

Omnibus liquor bill amended, advanced

A proposal related to liquor importation in Nebraska was amended to become an omnibus liquor bill and advanced from general file March 13.

LB376, as introduced by Kearney Sen. John Lowe, would create a brand registration for the state Liquor Control Commission to accurately identify

and track alcoholic products being imported into Nebraska.

Beginning Jan. 1, 2024, every licensed manufacturer, wholesaler and shipper would be required to pay a registration fee and submit a report



Sen. John Lowe, chairperson of the General Affairs Committee, introduced LB376, which became an omnibus liquor law measure.

to the commission prior to the sale or shipment of any alcoholic liquor into the state.

“This process already exists, but it’s not written into statute,” Lowe said. “[LB376] takes a commission procedure

and codifies it into law.”

Lowe introduced an amendment on behalf of the General Affairs Committee to replace the original bill with amended provisions of LB376 and five other bills heard by the committee this session.

Omaha Sen. Machaela Cavanaugh made a motion to consider the various provisions as separate amendments. The motion was successful.

Cavanaugh did not oppose the underlying bill or the amendments, but offered a series of procedural motions to extend debate as part of a strategy to slow the legislative process and discuss other pro-

(continued page 2)

Constitutional amendments would protect reproductive freedom

The question of reproductive rights in Nebraska would be put directly to voters under a pair of constitutional amendments heard by the Health and Human Services Committee March 16.

The amendments, introduced by Omaha Sen. Megan Hunt, would be placed on the November 2024 general election ballot if passed by the Legislature.

LR18CA would amend the state constitution to include “reproductive freedom” as an inherent and inalienable right along with life, liberty, the pursuit of happiness and the right to keep and bear arms.

LR19CA would create a new section of Nebraska’s constitution to outline reproductive rights, including the right

to make decisions about all matters relating to pregnancy and abortion, and would protect Nebraskans from legal penalties related to any pregnancy outcome.

Hunt said it is time to put decisions regarding reproductive freedom in the hands of Nebraskans, not lawmakers. The U.S. Supreme Court delegated authority over abortion regulation to the states, she said, and Nebraska voters should be the ultimate decision makers.

“[Lawmakers] really don’t know what’s best for individuals and their families when it comes to decisions about how, when [and] where to start a family,” Hunt said. “But I trust our neighbors and I want to know what they think.”

Erin Feichtinger, policy director for the Women’s Fund of Omaha, testified in support of both amendments. Since

(continued page 3)



Sen. Megan Hunt

Omnibus Liquor bill amended, advanced

(continued from front page)

posals that she said would negatively impact LGBTQ+ Nebraskans.

The committee amendment containing the original provisions of LB376 was adopted 35-0 and also would cap the registration fee at \$30.

Another amendment, adopted 33-0, contained the provisions of LB667, originally introduced by Seward Sen. Jana Hughes. The proposal would authorize alcohol wholesalers to use channel pricing — a strategy used to determine a product’s price based on the retailer’s license and business type.

Hughes said the pricing strategy would help wholesalers adapt to new ‘hybrid’ facilities.

“Our current law was adopted prior to the existence of new hybrid retailers of alcohol where you can have a bar inside the liquor store [and] a customer can have a cocktail in the store while they shop for their favorite beverage,” she said. “[The bill] updates the law to allow wholesalers to adapt their pricing in response to these hybrid facilities.”



Sen. Jana Hughes

Another component of the divided committee amendment, adopted 34-0, contained provisions of LB596, brought by Sen. Brian Hardin of Gering.



Sen. Brian Hardin

The proposal would permit liquor manufacturers and wholesalers to enter into an advertising or sponsorship agreement with a nonprofit organization, municipal corporation, religious corporation or political subdivision that holds a Special Designated License.

Such agreements currently are prohibited under state and federal law, Hardin said, and the amendment would take effect only if a similar measure is passed at the federal level.

The provisions of two other measures introduced by Lowe, LB259 and LB377, also were separately amended into the bill.

The provisions of LB377, adopted 37-0, would allow nonprofits to apply for up to 12 SDLs per calendar year. Current regulations restrict nonprofits to six SDL applications each year.

Under the provisions of LB259, farm wineries could apply for a license to sell beer, mixed drinks and other alcoholic beverages not produced by the farm winery for consumption on their premises. The amendment was adopted 40-0.

Sen. John Cavanaugh of Omaha supported the amendment, saying the update would put farm wineries on “equal footing” with craft breweries and microdistilleries that already are authorized for such licenses.

The divided committee amendment also included provisions of LB452, introduced by Glenvil Sen. Dave Murman. The amendment, adopted 31-0, would allow the holder of a microdistillery license to sell up to 500 gallons of their products directly to licensed retail facilities annually.



Sen. Dave Murman

Following the 40-0 adoption of a Lowe amendment to have the bill take effect immediately upon passage, senators voted 43-0 to advance LB376 to select file. ■

UNICAMERAL UPDATE

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Constitutional amendments would protect reproductive freedom

(continued from front page)

the U.S. Supreme Court overturned *Roe v. Wade*, she said, every state that placed abortion rights on the ballot has voted to affirm those rights.

“Nebraskans are asking for the same opportunity to truly let their voices be heard on the issue,” Feichtinger said. “We should not be afraid to let the voters decide.”

Also speaking in support of the proposals was Lisa Lewis from the civil right committee of the Jewish Federation of Omaha. She said any restriction on reproductive rights is a restriction on people’s religious freedoms.

“In Judaism, life is precious [and] a woman’s life always takes precedence over everything,” Lewis said. “There should not be an imposition of law against your particular faith belief.”

Kelsey Arends, staff attorney at Nebraska Appleseed, also spoke in support of LR18CA and LR19CA. Restrictions on abortion care disproportionately harm communities of color, she said, and enshrining a right to reproductive freedom in the state constitution would address elements of racial injustice in the health care system.

“Black and Indigenous people are two to four times as likely as white people to die during pregnancy or around the time of childbirth,” Arends said. “Recent estimates indicate that a nationwide abortion ban would increase maternal mortality by 21 percent overall and by 33 percent for Black Americans.”

Testifying on behalf of the Nebraska Family Alliance in opposition to both proposals was Nate Grasz. He said abortion takes away the most

important and fundamental right for a human being – the right to life.

“We possess this right by virtue of our humanity and not because it is granted to us by [the] government or other people,” Grasz said. “States should seek to provide greater protections to the lives of baby boys and girls in our state while providing meaningful, compassionate care and support for mothers and their families.”

Executive Director of Nebraska Right to Life Sandy Danek also testified in opposition, saying a person can be held criminally liable under state and federal law for injuring or killing an unborn child while committing a crime against a pregnant individual because they are recognized as two separate human lives.

“Clearly, both our federal and state legislative bodies have endowed the unborn child at any stage of development with personhood,” Danek said. “Therefore, that child is also entitled to the right to life – which [is] in direct conflict with reproductive freedom.”

Also speaking in opposition to LR18CA and LR19CA was Justine Kyker, who said both measures misconstrue the definition of reproductive freedom.

“The right to reproductive freedom is our right to reproduce,” she said, “not our right to abort.”

The committee took no immediate action on either proposal. ■



High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2023 Unicameral Youth Legislature, which will convene June 11-14.

The Unicameral Youth Legislature is a four-day legislative simulation conducted at the State Capitol Building and coordinated by the Clerk’s Office of the Nebraska Legislature. Student senators will sponsor bills, conduct committee hearings, debate legislation and discover the unique process of the nation’s only unicameral.

Students will learn about the inner workings of the Legislature directly from senators and staff. Bills will be based on legislation considered during the current legislative session.

Registrants are encouraged to apply for a Speaker Greg Adams Civic Scholarship award, which covers the full cost of admission. Applicants must submit a short essay.

Note that all scholarships are awarded prior to registration.

The University of Nebraska-Lincoln’s Extension 4-H Youth Development Office coordinates housing and recreational activities for the camp as part of their Big Red Summer Camps program.

Registration forms can be obtained in March through the Legislature’s Unicameral Youth Legislature page: NebraskaLegislature.gov/uyl. ■

MEET THE SENATOR

Conrad returns to the Legislature

When Lincoln Sen. Danielle Conrad left the Legislature due to term limits in 2015, after serving for eight years, she recalls thinking that one should “never say never” when it comes to returning to politics. But she embraced the opportunity for a shift in focus.

Conrad took on the role of executive director at the ACLU of Nebraska—a move that allowed her to remain engaged in public policy and legislative issues while growing the organization to new heights.

“We were a really small and scrappy team. We had a pretty modest budget and a four-person staff,” she said. “I was able to help build the organization during the eight years at the helm to a staff of about a dozen [people] and quadrupled the budget.”

It was a meaningful endeavor and a labor of love, Conrad said.

Having eight years away from public service also provided the opportunity not only to stay involved in key political issues facing the state through her work at the ACLU, she said, but also gave her a “little breathing room” to nurture and expand her family.

While daughter, Caroline, was born during Conrad’s first stint in the Legislature in 2011, she and husband, Tom, welcomed their second child, Will, in 2016. Having the time to be present and engaged with her son was important—something she hopes her work at the Unicameral will allow other families the ability to do.

The more flexible schedule also meant the family had

time for more adventures, including fishing and embracing the outdoors.

“In the summer, we live at the swimming pool,” she said, “and in the winter we live at the sledding hill.”

But as much as she loved her new life, Conrad felt a calling to return to public service in 2022 to try and make a difference on a broader scale after witnessing “storm clouds” on the political horizon.

“If I could possibly do more with my unique experiences to try and make a positive difference then I just have to try,” she said.

This time around, Conrad had help from her children— who knocked on doors, checked off the walking list and put up yard signs on the campaign trail.

It was a “real family affair” and a way to model for her kids that they should jump in when they see a problem in the community that needs to be solved or a challenge that should be taken on, Conrad said.

Her experiences as a mother of two, a wife to a small business owner

and supporter of her husband in caring for his aging parents have provided Conrad a deeper understanding of several key issues facing the state during her second time at the Legislature.

“I think my life experiences are much broader and much more diverse today than they were during my previous term of service when I came in as a single young professional, and I think those lived experiences provide a lot of significant benefits,” Conrad said. ■



Sen. Danielle Conrad and husband, Tom, along with children, Caroline and Will, enjoying the arboretum on the University of Nebraska-Lincoln’s East Campus.

