

Colorectal cancer screening bill advanced

Lawmakers gave first-round approval Feb. 6 to a measure that would change provisions related to insurance coverage for colorectal cancer screening.

LB829, sponsored by Sen. Carol Blood of Bellevue, would add the concurrent removal of polyps, biopsy or both to coverage requirements for colorectal cancer screening by self-funded employee benefit insurance plans in Nebraska. Such plans are required under the federal Affordable Care Act to cover screening exams and laboratory tests with no out-of-pocket costs for individuals who are at least 45 years old.

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Sen. Carol Blood said LB829 would encourage more Nebraskans to obtain important health screenings.

Expansion of self-defense laws proposed

A bill meant to strengthen an individual's right to use deadly force to defend themselves or others was considered Feb. 8 by the Judiciary Committee.

Currently, the state's "castle doctrine" permits an individual to use deadly force to defend themselves or others against an assailant in their home or workplace, if there is a reasonable and good faith reason to believe that there is an immediate threat of death or serious bodily injury.

LB1269, introduced by Sen. Brian Hardin of Gering, would expand the law to include personal vehicles and public places. It also would provide criminal and civil protections for individuals who use force in self-defense. Similar laws in other states commonly are referred to as "stand your ground" laws.

The proposal would repeal the existing "duty to retreat" — or flee a situation if safe to do so — before using force. Hardin said the duty to retreat forces a person to make a split-second decision in a dangerous situation, which he said creates an "unrealistic expectation."

"The main goal of LB1269 is to provide an avenue to ensure that an individual who is already a victim of a crime, and had to use deadly force in self-defense, is not

also victimized by the legal system," Hardin said.

Patricia Harrold, speaking on behalf of Women for Gun Rights, testified in support of the proposal. LB1269 isn't a gun bill, she said, but rather a self-defense bill that permits people to use deadly force only when there is an immediate threat.

"Whether armed or unarmed, the idea that citizens are required to endanger themselves by turning their backs and running away from a clear and present danger is nonsensical," Harrold said.

Also testifying in support of the bill was Jon Anderson of Norfolk, who serves as a member of the Nebraska Firearms Owners Association board of directors. Repealing the duty to retreat would alleviate pressure for someone to stop and consider if they can safely escape before using force, he said, which could be the difference between life and death in a time-sensitive situation.

"If deadly force is justifiable, then escape is not even an option," Anderson said. "And if escape is an option, deadly force is not justifiable."

Douglas County Attorney Don Kleine testified against

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Colorectal cancer screening bill advanced

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Blood said the problem is that if a polyp is found and removed during a screening colonoscopy, the procedure instead may be deemed as diagnostic, which could lead to hundreds of dollars in unexpected additional charges.

“This expense creates a barrier to the lifesaving screening for those who are most at risk for colorectal cancer,” she said. “This loophole could be the difference between life and death.”

A Banking, Commerce and Insurance Committee amendment would move the bill’s operative date to Jan. 1, 2025, and make a number of technical changes to narrow and clarify terms.

Dunbar Sen. Julie Slama, chairperson of the committee, said she voted against advancing LB829 to the floor for debate by the full Legislature but only because she is opposed to mandates in general.

North Platte Sen. Mike Jacobson supported the bill and the committee amendment, saying he doesn’t see the proposal as a mandate. A second procedure to remove a polyp found during a screening colonoscopy would be a “complete waste of time, resources

and facilities,” he said.

“This is one of those really commonsense bills that, frankly, we should all get behind and support,” Jacobson said.

Sen. Kathleen Kauth of Omaha spoke in opposition to LB829, expressing concern that it would lead to increased costs for insurance providers that could be passed on to consumers.

“Will we now see everyone bearing the brunt of increased cost shares for their screenings?” Kauth said.

Blood said that fear is unfounded and that the bill simply would close a loophole that would save insurance providers money in the long term by encouraging Nebraskans to screen for



Sen. Kathleen Kauth said the bill could be seen as a new mandate on the state’s insurance industry.

colorectal cancer.

“If this was a mandate, the insurance companies would line up in opposition and that did not happen in this case,” she said.

Following the 37-0 adoption of the committee amendment, senators voted 36-6 to advance LB829 to select file. ■

UNICAMERAL UPDATE

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Expansion of self-defense laws proposed

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LB1269 on behalf of the Nebraska County Attorneys Association. Kleine warned of the potential unintended consequences, such as people using the law as a defense in inapplicable situations, such as gang activity.

Additionally, he said, Nebraska’s “castle doctrine” already provides legal protection for people who use force to defend themselves at home or at work.

“I think that the current law as it exists protects people and allows them to use deadly force when it’s necessary,” Kleine said.

Also testifying in opposition to the bill was Mark Richardson, who spoke on behalf of the Nebraska Association of Criminal Defense Attorneys. He expressed concern that a “stand your ground” law would provide “broad and sweeping” immunity, making it more difficult for the courts to hold people who misuse it accountable.

“Imposing liability [or] immunity like this takes away the ability of Nebraska citizens to have their complaints heard by other Nebraska citizens and render the proper verdicts,” Richardson said.

Testifying in opposition on behalf of Everytown for Gun Safety, Alison Shih said “stand your ground” laws have not proven effective in crime prevention, but instead have led to increased crime in states where the laws are in effect.

“While homicides have increased in states that have adopted these laws, the number of homicides in states with traditional self-defense laws has remained steady or decreased,” she said.

The committee took no immediate action on LB1269. ■



Sen. Brian Hardin said LB1269 would provide important protections for Nebraska crime victims who use force to protect themselves.

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February 2024						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				01 Day 20 108th Leg. 2nd Session 8 Hearings	02 Day 21 108th Leg. 2nd Session 5 Hearings	03
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AGRICULTURE

Bill would update foreign land ownership restrictions

A measure intended to tighten restrictions on foreign ownership of land in Nebraska was considered Feb. 6 by the Agriculture Committee.

LB1301, introduced by Niobrara Sen. Barry DeKay on behalf of Gov. Jim Pillen, would add a number of conditions to the right of foreign individuals or foreign-owned companies to own land in the state.



Sen. Barry DeKay

DeKay said most of the state's laws regarding foreign ownership of land haven't been updated since 1943. While Nebraska is fortunate to have prohibitions already on the books, he said, modernization is needed.

"The times and the current threats to our national security, food supply and agriculture sector [have] changed dramatically in the 81 years since these statutes were last updated," he said.

LB1301 would ban a "nonresident alien" who is not a U.S. citizen or U.S. national, a foreign corporation or a foreign government, its states or political subdivisions from purchasing, acquiring title to, taking or holding real property or holding a lease for longer than five years.

The bill would allow individuals to report suspected foreign ownership of land, and the state Department of Agriculture would be required to investigate suspected violations and refer them to the state attorney general or retain outside counsel if necessary.

The court could terminate a lease that is in violation of the bill and the

state Department of Administrative Services would sell any real estate acquired by the state under the bill's divestment provisions. Up to 30% of such a sale could be paid to an individual who reported a suspected violation, after any fees and liens have been deducted.

Nonresident aliens would be allowed to purchase, acquire or lease real estate necessary to erect manufacturing or industrial establishments and the bill's provisions would not apply within the corporate limits of cities and villages or within three miles of those limits.

DeKay said the bill would shift enforcement of Nebraska's restrictions on foreign ownership from the county attorneys to the state attorney general's office, which has more time and resources to devote to the issue.

Pillen testified in favor of the proposal. He urged the committee to support LB1301, saying foreign ownership of land was one of the main concerns raised during a series of recent town-hall meetings he held across the state.

"We are protecting our ag land from undue foreign influence, particularly from foreign adversaries," Pillen said. "Nebraska has some of the most productive agricultural land in the country, if not the world."

Also testifying in support was John Hansen, president of the Nebraska Farmers Union. Hansen said he hears more concerns from Nebraskans about large U.S. corporations, groups and wealthy individuals owning land in the state than about foreign ownership, but said the bill would be a "positive step in the right direction" by providing a reasonable enforcement mechanism for existing law.

"This bill is a good-faith effort to address things that can be addressed," Hansen said.

Sam Cooper, president-elect of the

Nebraska Land Title Association, opposed the measure, but primarily on technical grounds. He said the bill as written likely would create confusion when tracking land ownership because it does not specify how processes such as the selling of divested land would occur, for example.

Cooper said he was confident, however, that interested parties would be able to "get to a workable solution" through ongoing efforts to amend the proposal.

Also in opposition was Dylan Severino of ACLU Nebraska, who said the original law that LB1301 seeks to update was written at the height of anti-Chinese sentiment in the 1880s and anti-Japanese sentiment during World War II.

He urged the committee not to build enforcement mechanisms into the law without also addressing its "racist past," specifically citing the provision allowing a resident to report suspected foreign ownership.

"Providing a financial incentive to report anyone who looks like an 'alien' is deeply problematic," Severino said, "and will only lead to further discrimination and harassment of Nebraskans based on national origin, alienage and race."

Bruce Rieker testified in a neutral capacity, representing the Nebraska Farm Bureau, Nebraska Corn Growers Association, Nebraska Pork Producers Association and Nebraska Soybean Association. He said the groups support the bill's intent, but that association members had not had time to review a proposed amendment from DeKay.

The committee took no immediate action on LB1301.

APPROPRIATIONS

Private school scholarship program considered

The Appropriations Committee heard testimony Feb. 6 on a proposal to provide millions in state dollars to fund private school scholarships.

LB1402, sponsored by Elkhorn Sen. Lou Ann Linehan, would appropriate \$25 million in general funds in fiscal year 2024-25 to the state treasurer to provide grants to scholarship-granting organizations, who then would use the funds to provide scholarships to eligible students to pay costs associated with attending a K-12 qualified school.



Sen. Lou Ann Linehan

A qualified school is defined as any nongovernmental, privately operated nonprofit elementary or secondary school that complies with certain federal anti-discrimination provisions and fulfills the applicable accreditation or approval requirements established by the State Board of Education.

Linehan said she offered the bill as a replacement for the Opportunity Scholarships Act, which was passed by the Legislature last year. That measure, which she sponsored, allows individuals, passthrough entities, estates, trusts and corporations to claim a nonrefundable income tax credit of up to 50% of their state income tax liability on contributions they make to nonprofit organizations that grant such scholarships.

The Opportunity Scholarships Act was the subject of a successful referendum petition drive and the possible repeal of the law is slated to

be on the November 2024 general election ballot.

Linehan said that if LB1402 passes, the previous legislation should be repealed.

School choice in Nebraska currently is limited to those who can afford to move to a new public school district or pay private school tuition, she said, and LB1402 would give thousands of low-income families the same opportunity to choose the best education for their children.

“Nebraskans believe in school choice,” Linehan said.

The bill outlines eligibility requirements for students and contains a formula for scholarship distribution that gives first priority to students who received an education scholarship during the previous school year and their siblings. Second priority would go to eligible students whose household income level does not exceed 100% of the federal poverty level or who have a family member actively serving in the armed forces, and those who are on an individualized education program, are in foster care or are experiencing bullying or harassment, among other criteria.

If the total amount of grants awarded in any fiscal year exceeds 90% of the appropriation to the state treasurer for that fiscal year, the appropriation for the following fiscal year would increase by 25%, not to exceed a maximum appropriation of \$100 million.

