopt the Medicinal Cannabis Act

Judiciary

Room 1113 - 1:30 PM

LB436 (Geist) Change provisions relating to controlled substances schedules under the Uniform Controlled Substances Act

LB307 (Hunt) Provide an exception to the penalty relating to drug paraphernalia under the Uniform Controlled Substances Act

LB22 (Wayne) Decriminalize use and possession of marijuana

LB634 (McKinney) Adopt the Cannabis Control Act and the Cannabis Conviction Clean Slate Act

Natural Resources

Room 1525 - 9:30 AM

LB397 (Erdman) Relocate the Game and Parks Commission headquarters to the city of Sidney, Nebraska

LB425 (Bostelman) Change provisions relating to the Game and Parks Commission and the Game Law

Natural Resources

Room 1525 - 1:30 PM

LB456 (Brewer) Provide for claims for monetary compensation for damage caused by elk or mountain lions and authorize the control of elk and mountain lion populations

Revenue

Room 1524 - 9:30 AM

LB732 (Bostar) Change provisions of the Convention Center Facility Financing Assistance Act

LB797 (Wayne) Change provisions of the Convention Center Facility Financing Assistance Act

LB803 (von Gillern) Change provisions of the Sports Arena Facility Financing Assistance Act

Revenue

Room 1524 - 1:30 PM

LB242 (Briese) Change provisions of the Nebraska Property Tax Incentive Act

LB243 (Briese) Change the minimum amount of relief granted under the Property Tax Credit Act

LB244 (Briese) Provide an additional tax credit under the Nebraska Property Tax Incentive Act

Friday, Feb. 10

Executive Board

Room 1525 - 12:00 PM

LB90 (Day) Change provisions relating to tax incentive performance audits

LB254 (Brewer) Require the Legislative Council to develop and maintain a publicly accessible digital Internet archive of closed-captioned video coverage of the Legislature and change powers and duties of the Nebraska Educational Telecommunications Commission

Government, Military & Veterans Affairs

Room 1507 - 9:30 AM

LB360 (M. Cavanaugh) Adopt the Office of Inspector General of Nebraska Procurement Act

LB205 (von Gillern) Adopt the Government Neutrality in Contracting Act

LB343 (Slama) Prohibit public contracts with companies that boycott Israel

Government, Military & Veterans Affairs

Room 1507 - 1:30 PM

LB293 (M. Cavanaugh) Provide formal protest procedures for certain state contracts for services

LB461 (Arch) Change, transfer, and eliminate provisions relating to the materiel division of the Department of Administrative Services and procurement of services and personal property

LB133 (J. Cavanaugh) Provide that entities exercising the power of eminent domain are subject to the Open Meetings Act

LB513 (Brewer) Change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act

Health & Human Services

Room 1510 - 9:30 AM

LB611 (Riepe) Provide requirements for certain health care facility-provided medications

LB810 (Murman) Adopt the Medical Ethics and Diversity Act

Health & Human Services

Room 1510 - 1:30 PM

LB227 (Hansen) Provide duties for the Department of Health and Human Services relating to reimbursing certain hospitals for nursing facility services under the Medical Assistance Act

LB434 (Jacobson) Require the Department of Health and Human Services to enroll long-term care hospitals as providers under the medical assistance program and submission of a state plan amendment or waiver

LB517 (Walz) Require the Department of Health and Human Services to pay discharge incentives to post-acute placement facilities

LB772 (Hughes) Create the Residential Youth Parenting Facility Grant Program

Judiciary

Room 1113 - 9:30 AM

LB220 (Ibach) Change provisions relating to the Board of Pardons' powers and duties and required notices to crime victims

LB757 (DeBoer) Change requirements for applications under the Nebraska Crime Victim's Reparations Act

LB760 (DeBoer) Provide for the Nebraska Commission on Law Enforcement and Criminal Justice to create a victim advocate grant program

Judiciary

Room 1113 - 1:30 PM

LB482 (Raybould) Adopt the Suicide Risk Protection Order Act

LB11 (Blood) Change provisions relating to domestic abuse protection orders

LB759 (DeBoer) Provide for notification of the pending expiration of a protection order