PRIORITY BILLS

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

SENATOR PRIORITY BILLS

| Priority | Bill | Introducer | One-line description |
|--------------|--------|--------------|--|
| Aguilar | LB81 | Aguilar | Change number of county judges in Buffalo and Hall counties |
| Albrecht | LB626 | Albrecht | Adopt the Nebraska Heartbeat Act |
| Arch | 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 |
| Armendariz | LB684 | Briese | Provide for a review of services provided by state agencies |
| Ballard | LB732 | Bostar | Change provisions of the Convention Center Facility Financing Assistance Act |
| Blood | LR1CA | Blood | Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed |
| Bostar | LB63 | Bostar | Require withholding of distributions to telecommunications companies from the Nebraska Telecommunications Universal Service Fund |
| Bostelman | LB165 | Geist | Include elementary and secondary schools in the Nebraska educational savings plan trust and change tax benefits |
| Brandt | LB61 | Brandt | Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission |
| Brewer | LB77 | Brewer | Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties |
| Briese | LB243 | Briese | Change the minimum amount of relief granted under the Property Tax Credit Act |
| J. Cavanaugh | LB184 | J. Cavanaugh | Provide for inadmissibility of statements of juveniles during transfer proceedings |
| M. Cavanaugh | LB348 | Wayne | Adopt the Community Work Release and Treatment Centers Act and change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration |
| Clements | LB575 | Kauth | Adopt the Sports and Spaces Act |
| Conrad | LB294 | Conrad | Adopt the Child Tax Credit Act |
| Day | LB84 | Day | Change provisions relating to the Supplemental Nutrition Assistance Program |
| DeBoer | LB35 | DeBoer | Change provisions relating to child care assistance |
| DeKay | LB768 | DeKay | Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund |
| Dorn | LB562 | Dorn | Adopt the E-15 Access Standard Act |
| Dover | LR22CA | Dover | Constitutional amendment to change legislative term limits to three consecutive terms |
| Dungan | LB14 | Dungan | Change provisions under the Young Adult Bridge to Independence Act |
| Erdman | LB79 | Erdman | Adopt the Nebraska EPIC Option Consumption Tax Act |
| Fredrickson | LB256 | Brewer | Change provisions related to insurance coverage of telehealth |
| Geist | 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 |
| Halloran | LB195 | Halloran | Adopt the Faithful Delegate to Federal Article V Convention Act |
| Hansen | LB91 | Hansen | Change motorcycle, moped, and autocytle helmet and eye protection provisions |
| Hardin | LB277 | Brewer | Adopt the First Freedom Act and authorize the wearing of tribal regalia by students |
| Holdcroft | LB769 | Holdcroft | Authorize use of the Critical Infrastructure Facilities Cash Fund to develop a sewer system |
| Hughes | LB584 | Hughes | Impose a tax on selling or dealing in electronic nicotine delivery systems |

SENATOR PRIORITY BILLS

| Priority | Bill | Introducer | One-line description |
|-------------|-------|-------------|---|
| Hunt | LB307 | Hunt | Provide an exception to the penalty relating to drug paraphernalia under the Uniform Controlled Substances Act |
| Ibach | LB249 | Briese | Change provisions of the Rural Workforce Housing Investment Act |
| Jacobson | LB644 | McDonnell | Change provisions relating to the use of the Site and Building Development Fund |
| Kauth | LB574 | Kauth | Adopt the Let Them Grow Act |
| Linehan | LB753 | Linehan | Adopt the Opportunity Scholarships Act and provide tax credits |
| Lippincott | LB71 | Sanders | Change provisions relating to parental involvement in and access to learning materials in schools |
| Lowe | LB297 | Sanders | Adopt the Personal Privacy Protection Act |
| McDonnell | LB617 | McDonnell | Create the Economic Development Cash Fund to award a grant relating to the federal Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act |
| McKinney | LB631 | McKinney | Change provisions relating to the Board of Parole |
| Moser | LB706 | Moser | Authorize the issuance of highway bonds under the Nebraska Highway Bond Act |
| Murman | LB810 | Murman | Adopt the Medical Ethics and Diversity Act |
| Raybould | LB327 | Raybould | Change provisions relating to the minimum wage under the Wage and Hour Act |
| Riepe | LB586 | Hughes | Provide duties for the Nebraska Center for Nursing regarding clinical training sites |
| Sanders | LB583 | Sanders | Provide for foundation aid and special education supplemental aid under the Tax Equity and Educational Opportunities Support Act |
| Slama | LB343 | Slama | Prohibit public contracts with companies that boycott Israel |
| Vargas | LB570 | Vargas | Adopt the Overdose Fatality Review Teams Act |
| von Gillern | LB805 | von Gillern | Require schools to allow certain youth organizations to provide information, services, and activities |
| Walz | LB516 | Walz | Provide and change powers and duties for the State Department of Education, Commissioner of Education, State Board of Education, and the state school security director, provide grants to school districts for security-related infrastructure projects, and provide grants to educational service units and local public health departments to hire school psychologists and licensed mental health practitioners as prescribed |
| Wayne | LB792 | Wayne | Provide for a pilot program for assessing and treating post traumatic stress disorder |
| Wishart | LB709 | Wishart | Create the Convention and Event Center Capital Construction Program |

COMMITTEE PRIORITY BILLS

| Priority | Bill | Introducer | One-line description |
|-------------------------------------|----------------|----------------------|---|
| Agriculture | LB262 LB116 | Committee Brandt | Change and eliminate provisions of the Nebraska Pure Food Act Change provisions of the Beginning Farmer Tax Credit Act |
| Appropriations | LB597 LB598 | Clements Clements | Appropriate funds to the Legislative Council Eliminate obsolete provisions relating to the Cash Reserve Fund |
| Banking, Commerce & Insurance | LB92 LB214 | Slama Slama | Eliminate the requirement that an annual review of a title insurance agent's practices be onsite Adopt changes to federal law regarding banking and finance and change provisions relating to digital asset depositories, loan brokers, mortgage loan originators, and installment loans |
| Business & Labor | LB267 LB191 | Brewer Halloran | Adopt the Critical Infrastructure Utility Worker Protection Act Provide for confidentiality of and access to certain injury reports under the Nebraska Workers' Compensation Act |

COMMITTEE PRIORITY BILLS

| Priority | Bill | Introducer | One-line description |
|---|-------|--------------|---|
| Education | LB385 | Linehan | Adopt the Nebraska Teacher Recruitment and Retention Act |
| | LB705 | Murman | Change provisions for the distribution of lottery funds used for education, transfer powers and duties, create new acts and funds, and change education provisions |
| Executive Board | 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 |
| | LB552 | J. Cavanaugh | Change requirements for the Legislative Mental Health Care Capacity Strategic Planning Committee |
| General Affairs | LB376 | Lowe | Change provisions relating to the importation of alcoholic liquor into the state under the Nebraska Liquor Control Act |
| | 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 |
| Government, Military & Veterans Affairs | LB535 | Slama | Require valid photographic identification and change provisions relating to voting under the Election Act and certain identification documents |
| | LB514 | Brewer | Change provisions relating to elections |
| Health & Human Services | 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 |
| | LB181 | Hansen | Provide for filling and refilling prescriptions in certain circumstances |
| Judiciary | LB341 | Halloran | Adopt the State and Political Subdivisions Child Sexual Abuse Liability Act and exempt actions from the State Tort Claims Act and Political Subdivisions Tort Claims Act |
| | LB50 | Geist | Change criminal justice provisions including set-asides, restitution, and parole; create criminal justice pilot programs; terminate an oversight committee; and create a task force |
| Performance Audit | LB90 | Dorn | Change provisions relating to tax incentive performance audits |
| | LB157 | DeBoer | Authorize appointment of temporary guardians for certain purposes |
| Natural Resources | LB425 | Bostelman | Change provisions relating to the Game and Parks Commission and the Game Law |
| | LB565 | Bostelman | Provide a grant program related to hydrogen hub designations |
| Nebraska Retirement Systems | LB103 | McDonnell | Change provisions of the School Employees Retirement Act and the State Employees Retirement Act |
| | LB198 | McDonnell | Provide for a return to work and authorize contributions under the School Employees Retirement Act and the Class V School Employees Retirement Act |
| Revenue | LB727 | Linehan | Change provisions relating to the sales and use tax exemption on purchases by the state and other public entities |
| | LB754 | Linehan | Reduce individual and corporate income tax rates |
| State-Tribal Relations | LB474 | Wayne | Provide duties for the Nebraska State Historical Society relating to the Mayhew Cabin and Fort Robinson historical sites |
| Transportation & Telecommunications | LB683 | Committee | Create the Nebraska Broadband Office and provide duties |
| | LB412 | Geist | Provide powers for the Public Service Commission under the Nebraska Broadband Bridge Act |
| Urban Affairs | LB531 | McKinney | Change provisions of the Economic Recovery Act |
| | LB629 | McKinney | Change provisions of the Middle Income Workforce Housing Investment Act and the Economic Recovery Act |

SPEAKER PRIORITY BILLS

| Priority | Bill | Introducer | One-line description |
|--------------|-------|-------------|--|
| Speaker Arch | LB11 | Blood | Change provisions relating to domestic abuse protection orders |
| Speaker Arch | LB78 | Day | Redefine massage therapy under the Massage Therapy Practice Act |
| Speaker Arch | LB138 | Geist | Adopt updates to federal law relating to motor vehicles and motor carriers, change provisions of the Motor Vehicle Operators License Act, and change civil penalties as prescribed |
| Speaker Arch | LB206 | von Gillern | Change provisions relating to the taxation of partnerships |
| Speaker Arch | LB220 | Ibach | Change provisions relating to the Board of Pardons powers and duties and required notices to crime victims |
| Speaker Arch | LB276 | Wishart | Adopt the Certified Community Behavioral Health Clinic Act |
| Speaker Arch | LB286 | Walz | Provide for confidentiality of a physician wellness program under the Uniform Credentialing Act |
| Speaker Arch | LB296 | Ballard | Adopt the Pet Insurance Act |
| Speaker Arch | LB298 | Linehan | Require collection and reporting of information regarding dyslexia in schools |
| Speaker Arch | LB308 | Bostar | Adopt the Genetic Information Privacy Act |
| Speaker Arch | LB314 | Fredrickson | Require firearm dealers to provide information on suicide prevention and require training on suicide prevention under the Concealed Handgun Permit Act |
| Speaker Arch | LB335 | Halloran | Adopt the Health Care Staffing Agency Registration Act |
| Speaker Arch | LB387 | Linehan | Change provisions relating to income tax rates |
| Speaker Arch | LB388 | Linehan | Change provisions relating to sales taxes |
| Speaker Arch | LB426 | Riepe | Change the number of judges on the Nebraska Workers' Compensation Court |
| Speaker Arch | LB462 | Conrad | Redefine a term under the Middle Income Workforce Housing Investment Act |
| Speaker Arch | LB465 | Moser | Change the allocation of fees for operators' licenses and state identification cards |
| Speaker Arch | LB580 | Holdcroft | Change provisions relating to agricultural or horticultural land receiving special valuation |
| Speaker Arch | LB585 | Hughes | Change a duty of the state school security director and require behavioral and mental health training for certain school personnel |
| Speaker Arch | LB630 | McKinney | Provide a duty to the State Department of Education and require a school board to adopt a written dress code |
| Speaker Arch | LB647 | McDonnell | Change provisions relating to the purchase and loan of textbooks for children enrolled in kindergarten to grade twelve of a private school |
| Speaker Arch | LB664 | Riepe | Provide powers and duties for the state medicaid fraud control unit and the Attorney General |
| Speaker Arch | LB671 | Hansen | Allow the Nebraska Training and Support Cash Fund to be used for retention of existing employees of Nebraska businesses |
| Speaker Arch | LB757 | DeBoer | Change requirements for applications under the Nebraska Crime Victim's Reparations Act |
| Speaker Arch | LB799 | DeBoer | Change judges' salaries |



APPROPRIATIONS

ARPA funds sought for second Lincoln water source

A proposal intended to use federal American Rescue Plan Act funds to help Lincoln find a new source of drinking water was heard by the Appropriations Committee March 14.