Brandon Villanueva Sanchez, a neuroscience major at the University of Nebraska at Omaha, testified in support of the proposal. He said private school tuition was a burden for his parents – both of whom were forced to drop out of school in Mexico in order to work – and that scholarships allowed him to attend a Catholic school.

“They told themselves that they were going to do whatever they could

to give us the best quality education and, to them, that meant a private education,” Villanueva Sanchez said.

Also testifying in support was Robert Ziegler, superintendent for the Nebraska District of the Lutheran Church – Missouri Synod Schools. Ziegler, who also is the chairperson of the Nebraska Coalition of Nonpublic Schools, said the bill would allow parents to choose a school that matches their values.

“Parents should be free to choose the school entity they believe best meets the needs of their unique family and children,” he said. “I believe this bill puts parents in charge of their children’s education.”

Patrick Graff of the American Federation for Children said giving families options benefits public school students as much as those who choose to attend private schools. Testifying in favor of LB1402, he said states with school choice have seen higher test scores for public school students along with lower rates of suspensions and absenteeism.

“The competition is good for public schools,” Graff said.

Speaking in opposition to the proposal was Scott Norby, representing the Nebraska State Education Association, Nebraska Council of School Administrators, Greater Nebraska Schools Association, Schools Taking Action for Nebraska Children’s Education and the Nebraska Rural Community Schools Association.

Norby said the question of whether public funds should be used – directly or indirectly – to fund private schools will be answered by voters at the general election in November. Passing a bill now to accomplish the same goal by different means would “preempt” the authority of voters to use the referendum process, he said.

Rita Bennett also testified in op-

position to the proposal, calling it an “end-run around the will of the voters.” Tens of thousands of Nebraskans signed the referendum petition, she said, and it would not be fair to change the rules of the game before those voters have their say at the ballot box.

Executive Director of Stand for Schools Dunixi Guereca opposed LB1402, saying its anti discrimination provision falls short. The federal law referenced in the bill protects only against intentional discrimination based on race, he said, leaving private schools that receive scholarship funds free to discriminate based on sexual orientation, religion and a host of other factors.

Guereca said Nebraska’s long and proud tradition of support for public education that is open to all would be undermined by the proposal.

“An educated citizenry is crucial to the continued functioning of a democracy,” he said. “The best way to ensure that all of our citizens receive a quality education is to support public education.”

The committee took no immediate action on the proposal.

BANKING, COMMERCE & INSURANCE



Genetic information safeguards passed

Nebraskans will have more control over use of their genetic information under a bill passed by lawmakers Feb. 8.

LB308, sponsored by Lincoln Sen. Eliot Bostar, requires express consent from Nebraska residents for the sharing, storage and use of any consumer genetic data by direct-to-consumer genetic

testing services.

Under the bill, a direct-to-consumer genetic testing company cannot disclose a consumer’s genetic data to any entity offering health, life or long-term care insurance or to an employer without written consent. The measure also requires a process by which consumers can delete their accounts and genetic data.

Senators passed LB308 on a 43-0 vote.



Sen. Eliot Bostar

BUSINESS & LABOR



Paid parental leave for school activities proposed

Parents would be given paid time off to attend a family member’s school-related activities under a bill heard by the Business and Labor Committee Feb. 5.

LB1213, introduced by Fremont Sen. Lynne Walz, would require businesses with at least 15 employees to provide a minimum of 20 hours of paid annual leave for employees to participate in such activities, which could include parent-teacher conferences, volunteer and extracurricular activities and athletic competitions.

The bill also would apply to state government agencies and political subdivisions. It would not apply to the U.S. government, Indian tribes or tax exempt private membership clubs.

Walz said research indicates that parental involvement leads to reduced



Sen. Lynne Walz

absenteeism, promotes better behavior and increases student achievement.

“[LB1213] is an investment in our state’s economy,” she said. “By supporting our students today, we are supporting our workforce of tomorrow.”

Elizabeth Turner spoke in support of the proposal, saying her career as a school psychologist has highlighted the importance of parental involvement.

“It is hard for children to look around and see other students who have someone special present, but they do not,” Turner said. “Doesn’t every child want to look up into the stands or among the crowd and see that one person who is there for them?”

Justin Hubly, executive director of the Nebraska Association of Public Employees, also testified in support. He said the bill would be beneficial for parents who are entering the workforce.

“For our new employees ... they haven’t had time to earn their PTO or vacation time yet,” he said, “so those folks ... don’t have any accrued leave to attend their child’s functions.”

Testifying in opposition to LB1213 was Ryan Mcintosh. Speaking on behalf of the National Federation of Independent Business, Nebraska Chamber of Commerce and Industry and a number of other business organizations, Mcintosh expressed concern about the impact the proposal would have on small businesses and employees who do not have children.

“While we are very mindful of the positive impact that the involvement of parents can have on their children, we do not believe that a one-size-fits-all approach [through] paid leave is the right answer,” he said.

The committee took no immediate action on LB1213.

EDUCATION

Free school meal opt-in requirement advanced

Lawmakers gave first-round approval Feb. 6 to a bill intended to maximize participation in a federal program that allows school districts with high poverty rates to serve free breakfast and lunch to all of their students.

LB285, as introduced by Fremont Sen. Lynne Walz, would require public schools that serve a certain percentage of students in poverty to opt in to the reimbursement program, called the community eligibility provision.

Walz said eligible Nebraska schools have been slow to opt in to CEP out of concern that the program is too burdensome to administer or that it could affect a district's state aid.

Under the bill, the state Department of Education could waive the requirement if a district shows that participation in CEP is not "financially viable." The department would provide technical assistance to those schools to help them adopt CEP in the future.

Walz, a former teacher, said research shows that childhood hunger can derail proper development, leaving lifelong deficits in cognitive skills, physical and mental health and behavioral and academic performance.

"I saw many kids coming into the classroom who hadn't had anything to eat," she said. "And I can tell you [that] it affected their ability to concentrate and learn in school."

Walz offered an amendment, adopted 41-0, that would expand the measure to include private schools. The change was requested by the Nebraska Catholic Conference, she said,

as a result of private schools gaining a better understanding of the benefits of CEP.

Elkhorn Sen. Lou Ann Linehan supported the proposal, but said she wanted to "throw a caution flag" during the first round of debate regarding any potential impact LB285 might have on determining a school's need under the state's funding formula. She said the bill's fiscal note was ambiguous on that point.

Sen. R. Brad von Gillern expressed similar concerns. He said recent action taken by Omaha Public Schools resulted in every student in the district being classified as "impoverished," which likely will impact the amount of equalization aid flowing to the district in the future.

"I am not in any way, shape or form a fan of free and reduced lunch for families who can afford to pay for their own meals," von Gillern said. "That's just a misappropriation of state and federal funds."

Following adoption of the Walz amendment, senators voted 33-10 to advance the bill to select file.

Voter approval for certain school bonds approved

A bill intended to ensure that voters must approve certain bonds issued to pay for the construction of school buildings passed Feb. 8.

LB299, introduced by Sen. Lou Ann Linehan of Elkhorn, prohibits any joint entity that includes a Nebraska school district or educational service unit from issuing bonds without approval from a majority of their qualified voters in a special election. The restriction applies to joint

public entities created on or after the bill's effective date.

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

LB299 passed 45-0 and takes effect immediately.

Computer science, technology training program proposed

The Education Committee considered a proposal Feb. 6 that would establish a statewide expansion program to recruit, train and support computer science and technology teachers.

LB1284, introduced by Fremont Sen. Lynne Walz, would require the state Department of Education to employ or contract with computer science specialists to develop and deliver computer science educator training for teachers. Such training would be accessible to all teachers in the state, including those seeking supplemental computer science certification.

In 2022, the Legislature passed the Computer Science and Technology Education Act, which created a graduation requirement of one course in computer science and technology for all public school students. Since then, Walz said she has heard from school officials — especially in rural Nebraska — concerned about their districts' ability to fulfill the law's requirements due to a lack of teachers with the necessary endorsements and insufficient funding.

"Only eight states require this as a graduation requirement, but 36 states provide funding for computer science and technology education," Walz said. "Of the states with the graduation requirement, it is only Nebraska and North Dakota that provide no funding."

The bill also would establish the Computer Science Technology Edu-



Sen. Lou Ann Linehan

cation Fund, which the department would administer. The fund would receive \$1.5 million in state general funds for fiscal years 2025-26 and FY2026-27. Each year after, the state would match up to \$500,000 contingent on private donations.

The program established under LB1284 would provide support for schools and teachers in the development of instructional plans that are consistent with the academic content standards for computer science and technology education adopted by the State Board of Education.

Finally, the measure would require the department to submit an annual report on the program to the governor and the Legislature.

Shaun Young testified in support of the proposal on behalf of the state Department of Education. Last fall, the department worked to develop computer science and technology content standards, he said, which the state board approved in early February of this year.

Young said Nebraska has a deficit of teachers with the knowledge and training to teach computer science and technology courses, and teachers who already are certified require ongoing professional development to keep pace with evolving technologies.

LB1284 would provide the tools needed to implement the new standards and provide teachers the training they need, he said.

Also testifying in support of the bill was LaShonna Dorsey. Speaking on behalf of the Nebraska Tech Collaborative and the Lincoln and Omaha chambers of commerce, she said technology is integral to nearly every industry. Providing computer education serves as workforce preparedness by ensuring students have the skills necessary to enter the workforce and drive innovation in Nebraska, Dorsey said.

“At its core, LB1284 recognizes that computer science and technology education are not mere luxuries, but essential building blocks for our children’s success and our state’s prosperity,” she said.

Laurel Oetken also offered support for the proposal, speaking on behalf of Tech Nebraska and the Nebraska Chamber of Commerce and Industry. Nearly all companies in Nebraska are tech companies in some way, she said, and for the state to compete nationally it will require active partnerships with educators to equip the future workforce.

“Investing in computer science education not only benefits individual students and educators,” Oetken said. “But it contributes to economic growth and [the] technological advancement of our state.”

No one testified in opposition to LB1284 and the committee took no immediate action on it.

Additional school firearm exemptions discussed

School districts could authorize security personnel and off-duty law enforcement to carry firearms on school grounds and at school-sponsored activities under a proposal considered Feb. 6 by the Education Committee.

LB1339, introduced by Gordon Sen. Tom Brewer, would broaden an exemption in state law regarding who can legally carry a firearm on Nebraska school property. The bill would add off-duty and qualified retired law enforcement officers to the current exemption.

Under the bill, school districts also could voluntarily establish a written

policy to authorize security personnel to carry firearms. The policy must address qualifications, training, firearms, ammunition and use of force.

Finally, LB1339 would provide grants from the School Safety and Security Fund to create high-resolution school facility maps for emergency response agencies. The bill offers parameters for such maps to ensure interoperability with coordinating agencies.

Brewer said rural parts of Nebraska have difficulty hiring law enforcement. As a result, law enforcement response can be as much as 30 minutes in some parts of the state, he said, hindering their ability to respond promptly to a violent attack. LB1339 would provide those school districts with a way to protect their students, he said.

“Here’s the bottom line — as a Legislature, we command parents to take their kids to school,” Brewer said. “That means that we need to make it possible to protect them while they are at school.”