LB758 (DeBoer) Create the Sexual Violence Review Act

COMMITTEE HEARINGS

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

Revenue

Room 1524 - 9:30 AM

- LB300 (Linehan) Change provisions relating to sales and use tax exemptions for nonprofit organizations
- LB384 (Bostar) Change the distribution of sales tax revenue on aircraft
- LB496 (Linehan) Provide a sales and use tax exemption for business inputs

Revenue

Room 1524 - 1:30 PM

- LB440 (Albrecht) Change provisions relating to certain school taxes and special funds
- LB309 (Bostar) Change an interest rate relating to property tax refunds
- LB809 (Murman) Change limitations on applications under the Nebraska Advantage Rural Development Act

Monday, Feb. 13

Appropriations

Room 1307 - 1:30 PM

- LB813 (Arch) Provide, change, and eliminate provisions relating to appropriations
- LB814 (Arch) Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2025, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021
- LB815 (Arch) Appropriate funds for salaries of members of the Legislature
- LB816 (Arch) Appropriate funds for salaries of constitutional officers
- LB817 (Arch) Appropriate funds for capital construction
- LB818 (Arch) Provide for transfers of funds and change and eliminate provisions regarding the sources, uses, and transfers of funds
- LB819 (Arch) Change provisions relating to the Cash Reserve Fund

Banking, Commerce & Insurance

Room 1507 - 1:30 PM

- LB152 (Dover) Eliminate registration requirements under the Membership Campground Act
- LB392 (Ballard) Authorize the electronic delivery of certain health benefit plan documents

- LB437 (Ballard) Change the renewal period for business entity licenses under the Insurance Producers Licensing Act

- LB256 (Brewer) Change provisions related to insurance coverage of telehealth

- LB730 (Holdcroft) Adopt the Fair Access to Financial Services Act
- LB743 (Kauth) Adopt the Investment Neutrality in Public Funds Act

Business & Labor

Room 1524 - 1:30 PM

- LB639 (Blood) Change provisions of Nebraska Workers' Compensation Act relating to rules and regulations, case progression standards, and summons and eliminate requirements to distribute copies of certain materials
- LB5 (Blood) Provide for compensability under Nebraska Workers' Compensation Act for mental injuries resulting from workplace violence
- LB101 (Erdman) Provide for an exemption from the Nebraska Workers' Compensation Act for certain agricultural operations (reschedule)
- LB393 (Erdman) Change regulation of detasseling and roguing and hybrid seed corn (reschedule)
- LB327 (Raybould) Change provisions relating to the minimum wage under the Wage and Hour Act
- LB678 (Day) Change provisions and definitions of the Nebraska Fair Employment Practice Act relating to disability
- LB671 (Hansen) Allow the Nebraska Training and Support Cash Fund to be used for retention of existing employees of Nebraska businesses
- LB670 (Hunt) Prohibit discrimination under the Nebraska Fair Employment Practice Act on the basis of gender identity or sexual orientation and prohibit discrimination by employers regardless of size
- LB335 (Halloran) Adopt the Health Care Staffing Agency Registration Act

Education

Room 1525 - 1:30 PM

- LB99 (M. Cavanaugh) Adopt the Hunger-Free Schools Act
- LB201 (Vargas) Provide a high school

- graduation requirement relating to federal student aid

- LB575 (Kauth) Adopt the Sports and Spaces Act

General Affairs

Room 1510 - 1:30 PM

- LB72 (Aguilar) Redefine the term gross proceeds for purposes of the Nebraska County and City Lottery Act
- LB73 (Aguilar) Change provisions relating to authorized uses for a County Visitors Improvement Fund
- LB168 (Bostar) Change provisions relating to sports wagering and distribution of taxes collected from sports wagering on instate collegiate sporting events
- LB232 (J. Cavanaugh) Change provisions relating to keno and provide for the sale of digital-on-premises tickets
- LB775 (Lowe) Redefine a term under the Nebraska Racetrack Gaming Act and change and provide powers and duties for the State Racing and Gaming Commission
- LB311 (Lowe) Change dates related to the required market analysis and socioeconomic-impact studies under the Nebraska Racetrack Gaming Act
- LB685 (Briese) Rename, transfer, and change provisions relating to the Mechanical Amusement Device Tax Act, transfer powers from the Department of Revenue to the State Racing and Gaming Commission, provide a tax on cash devices, and eliminate provisions relating to the power to tax under the Mechanical Amusement Device Tax Act