LB506, sponsored by Lincoln Sen. Eliot Bostar, would appropriate \$200 million in ARPA funds in fiscal year 2023-24 to the state Department of Natural Resources. The department then would award a grant to a primary class city to fund a water treatment plant, land acquisition, wellfields, permitting, pumping and transportation costs to provide potable water to the city.

Lincoln is the state's only primary class city.

The bill also would authorize that \$20 million of the transfer be directed to small and rural communities to install reverse osmosis systems in community water systems where drinking water test levels are above 10 parts per million of nitrate and, if deemed an appropriate use of the funds, also for private wells.

Bostar said securing a second water source for Lincoln and surrounding communities is one of the most pressing objectives for the region. The city's current population of roughly 291,600 is expected to grow to nearly 470,000 by 2060, he said, and it likely will take decades to find and secure a water source capable of serving that many residents.

Not only does the city need more water as its population grows, he said,

it also needs a second water source should the Platte River wellfields be damaged, either through severe drought or flooding. That could result in Lincoln asserting its water rights at the expense of agricultural irrigation interests, something he said no one wants to see happen.

Bostar said a 27-member task force put together to study the issue determined in 2022 that a wellfield and treatment facility along the Missouri River is the best option.

"Southeast Nebraska needs LB506 for the long-term success of our smaller villages and cities as well as our larger communities," Bostar said. "It's imperative that we capture this opportunity to invest in the economic, agricultural and public health of our future."

Elizabeth Elliott, director of Lincoln Transportation and Utilities, testified in support of the measure, saying the need for a second water source was underscored by recent flooding.

"The damage caused by that 2019 flood highlighted the vulnerability of our wells in the Platte River," she said. "We were lucky that, although the damage was extensive, we were still able to provide water to Lincoln residents and businesses. If additional steps aren't taken, we may not be so lucky next time."

The Ashland wellfield has been in use for almost 100 years, she said, and based on water modeling no longer will be able to handle the city's demand by 2048. The cost of a replacement system is estimated at \$1.3 billion and would take 20 years to build, Elliott said, but doing so would benefit the entire state by ensuring adequate water for the city, surrounding communities and agricultural interests.

Waverly city administrator Stephanie Fisher also testified in support of LB506. Waverly is facing a potential crisis regarding rising nitrate levels in

the city's water supply, she said, and could benefit from the reverse osmosis funding in the bill or by purchasing drinking water directly from Lincoln in the future.

"This legislation is a chance — not just for Lincoln, but for the surrounding communities as well — to secure long-term, safe drinking water," Fisher said. "Southeast Nebraska needs this funding in order to protect our growing small communities as well as our urban centers."

No one testified in opposition to LB506 and the committee took no immediate action on it.

Bill would fund lead service line replacement

The state would provide funds to assist in the replacement of lead service lines to homes in Nebraska under a bill considered March 13.

LB613, sponsored by Sen. Mike McDonnell of Omaha, would transfer \$22.5 million from the Cash Reserve Fund to the General Fund and appropriate \$22.5 million in general funds to the state Department of Environment and Energy in fiscal year 2023-24 and FY2024-25.

Those funds would be used to expedite replacement of homeowner-owned lead service lines. Ten percent of funds could be used for workforce development.

McDonnell said that in Omaha alone, an estimated 16,000 lead lines need to be replaced at a cost of \$120 million, a cost that will only increase if left for the future. For homes built before 1940, he said, the cost to replace a lead service line averages \$8,000 and those homes generally are situated in



Sen. Eliot Bostar



Sen. Mike McDonnell

the oldest parts of the state that have lower property values.

The water in Omaha's main does not contain lead, McDonnell said, but leaching can occur once water enters lead service lines at individual homes. The recent federal Infrastructure Investment and Jobs Act has provided Nebraska approximately \$28 million per year for the next five years for lead service line replacement, he said, and LB613 would leverage those funds to do more.

"Lead poisoning can be devastating — impairing children's learning abilities and even increasing their chances of being involved in criminal activities [later in life]," McDonnell said.

Metropolitan Utilities District representative Megan Walter testified in favor of the proposal, saying MUD currently is replacing approximately 200 lead lines per year. Median household income in North and South Omaha areas with the most lead lines ranges from \$20,000 to under \$60,000 per year, she said, meaning the cost to replace those lines is roughly 38 percent of annual household income in those neighborhoods.

Leveraging federal funds would allow MUD to expedite replacement, Walter said, with very little impact to ratepayers.

"Removing lead service lines will help reduce the risk of lead exposure to pregnant women, infants and children, improving the quality of life and health of some of the most vulnerable members of the community," Walter said.

No one testified in opposition to LB613 and the committee took no immediate action.

Funding sought for governor's school aid proposal

The Legislature would appropriate \$1 billion in additional funding to public schools this year under a bill

heard March 15 by the Appropriations Committee.

LB681, introduced by Elmwood Sen. Robert Clements at the request of Gov. Jim Pillen, would transfer \$1 billion from the state's general fund to a new Education Future Fund in fiscal year 2023-24 and \$250 million in FY2024-25.

The bill states legislative intent to appropriate the same amount to the fund each year after that.

Clements said LB681 is part of the governor's education funding package, which includes LB583, sponsored by Sen. Rita Sanders of Bellevue. Her proposal would provide school districts with \$1,500 in foundation aid per student and special education supplemental aid.

The Education Future Fund would serve as a "backup" to ensure that the new funding is sustainable over time, Clements said, even if the state experiences a revenue shortfall.

The fund could be used only to:

- provide foundation aid;
- provide additional aid for special education;
- increase school funding in a way that reduces property taxes by using state funding to offset property taxes; and
- fund grant programs for teacher retention, career and technical education and student mentoring.

Clements said a proposed amendment would establish an order of priority for expending money in the fund. The highest priority would be

fully funding equalization aid, which is state aid intended to cover the difference between a district's needs and its local resources, such as property taxes.

Special education supplemental aid would be the second highest priority, followed by foundation aid.

Pillen testified in support of LB681, saying the amendment is an agreement with school districts to ensure that the new fund first would be used to meet the state's obligations under the current school funding formula and that additional special education aid would be a higher priority than foundation aid.

Lee Will, state budget administrator, also testified in support. Although the Legislature would have to replenish the fund eventually, he said, it is estimated to have a balance of just over \$500 million by 2030.

Liz Standish of Lincoln Public Schools testified in support of the bill as modified by Clements's proposed amendment, which she said is "critical." Standish said prioritizing equalization aid would ensure that the Education Future Fund provides stability for equalized districts, which often cannot increase their property tax levy to make up for any reductions in state funding.

Testifying in opposition to LB681 was Bri Full on behalf of Omaha Public Schools. She said OPS opposes the concept of foundation aid because it would direct state funding to school districts that have more resources than needs.

The Legislature has in the past reduced equalization aid to balance the state budget, Full added, and OPS is skeptical that future lawmakers would continue the \$250 million annual appropriation to the proposed fund in future economic downturns.

The committee took no immediate action on the bill.



Sen. Robert Clements



Sen. Rita Sanders

Reverse osmosis funds sought for private wells

The Appropriations Committee heard testimony March 13 on a bill that would provide state funds for reverse osmosis systems in rural parts of the state.

As introduced by Sen. Barry DeKay of Niobrara, LB766 would appropriate \$3.25 million in American Rescue Plan Act funds in fiscal year 2023-24 and FY2024-25 to the state Department of Environment and Energy for reverse osmosis system grants.

DeKay said funds would be used only for private drinking water wells where a test for nitrates results in a reading of at least 10 parts per million. He brought an amendment to the hearing that would lower the appropriation to \$1.625 million each year and specify that any money awarded must comply with ARPA requirements.

Nebraskans “care deeply” about water quality, DeKay said, especially in areas where nitrates are a significant concern.

“This bill would provide a short-term solution while the Legislature and other stakeholders work to create longer-term solutions,” he said. “Providing safe drinking water for all Nebraskans ought to be a priority.”

Andrew Dunkley, representing the Nebraska Farm Bureau, Nebraska Cattlemen, Nebraska Corn Growers, Nebraska Soybean Association, Nebraska Pork Producers Association and the Nebraska State Dairy Association, testified in favor of the proposal.

The DEE grant program is the only statewide mechanism dedicated to the problem of nitrates in Nebraska drinking water, Dunkley said, a problem for

which there is “no simple fix.” Reverse osmosis systems are the only way to address the issue, he said, but they can be expensive for homeowners, ranging from \$500 to \$5,000.

“Water quality is an extremely important issue and one that we have been advocating for more local, regional and state involvement on,” Dunkley said.

No one testified in opposition to LB766 and the committee took no immediate action on it.

Funds sought for northeast Nebraska water project

A state fund would be tapped to address drinking water and infrastructure needs in rural northeast Nebraska under a bill considered by the Appropriations Committee March 14.

LB768, sponsored by Niobrara Sen. Barry DeKay, would transfer \$30 million from the state’s Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund under the state Department of Natural Resources by Jan. 1, 2024.

DeKay said he would bring an amendment to expand the legal uses of the fund so that it could be used for an ongoing water project in Cedar and Knox counties. Under current law, the fund is limited to protecting military installations and repairing collapsed irrigation tunnels.

The Legislature appropriated \$7 million in American Rescue Plan Act funds to the project last year, DeKay said, and \$30 million would allow its completion. The water project remains the area’s most critical issue, he said, as the current water treatment plant has outlived its useful life and is costly to operate and troubled by sedimentation problems within the intake structure.

“The quality and quantity of water

is the most critical issue facing Nebraska, second only to the attraction and retention of people,” DeKay said. “Both must be addressed if we are to remain viable in the future.”