Patrick Dempsey testified in support of LB1339 on behalf of the Omaha Police Officers Association. He said that allowing law enforcement to carry firearms on school grounds shows a commitment to protecting Nebraska children, teachers and school staff.

“In an era where unforeseen threats can manifest in the most unexpected ways, immediate response capabilities of armed officers becomes paramount,” Dempsey said.

Representing the Nebraska State Volunteer Firefighters Association, Jerry Stilmock also testified in support of the measure. Providing maps of schools to emergency response agencies would ensure responders know where to go and when action is needed, he said.

“The more we know ahead of time, the better we are able to prepare,” Stilmock said.



Sen. Tom Brewer

Also testifying in support of the measure was Patricia Harrold, representing the Nebraska Firearms Owners Association. She said the only variable that can reduce casualties during an act of violence is time – and response time should be seconds, not minutes.

“Whether it’s recognizing the threat, calling 911, having the police arrive – that is a luxury of time that we cannot afford,” Harrold said.

Jennifer Hodge of Omaha, a member of Moms Demand Action, spoke in opposition to the measure. Putting more guns in schools will not decrease shootings, she said, but rather increase the risk of the accidental shooting of bystanders and children who find or steal a firearm on school grounds.

Instead of allowing firearms on school grounds, Hodge said, Nebraska should implement extreme risk protection laws, ban assault weapons or raise the age to purchase a firearm to reduce the risk of shootings.

Kyle McGowan testified against LB1339, speaking on behalf of the Nebraska Council of School Administrators. The definition of firearm in the bill is broad, he said, and Nebraska school administrators would like to see it tightened to ensure that weapons such as assault rifles are not allowed on school grounds.

“Safety is always part of our goal in schools, and introducing deadly weapons into the building requires a whole other level of oversight and caution,” McGowan said.

Representing the Nebraska State Education Association, Tim Royers also testified in opposition to the bill. Research shows armed guards do not reduce shootings, he said, and rates of death in schools with armed security are 2.83% higher than those without.

In 2011, Royers said he was a teacher at Millard South High School

when a school shooting occurred. After the shooting took place, teachers requested updates to doors so that they could be locked from inside the classroom and the tightening of building entry protocols, he said.

“I’ve never had an educator ask for armed staff, but I have had plenty of them tell me that a provision like [LB1339] would drive them out of the profession,” Royers said.

The committee took no immediate action on the proposal.

School parental involvement, transparency measures proposed

A bill meant to strengthen state law regarding parental involvement in public schools was considered Feb. 5 by the Education Committee.

LB1399, introduced by Glenvil Sen. Dave Murman, would require all Nebraska public school districts to create and implement a policy by July 1, 2025, that outlines the rights of parents, guardians and education decisionmakers to access learning materials, library content and staff training materials, among other items. The policy also must outline how the district will involve parents and ensure transparency.



Sen. Dave Murman

After introducing a similar measure last year, Murman said he worked with school board members across the state over the interim to draft a “simpler and cleaner bill.” LB1399 would not pose a problem for the many school districts that already have transparency and parental involvement policies in place, he said.

“Some schools absolutely do have great transparency policies, however,

I want to make sure every school in Nebraska has great transparency policies,” Murman said.

Under LB1399, districts must provide parents, guardians and education decisionmakers access to a variety of curriculum, digital, library and training materials. The district would be required to grant access within 10 business days after receiving a request.

District policies also would be required to outline procedures for:

- reviewing and approving curriculum, training and learning materials, school presentations and activities;
- accommodating requests by parents, guardians or education decisionmakers to attend and monitor courses, assemblies, counseling sessions and other instructional activities;
- accommodating requests to excuse a student from testing, classroom instruction, learning materials, activities, guest speakers, events or other school experiences;
- notifying parents, guardians or education decisionmakers 10 days in advance of administration of a student survey, including an explanation of the purpose and any data usage; and
- allowing parents, guardians or education decisionmakers to view student surveys, review their students’ responses and opt the student out of any survey.

Before approving a policy, input from parents, guardians and education decisionmakers would be considered and a public hearing would be held.

In addition, LB1399 would require all public school districts to publish a downloadable list of library books available to students on its website

by Aug. 1, 2026. School districts using digital library checkout software would be required to email a notification to a parent, guardian or educational decisionmaker when their student checks out a library book. The email service would be available to those who choose to opt in and would provide information such as the book's title, author and due date.

Among other provisions, the bill also would require districts to allow a parent, guardian or education decisionmaker to request that a five-minute portion from any library book or other material owned by the school district be read aloud at one school board meeting, beginning with the 2026-27 school year.

If a school district fails to follow the bill's provisions, the commissioner of education would notify the district and allow a reasonable amount of time for them to comply. If the commissioner found that the district still was not in compliance after the given time elapsed, they could take necessary remedial action, including considering noncompliance as a violation of the rules and regulations for school accreditation.

Testifying in support of the measure was Allie French, speaking on behalf of Nebraskans Against Government Overreach. LB1399 would increase transparency, encourage open communication between schools and parents and clarify who parents should contact in their district to discuss concerns, she said.

"LB1399 provides important measures of parental consent and oversight of their student's education, as well as a proper chain of command before going to the commissioner," French said.

Kyle McGowan, speaking on behalf of the Nebraska Council of School Administrators, the Nebraska State

Education Association and four other education organizations, testified in opposition to the measure.

McGowan did not object to provisions requiring a complete listing of books in school libraries and parental notification of student check outs, but said it would be "unfair" for the state to require unpaid, elected school board members to listen to five-minute book readings for unlimited amounts of time at board meetings.

"Strong parental involvement is important to the success of a child," he said. "However, we think that LB1399 is an overreach [into] a school board's local control."

Also opposing the measure was Jeremy Shuey, a Plattsmouth Community Schools Board of Education member, testifying on behalf of the Nebraska Association of School Boards. Requiring that staff training materials be made available could be challenging, he said, because some training materials come from third-party entities and are copyright or trademark protected.

Jane Seu also opposed the measure, speaking on behalf of ACLU Nebraska. She said allowing the sharing of students' answers to surveys without their consent is an invasion of privacy. In addition, she said, that provision of the bill could put LGBTQ students in danger if their survey answers reflect their sexual orientation or gender identity.

"For many LGBTQ youth who are not supported at home, school may be the only place they can be themselves," Seu said.

The committee took no immediate action on LB1399.

GENERAL AFFAIRS

Early review of liquor license applications proposed

The General Affairs Committee considered a bill Feb. 5 that seeks to help certain potential establishments in Nebraska obtain liquor licenses under the Nebraska Liquor Control Act.

LB1276, introduced by Gordon Sen. Tom Brewer, would apply to applications for retail, bottle club, craft brewery or micro-distillery licenses in second class cities and villages. Villages are communities with a population of 100 to 800 people and second class cities are those with a population of 801 to 5,000.



Sen. Tom Brewer

Under the bill, if a city or village clerk is informed of a protest to the issuance of a proposed license prior to the applicant's purchase of land for construction of the establishment, or the renovation of an existing property, the clerk could submit a request to the Nebraska Liquor Control Commission to waive the 45-day objection period and hold a hearing on the issuance of the license.

The commission then could hold a hearing and rule on the issuance or denial of the license on the basis of the applicant submitting the business plan for a future establishment.

Brewer said proprietors currently are losing out on business investments due to the uncertainty of obtaining a liquor license. Being able to know the likelihood of approval would help small business owners, he said.

"[LB1276] gives potential proprietors an opportunity to know ahead of

a large investment whether or not the planned location would be granted a license, and therefore the opportunity to invest in the given facility,” he said.

Shawn Wenstrom, co-owner and co-founder of 1515 Brewing, spoke in support of the proposal. He said efforts to expand his business in Tekamah have been delayed due to complications with the liquor license application process.

“For the past 18 months, my family and I have diligently followed through every step of the liquor license application process,” Wenstrom said. “This uncertainty [in the approval process] coupled with financial and personal investments has left us in a precarious situation.”

Also testifying in support of the proposal was small business owner Cindy Chatt, who said the bill is crucial for fostering economic growth and community revitalization.

“The economic impact of these developments cannot be overstated,” she said. “Property will be brought onto the tax roll, we’ll increase the revenue through sales tax [and] it also will help businesses ... by [bringing] additional tourists and patrons into our town.”

Hobert Rupe, executive director of the Nebraska Liquor Control Commission, testified in a neutral capacity. He said use of the term ‘issuance’ throughout the bill implies that a license would be issued to a proprietor on plans alone, prior to the necessary reviews, including a building inspection conducted by the state fire marshal.

No one spoke in opposition to LB1276 and the committee took no immediate action.

Vape registry, online sales ban proposed

The General Affairs Committee heard testimony Feb. 5 on a bill that

seeks to reduce access to vaping devices by minors in Nebraska.

LB1296, introduced by Seward Sen. Jana Hughes, would prohibit the sale of electronic nicotine delivery systems, or ENDS, that have not been approved by the U.S. Food and Drug Administration. Violations would be considered a deceptive trade practice under the Uniform Controlled Substances Act.



Sen. Jana Hughes

Devices that are pending approval from the FDA would be authorized for sale under the bill, but online sales of ENDS, regardless of FDA approval, would be prohibited.

Hughes pointed to the growing number of children using vaping devices as the catalyst for LB1296. According to an ongoing study conducted by the University of Michigan’s Institute for Social Research, she said, the No. 1 substance used by eighth and 10th graders is nicotine vape.

“We have a serious problem on our hands that threatens to undermine the progress made over the past 40 years in reducing the use of nicotine products by our kids,” Hughes said.

LB1296 also would create a directory of ENDS manufacturers who have received or sought FDA approval. Beginning April 1, 2025, each manufacturer would be required to register with the state tax commissioner and pay a \$500 initial certification fee per device and \$500 annually. Payments received would be directed to the state Department of Revenue to reimburse the cost of enforcing the bill’s provisions.

Speaking in support of the proposal was Nebraska Attorney General Mike Hilgers. He said children’s access to harmful vaping products has been one of the top concerns that he has

heard from residents across the state.

“We know in Lincoln it’s been a big issue,” Hilgers said, “but frankly, I’m not sure there’s been a community that has been untouched.”

He added that the proposal is not intended to put the vape industry out of business, but rather to follow the FDA’s lead and draw a line that cuts off the means of distribution to children while also ensuring that products on the market remain safe.

“[LB1296] seems like a sensible line, a logical line and a defensible line,” Hilgers said.

David Sylvia also testified in support of the proposal. Speaking on behalf of tobacco producer Altria, he said local businesses have been losing customers to entities that are making and selling illicit products.

“The CDC estimates that about 50% of the e-vapor marketplace today in the United States consists of illicit products,” he said. “LB1296 will help us foster a regulated e-vapor marketplace ... and help limit youth access.”

Speaking in support of the measure on behalf of Core-Mark, Kathy Gunlock said many responsible business owners do not realize the products they sell are out of compliance because the FDA does not publish a public list of ENDS that currently are pending approval.

“Most distributors in the state want to abide by the rules, we just need a mechanism to understand what products are legal for distribution and sale,” she said. “The product directory would provide wholesalers and retailers the much needed information so they can comply.”