Transportation & Telecommunications

Room 1113 - 1:30 PM

- Appointment:* John C. Ernst - Neb. Motor Vehicle Industry Licensing Board
- LB773 (Vargas) Require voter approval of taxes on wireless services
- LB26 (Wayne) Adopt the Rural Municipal Broadband Access Act
- LB607 (McDonnell) Change provisions relating to grants for the 211 Information and Referral Network

COMMITTEE HEARINGS

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

Tuesday, Feb. 14

Agriculture

Room 1524 - 1:30 PM

LB662 (Ballard) Change provisions of the Nebraska Right to Farm Act relating to certain public or private nuisances

LB740 (Vargas) Change provisions of the Nebraska Pure Food Act

Appropriations

Room 1307 - 1:30 PM

Agency 32: Board of Educational Lands and Funds

Agency 34: Neb. Library Commission

Agency 47: Neb. Educational Telecommunications Commission

Agency 75: Neb. Investment Council

Agency 85: Public Employees Retirement Board

Agency 41: State Real Estate Commission

Agency 53: Real Property Appraiser Board

Agency 63: Neb. Board of Public Accountancy

Agency 58: Board of Engineers and Architects

Agency 59: Board of Geologists

Agency 62: State Board of Examiners for Land Surveyors

Agency 66: Abstracters Board of Examiners

Agency 73: State Board of Landscape Architects

Transportation & Telecommunications

Room 1113 - 1:30 PM

Appointment: James Ediger - Neb. Information Technology Commission
LB63 (Bostar) Require withholding of distributions to telecommunications companies from the Nebraska Telecommunications Universal Service Fund

LB625 (McDonnell) Provide requirements for operation of autonomous vehicles

LB199 (Brewer) Provide for a driving privilege card for federally authorized aliens

LB807 (von Gillern) Provide for one license plate per vehicle

LB738 (Raybould) Change provisions in the Nebraska Rules of the Road relating to electric bicycles

Urban Affairs

RM 1510 - 1:30 PM

LB274 (Holdcroft) Provide for persons with disabled veterans license plates to park in handicapped parking spaces

LB346 (Brandt) Redefine qualifying business under the Local Option Municipal Economic Development Act

LB691 (Linehan) Require the city or owner of a fixed rail or streetcar system to pay project-related costs for utilities

LB693 (Linehan) Require an authority under the Community Development Law to pay project-related costs for utility work for a fixed rail or streetcar system

Wednesday, Feb. 15

Appropriations

Room 1307 - 1:30 PM

Agency 3: Legislative Council

Agency 11: Attorney General

Agency 30: State Electrical Board

Agency 57: Neb. Oil and Gas Conservation Commission

Agency 74: Neb. Power Review Board
LB323 (Linehan) Appropriate funds for a salary increase for legislative employees

LB597 (Clements) Appropriate funds to the Legislative Council

LB654 (McDonnell) Appropriate funds to the Legislative Council

Natural Resources

Room 1525 - 1:30 PM

LB281 (Jacobson) Require the Department of Economic Development to provide grants for youth outdoor education camp facilities

Thursday, Feb. 16

Appropriations

Room 1307 - 1:30 PM

Agency 36: State Racing Commission

Agency 56: Neb. Wheat Board

Agency 60: Neb. Ethanol Board

Agency 61: Neb. Dairy Industry Development Board

Agency 86: Dry Bean Commission

Agency 88: Corn Development, Utiliza-

tion and Marketing Board

Agency 92: Neb. Grain Sorghum Board

Agency 95: Dry Pea & Lentil Commission

Agency 97: Hemp Commission

Natural Resources

Room 1525 - 1:30 PM

Appointment: Donald P. Batie - Neb.