Annette Sudbeck, manager of the Lewis and Clark Natural Resources District, testified in support of the proposal on behalf of the NRD and the Nebraska Association of Resources Districts. The project would change the source water for the area, she said, and upgrade systems.

The Cedar Knox Rural Water Project provides drinking water in an area where finding groundwater resources is difficult, she said, and all options for a new water source are being explored.

“The project goal is to develop a groundwater wellfield, replace the undersized, outdated treatment plant in a more accessible area and replace portions of the distribution system that are undersized,” Sudbeck said.

Don Blankenau, a Lincoln attorney specializing in water law, testified in support of LB768. High-quality water in the Lewis and Clark NRD is not readily available, he said.

“No matter which option the NRD ultimately selects, the cost to rural Nebraskans served by the project will be significant,” Blankenau said. “Protecting and growing all parts of Nebraska requires an investment in all parts of Nebraska.”

Area landowner Rita Wilken testified against the bill, saying the potential project site is not the right location. It is near one of the largest cattle feeding operations in Knox County, she said, and two hog confinements and a chicken egg-laying farm are within a few miles of both proposed groundwater well sites.

Also speaking in opposition was Patricia Kronberg, who lives in the Lewis and Clark NRD area. Kronberg said she and her husband have lived



Sen. Barry DeKay

on their land for 48 years and are concerned that groundwater wells for the project will affect their family's well water — destroying the land value.

“We’re thinking about our kids, our grandkids,” she said. “They always come to grandpa and grandma’s house to play on the farm and we want to keep it in the family.”

The committee took no immediate action on LB768.

BUSINESS & LABOR

Bill would strengthen criminal disclosure limits

The Business and Labor Committee heard testimony March 13 on a bill that seeks to strengthen existing limits on an employer’s ability to inquire about an applicant’s criminal history.

Currently, the state — except law enforcement agencies — cannot ask job applicants to disclose their criminal history until the applicant has been determined to meet the minimum employment qualifications.

LB367, introduced by Lincoln Sen. Danielle Conrad, would prohibit an employer or employment agency from inquiring into an applicant’s criminal history until after the applicant has received a conditional offer of employment. The bill’s provisions would apply to state governmental agencies and political subdivisions in addition to private employers with at least 15 employees.

Under the bill, an employer or employment agency could inquire through a verbal or written request for



Sen. Danielle Conrad

an applicant’s criminal history only if:

- the criminal history is required by federal or state law;
- federal or state law would disqualify an applicant from the position with a certain criminal background; or
- the disclosure request is limited to the types of criminal offenses that the employer is required to consider or that disqualify the applicant.

An employer would be required to notify an applicant if they intend to deny them employment due to a criminal record. An applicant would have 10 days to respond with mitigation or rehabilitation evidence or information.

Additionally, LB367 would require employers to maintain records regarding employment denials and would authorize the Nebraska Equal Opportunity Commission to investigate and impose sanctions of up to \$2,000 for repeat violations.

Conrad said the bill’s intent is to ensure that all individuals have an opportunity to pursue employment. Having a job is one of the best tools to reduce recidivism rates, mass incarceration in state prisons and racial injustice in Nebraska, she said.

“What ... legislation like this is meant to do is to remove barriers to second chance employment [and] address opportunities for people who have served their time to have a chance to pursue a meaningful employment opportunity,” Conrad said.

Jasmine Harris, testifying on behalf of RISE — a nonprofit focused on prison programming and reentry — spoke in support of the bill. Between 70 million and 100 million Americans have some type of criminal record, she said, and they should not automatically be disqualified from employment.

Susan Martin, representing the Nebraska State AFL-CIO, also testified

in support. The thousands of people who are released from prison each year face many hurdles in rebuilding their livelihoods, she said, including limited access to advanced education, job training and good jobs.

“They desperately need labor protections,” Martin said. “We know that education, health care and fair pay are the three fundamentals that reduce or prevent individuals from becoming a part of the criminal justice system.”

Bob Hallstrom, representing the Nebraska Federation of Independent Business, the Nebraska Bankers Association and the Nebraska Insurance Federation, spoke in opposition. LB367 would allow an employer to look into an individual’s criminal history only after making a hiring offer, he said, which could cause significant hiring delays, especially for smaller businesses that don’t have a human resources department.

Ansley Fellers, speaking on behalf of the Nebraska Grocery Industry Association, also testified in opposition. Current state law does not prohibit employers from inquiring about or reviewing past criminal conviction records, Fellers said, however they cannot do so in a discriminatory manner. LB367 is not the proper solution to supporter’s concerns, she said.

“Ultimately, the record keeping and paperwork requirements under LB367, along with the hammer of financial penalties and civil suits, are untenable for businesses of just about every size,” Fellers said.

The committee took no immediate action on the proposal.

Bill would classify app drivers as contract workers

The Business and Labor Committee heard testimony March 13 on a bill that would ensure Nebraskans who en-

gage in marketplace network platforms remain independent contractors.

LB489, introduced by Elkhorn Sen. R. Brad von Gillern, would clarify state law to ensure that workers who use technical applications for marketplace network platforms, such as Uber and Lyft, are classified as independent contractors. The bill notes that individuals engaged in such work cannot be fired for denying a work request or be required to meet a certain number of hours to maintain employment status.



Sen. R. Brad von Gillern

Drivers on ride-hailing platforms should be able to maintain their status as independent contractors, von Gillern said, despite a push at the federal level to make Uber and Lyft drivers traditional employees. Ride-hailing drivers choose if, when, where and for how long they work, he said, and because there's no exclusivity, many use multiple apps for work.

"Unfortunately, the current administration and a handful of special interests in [Washington] D.C. continue to pursue policies that could limit drivers' flexibility and risk the future of rideshare in our state," von Gillern said. "LB489 removes the uncertainty and ensures workers on rideshare platforms in Nebraska remain as independent contractors."

Twenty-one states already have passed similar legislation, he said, including South Dakota, Iowa and Wyoming.

Freddie Goldstein, testifying on behalf of Uber, spoke in support of the bill. Uber provides drivers with flexibility, Goldstein said, which has been especially important amidst record inflation that has forced many Americans to supplement their in-

come. According to the data, she said, a majority of drivers want to remain independent contractors.

"Flexibility doesn't just benefit workers. It's a big part of the reason Uber is able to serve rural, suburban and urban communities across the state," Goldstein said. "If Uber were forced to switch to an employment model, less densely populated areas of the state would likely no longer benefit from on-demand rideshare."

John Corrigan, representing the Nebraska State AFL-CIO, testified in opposition to the bill. The push for drivers to maintain their status as independent contractors comes from the industry itself, he said, in an effort to misclassify workers so that they lose traditional employment protections.

There are certain things employers are required to do, Corrigan said, including providing security through unemployment benefits to individuals who give their time and effort in exchange for money.

The committee took no immediate action on LB487.

EDUCATION

Proposal would fund school safety task force recommendations

Two new grant programs would fund safety-related upgrades for Nebraska school buildings and additional mental health services for students under a bill heard March 13 by the Education Committee.

Fremont Sen. Lynne Walz, sponsor of LB516, said



Sen. Lynne Walz

the proposal includes recommendations from a task force formed after the school shooting last year in Uvalde, Texas.

The bill would require the commissioner of education to create and administer a grant program schools could use to pay for security-related infrastructure, including surveillance systems, door-locking systems and double-entry doors.

Under a separate program administered by the state Department of Education, a public health department or educational service unit could apply for a grant to hire a mental health practitioner or school psychologist to provide mental and behavioral health support to students.

LB516 states legislative intent to appropriate \$15 million in general funds to the infrastructure grant program and \$5 million to the mental and behavioral health measure.

The bill also states legislative intent to hire regional school safety specialists to increase the availability of training, provide technical support and serve as a central point of contact for school districts.

Walz said the specialists could train school employees in threat assessment, review schools' emergency response plans and identify school security infrastructure priorities.

A pending amendment would allow private schools to partner with the regional specialists and apply for grants, she said.

Finally, LB516 states legislative intent to use state general funds for the Safe2HelpNE report line beginning in fiscal year 2024-25. Walz said the program — a statewide, anonymous reporting system to support school threat assessment teams with the goal of reducing violent incidents — currently relies on federal funds that will run out by the end of FY2023-24.

The state Department of Education’s fiscal note for LB516 states that the annual cost for Safe2HelpNE is \$870,000.

Diana Schmidt of Boys Town, which administers the report line in cooperation with the department, testified in support of the bill. Since its inception, she said, Safe2HelpNE has received more than 2,000 tip reports that have helped increase school safety, decrease bullying and combat drugs in schools.

Jason Wiese testified in support of LB516 on behalf of the Nebraska State Education Association. He said the proposed regional specialists could ensure that security measures are consistent at school districts across the state while providing technical support that meets each district’s unique needs.

Also in support was Erik Wilson, director of student services and safety at Norfolk Public Schools. He said school safety professionals recommend that all classroom doors can be locked from the inside and that exterior school doors include hardware that allows for a full lockdown.

Many Nebraska school buildings lack those features because the state has not made funding them a priority, Wilson said.

The committee took no immediate action on the bill.

LB552, sponsored by Sen. John Cavanaugh of Omaha, would extend the termination date for the Legislature’s Mental Health Care Capacity Strategic Planning Committee by one year, to Nov. 1, 2025. It also would extend the deadline for the committee to contract with an independent consultant to Nov. 1, 2023, and the reporting deadline for findings and recommendations to Nov. 1, 2024.



Sen. John Cavanaugh

The committee was created by the passage of LB921 in 2022, Cavanaugh said, but was not able to hire a consultant by the deadline due to the bill moving through the legislative process more quickly than anticipated.

Cavanaugh said that individuals who are charged with a crime and deemed not competent to stand trial currently are housed in county jails if there is no room for them in facilities like the Lincoln Regional Center.

“This isn’t serving anyone, least of all public safety,” Cavanaugh said. “The review and recommendations of this committee are going to inform future policy decisions as it relates to mental health care in Nebraska, particularly as it relates to the criminal justice system.”

An Executive Board amendment, adopted 30-0, would require that the contract be awarded based on competitive bids and be subject to approval by the Executive Board.

Following adoption of the committee amendment, senators voted 28-0 to advance LB552 to select file.

GENERAL AFFAIRS

Omnibus gaming bill clears first round

Lawmakers amended and advanced a bill March 16 that contains several updates to Nebraska gaming law.

LB775, sponsored by Sen. John Lowe of Kearney, would make changes to state law related to racetrack casinos under the Nebraska Gaming Act. Lowe said the bill was a part of a continuing effort to “tweak” state law relating to the relatively new industry.