Also speaking in support of the proposal was York Public Schools elementary principal, Kathryn Burger. Speaking on behalf of the school district, she said kids as young as elementary students have brought

vaping devices to school grounds. Students are fascinated by something they aren't supposed to have and don't fully understand the dangers of vaping, she said.

"Even if we're not directly marketing to these children, they will find them and they will be attracted to them," Burger said.

Sarah Linden, president of the Nebraska Vape Vendors Association and owner of Generation V, testified in opposition to the bill. Over 30 vape manufacturers have sued the FDA over its application process, she said, which some courts have found to be "arbitrary" and "capricious." LB1296 would eliminate "99.9% of all vapor products on the market" because of that flawed application process, she said.

"[This bill] proposes the state of Nebraska use their scarce resources to enforce a failed FDA regulatory scheme, declared illegal by the courts, to shut down hundreds of Nebraska small businesses," Linden said.

Also testifying in opposition was Jacob Marktikainen, co-owner of E-Titan Vapors. He argued that removing certain products from the market would create an uncontrollable and unregulated black market instead.

Efforts by other states to ban flavored tobacco products and take them off the market have been unsuccessful, Marktikainen said. These products remain available through online chat rooms and black market dealers who do not enforce age verification policies in the way that legitimate vendors are required to do, he said.

The committee took no immediate action on LB1296.

GOVERNMENT, MILITARY & VETERANS AFFAIRS

Bill to make ServeNebraska a statutory agency fails to advance

An effort to make the Nebraska Volunteer Service Commission, also known as ServeNebraska, a statutory agency failed to advance from first-round debate Feb. 6.

Omaha Sen. Mike McDonnell, sponsor of LB111, said ServeNebraska was created by executive order of then-governor Ben Nelson in 1994 and administers the AmeriCorps



Sen. Mike McDonnell

program for the state. He said restructuring the organization as a statutory agency would provide greater stability and make it easier for the commission to leverage federal dollars.

McDonnell said every other state in the country has made their equivalent commission into an independent agency and that his bill would empower ServeNebraska to better carry out its mission of serving Nebraskans.

"In 2020, Nebraska had over 2,700 AmeriCorps senior members and volunteers serving in 335 locations in our state with a total federal and local investment of \$7.3 million," McDonnell said.

Under the bill, the commission would have between 15 and 25 voting members, appointed by the governor, including representatives from business, government, education and community service organizations. The commission could employ an executive director, who could hire up to 15 full-time staff.

Among other duties, the commission would be tasked with recommending a comprehensive community service plan, to be updated annually, that ensures outreach to diverse community-based agencies that serve underrepresented populations.

Omaha Sen. Tony Vargas supported the bill, saying it would provide greater accountability and oversight. Vargas said that, as a former AmeriCorps member, he sees the value of supporting ServeNebraska, which has been a leader in the nation in community service.

Sen. Robert Clements of Elmwood offered a motion to recommit the bill to the Government, Military and Veterans Affairs Committee. He said Nebraska already has 75 state agencies and that he did not believe the committee thoroughly vetted the bill or considered its impact on the state's budget.

McDonnell said no one testified in opposition to LB111 at its public hearing and that the committee advanced it to the floor of the Legislature for debate on an 8-0 vote.

The recommit motion failed on a vote of 23-16. Twenty-five votes were needed.

Lawmakers then voted 24-12 on advancing the bill to select file, one vote short of the number needed.

Year-round daylight saving time effort fails to advance

A bill intended to spare Nebraskans from changing their clocks twice a year failed to advance from general file Feb. 5.

Under LB143, sponsored by Lincoln Sen. Danielle Conrad, Nebraska would adopt permanent daylight saving time. The



Sen. Danielle Conrad

switch would take effect contingent on a change in federal law or policy allowing states to do so and would require adoption of the same policy by three adjacent states.

States currently are allowed under federal law to permanently adopt year-round standard time — as Arizona and Hawaii have done — but Congress would have to act to authorize states to change to year-round daylight saving time.

Colorado and Wyoming have adopted similar “trigger laws,” Conrad said, so one additional neighboring state would need to follow suit, in addition to congressional action, before LB143 could take effect. To date, 19 states have adopted similar policies, she said.

Conrad said surveys indicate that more than 60% of Americans want to see a change in the current system, which she said negatively impacts health and safety and causes “a lot of consternation” for parents.

“Once I had little ones, that time-change management became a lot more challenging,” Conrad said. “You work so hard to get those little ones on a good schedule ... and when it comes to managing your family’s daily rhythm, these two [time changes] really wreak havoc.”

Lincoln Sen. George Dungan supported the bill, citing the difficulty of accomplishing evening tasks when it is dark at 4:30 p.m.

“The U.S. Department of Energy has actually shown that permanent daylight saving time can lower energy bills by virtue of the fact that it’s lighter later and we don’t have to have our lights on as early,” Dungan said.

Sen. Steve Erdman of Bayard agreed that switching clocks back and forth is problematic. He offered an amendment that instead would adopt year-round standard time, which he

said would be a better solution.

“I follow the science,” Erdman said, “and the science proves that changing to daylight saving time is detrimental to your health.”

In addition, he said, permanent standard time would not require action on the part of the federal government and would be safer for children headed to school in the winter months.

Glenvil Sen. Dave Murman supported Erdman’s amendment, saying many sleep specialists and scientists agree that daylight saving time disrupts sleep patterns and is detrimental to overall health and well-being. For example, he said, dark mornings lead to safety issues for children waiting for buses in the winter.

“Ensuring we have sunny mornings may seem like a simple convenience issue,” Murman said, “but the reality is it’s a public health issue and a public safety issue.”

Thurston Sen. Joni Albrecht opposed the amendment, citing concerns brought to her by constituents and members of the broadcasting industry. Permanent standard time would cause a variety of programming disruptions for broadcasters near the state’s borders, she said, including the many stations that rely on “feeders” in border states for news and weather information.

Conrad did not oppose Erdman’s amendment, saying her goal was to stop the switching of clocks twice a year and that she was “not married” to which approach lawmakers took to achieve that goal.

Following defeat of the Erdman amendment on a vote of 19-25, senators voted 14-25 on the advancement of LB143 to select file. Twenty-five votes were needed.

Omnibus elections bill clears first round

Lawmakers amended a bill Feb. 5 to create an omnibus elections measure and advanced it to select file.

As introduced, LB287, sponsored by Gordon Sen. Tom Brewer, would have prohibited the formation of new entities under the Joint Public Agency Act. A Government, Military and Veterans Affairs Committee amendment, adopted 44-0, removed those provisions and replaced them with the original version of Brewer’s LB514 and six other bills.



Sen. Tom Brewer

Brewer said LB514, the committee’s annual cleanup measure, was gutted last year to become the vehicle for voter ID. It originally contained updates to the state’s election laws recommended by the Nebraska secretary of state. Among other provisions, the bill would:

- revise petition procedures;
- change procedures for early voting ballot delivery and payment of recall election costs; and
- revise requirements for third party return envelopes for voter registrations and early voting ballot requests.

Provisions in the original bill related to electioneering were not included in the committee amendment.

Sen. Robert Clements of Elmwood offered an amendment to add the provisions of his LB390, which would change provisions related to early voting. That bill was advanced



Sen. Robert Clements

from committee to general file last

year, but was not scheduled for debate.

Among other provisions, the Clements amendment would shorten the time period during which early voting ballots are available from 35 to 30 days prior to an election, beginning in 2025. It also would clarify that an agent may return a completed ballot to the election office on behalf of no more than two early voters and prohibit an agent from being a voter’s employer.

The amendment would exempt nursing homes and long-term care facilities from the ballot return cap, provided a facility registers an employee with the secretary of state as an agent for the facility.

Clements said the change in early voting ballot availability was a “logistical” concern for election officials. Currently, Nebraskans can vote early in-person for 30 days prior to an election, he said, and the amendment would harmonize the availability of early voting ballots with that time frame.

Sen. Lou Ann Linehan of Elkhorn supported the Clements amendment, saying it would prevent ballot harvesting — allowing third parties to collect and return multiple completed ballots — which she described as “very dangerous” and something that should not be allowed, especially on school bond issues.

Brewer, chairperson of the committee, said that while he wasn’t against the content of Clements’ amendment, he opposed it due to its potential to derail the rest of the committee elections package.

“I consider it an unfriendly amendment simply because my mission, as the chair of the Government [Military and Veterans Affairs] committee, is to figure out how to get this bill — that includes five other senators’ bills plus the elections cleanup bill — through this body,” he said.

The Clements amendment was ad-

opted on a vote of 25-14, but Omaha Sen. Justin Wayne offered a motion to reconsider that vote.

“The adoption of [that amendment] turns this into a filibuster,” Wayne said.

Sen. Danielle Conrad of Lincoln supported the reconsideration motion, saying Clements’ amendment would unnecessarily restrict voter access and faced considerable opposition at the public hearing. Including it in LB287 could jeopardize passage of the underlying bill, she said.

Clements also expressed support for the reconsideration motion, saying he had been contacted by the secretary of state’s office indicating concern that his amendment would “sink” the committee’s entire elections package.

The reconsideration motion was adopted 41-5 and Clements subsequently withdrew his amendment.

The following bills were included in the committee amendment:

- LB47, introduced by Sen. Myron Dorn of Adams, which would amend the Open Meetings Act to authorize rural fire districts to post notice of their meetings prominently in three conspicuous places, instead of the current requirement to publish in a newspaper of general circulation in the public body’s jurisdiction;



Sen. Myron Dorn

- LB269, sponsored by Bayard Sen. Steve Erdman, which would remove obsolete lan-



Sen. Steve Erdman

guage in state law related to the 2021 redistricting process;

- LB302, introduced by Sen. Lou Ann Linehan of Elkhorn, which would make a number of changes to the Nebraska Accountability and Disclosure Act regarding salary and conflict of interest disclosures;



Sen. Lou Ann Linehan

countability and Disclosure Act regarding salary and conflict of interest disclosures;

- LB313, sponsored by Kearney Sen. John Lowe, which would amend state election law regarding the process for filling vacancies in Nebraska’s delegations to the U.S. Senate and House of Representatives; and



Sen. John Lowe

and

- LB513, introduced by Brewer, which would provide for alternative means of public notice under the Open Meetings Act when timely newspaper publication is unavailable and add two categories of public bodies that may expand videoconferencing for their public meetings.

Following adoption of the committee amendment, lawmakers voted 44-0 to advance LB287 to select file.

State procurement process updated

Lawmakers gave final approval Feb. 8 to a bill that makes a number of changes to the process the state uses to obtain goods and services.

Among other updates, LB461, sponsored by La Vista Sen. John Arch, redefines which contracts are

subject to administration by the state Department of Administrative Services and makes the following changes:



Sen. John Arch

- details the form of bid solicitations;
- revises the factors to be considered when evaluating bids;
- provides guidance for evaluating what are “realistic” and “reasonable” prices;
- prohibits certain provisions in procurement contracts;
- modifies when proof of needs analysis would be required; and
- requires that the requesting agency provide a detailed requisition for services or personal property to be contracted.

LB461 passed on a 45-0 vote.

Withholding of county attorney addresses proposed

A county attorney could apply to have his or her home address withheld from the public under a bill considered by the Government, Military and Veterans Affairs Committee Feb. 8.