Natural Resources Commission

LB120 (Bostelman) Eliminate obsolete provisions relating to a Nebraska Power Review Board study

LB121 (Bostelman) Repeal the Trail Development Assistance Act

LB568 (Bostelman) Adopt the Nuclear and Hydrogen Development Act ■

SEARCH FOR BILLS

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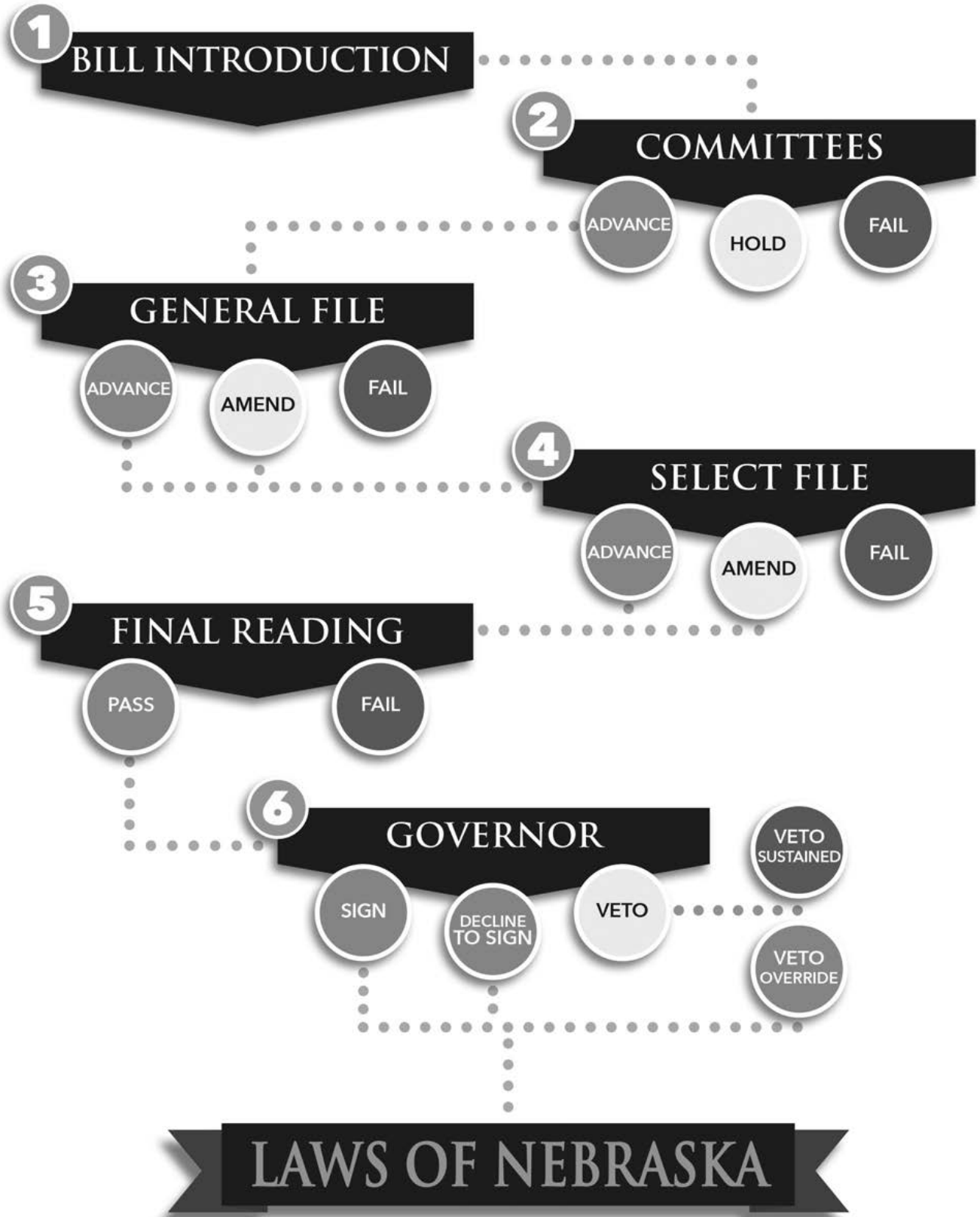
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HOW A BILL BECOMES LAW



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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