Sen. John Lowe

As introduced, the bill would update the definition of licensed racetrack enclosure, which currently is limited to the premises at which licensed live horse racing is conducted. The bill would expand that definition to include all real property licensed and used for the conduct of a race meeting, including the racetrack and any grandstand, concession stand, office, bar area, employee housing facility, parking lot or additional area designated by the commission.

LB775 also would grant the commission authority to recommend necessary changes and updates to state law administered by it, in much the same way that the Liquor Control Commission recommends legislation related to the Nebraska Liquor Control Act.

Finally, the bill would grant the commission authority to create an adjudication subcommittee to investigate and respond to violations of the Racetrack Gaming Act.

Lowe offered an amendment on behalf of the General Affairs Committee

EXECUTIVE BOARD

Bill to extend mental health study deadlines advanced

Senators gave first-round approval March 16 to a bill that would extend deadlines related to a study of the state’s mental health care capacity authorized by lawmakers last year.

that would add the provisions of three additional bills: LB72 and LB73, both sponsored by Grand Island Sen. Raymond Aguilar, and LB232, originally introduced by Omaha Sen. John Cavanaugh.



Sen. Raymond Aguilar



Sen. John Cavanaugh

Bayard Sen. Steve Erdman made a motion to divide the question and consider the last bill contained within the committee amendment separately. The motion was successful.

The first component of the divided amendment, adopted 37-1, contained the provisions of LB775, LB72 and LB73.

Provisions of LB72 would amend the County and City Lottery Act by establishing that gross proceeds do not include any admission costs collected at any location where the lottery also is available to the public free of an admission charge.

Lowe said Fonner Park in Grand Island currently does not offer keno in the clubhouse because, under current law, revenue raised from admission to the clubhouse would be considered part of the gross proceeds of any keno played there.

Provisions of LB73 would allow funds from the County Visitors Promotion Fund to be used to improve a facility in which parimutuel wagering is conducted if the facility also serves as the site of a state fair or district or county agricultural society fair.

Currently, Fonner Park cannot use funds from the County Visitors Promotion Fund because it is home to the Nebraska State Fair, Hall County Fair and other events, Lowe said.

“The Fonner Park campus is one of the most significant drivers of tourism in Hall County,” he said. “Access to the funds would allow Fonner Park to expand, improve or [build] upon their existing grounds.”

The second component of the divided amendment would authorize the sale of digital keno tickets for players verified to be on the premises of a licensed Nebraska lottery location. Currently, keno tickets are available only in paper form.

Under the amendment, a lottery operator would be required to file with the state Department of Revenue and provide clear procedural regulations in order to sell digital on-premises tickets. All regulations would be subject to approval by the department.

The proposal also would authorize the use of additional ticket payment methods, including a debit card, bank account, prepaid cash account or the cash balance of a payment application. Debit cards would be limited to \$200 in keno wagers from a lottery operator in a single calendar day.

“[This] is the result of a compromise that takes into account the constructive criticism of the folks who came in and testified in opposition,” Cavanaugh said. “There was some concern about allowing people to attach a debit card to this account and run up a huge amount in a day, so we’ve limited the total dollar amount to \$200 per day.”

Cavanaugh said the changes would be optional for keno operators and the sale of tickets through an application would be restricted to a lottery location by geofencing, which establishes a virtual boundary around the operator’s physical location. The provisions would modernize keno, he said, so that municipalities can better compete with casino gaming in Nebraska.

Erdman opposed the amendment,

saying he wasn’t sure what problem it was trying to solve. While laws relating to racetrack casinos needed updated, he said, the need for electronic keno ticket sales was unclear.

North Platte Sen. Mike Jacobson supported the amendment, saying it meets his goals of smaller, less intrusive government. The amendment would allow keno operators to modernize their operations and use their resources more efficiently if they choose to do so, he said.

“We’re asking to move from crayon and a piece of paper to being able to use an app,” Jacobson said. “Let’s get out of the way of the people’s interest; let’s quit restricting local control.”

The second portion of the divided amendment initially failed on a 21-17 vote. Twenty-five votes were needed.

Cavanaugh made a motion to reconsider that vote, saying members may have been confused regarding which provisions were under consideration. The motion was successful. A second vote was taken on the amendment, which was adopted 32-12, and lawmakers voted 33-6 to advance LB775 to select file.



Bill would reinstate winner-take-all electoral system

All five of Nebraska’s Electoral College votes would be assigned to the statewide winner in presidential elections under a bill considered March 15 by the Government, Military and Veterans Affairs Committee.

LB764, sponsored by Central City Sen. Loren Lippincott, would end Nebraska’s split system of awarding

electoral votes, in place since 1991. Currently, the statewide winner receives two electoral votes and the winner of each of the state's three congressional districts receives one electoral vote. Nebraska and Maine are the only two states to use this system.



Sen. Loren Lippincott

Lippincott said measures have been introduced to return to winner-take-all since the year after Nebraska moved to the new system — also called the district plan. Two of those proposals passed the Legislature but were vetoed by then-Gov. Ben Nelson, he said.

The current system gives rural voters less of a voice in presidential politics, Lippincott said.

“The district plan, what we have now, discourages candidates from discussing issues that appeal to the state as a whole by rewarding candidates who visit our congressional districts with higher populations and income levels to the exclusion of rural Nebraska,” he said.

Nebraska Secretary of State Bob Evnen testified in support of the proposal, saying a return to the winner-take-all system would allow Nebraska voters to speak with one voice. The statewide winner of the 2020 presidential contest garnered 182,000 more votes than the loser, he said, but only earned four of the state's five Electoral College votes.

“We are not playing by the same rules as the other states in the union and we ought to,” Evnen said, “because our failure to do so dilutes Nebraska's Electoral College presence.”

Steve Davies also testified in favor of LB764, saying it would “level the playing field” for Nebraska. The possibility of splitting the state's electoral votes makes Nebraska less valuable to

presidential candidates, he said.

Sheri St. Clair testified in opposition to the proposal. The district plan was adopted in an attempt to attract candidates to a solidly conservative state that otherwise would be ignored in presidential elections, she said.

“In reality, in all likelihood a presidential race is not going to be so close that a single electoral vote is going to decide the outcome, but it's important for campaigns to compete everywhere that's competitive,” St. Clair said. “The split vote system does keep Nebraska from being a completely ‘fly-over’ state.”

Gavin Geis of Common Cause Nebraska agreed. Testifying in opposition to LB764, he said a return to winner-take-all would give Nebraska less influence in presidential elections. No other Great Plains state is regularly visited by candidates, he said, because they have nothing to gain electorally in winner-take-all races.

“The possibility of a split Electoral College vote brings them here,” Geis said. “It makes them sell themselves to us.”

The committee took no immediate action on the proposal.

HEALTH & HUMAN SERVICES

SNAP eligibility expansion sought

The Health and Human Services Committee heard testimony March 15 on a bill that would remove the state's lifetime ban on Supplemental Nutrition Assistance Program eligibility for individuals with certain drug-related convictions.

Under current Nebraska law, individuals with three or more felony convictions for the use or possession of a controlled substance, and individuals with one or more felony convictions involving the sale or distribution of a controlled substance, are ineligible to receive SNAP benefits. Individuals with one or two felony convictions for the possession or use of a controlled substance are eligible only if they are participating in an approved treatment program.

LB88, introduced by Omaha Sen. Megan Hunt, would remove the lifetime ban and allow individuals with felony convictions of a controlled substance to receive SNAP benefits if they have completed their sentence



Sen. Megan Hunt

or are serving a term of parole, probation or post-release supervision — which includes drug treatment.

Hunt said the current ban on SNAP eligibility does not apply for any other criminal conviction. She said 24 other states have opted to remove the lifetime ban and called Nebraska's law “selectively moralistic.”

“When people reenter society after time in a correctional facility, their first and most basic need is food,” Hunt said. “For many, it takes time to get established with housing and a career — none [of which] can happen for a person who's going hungry.”

Spike Eickholt from the ACLU of Nebraska spoke in support of LB88, saying a Harvard study showed recidivism rates among convicted drug felons in states that have ended the lifetime ban fell by nearly 10 percent in the first year.

“This is a component of some of the reentry reforms that we need to have in this state,” he said.

Eickholt also noted that 943 SNAP applications were denied in Nebraska in the last three years due to a disqualifying drug conviction. That is a significant number of people who otherwise would be eligible, he said, many of whom have dependents at home.

Proponent Kayla Tobey shared her experience as a Nebraskan ineligible to receive SNAP benefits due to past drug convictions. Tobey said the ban does nothing to help individuals like her whose felonies occurred over 17 years ago.

“We keep getting punished for our crimes after serving our time,” Tobey said. “We need to help people get back on their feet, and access to food is a big part of that.”

Testifying in opposition to the proposal was Shannon Gotrian, interim deputy director of the state Department of Health and Human Services Division of Children and Family Services. She said removing the substance abuse treatment requirement for SNAP eligibility would be counterproductive.

“The department is supportive of those striving to overcome substance addiction and believes completing treatment is one of the ways to do this,” Gotrian said. “The goal of the treatment requirement is to help individuals return to productive functioning within their family, workplace and community.”

The committee took no immediate action on LB88.

JUDICIARY



Bill would cap certain sentences for juveniles

The Judiciary Committee heard testimony March 15 on a bill that would reduce the maximum sentence

for certain felonies in Nebraska if committed by a juvenile.

Under current law, a Class IA felony is punishable by a minimum of 40 years up to life in prison and a Class IB felony is punishable by a minimum of 20 years up to life in prison. LB127, introduced by Omaha Sen. Jen Day, would cap the maximum sentence for both felony classifications at 80 years imprisonment for a convicted juvenile.



Sen. Jen Day

Day said the proposal is based on several U.S. Supreme Court cases that have declared life sentences without the possibility of parole unconstitutional for juvenile offenders. While Nebraska made changes to its criminal code to eliminate mandatory life sentences for juveniles charged as adults, she said, life sentences are still permitted under the state’s sentencing guidelines.

Additionally, she said, advancements in brain science have shown that adolescent brains aren’t fully developed until their early to mid 20s – something the state’s criminal code should recognize.

“This bill recognizes the value of individuals and encourages redemption and transformation rather than having a system in which people are sentenced and locked away for the rest of their lives,” Day said.

Testifying in support of the bill was Douglas County Public Defender Thomas Riley, representing his office and the Nebraska Criminal Defense Attorneys Association. Currently, judges can and do sentence juveniles to 90 to 160 years in prison, he said, and those essentially are life sentences.

LB127 recognizes the science of juvenile brain development and gives “absolute credence” to the reality that

people can change, Riley said.