Under current state law, judges, law enforcement officers and members of the Nebraska National Guard may apply to the county assessor and register of deeds to withhold their residential address from the public unless the address is requested in writing.

Under LB1198, introduced by Sen. Mike Moser of Columbus, a county attorney or deputy county attorney could apply to have their residential address withheld under the same provision.



Sen. Mike Moser

Moser said the bill would offer a “small measure of protection” for county attorneys who put themselves – and by extension their families – at risk by prosecuting individuals who can be dangerous. He indicated that he would offer an amendment to add city attorneys to the bill’s provisions as well.

Chief Deputy Platte County Attorney Jose Rodriguez testified in support of the bill on behalf of the Platte County Attorney’s Office and the Nebraska County Attorneys Association. Rodriguez said many prosecutors receive threats at some point in their careers and accept it as part of the job – which he did as well, he said, until he had small children.

“My wife and I are very safety conscious,” Rodriguez said, “We’re very aware of our surroundings and we take our safety seriously. However, kids are kids.”

Tim Hruza also spoke in favor of the proposal on behalf of the Nebraska State Bar Association. While acknowledging that an aggrieved individual easily could find a county attorney’s address in other places, he said the bar association supports any legislation that could “give someone pause” without taking away the right to obtain information.

“Nothing in this bill restricts a member of the public from getting the information that they seek,” Hruza said. “It just provides that they have to go through a different process to get it and maybe it [will provide] a little bit of cooling off before they make a decision that harms people.”

Korby Gilbertson, representing Media of Nebraska, testified in opposition to LB1198. She said the bill would not protect county attorneys because of the many other ways available to obtain their residential addresses.

“With all due respect, I don’t think that criminals are looking up the asses-

sor’s website to find people – they’re using Google,” Gilbertson said. “They probably don’t even know that the assessor’s website is out there and has this information.”

The concern, she said, is the precedent the bill could set by limiting public records information. Many professionals in Nebraska have encountered threats, she said, including elected officials and business owners.

“The harm is that you’re taking away public records that the state has made available and, if you’re going to do so, there should be a compelling public interest behind it,” Gilbertson said. “Where do we draw the line?”

The committee took no immediate action on LB1198.



Medicaid dental reimbursement increase advanced

Lawmakers gave first-round approval Feb. 7 to a bill that seeks to increase access to dental services for Nebraska Medicaid recipients.

LB358, sponsored by Fremont Sen. Lynne Walz, would increase the reimbursement rate for dental services provided under Medicaid by 25%. Walz said poor dental health in adults can lead to employment issues, mental health problems, impaired speech and other physical health problems, including heart attack, stroke and dementia.



Sen. Lynne Walz

“We need to ensure that people on Medicaid are able to confidently walk

into a job interview, that their children are able to feel comfortable and able to learn at school and overall lead healthy lives,” she said.

Blair Sen. Ben Hansen, chairperson of the Health and Human Services Committee, spoke in support of the bill, saying an increase in reimbursement rates for dentists has been “a long time coming” and is needed to address the shortage of pediatric dentists in Nebraska.

“In my opinion ... this is the most important [reimbursement rate] that we can look at as a state,” Hansen said. “If kids’ teeth are not well taken care of by pediatric dentists, it will have lifelong effects on their health.”

Senators voted 35-0 to advance the bill to select file.

Medicaid prenatal program considered

Members of the Health and Human Services Committee heard testimony Feb. 7 on a bill that seeks to provide support for low-income Nebraska mothers who are at risk for adverse birth outcomes.

LB857, as introduced by Lincoln Sen. George Dungan, would create the Nebraska Prenatal Plus Program to cover the cost of prenatal and postpartum services for at-risk mothers. The bill defines an at-risk mother as a woman who is eligible for Medicaid or the Children’s Health Insurance Program who is pregnant or in the postpartum period and determined by a health care provider to be at risk of having a negative maternal or infant health outcome.

Dungan indicated that he would file an amendment to clarify that the pro-

gram would apply to prenatal services only. The bill’s purpose is to reduce the occurrence of low birth weight, preterm birth and other adverse birth outcomes, he said, while also addressing lifestyle, behavioral and nonmedical aspects of an at-risk mother’s life that may impact the health and well-being of a mother or child.

The state Department of Health and Human Services would be responsible for filing a state plan amendment or waiver to authorize the program no later than Oct. 1, 2024. The department also would be required to submit an annual report to the Legislature beginning Dec. 15, 2024, regarding the number of mothers served by the program, services offered and birth outcomes.

Dungan said LB857 is based on a similar program in Colorado that has been operating successfully for more than 20 years. The program has resulted in a substantial reduction in low-birth weight babies and has provided systemic, ongoing cost savings to the state, he said.

“Low birth weight leads to vision problems, respiratory complications, cognitive impairment, gastrointestinal issues, higher death rates [and] lower performance in school,” Dungan said. “The fact that they were actually able to see [a reduction] ... is huge.”

Ann Anderson Berry, medical director for the Nebraska Perinatal Quality Improvement Collaborative, spoke in support of the measure. She said gestational diabetes diagnoses have increased from 8% to 13% over the last six years in Nebraska. The diagnosis is associated with preterm deliveries, medically induced deliveries and cesarean sections, she said.

“Mothers with hypertension, obesity and diabetes are at an increased risk for delivery by C-section, postoperative infection, postpartum hemor-

rhage and long-term cardiovascular disease,” Anderson Berry said. “Ideally we’d start this Prenatal Plus program and then those mothers could get nutritional counseling and perhaps avoid [diagnosis] altogether.”

Chad Abresch, chairperson of the Department of Health Promotion at the University of Nebraska Medical Center, also spoke in favor of the proposal. Testifying on his own behalf, Abresch noted the success of a similar program in Palm Beach, Florida, which specifically sought to address racial disparities in infant mortality rates.

Prior to the program’s implementation, he said, minority infants were dying at nearly four times the rate of white infants. The county now has the lowest Black infant mortality rate in the state, he said.

“After five years of their implementation of Prenatal Plus ... the data demonstrates that the disparity in Black [and] white infant mortality had been more than cut in half,” Abresch said.

Representing the Nebraska Catholic Conference, Marion Miner also testified in support. He said factors such as inadequate nutrition and untreated physical or mental health disorders relate directly to the long-term health of mothers and children and can be addressed.

“Mothers of preborn and newborn babies who are without adequate family and social support ought to be ... a special focus for a society attempting to realize a culture of life,” Miner said.

No one testified in opposition to LB857 and the committee took no immediate action on it.

Medicaid coverage for continuous glucose monitors proposed

The Health and Human Services Committee considered a bill Feb. 8



Sen. George Dungan

that would broaden coverage of continuous glucose monitors for Medicaid recipients.

LB933, introduced by Lincoln Sen. Carolyn Bosn, would expand Nebraska Medicaid coverage for continuous glucose monitors, or CGMs, to individuals with gestational diabetes. The devices read blood sugar levels and provide data every five minutes. Bosn said CGMs are the best and most cost-effective way for mothers with gestational diabetes to receive complete care.



Sen. Carolyn Bosn

“The use of continuous glucose monitors for moms with gestational diabetes results in less gestational weight gain, better glycemic control, reduced risk of preeclampsia ... [and] can mean fewer neonatal intensive care admissions lasting longer than 24 hours,” she said.

LB933 also would expand coverage to include CGMs for Medicaid recipients receiving any type of insulin therapy. Current Nebraska Medicaid regulations cover CGMs only for individuals receiving intensive insulin therapy, which is defined as three or more injections per day or the use of an insulin pump.

Bosn said the American Diabetes Association recently updated its standard of care to recommend CGMs for all patients on insulin.

“Unfortunately, when the Medicaid regulations were put in place to implement the use of CGMs, Nebraska missed the mark on how and when these important devices could be used,” she said. “When tools are available to both help the patients and save money, we should work to take full advantage of that technology.”

Leslie Eiland, an endocrinologist

at the University of Nebraska Medical Center, testified in support of the bill on behalf of the Nebraska Hospital Association. She said the continuous data collected through CGMs helps physicians better understand their patients and how to effectively address their needs.

Eiland said working with data from sporadic finger pricks is like being asked to figure out the plot of a movie based on one or two still images. Data gathered from CGMs, however, is like watching the whole movie from start to finish, she said, allowing for safer and more effective treatment adjustments.

“CGM devices make the invisible, visible,” Eiland said. “[Patients] can see the direct impact of their food and activity choices on their blood glucose values in real time.”

Proponent Mikayla Wicks credited a CGM with saving her life when she was experiencing frequent and drastic drops in her blood sugar overnight during pregnancy. She said the CGM triggers a loud alarm on both her phone and her husband’s phone when her blood sugar drops below a certain level.

“When your body is in a state of panic and trying to survive, you’re not always able to wake up,” Wicks said. “Without the CGM, I believe I would not be sitting here ... today.”

No one testified in opposition to LB933 and the committee took no immediate action on it.

Intergenerational care facility pilot program considered

The Health and Human Services Committee heard testimony Feb. 7 on a bill that seeks to incentivize creation of on-site child care services in the state’s nursing and assisted living facilities.

LB1178, introduced by Lincoln

Sen. Anna Wishart, would create the Intergenerational Care Facility Incentive program to provide one-time startup grants. Under the bill, nursing and assisted living facilities that are certified for Medicare or Medicaid would be eligible for a grants of up to \$100,000 to provide child care in their facilities, which could be used for structural updates, outside campus space, equipment and supplies.



Sen. Anna Wishart

The bill would require the state Department of Health and Human Services to collaborate with a statewide association representing long-term care facilities and other stakeholders to develop the program. Facilities that have been cited for providing a substandard quality of care during their most recent survey would not be eligible for the program.

LB1178 states legislative intent to make a \$300,000 one-time general fund appropriation to DHHS for the pilot program.

Wishart said incentivizing the co-location of senior long-term care and child care would benefit senior residents by providing vital social interactions, while at the same time improving children’s social and personal development. The recent global pandemic led to “significant” isolation among seniors, she said, and highlighted the need for such programs.

“It is a simple concept — providing child care in a nursing facility and creating opportunities for shared activities between seniors, citizens and children,” Wishart said.

Holly Hill, owner and director of Trucks N Tiaras Intergenerational Academy in North Platte, testified in favor of the measure. She said a child mentored by an adult is 46% less likely

to begin using illegal drugs, 27% less likely to use alcohol and 52% less likely to skip school.

“These interactions are vital for developing strong communication skills, a sense of community and a positive attitude toward aging,” she said. “Learning alongside seniors will help children see beyond their years and their own small worlds.”

Kierstin Reed, president and CEO of LeadingAge Nebraska, spoke in support of the bill. Intergenerational programming can be especially beneficial for adults with dementia, she said, by providing an opportunity for them to teach children things they still know how to do, such as folding towels or sorting items.

“Young children support older adults with dementia because they live in the moment,” Reed said.

Also testifying in favor was Sara Howard, policy advisor for First Five Nebraska. Approximately 12% of Nebraska child care facilities have closed since 2019, she said, and innovative programs like the one outlined in LB1178 could help alleviate the state’s resulting child care provider shortage.

“Three out of four children in Nebraska have both parents working,” Howard said. “Child care truly is a workforce issue.”