Also in support was Juliet Summers, executive director of Voices for Children in Nebraska. The proposal would distinguish offenses committed by juveniles from other offenses, she said, and would acknowledge that even in the most tragic cases, developmental factors make juvenile defendants different.

“Eliminating life without parole as a sentencing option for individuals under age 18 acknowledges this truth and would bring Nebraska into line with a growing majority of states,” Summers said.

Daniel Gutman, speaking on behalf of the ACLU of Nebraska, also testified in support. The U.S. is the only country in the world that sentences children to die in prison by imposing life without parole for individuals under the age of 18, he said.

“States across the country are responding to this injustice by passing legislation to ban juvenile life [imprisonment] without parole,” Gutman said. “Every single state that borders Nebraska – South Dakota, Wyoming, Colorado, Kansas, Iowa and Missouri – has either affirmatively banned the practice or no one is serving that sentence there.”

In opposition to the bill was Douglas County Attorney Don Kleine, speaking on behalf of the Nebraska County Attorneys Association. There is no life without parole for juveniles in Nebraska, he said, because individuals are eligible for parole after serving part of their sentence.

Additionally, Kleine said, judges use the appropriate discretion provided to them, including the facts of the case and the defendant’s background, to determine sentencing for a juvenile offender.

William Rinn of the Douglas County Sheriff’s Office also testified

in opposition. Sentencing discretion should be left to judges, he said, and the victim and the victim's family have to be considered for there to be a balanced approach.

The committee took no immediate action on LB127.

Capitol weapons ban considered

A bill introduced in the Judiciary Committee March 16 would prohibit possession of deadly weapons in the Nebraska State Capitol and on surrounding Capitol grounds.

Current state law defines a deadly weapon as a firearm, knife, machine gun and brass or iron knuckles. LB749, introduced by Omaha Sen. Machaela Cavanaugh, would ban all deadly weapons in the Capitol and on Capitol grounds, with exceptions for law enforcement, military and security personnel and individuals participating in ceremonial activities as approved by the Nebraska Capitol Commission.



Sen. Machaela Cavanaugh

Provisions of the bill would not apply to an individual who stores a deadly weapon — for example, an unloaded firearm — in a secure encasement in a vehicle. Violations would result in a Class IV felony charge, which carries a maximum penalty of two years imprisonment and one year post-release supervision, a \$10,000 fine or both.

Cavanaugh brought an amendment to the hearing that would reduce the felony charge to a Class I misdemeanor, which carries a maximum sentence of one year in jail and a \$1,000 fine.

Under current state law, Cavanaugh said, an individual cannot legally con-

ceal carry in the Capitol, however it is legal to open carry. Removing this provision would increase security for law enforcement in the building, she said.

Ron Cunningham testified in favor of the bill. Gun rights are not unlimited, Cunningham said, and there is no legitimate reason to bring a gun into the Nebraska Capitol. An individual cannot hunt or use a gun for a recreational purpose inside the building, he said, and the only purpose for carrying a gun in the Capitol would be to injure someone.

Jayden Speed, representing the Nebraska Chapter of Students Demand Action, also testified in support. The U.S. has entered a time of increased polarization and political violence, he said, and the Capitol has become a "battlefield" in recent years where individuals carrying rifles for the purpose of intimidation have entered the hallways.

"Political violence and violent intimidation have no place in this building," Speed said. "LB749 is the most common sense measure to protect those that serve, work and advocate [here]."

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

Death penalty abolition proposed

Repeal of the death penalty in Nebraska would be put to voters again — this time through a constitutional amendment — under a proposal considered March 16 by the Judiciary Committee.

Capital punishment was abolished by the Nebraska Legislature in 2015, a decision that subsequently was reversed by voters through the state's referendum process in 2016.

LR17CA, introduced by Omaha

Sen. Terrell McKinney, would place a death penalty prohibition in the Nebraska Constitution if approved by voters at the 2024 general election. Death sentences would be commuted to life imprisonment under the amendment.



Sen. Terrell McKinney

McKinney said the death penalty always has been inhumane because "murder is murder." Capital punishment also is unjust, he said, because many individuals have been wrongfully convicted and sentenced to death who later were exonerated.

"If we want to advance as a civilization, we need to move away from this 'eye for an eye' revenge mentality," McKinney said. "It is proven over time to be ineffective in deterring murder and only ends in more of what it's trying to prevent — death — and leads to an endless cycle of violence."

Additionally, McKinney said, life in prison gives an individual time to think about their actions and can lead to the possibility of rehabilitation.

Christy Hargesheimer, the Nebraska state death penalty action coordinator for Amnesty International, spoke in support of LR17CA. To date, she said, 191 people in the U.S. have been exonerated from death row for factors relating to prosecutorial misconduct, biased juries, witness errors and forensic errors. Additionally, she said, racial bias has been a factor in deciding whether a murder is tried as a capital case.

"Currently, the Nebraska death row has eight minorities — Black and Hispanic — and three white inmates," Hargesheimer said. "A study in Nebraska ... showed that the murder of a white victim by a person of color is a determining factor in deciding whether or not the case would result

in the death penalty.”

Tom Venzor, executive director of the Nebraska Catholic Conference, also spoke in support. A person’s dignity is not lost, he said, even after the commission of a very serious crime.

“Also, the death penalty disproportionately affects people of color, particularly Black and Latino defendants, those living in poverty and those with intellectual disabilities or severe mental illness,” Venzor said, “which leads to a failure by society to care for ‘the least of these among us.’”

Alex Houchin, representing Nebraskans for Alternatives to the Death Penalty, testified in favor of the proposal. The death penalty process is cruel and biased in its application, he said, and it offers a “false promise” of justice for victims’ families.

Additionally, Houchin said, data shows that Nebraska has spent over \$800 million to execute four people during the 46 years that capital punishment has been in place, which is money that could have been spent elsewhere.

No one testified in opposition to LR17CA and the committee took no immediate action on it.

NEBRASKA RETIREMENT SYSTEMS

Retirement bill amended, advanced

A retirement systems clean-up bill was amended to incorporate two additional measures and advanced from general file March 16.

LB103, sponsored by Omaha Sen. Mike McDonnell, would make technical changes to a bill passed in 2022 that codified retirement practices and rules for certified teachers covered

by the State Code Agency Teachers Association contract who previously or subsequently are employed by a school district, educational service unit or any other state agency.



Sen. Mike McDonnell

McDonnell said LB103 would correct an oversight in last year’s legislation by adding a third group to the definition of eligible school plan employees.

“Since the passage of [the previous legislation] it has been recognized that there are a few teachers – my understanding is less than 15 – that are not covered or represented by SCATA but who are employed by the Department of Education,” he said.

An amendment from the Nebraska Retirement Systems Committee, adopted 30-0, added provisions of LB104 and LB105, also introduced by McDonnell.

LB104 would change the state, county, judges, school and state patrol retirement plans to raise the age from 72 to 73 for required minimum distributions to align with recently passed federal legislation. The RMD age would increase to 75 beginning in 2033.

LB105 would change various retirement plans in order to align with federal legislation that changed the definition of military service to include preparations for military service, rest and recovery after military service and state active service.

Following adoption of the committee amendment, senators voted 32-0 to advance LB103 to select file.

Bill would change certain firefighter retirement plans

The Nebraska Retirement Systems Committee heard testimony March 15 on a bill that would alter what is

included in the term “salary” related to retirement plans for firefighters in first class cities in Nebraska.

Nebraska law classifies cities based on population. First class cities are those with a population between 5,001 and 100,000.

LB221, sponsored by Sumner Sen. Teresa Ibach, would align the definition of salary for firefighters and police in first class cities as all amounts paid by the employing city for personal



Sen. Teresa Ibach

services. Currently, salary for those firefighters is defined as the base rate of pay, excluding overtime, callback pay, clothing allowances and other such benefits.

Ibach said the bill is part of a larger, ongoing negotiation between firefighters and city governments and was introduced to contribute to that process.

Darren Garrean, representing the Nebraska Professional Fire Fighters Association, testified in support of the proposal. He said retirement plans for firefighters in first class cities are in “crisis” and the definition of salary is one of the things hindering firefighters from accumulating sufficient retirement funds.

Dave Wordekemper, president of the Fremont Fire Fighters Local 1015 of the International Association of Fire Fighters, also testified in support of LB221. First class city firefighters moved from a defined benefit to a defined contribution plan in 1984, which put the retirement liability “on the backs of the firefighters,” he said, and the current system does not provide an adequate retirement.

“I am not aware of any other hourly employee who works overtime or gets paid extra for time worked above their normal hours [who] does not have a larger contribution put toward their retirement, including Social Security or

a 401K benefit,” Worderkemper said. “After serving their communities in a physically and mentally challenging job, most firefighters — if not all — have to seek further employment because they simply can’t afford to retire.”

Representing the League of Nebraska Municipalities, Lynn Rex opposed the bill. One of the reasons that firefighters find themselves behind in retirement savings, she said, is because individuals have not contributed additional funds to counterbalance the fact that they are not eligible for Social Security.

She said negotiations continue between union representatives and city administrators in an attempt to find a salary definition that will satisfy all parties.

“We really appreciate the work of the firefighters and their team to negotiate with us to see if we can’t reach some type of accord,” Rex said.

The committee took no immediate action on LB221.

ronmental services company with a facility south of Kimball, to qualify for benefits under the act.

Paul Whiting, senior vice president of facilities engineering for Clean Harbors, testified in support of the bill. He said a \$180 million incinerator project will create approximately 200 new jobs at the Kimball location, nearly doubling its workforce there.

With a shortage of affordable housing in the Panhandle, Whiting said, Clean Harbors would use benefits it receives under the ImagiNE Nebraska Act to build housing for those employees.

“It’s something that Clean Harbors has never done before,” Whiting said. “But we realize that if we don’t do something, we’re not going to get the employees.”

Christy Warner, a Kimball City Council member, also testified in support, saying LB100 would ensure that Clean Harbors can move forward with its housing plan.

“This is a perfect example of what Nebraska hopes to get from the [ImagiNE Nebraska Act]: stable economic growth for responsible, reliable businesses who stay in Nebraska for decades, providing careers for the next generation,” she said.

The state Department of Revenue estimates that the bill would reduce state general fund revenue by a total of \$2.5 million from fiscal year 2025-26 to FY2031-32.

No one testified in opposition to LB100 and the committee took no immediate action on it.

Tax credit changes would benefit small livestock producers

The Revenue Committee heard testimony March 16 on a bill intended to help small livestock producers qualify

for an existing incentive program.

Currently, livestock producers that invest at least \$50,000 in a modernization or expansion project are eligible for a refundable state income tax credit equal to 10 percent of their investment under the Nebraska Advantage Rural Development Act.