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

JUDICIARY



Safe haven expansion considered

Nebraska would expand its safe haven provisions for infants under a proposal considered by the Judiciary

Committee Feb. 7.

LB876, introduced by Bellevue Sen. Rick Holdcroft, would adopt the Newborn Safe Haven Act, which would provide additional options for a parent or a person acting on a parent’s behalf to release custody of an infant voluntarily. Current law allows only for the surrendering of infants 30 days or younger in person at a hospital.



Sen. Rick Holdcroft

In Nebraska, there were six cases of abandonment of children one year or younger in 2023, Holdcroft said, with only one baby surrendered under the current safe haven law.

“I believe LB876 directly addresses the disparity between these two numbers and should, in theory, reduce the number of abandonments to zero,” he said.

Under the bill, a parent or designee could surrender physical custody of an infant one year or younger by contacting 911 and relinquishing the infant to emergency services. Without expressing intent to regain custody in the future, parents also could surrender custody of an infant at:

- an approved drop-off location, like a hospital or a fire or police station, with staff present 24 hours a day;
- a hospital or other health care facility directly following delivery of the newborn infant; or
- an emergency medical services provider through a newborn safety device.

The newborn safety device — a padded and climate-controlled receptacle designed for infants — would need to be visible to staff or have a motion sensor and dual alarm system. The dual alarm system would sound an alert

when the receptacle opens, immediately notifying 911 and dispatching an emergency medical care provider to the box’s location.

The bill states legislative intent to appropriate \$15,000 to the state Department of Health and Human Services in fiscal year 2023-24 for grants to purchase newborn safety devices for authorized drop-off locations. In addition, DHHS would receive \$50,000 in FY2024-25 and \$10,000 each year after to develop, implement and maintain a public information program to inform the general public of the Newborn Safe Haven Act.

No individual would be prosecuted solely for the act of surrendering a newborn under the bill’s provisions.

June Grummert, representing the National Safe Haven Alliance, spoke in support of the bill. She said that since the first safe haven law was introduced in the U.S. in 1999, 4,700 infants have been safely surrendered.

“We have an opportunity to provide safe and comprehensive options for [Nebraska] families in need of alternatives,” Grummert said.

Lucrece Bundy, an Omaha-based adoption attorney, offered support for the bill. Pregnant women often contact her office in search of resources and options, Bundy said, many of whom are “desperate.” One of the only options for these women currently is to find a family who will adopt the child, she said, and having another option could alleviate the pressure and desperation that they feel.

Also testifying in support of LB876 was Nate Grasz, speaking on behalf of the Nebraska Family Alliance. Grasz said that in Indiana, the first state in the U.S. to install newborn safety devices, there have been no infant deaths due to abandonment since its safe haven law was adopted in 2016.

“If this bill can help save one life

here [in Nebraska] — it’s worth it — because we’re better when no life is disposable and when every child is given a chance at life,” he said.

No one testified in opposition to LB876 and the committee took no immediate action.

Bill would broaden AG consumer protection powers

The Judiciary Committee heard testimony Feb. 8 on a proposal that would grant Nebraska’s attorney general greater powers to prosecute businesses or business owners for unfair or deceptive practices.

LB934, introduced by Lincoln Sen. Carolyn Bosn, would authorize the attorney general’s office to bring a trial by jury under the Consumer Protection Act or the Uniform Deceptive Trade Practices Act. The bill also would authorize the attorney general to freeze assets of suspected deceptive businesses or owners of such businesses.



Sen. Carolyn Bosn

Bosn said entities accused of crimes under both laws often try to avoid paying restitution by draining their bank accounts — sending money overseas or using it on vacations or cars. Allowing the attorney general to freeze a defendant’s bank account in such cases would help ensure that plaintiffs receive restitution, she said.

“We have all heard stories about Nebraskans who have been victims of unfair or deceptive trade practices and have lost their hard-earned money to these businesses,” Bosn said. “This bill will give Nebraskans the best opportunity to get their money back.”

Testifying in support of the measure was Bebe Strnad, who serves as chief of the Consumer Protection

Bureau in the state Attorney General’s Office. She said a jury is best suited to determine the outcome for these types of cases because individuals who serve on a jury are a “cross section of consumers.”

Strnad added that the proposal includes safeguards, such as requiring a court order to temporarily freeze an account and limiting the freeze to the amount connected with the alleged violation.

Spike Eickholt, who spoke on behalf of the Nebraska Criminal Defense Attorneys Association, testified in opposition to the bill. A person can violate either act in a number of ways that are not necessarily deceptive, he said, such as misleading advertising or mimicking other brands. Under the bill, the attorney general would have the authority to pursue a court order to freeze an account under any circumstance, even one that involved no financial gain, Eickholt said.

Additionally, he said, if the attorney general is the only person who can authorize a jury trial and decides not to, then a jury trial cannot take place.

“Jury trial rights protect you from the government,” Eickholt said. “It’s not something you give the government.”

The committee took no immediate action on LB934.



Measure to end inheritance tax, reimburse counties considered

Nebraska would phase out the inheritance tax collected by counties while reimbursing them for housing

state prisoners under a bill heard Feb. 8 by the Revenue Committee.

In 2022, the Legislature cut Nebraska’s inheritance tax rates while increasing the amount of property value that is exempt from the tax. Under current law, immediate relatives pay a 1% tax on the clear market value of property over \$100,000 received by each person.

Under LB1067, sponsored by Sen. Robert Clements of Elmwood, the rate would fall incrementally each year, beginning in 2025, until reaching 0% in 2028. The rates that apply to remote relatives and in all other cases would start decreasing each year beginning in 2024, and also would fall to 0% by 2028.



Sen. Robert Clements

Clements said the “antiquated, regressive and arbitrary” inheritance tax drives retirees out of the state and unfairly taxes a relatively small number of people. After Iowa ends its inheritance tax next year, he said, Nebraska will be one of only five states in which the tax is collected.

“The 12,000 people per year who paid these taxes have benefited the other 1.8 million Nebraskans who use the county services every year,” he said. “That is why I call this tax unfair.”

Clements said the gradual phase-out would give counties time to adjust to the lost revenue. The bill also would offset part of that revenue loss by restoring a state prisoner reimbursement program that ended in 2009, he said.

LB1067 would require the state Department of Correctional Services to reimburse counties \$35 per day for each state prisoner housed in a county jail. Beginning with fiscal year 2024-25, the total annual appropriation for reimbursing county jails could not

exceed \$3.9 million.

Doug Kagan testified in support of the proposal. Because income and property already are taxed, he said, the inheritance tax is a form of double taxation that discourages accumulation of wealth and property.

“Yes, this tax infuses local budgets – but only minimally,” Kagan said. “Counties claim they use these funds to control property taxes, but [they] sometimes spend the proceeds on extraneous expenditures.”

Testifying in opposition to LB1067 was Randy Obermier, a York County commissioner. He said the county uses its inheritance tax collections to provide services and build up a reserve used to cover unexpected expenses, such as hiring contractors to remove snow after a recent storm.

“If [the inheritance tax] goes away, property taxes will go up – we have no choice,” Obermier said. “There are services we supply, and those services cost money.”

Buffalo County Sheriff Neil Miller also testified in opposition to the bill on behalf of the Nebraska Sheriffs Association. Without inheritance tax revenue, he said, the county could not have partnered with the city of Kearney and the state to replace an aging radio system in 2020.

“If the inheritance tax goes away, we would ask that consideration be given to replacement funding,” Miller said, “so when a large project for public safety comes up ... we have a way to pay for it.”

He also asked lawmakers to consider increasing the proposed state prisoner reimbursement rate to better align with current costs and to remove the cap on reimbursements to ensure that counties have a reliable funding source.

The committee took no immediate action on LB1067.

Higher sales tax rate considered

The Revenue Committee heard testimony Feb. 7 on a proposal to increase Nebraska’s sales tax rate from 5.5 to 6.5 percent beginning Oct. 1.

Elkhorn Sen. Lou Ann Linehan, sponsor of LB1315, said the bill is part of a larger package of proposals to raise state revenue in order to provide additional property tax relief.



Sen. Lou Ann Linehan

She said property taxes, which are collected by local governments, make up the largest portion of taxes paid by Nebraskans at over \$5 billion per year, compared to roughly \$3 billion in income taxes and \$2 billion in sales taxes.

Linehan said the state already devotes approximately \$1 billion per year to two property tax relief programs. LB1315 would generate a portion of the additional \$1 billion per year needed to achieve Gov. Jim Pillen’s goal of reducing statewide property tax collections by 40%, she said.

The state Department of Revenue estimates that the bill would increase state general fund revenue by approximately \$305 million in fiscal year 2024-25, \$467 million in FY2025-26 and \$485 million in FY26-27.

Bruce Rieker testified in support of LB1315 on behalf of the Nebraska Farm Bureau and eight other agricultural organizations. He said property taxes have grown at an “unsustainable” rate beginning with the Great Recession, when the Legislature cut state aid to local governments and shifted more of the responsibility for funding public education onto property owners.

Rieker said agricultural groups are “steadfast” that approximately \$1 billion in additional property tax relief

is needed to counteract that shift and to match state income tax cuts the Legislature passed last year.

Testifying in opposition to the bill on behalf of the Platte Institute was Jim Smith, who said it would be unfair to taxpayers to raise the sales tax rate in order to subsidize spending at the local level.

If lawmakers need to generate additional sales tax revenue to provide property tax relief, he said, they instead should broaden Nebraska’s sales tax base, which currently is “riddled with exclusions and exemptions that favor some over others.”

“Increasing the existing sales tax rate without modernizing the tax code only serves to reduce Nebraska’s competitiveness with border states and increase the bias of the current system,” Smith said.

Rebecca Firestone of OpenSky Policy Institute also testified in opposition, saying the proposed tax shift would continue the trend of making Nebraska’s tax code more regressive.

She said increasing the sales tax rate would raise the prices of things all Nebraskans pay for, including items that could be considered necessities such as cars, clothing and school supplies. This would disproportionately affect families with low incomes, who pay a greater percentage of their earnings in sales taxes than those with higher incomes, Firestone said.

John Gage testified in opposition to the bill on behalf of Americans for Prosperity. He said raising the sales tax rate to reduce property taxes would benefit wealthy landowners at the expense of “average Joes.”

“Long term and prudent tax reform will only be achieved when the Legislature has the courage to limit spending [by] local governments, especially schools,” Gage said.

Bryan Slone testified in opposition

to LB1315 on behalf of the Nebraska Chamber of Commerce and Industry, the Lincoln Chamber of Commerce, the Nebraska Bankers Association and the National Federation of Independent Business.

The groups support other proposals introduced this session to limit the growth of local property tax collections, Slone said, but they are concerned about the proposed tax shift's effects on Nebraska's workforce.

"In a tax shift," he said, "somebody's picking up the tab on the other side."

The committee took no immediate action on LB1315.

TRANSPORTATION & TELECOMMUNICATIONS

Czech heritage license plates approved

Senators passed a bill Feb. 8 creating a new specialty license plate celebrating Czech heritage.

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



Sen. Tom Brandt

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

The bill passed on a vote of 45-0.

Working group for county bridge match funds proposed

A new working group would award state matching funds to repair and replace county bridges under a proposal heard Feb. 5 by the Transportation and Telecommunications Committee.

The program, created by the Legislature in 2016 and administered by the state Department of Transportation, provides state funding to accelerate the repair and replacement of deficient bridges on the county road system. The state reimburses counties for 55 percent of a selected project's construction costs, up to \$250,000 per bridge.

The Legislature last session extended the program's sunset date to 2029.

LB1030, introduced by Brainard Sen. Bruce Bostelman, would create the County Bridge Match Working Group, which would develop criteria for program participation, as well as for county matching fund requirements. It also would score applications and award funds.



Sen. Bruce Bostelman

Bostelman said a recent survey of county highway superintendents found that they want to be more involved in scoring applications.

"They believe having some county officials involved in the process would bring some clarity... while also giving the department a county official's perspective when awarding the grants," he said.

The governor would appoint two of the group's members from a list of county highway superintendents, county surveyors or county engineers submitted by a statewide association representing county officials. The director of the department would select three department members to serve on the group.

LB1030 would require the state treasurer to make two \$4 million transfers, one this fiscal year and another in 2025, from the Road Operations Cash Fund to the Transportation Infrastructure Bank Fund to be used for the County Bridge Match Program.

Khalil Jaber, deputy director of engineering for the state Department of Transportation, testified in support of the bill on the department's behalf. He said the program so far has focused on replacing smaller bridges at the cost of a few hundred thousand dollars apiece.

As counties seek to replace larger spans, however, they may be unable to raise sufficient matching funds, requiring a reevaluation of the program's criteria, Jaber said. The funding proposed under LB1030 could help replace up to a dozen of the larger structures annually, he said, although it would not be enough to meet all current needs.

Also in support was Lancaster County engineer Pam Dingman, who testified on behalf of her office, the Lancaster County Board of Commissioners and the Nebraska Association of County Officials.

She said county highway superintendents hope that the proposed working group will increase the County Bridge Match Program's maximum rate of reimbursement to help cover inflation and the cost of building larger bridges. A 60-foot bridge recently opened in Lancaster County cost approximately \$1 million, Dingman said.

"These bridges matter," she said. "Placing funding into the program allows the citizens of Nebraska to get to school or work or to get their goods to market in a safe way on a reliable route."

No one testified in opposition to LB1030 and the committee took no immediate action on it.

Grants for bike-sharing programs considered

The state would provide grants to nonprofit organizations that operate bike-sharing programs under a bill heard Feb. 5 by the Transportation and Telecommunications Committee.

Under LB1250, introduced by Omaha Sen. John Cavanaugh, the state Department of Economic Development would establish the grant program and award grants to nonprofits it deems eligible.



Sen. John Cavanaugh

The bill states legislative intent to appropriate \$250,000 in general funds to the department to establish the program.

Cavanaugh said expanding bike-sharing programs would help the state attract more young professionals.

“Younger people want to have active transit – they want to have other options,” he said. “This is an economic development tool, not just recreation and transportation.”

Benny Foltz testified in support of the bill on behalf of Roam Share, a nonprofit that operates or partners with bike-sharing programs in Lincoln, Omaha and Valentine. He said the programs have evolved from a fun activity to a valid form of public transportation.

Many rural Nebraska communities have expressed interest in installing bike-sharing stations, Foltz said, but additional funding is needed to expand the programs across the state.

Also in support was Julie Harris of Bike Walk Nebraska. She said bike-sharing programs benefit communities by offering a low-cost transportation option to those without regular access to a car, providing recreational

opportunities for residents and visitors and alleviating parking congestion in busy areas.

Elizabeth Elliott, director of Lincoln Transportation and Utilities, also testified in support of LB1250. She said bike-sharing programs help commuters complete the first- or last-mile segments of their journey from a public transit station to their home or destination.

The economic benefits of bike-sharing programs “cannot be overstated,” Elliott added.

“As we strive to retain and attract talent, particularly among the vibrant and dynamic millennial demographic,” she said, “embracing bike share aligns seamlessly with the governor’s efforts to end the brain drain.”

Also in support was Austin Rowser, assistant director of public works for the city of Omaha. He said additional funding would help fill gaps in Omaha’s Heartland Bike Share network, connecting it to neighboring communities including Ralston and La Vista.

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

URBAN AFFAIRS

Right to counsel for public housing residents considered

Omaha public housing residents would be provided legal counsel at no cost to them during termination hearings and eviction cases under a bill heard Feb. 6 by the Urban Affairs Committee.

Under current law, a housing agency resident has the opportunity to contest the termination of their

tenancy in a hearing conducted by the agency. LB1046, introduced by Omaha Sen. John Cavanaugh, would create new requirements for that process and for related eviction proceedings if a premises is located in a metropolitan class city. Omaha is the state’s only metropolitan class city.

Under the bill’s provisions, counsel would be appointed for the resident prior to the termination hearing unless the tenant already is represented. If the resident does not request a hearing and the housing agency files an eviction, the county court would appoint counsel to represent the resident during eviction proceedings.

A resident could waive court-appointed counsel or retain their own counsel. The city would pay for any court-appointed counsel.

LB1046 also would require a housing agency to include a statement explaining the resident’s right to counsel in a written notice of termination.

Cavanaugh said most tenants lack legal training and have little understanding of their rights, creating a power imbalance in eviction proceedings – particularly when the entity seeking eviction is a government agency.

“Providing a civil right to counsel in the instance where the evicting authority is a public housing agency is a small way to balance the scales,” he said.

Public housing residents facing eviction likely will end up homeless, Cavanaugh added. Avoiding those evictions would keep some of society’s most vulnerable people in their homes, he said, reducing the need for homeless shelters, unemployment benefits, emergency medical care and other services, saving the city and state money.

Cavanaugh said a similar right-to-

counsel initiative in Baltimore cost approximately \$6 million to implement but saved the city \$36 million.

Erin Feichtinger, policy director for the Women’s Fund of Omaha, testified in support of the bill. Omaha Housing Authority eviction cases were approximately 8% of the total evictions filed in Douglas County Court over the past two years, she said. On average during those years, more than 80% of OHA evictions were filed for nonpayment, Feichtinger said, the majority of them for amounts of less than \$1,000.

In addition to this “startling” number of evictions, she said, OHA recently began charging residents a \$150 fee for serving an eviction notice and an additional \$200 to \$300 if an eviction case goes to court.

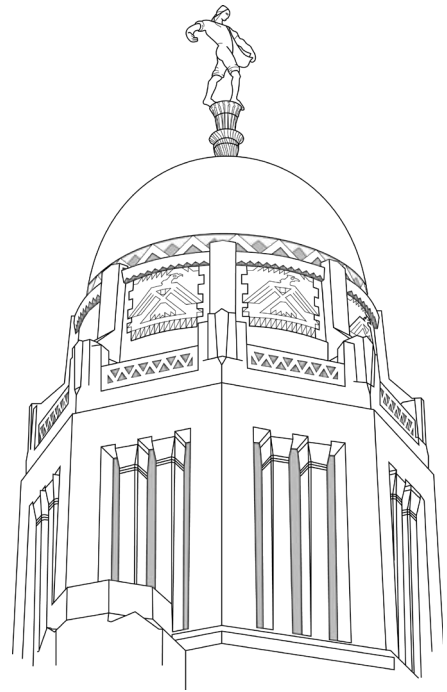
“I am not intending to say that

OHA is inherently bad,” Feichtinger said, “rather that when a government agency is acting in a way which causes harm, we should put checks in place for oversight and accountability.”

Also in support was Scott Mertz of Legal Aid of Nebraska. He said OHA tenants – many of whom are single parents, elderly or individuals with a disability – often do not engage in the federally required grievance process, which is intended to resolve conflicts outside of court and avoid evictions when possible.

“With the aid of an attorney,” Mertz said, “tenants can better navigate this process and assert their rights and preserve their housing, all without going to court.”

No one testified in opposition to LB1046 and the committee took no immediate action on it. ■



Youth Legislature Registration Now Open

Learn what it’s like to serve as a Nebraska state senator during the 2024 Unicameral Youth Legislature, June 10-14. In this legislative simulation, high school students from around the state have the opportunity to take on the role of lawmakers.

Student senators sponsor bills, conduct committee hearings, debate legislation and discover the unique process of the nation’s only unicameral by learning directly from current state senators and staff.

The program is conducted by the Clerk of the Nebraska Legislature, through the Unicameral Information Office, in coordination with Big Red Summer Camps.

For information on registration and scholarships, visit the Unicameral Youth Legislature page: NebraskaLegislature.gov/uyl. Note that all scholarships are awarded prior to registration. ■

COMMITTEE HEARINGS

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

Monday, Feb. 12

Appropriations

Room 1524 - 1:30 p.m.

Agency 25: Health and Human Services
LB943 (Dorn) Change appropriations to the Department of Health and Human Services for behavioral health aid

LB944 (Dorn) Provide for use of the Medicaid Managed Care Excess Profit Fund for behavioral health needs

LB1128 (Vargas) Change provisions of the Opioid Prevention & Treatment Act

LB1124 (Vargas) State intent to appropriate funds to the Department of Health and Human Services

LB1125 (Wishart) State intent to appropriate funds to the Department of Health and Human Services

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB1120 (Hardin) Require affidavits for certain purchases of real property near military installations

LB873 (Ballard) Change provisions relating to real estate closing agents

LB1136 (Dover) Change provisions of the Nebraska Real Estate License Act

LB1135 (Dover) Prohibit use of right-to-list home sale agreements and change provisions of the Nebraska Real Estate License Act

LB1409 (Bostar) Change provisions relating to the Nebraska Condominium Act

LB1405 (Wayne) Prohibit the purchase of single-family housing by certain entities

Business & Labor

Room 2102 - 1:30 p.m.

LB1188 (Riepe) Provide for payment of claims against the state

LB1189 (Riepe) Deny claims against the state

LB1408 (Sanders) Require human trafficking informational posters in hotels, require hotels to adopt a policy and train employees, and limit liability as prescribed

LB1017 (Bosn) Change the schedule

of compensation for certain injuries resulting in disability under the Nebraska Workers' Compensation Act
LB1393 (Hansen) Change provisions of the Nebraska Student-Athlete Name, Image, or Likeness Rights Act

Education

Room 1525 - 1:30 p.m.

LB821 (Blood) Change provisions relating to the preliminary or advanced enrollment of certain students

LB1034 (Lippincott) Prohibit a school district from punishing an employee or prohibiting an employee from engaging in religious expression when an employee is on duty at school

LB964 (Dungan) Adopt the Special Education Teacher Forgivable Loan Program Act and provide for scholarships under the Nebraska Career Scholarship Act

LB1121 (Dungan) Authorize additional grants under the Nebraska Teacher Recruitment and Retention Act

LB1053 (Walz) Authorize an extended-career retention grant under the Nebraska Teacher Recruitment and Retention Act

LB1388 (Bostar) Adopt the Excellence in Education Scholarship Act and the Community College Promise Act and provide for transfers from the Cash Reserve Fund

LB1273 (Murman) Provide for admission of and participation in extracurricular activities by certain students that are not residents of the school district as prescribed

LB1398 (Murman) Change provisions relating to reimbursement for special education programs and support services relating to option students

LB1253 (Linehan) Create the Dyslexia Research Grant Program

LB986 (Linehan) Terminate loan repayment assistance and provide grants to teachers under the Teach in Nebraska Today Act

LB1050 (Conrad) Require school districts to provide menstrual products to students

General Affairs

Room 1510 - 1:30 p.m.