LB118, introduced by Sen. Tom Brandt of Plymouth, would decrease the minimum required investment to \$10,000 for applications filed on or after Jan. 1, 2024.



Sen. Tom Brandt

It also would set an application fee of \$100 for an investment of less than \$25,000 and \$250 for an investment of more than \$25,000 but less than \$50,000. The current fee of \$500 would apply to larger projects.

Brandt said the changes are intended to make the program more accessible to small and beginning livestock producers. Many meaningful upgrades to a livestock operation would not reach the current \$50,000 threshold, he said, but they are “no less worthy of tax credits” than more expensive projects.

The state Department of Revenue estimates that LB118 would reduce state general fund revenue by \$2 million in fiscal year 2024-25 and \$3 million in FY2025-26.

Al Juhnke testified in support of the bill on behalf of the Nebraska Pork Producers Association and seven other organizations representing Nebraska’s agriculture and ethanol industries. He said LB118 would make the livestock modernization program “size neutral,” ensuring that both large and small producers could benefit.

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

REVENUE

ImagiNE Act expansion for waste disposal project considered

The Revenue Committee heard testimony March 16 on a bill that would allow certain waste treatment and disposal businesses to qualify for tax incentives under the ImagiNE Nebraska Act.

Bayard Sen. Steve Erdman, sponsor of LB100, said the change would allow Clean Harbors, a national hazardous waste disposal and envi-



Sen. Steve Erdman

Constitutional amendment would end inheritance tax

Nebraska voters could bar the state and any of its political subdivisions from levying an inheritance tax under a proposed amendment to the state constitution heard March 16 by the Revenue Committee.

LR23CA, introduced by Sen. Merv Riepe of Ralston, would place the question on the November 2024 general election ballot.



Sen. Merv Riepe

“There is strong evidence that a majority of Nebraska taxpayers prefer to eliminate this unfair tax and unpredictable source of revenue,” he said. “Why not let them decide?”

Jim Smith testified in support of the measure on behalf of the Platte Institute. He said a recent poll found that 78 percent of Nebraskans favored going farther than LB310, passed by the Legislature last year, which cut inheritance tax rates on beneficiaries and increased the amount of property value that is exempt from the tax.

“LR23CA allows the voters to fully express their opinions on the inheritance tax and by doing so removes the burden on this body to make ... what is a very difficult decision,” Smith said.

Doug Kagan of Nebraska Taxpayers for Freedom also testified in support, saying county governments, which collect the tax, sometimes use it for “extraneous expenditures.” He said the inheritance tax acts as a disincentive to accumulate wealth and infringes on a parent’s right to pass on assets to their heirs.

“Those facing death should not suffer additional emotional distress and insecurity about whether their company or estate ... will go to their chil-

dren or close, sell or shrink because of inheritance taxes,” Kagan said.

Bob Hallstrom testified in support of LR23CA on behalf of the Nebraska Federation of Independent Business and the Nebraska Chamber of Commerce and Industry. He said the inheritance tax is unfair because a decedent’s wealth already has been subject to sales, income and property taxes.

Also in support was Richard Clements of Elmwood, who said eliminating the inheritance tax would save time and administrative costs for beneficiaries and counties. He said most counties do not depend on the inheritance tax because it is not a consistent source of revenue.

Testifying in opposition to the proposal was Jon Cannon of the Nebraska Association of County Officials. He said counties often use their inheritance tax funds to pay for large capital projects such as roads and bridges.

Cannon said eliminating the inheritance tax would force counties to increase property taxes, their only other source of revenue, in order to maintain services, something 76 percent of Nebraska voters opposed in a recent NACO survey. Some counties could not make up all the lost revenue because they are at or near their levy limit, he added.

Douglas County finance director Joe Lorenz testified in opposition to LR23CA on behalf of the county. He said Douglas County’s large population makes the inheritance tax a dependable source of revenue that it uses to fund a community mental health center and other essential social services.

If the inheritance tax is eliminated, Lorenz said, Douglas County would have to increase property taxes by nearly 9 percent to make up the lost revenue and maintain its current level of services.

“That would not be received well

by our residents,” he said.

Joey Adler Ruane testified in opposition to the measure on behalf of OpenSky Policy Institute. He said large estates often have significant unrealized capital gains on assets like real estate and stocks, which are not taxed until they are sold.

The inheritance tax creates a more equitable tax code by allowing counties to tax those gains to pay for services that benefit all county residents, Adler Ruane said.

Also in opposition was Misty Ahmic, Seward County commissioner. She said the county has used inheritance tax revenue to pay for unexpected expenses such as courthouse elevator repairs and salary increases to hire and retain employees.

The committee took no immediate action on LR23CA.

URBAN AFFAIRS

Home inspector registry updates proposed

The Urban Affairs Committee heard testimony March 14 on a bill that would standardize the registration process for home inspectors in Nebraska.

Under a law passed in 2021, home inspectors must register with the secretary of state, pay a registration fee and provide proof of insurance of at least \$250,000 of general liability coverage before conducting a home inspection. The renewal of a home inspector’s registration is required every even numbered year.

Gering Sen. Brian Hardin introduced LB342 at the request of the secretary of state’s office.

Under the bill, home inspectors would be required to renew their registration every two years and would be given a 45-day window prior to the expiration to complete the renewal process.



Sen. Brian Hardin

The bill also increases from 30 to 45 the number of business days a home inspector has to report any changes to the secretary of state. Hardin indicated he would offer an amendment to change the window from 45 business days to 45 calendar days.

Hardin said the vague language of the current renewal program has created administrative challenges and led to confusion and frustration among home inspectors.

“The overall goal of the bill is simply to ease the administrative burdens for the home inspectors and the secretary of state,” he said. “[LB342] standardizes the length of the registration period for home inspectors and allows for a renewal process when the registration expires.”

Colleen Byelick, general counsel for the secretary of state’s office, testified in support of the proposal. She said the office has encountered several challenges while implementing the new registration program.

“The language related to registration in even numbered years was troublesome and difficult to administer,” she said. “LB342 fixes this issue.”

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

Bed-and-breakfast regulation changes proposed

State law regulating bed-and-breakfast establishments in Nebraska

would be updated under a bill considered March 14 by the Urban Affairs Committee.

LB546, introduced by Lincoln Sen. Danielle Conrad, would redefine a bed-and-breakfast establishment to include a single-family residence that provides breakfast and sleeping accommodations to no more than 20 guests, or ten guest rooms, at one time.



Sen. Danielle Conrad

Under current state law, a bed-and-breakfast wishing to serve hot food must install a fire sprinkler system in each room of their establishment. LB546 would limit that requirement to rooms that contain only one exit. The bill also would outline appropriate safe food handling practices.

Conrad said the bill would be an important step to help small businesses expand the services they are able to offer visitors of Nebraska.

“[The bill] provides the right balance for consumer safety and a vibrant small business and tourism industry,” she said.

Todd Knobel, owner of the historic Spalding House, testified in support of the proposal. After completing renovations to the property, Knobel said, he was informed by regulatory authorities that he would not be able to serve hot meals without sprinklers in every room.

“The requirement to install a sprinkler system ... was simply too burdensome to overcome,” Knobel said. “The cost to install such a system would be prohibitive for small businesses like a bed-and-breakfast – with an estimated installation cost in the high tens of thousands of dollars.”

State Fire Marshal Scott Cordes testified in opposition to LB546. He said Nebraska fire regulations gener-

ally conform to fire code standards established by the National Fire Protection Association, a nationally recognized leader in fire safety. The NFPA found that sprinklers reduce the rate of civilian fire deaths by 87 percent, fire related injuries by 27 percent and the risk of property loss by 70 percent, he said.

“The potential safety benefits outweigh the costs associated with installing fire sprinkler systems in a bed-and-breakfast,” Cordes said. “Public safety is a paramount concern and the state should maintain the standards set forth in NFPA code requirements.”

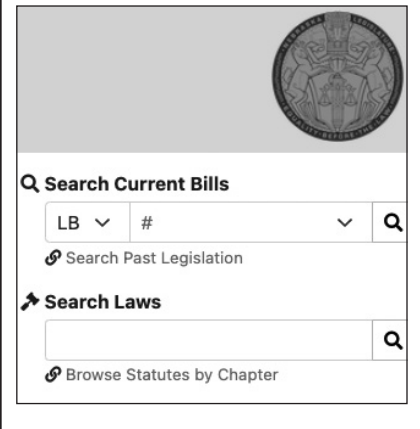
The committee took no immediate action on LB546. ■

SEARCH FOR BILLS

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

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

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



The screenshot shows the search interface on the Nebraska Legislature website. At the top right is the state seal. Below it is a search bar with the text "Search Current Bills". The search bar contains a dropdown menu for "LB" and a text input field for "#". To the right of the input field is a magnifying glass icon. Below the search bar are two links: "Search Past Legislation" and "Search Laws". At the bottom is a link "Browse Statutes by Chapter".

COMMITTEE HEARINGS

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

Tuesday, March 21

Appropriations

Room 1524 - 1:30 p.m.

Agency 25: Health and Human Services
Note: (Operations, Medicaid and Long Term Care, Children and Family Services)

LB112 (McDonnell) State intent regarding appropriations to the Department of Health and Human Services for child advocacy centers

LB415 (Dorn) State intent regarding appropriations to the Department of Health and Human Services

LB470 (McDonnell) State intent regarding an increase in reimbursement rates for child welfare service providers

LB509 (Conrad) Provide for an increase for reimbursement rates for child welfare services

LB663 (Riepe) State intent to appropriate funds to the Department of Health and Human Services

LB739 (Raybould) State intent to appropriate funds to the Department of Health and Human Services

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB710 (Dungan) Change provisions of the Credit Union Act

LB778 (Bostar) Change the Pharmacy Benefit Manager Licensure and Regulation Act

LB448 (Bostar) Prohibit certain provisions in a health plan in relation to clinician-administered drugs

LB538 (Slama) Change provisions relating to the board of directors of a bank

LB537 (Slama) Change provisions relating to the Nebraska Uniform Limited Liability Company Act

Education

Room 1525 - 1:30 p.m.

Appointment: Dan O'Neill - Neb. Educational Telecommunications Commission

Appointment: Molly O'Holleran - Coordinating Commission for Postsecondary Education

LB774 (Vargas) Change provisions relating to the Student Discipline Act

LB527 (Fredrickson) Provide reimbursements to school districts and

educational service units for mental health expenditures

LB177 (Erdman) Adopt the My Student, My Choice Act

LB332 (Linehan) Prohibit creation of new joint public agencies with power or authority relating to education

Urban Affairs

Room 1510 - 1:30 p.m.

LB481 (Raybould) Adopt the Housing Incentive District Act

LB533 (McKinney) Change plumbing board membership for cities of the primary class and provide for licensure requirements for plumbers in certain cities and villages

AM861 to LB532

Wednesday, March 22

Appropriations

Room 1525 - 1:30 p.m.

Agency 25: Health & Human Services

Note: (Division of Developmental Disabilities, Public Health, Behavioral Health)

LB362 (Dorn) State intent regarding appropriations for a rate increase for behavioral health services

LB526 (Fredrickson) State intent to appropriate funds to the Department of Health and Human Services for Developmental Disability Aid

LB601 (Dungan) State intent regarding increases to reimbursement rates paid to providers of developmental disability services

Government, Military & Veterans Affairs

Room 1525 - 1:30 p.m.

LB457 (Holdcroft) Require video surveillance of voting and provide requirements for paper ballots, vote scanning devices, and vote tabulating equipment

LB193 (Halloran) Provide requirements for voting systems under the Election Act

LB808 (Halloran) Provide for counting and recounting ballots under the Election Act by hand count

Judiciary

Room 1113 - 1:30 p.m.

LB581 (M. Cavanaugh) Create pilot programs for doula services at a

youth rehabilitation and treatment center and the Nebraska Correctional Center for Women

LB89 (Hunt) Repeal provisions stating that surrogate parenthood contracts are void and unenforceable

LB23 (Wayne) Change provisions relating to interventions in paternity proceedings

LB391 (Day) Provide criminal and civil immunity for pregnancy outcomes

LR20CA (Conrad) Constitutional amendment to protect the right of individual privacy

Nebraska Retirement Systems

Room 1307 - 12:30 p.m.

LB686 (Walz) Adopt the Cities of the First Class Firefighters Cash Balance Retirement Act

Revenue

Room 1524 - 1:30 p.m.

LB697 (Conrad) Change the Nebraska Job Creation and Mainstreet Revitalization Act

LB756 (Vargas) Change the Nebraska Job Creation and Mainstreet Revitalization Act

LB524 (Fredrickson) Provide an income tax credit for food donations

LB747 (M. Cavanaugh) Provide an income tax credit for renters and change provisions relating to a property tax credit

LB239 (Wayne) Change individual income tax brackets and rates

Thursday, March 23

Appropriations

Room 1525 - 1:30 p.m.

LB46 (Dorn) Appropriate funds to the Department of Health and Human Services for a provider rate study

LB128 (Dorn) State intent regarding appropriations to the Department of Health and Human Services

LB129 (Dorn) State intent regarding appropriations to the Department of Health and Human Services for medicaid nursing facilities

LB130 (Dorn) Create the medicaid nursing facilities services budgetary program

LB131 (Dorn) State intent regarding

COMMITTEE HEARINGS

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

appropriations to the Department of Health and Human Services for medicaid assisted-living facilities

- LB149 (Jacobson) State intent regarding appropriations and rebasing rates under the medical assistance program
- LB525 (Fredrickson) State intent to appropriate funds to the Department of Health and Human Services for rate increases for psychiatric diagnostic evaluation

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

- Appointment: Scott C. Cordes - State Fire Marshal
- Appointment: Janet Chung - Neb.Accountability and Disclosure Commission
- Appointment: Kenny Zoeller - Policy Research
- LB9 (Blood) Change independent expenditure reporting requirements and require electioneering reporting
- LB559 (Blood) Provide for electronic filing of statements of financial interests and require additional elected officials to file such statements under the Nebraska Political Accountability and Disclosure Act
- LB737 (Raybould) Provide a contribution limit for candidate committees under the Nebraska Political Accountability and Disclosure Act

Judiciary Room 1113 - 1:30 p.m.

- LB106 (McDonnell) Create the offense of digital grooming of a vulnerable adult and prohibit using an electronic communication device or social media to engage in certain conduct with vulnerable adults
- LB107 (McDonnell) Create the offense of digital grooming and prohibit using an electronic communication device or social media to engage in certain conduct with minors
- LB619 (McDonnell) Prohibit assault on a public transportation driver and clarify provisions relating to assault on officers, emergency responders, certain employees, and health care professionals
- LB649 (McDonnell) Change provisions and penalties relating to arson, trespass, and graffiti
- LB137 (Geist) Provide for a penalty

enhancement for a controlled substances violation resulting in serious bodily injury or death

Revenue Room 1524 - 1:30 p.m.

- LB745 (M. Cavanaugh) Increase the cigarette tax and provide for distribution of the proceeds
- LB381 (M. Cavanaugh) Adopt the Mental Health Wellness Act and authorize county sales and use taxes
- LB577 (J. Cavanaugh) Change provisions relating to collection of delinquent real property taxes by sale of real property
- LB695 (Linehan) Provide a property tax exemption
- LB694 (Linehan) Provide for a sales and use tax exemption for certain machinery and equipment related to broadband communications services

Friday, March 24

Appropriations Room 1525 - 1:30 p.m.

- LB108 (McDonnell) State intent regarding appropriations to the Department of Health and Human Services for community health centers
- LB114 (Vargas) State intent to appropriate funds to the Department of Health and Human Services for evidence-based early intervention home visitation programs
- LB490 (von Gillern) Appropriate federal funds to the Department of Health and Human Services for health aid
- LB539 (Vargas) State intent regarding use of the Nebraska Health Care Cash Fund for the Tobacco Prevention and Control Program
- LB652 (McDonnell) Appropriate federal funds to the Department of Health and Human Services
- LB653 (McDonnell) Appropriate federal funds to the Department of Health and Human Services
- LB736 (Raybould) State intent to appropriate funds to the Department of Health and Human Services
- LB763 (DeBoer) Adopt the Emergency Food Assistance Act

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

- LB540 (Vargas) Change provisions relating to public lettings
- LB715 (J. Cavanaugh) Require the Governor to apply for emergency rental assistance under the federal American Rescue Plan Act of 2021
- LB428 (Walz) Require the Nebraska Emergency Management Agency to provide matching funding for the federal Hazard Mitigation Grant Program
- LB287 (Brewer) Prohibit creation of joint public agencies under the Joint Public Agency Act

Judiciary Room 1113 - 1:30 p.m.

- LB720 (Dover) Change provisions relating to child support liens
- LB347 (J. Cavanaugh) Change provisions relating to catalytic converters
- LB734 (Bostar) Provide an enhanced penalty for damage to certain infrastructure facilities resulting in serious bodily injury or death
- LB441 (Albrecht) Change provisions relating to obscenity
- LB371 (Murman) Prohibit an individual under nineteen years of age or under twenty-one years of age from being present at a drag show as prescribed

Revenue Room 1524 - 1:30 p.m.

- LB369 (Linehan) Change property tax provisions relating to net book value
- LB387 (Linehan) Change provisions relating to income tax rates
- LB388 (Linehan) Change provisions relating to sales taxes ■



2023 Legislative Session*

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

| Sun | Mon | Tue | Wed | Thur | Fri | Sat |
|-----------------|---------------|--------------|--------------|--------------|--------------|-----|
| February | | | | | | |
| | | | 1 DAY 20 | 2 DAY 21 | 3 DAY 22 | 4 |
| 5 | 6 RECESS | 7 DAY 23 | 8 DAY 24 | 9 DAY 25 | 10 DAY 26 | 11 |
| 12 | 13 DAY 27 | 14 DAY 28 | 15 DAY 29 | 16 DAY 30 | 17 RECESS | 18 |
| 19 | 20 HOLIDAY | 21 DAY 31 | 22 DAY 32 | 23 DAY 33 | 24 DAY 34 | 25 |
| 26 | 27 RECESS | 28 DAY 35 | | | | |

| Sun | Mon | Tue | Wed | Thur | Fri | Sat |
|--------------|--------------|--------------|--------------|--------------|--------------|-----|
| March | | | | | | |
| | | | 1 DAY 36 | 2 DAY 37 | 3 DAY 38 | 4 |
| 5 | 6 DAY 39 | 7 DAY 40 | 8 DAY 41 | 9 DAY 42 | 10 RECESS | 11 |
| 12 | 13 DAY 43 | 14 DAY 44 | 15 DAY 45 | 16 DAY 46 | 17 RECESS | 18 |
| 19 | 20 RECESS | 21 DAY 47 | 22 DAY 48 | 23 DAY 49 | 24 DAY 50 | 25 |
| 26 | 27 RECESS | 28 DAY 51 | 29 DAY 52 | 30 DAY 53 | 31 DAY 54 | |

| Sun | Mon | Tue | Wed | Thur | Fri | Sat |
|--------------|--------------|--------------|--------------|--------------|---------------|-----|
| April | | | | | | |
| | | | | | | 1 |
| 2 | 3 DAY 55 | 4 DAY 56 | 5 DAY 57 | 6 DAY 58 | 7 RECESS | 8 |
| 9 | 10 RECESS | 11 DAY 59 | 12 DAY 60 | 13 DAY 61 | 14 DAY 62 | 15 |
| 16 | 17 DAY 63 | 18 DAY 64 | 19 DAY 65 | 20 DAY 66 | 21 RECESS | 22 |
| 23 | 24 RECESS | 25 DAY 67 | 26 DAY 68 | 27 DAY 69 | 28 HOLIDAY | 29 |
| | 30 | | | | | |

| Sun | Mon | Tue | Wed | Thur | Fri | Sat |
|------------|---------------|--------------|--------------|--------------|--------------|-----|
| May | | | | | | |
| | 1 RECESS | 2 DAY 70 | 3 DAY 71 | 4 DAY 72 | 5 DAY 73 | 6 |
| 7 | 8 DAY 74 | 9 DAY 75 | 10 DAY 76 | 11 DAY 77 | 12 RECESS | 13 |
| 14 | 15 RECESS | 16 DAY 78 | 17 DAY 79 | 18 DAY 80 | 19 DAY 81 | 20 |
| 21 | 22 DAY 82 | 23 DAY 83 | 24 DAY 84 | 25 DAY 85 | 26 RECESS | 27 |
| 28 | 29 HOLIDAY | 30 DAY 86 | 31 DAY 87 | | | |

| Sun | Mon | Tue | Wed | Thur | Fri | Sat |
|-------------|-------------|-------------|-------------|-------------|-------------|-----|
| June | | | | | | |
| | | | | 1 DAY 88 | 2 DAY 89 | 3 |
| 4 | 5 RECESS | 6 RECESS | 7 RECESS | 8 RECESS | 9 DAY 90 | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 | |

Legislative Recess Days

February 6, 17, 27
 March 10, 17, 20, 27
 April 7, 10, 21, 24
 May 1, 12, 15, 26
 June 5, 6, 7, 8

Federal & State Holidays

January 16 – Martin Luther King Jr. Day
 February 20 – Presidents' Day
 April 28 – Arbor Day
 May 29 – Memorial Day

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

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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