LB926 (Aguilar) Change provisions

relating to the Museum Property Act
LB1000 (Brandt) Provide for the anonymity of certain state lottery prize winners

LB1164 (Lowe) Change provisions relating to the State Racing and Gaming Commission

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB1038 (DeKay) Change membership of the Nebraska Information Technology Commission

LB1336 (DeKay) Change provisions of the Nebraska Broadband Bridge Act and transfer certain powers and duties to the Nebraska Broadband Office

LB1112 (Clements) Provide restrictions and requirements relating to permits for communications infrastructure placed on poles or towers

Tuesday, Feb. 13

Agriculture

Room 2102 - 1:30 p.m.

LB1207 (Albrecht) Redefine a term under the Nebraska Agricultural Products Marketing Act

LB1313 (Dover) Provide for regulation of health benefit plans for nonprofit agricultural organizations

LB1368 (Ibach) Adopt the Nitrogen Reduction Incentive Act

LB1396 (Murman) Change labeling provisions relating to misbranded food under the Nebraska Pure Food Act

Appropriations

Room 1524 - 1:30 p.m.

LB935 (Ibach) Appropriate funds to the Department of Health and Human Services for medicaid dental services

LB941 (Dorn) State intent regarding appropriations for medicaid assisted-living facility rates

LB942 (Dorn) State intent regarding appropriations for medicaid nursing facility rates

LB958 (Wishart) Provide for annual adjustments of provider rates under the Medical Assistance Act

LB1376 (Riepe) Appropriate funds to the Department of Health and Human Services for prescription reimbursements

COMMITTEE HEARINGS

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

LB1078 (McDonnell) State intent to appropriate funds for increase in rates for child welfare service providers

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

LB1307 (von Gillern) Require the Director of Insurance to identify certain health benefits and provide for reimbursements for qualified health plan issuers as prescribed

LB1274 (J. Cavanaugh) Require insurance coverage of prosthetics and orthotics as prescribed

LB917 (Wayne) Require the establishment of a standard prior authorization process for health benefit plans and the approval and use of prior authorization forms

LB1094 (Bostar) Provide restrictions on insurance coverage of epinephrine injectors and inhalers

LB1148 (Hansen) Change requirements relating to insurance coverage of step therapy for certain drugs

LB1353 (Vargas) Change provisions relating to insurance coverage for screening mammography and breast examinations

LB1364 (McDonnell) Change provisions of the Site and Building Development Act and provide for a transfer from the Cash Reserve Fund

Education

Room 1525 - 1:30 p.m.

LB953 (Kauth) Provide tuition waivers for student teachers as prescribed

LB841 (McKinney) Adopt the School Leadership Engagement Act

LB1064 (Lippincott) Prohibit tenure at certain postsecondary educational institutions and require a written policy regarding terms and conditions of employment

LB1330 (Murman) Prohibit public educational institutions from taking certain actions relating to diversity, equity, and inclusion

LB1322 (Vargas) Require that school counselors spend a certain percentage of such counselor's time during normal school hours in the direct counseling of students as prescribed

LB1055 (Walz) Require development of a reading instruction system and

programming for adults and children, create a steering committee, and provide for a literacy coordinator

LB1252 (Linehan) Provide for a professional learning system and regional coaches for teaching students to read

LB1254 (Linehan) Provide for a professional learning system and regional coaches for teaching students to read

LB1338 (Walz) Adopt the Good Life Promise Act

LB1347 (Walz) Adopt the Community Schools Act

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

LB966 (DeKay) Change provisions relating to traffic control signals and excise tax rates on certain fuels

LB1133 (DeBoer) Provide for enforcement of federal railroad safety standards by the Public Service Commission

LB1212 (Walz) Adopt the Railroad Safety Act

Urban Affairs

Room 1510 - 1:30 p.m.

LB1359 (McDonnell) Change provisions relating to the issuance of bonds in a city of the metropolitan class

LB947 (Day) Authorize virtual inspections for certain building permits and require certain inspection records be made available to the public under the Building Construction Act

LB1118 (McKinney) Change the process for a mayor in a city of the second class to remove an officer from office

LB1190 (McKinney) Adopt the Professional Service Contract Reporting Act

LB1219 (J. Cavanaugh) Adopt updates to building and energy codes

Wednesday, Feb. 14

Appropriations

Room 1003 - 1:30 p.m.

Agency 72: Dept. of Economic Development

LB975 (Ibach) Redefine qualified nonprofit organization under the Shovel-Ready Capital Recovery and Investment Act

LB888 (Vargas) Appropriate funds to the Department of Economic Development

LB889 (Vargas) Appropriate funds to the Department of Economic Development

LB897 (Lippincott) Appropriate funds to the Department of Economic Development for a workforce housing grant program

LB1039 (Vargas) Appropriate funds to the Department of Economic Development

LB1323 (Vargas) Appropriate funds to the Department of Economic Development

LB1333 (Vargas) Change provisions of the Business Innovation Act

Executive Board

Room 2102 - 12:00 p.m.

LB1321 (Arch) Change provisions relating to the Public Counsel, the Inspector General of Nebraska Child Welfare, and the Inspector General of the Nebraska Correctional System

LR298 (Arch) Provide for the Executive Board of the Legislative Council to appoint a committee of the Legislature to be known as the Legislative Oversight Review Special Committee of the Legislature

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

LB1042 (Fredrickson) Change provisions relating to registering to vote

LB1211 (Hansen) Change provisions of the Election Act relating to early voting

LB1297 (Lippincott) Provide requirements for voting and counting systems under the Election Act

LB859 (Linehan) Change conflict of interest provisions for certain political subdivision officers

LB988 (Linehan) Provide, change, and eliminate provisions regarding elections for certain purposes

Health & Human Services

Room 1510 - 1:30 p.m.

LB1278 (McKinney) Provide for reimbursement of doula and full spectrum doula services under the Medical Assistance Act

LB1381 (Hansen) Provide work requirements for recipients of the Supplemental Nutrition Assistance Program

LB1111 (Clements) Require city-county health departments to obtain approval for directed health measures

COMMITTEE HEARINGS

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

LB1007 (Walz) Provide for medicaid coverage for certain aged, blind, and disabled individuals
LB904 (DeBoer) Change duties of the Department of Health and Human Services regarding child care reimbursement rates

Judiciary

Room 1113 - 1:30 p.m.

LB1096 (Armendariz) Provide that certain conduct relating to depictions of sexually explicit or obscene material or material harmful to minors is a deceptive trade practice under the Uniform Deceptive Trade Practices Act
LB928 (Fredrickson) Provide for the appointment of a mental health director for the Department of Correctional Services
LB1351 (DeBoer) Change terminology and eliminate obsolete provisions relating to correctional services
LB979 (DeBoer) Require an annual report on active cases by the Department of Correctional Services, the Office of Probation Administration, and the Division of Parole Supervision
LB922—(McKinney) ~~Adopt the Parolee and Probationer Business Empowerment Act (canceled)~~
LB1126 (Bosn) Create the National Career Readiness Certificate Pilot Program within the Department of Correctional Services
LB1145 (Bosn) Transfer the Division of Parole Supervision to the Department of Correctional Services and change provisions relating to the release of certain prisoners

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: John M. Hoggatt - Game and Parks Commission
LB1001 (Conrad) Provide for a migratory waterfowl hunting season for veterans

Revenue

Room 1524 - 1:30 p.m.

Appointment: Jacqueline Russell - Tax Equalization and Review Commission
LB1158 (Bostar) Adopt the Medical Debt Relief Act and provide certain income tax consequences

LB1026 (Hardin) Change provisions relating to the achieving a better life experience program
LB1047 (Brandt) Change motor fuel tax provisions
LB1295 (von Gillern) Adopt the Financial Institution Data Match Act
LB1228 (Wayne) Change the Good Life Transformational Projects Act
LB1403 (Linehan) Change provisions of the Opportunity Scholarships Act and the use of credits under the act
LB1374 (Linehan) Adopt the Good Life District Economic Development Act

Thursday, Feb. 15

Appropriations

Room 1003 - 1:30 p.m.

LB1154 (McDonnell) Appropriate funds to the Department of Health and Human Services
LB1209 (Bosn) Appropriate funds to the Department of Health and Human Services
LB1223 (Day) Appropriate funds to the Department of Health and Human Services
LB1117 (Dungan) Appropriate funds to the Department of Health and Human Services
LB1264 (Wishart) State intent regarding Federal Funds appropriated for developmental disabilities aid

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LR287CA (J. Cavanaugh) Constitutional amendment to require the Legislature to compensate political subdivisions for any locally imposed revenue source that is reduced or eliminated by the Legislature
LB951 (Linehan) Adopt the Public Officials on Private Boards Open Meetings Act
LB998 (Conrad) Adopt the State Acceptance of Gifts Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB1387 (Hansen) Change provisions relating to approval and regulation of adding fluoride to the water supply of certain political subdivisions
LB1016 (Walz) Eliminate a termination date relating to prioritization of certain

developmental disabilities services
LB874 (Bostar) Change requirements relating to child care licensing and child care facilities
LB907 (Riepe) Require medicaid coverage for treatment of obesity
LB1144 (Ballard) Change provisions relating to care management units for long-term care

Judiciary

Room 1113 - 1:30 p.m.

LB1202 (Halloran) Change a requirement for the Title IV-D Division Customer Service Unit of the Department of Health and Human Services
LB1222 (Day) Change provisions relating to termination of parental rights and parental support
LB1334 (J. Cavanaugh) Change provisions relating to probation and waiver of probation fees
LB1089 (DeBoer) Exempt individuals under nineteen years of age from payment of certain court costs and fees and change provisions of the Nebraska Juvenile Code
LB1051 (DeBoer) Eliminate obsolete provisions and reorganize provisions of the Nebraska Juvenile Code and change certain filing deadlines
LB911 (Blood) Require the Department of Health and Human Services and the Office of Probation Administration to make reports under the Nebraska Indian Child Welfare Act
LB923 (McKinney) Allow the use of tribal enrollment cards for proof of age and identity for certain firearm and alcohol laws

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: Donna Kush - Game and Parks Commission
LB1258 (M. Cavanaugh) Change requirements relating to certain permits and requirements relating to livestock waste control facilities and animal feeding operations
LB1383 (Raybould) Provide for grants to Indian tribes to improve drinking water systems or sanitary sewer systems
LB1304 (Raybould) Require the Department of Environment and Energy

COMMITTEE HEARINGS

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

to coordinate and cooperate with Nebraska tribal communities on obtaining federal grants

Nebraska Retirement Systems Room 1525 - 12:00 p.m.

Appointment: Ellen Hung - Neb. Investment Council

LB1365 (McDonnell) Change provisions relating to retirement, the Public Employees Retirement Board, the Nebraska Public Employees Retirement Systems, and the State Personnel System

Revenue

Room 1524 - 1:30 p.m.

LB1217 (Bostar) Provide certain property tax exemptions and change valuation provisions relating to rent-restricted housing projects and sales-restricted houses

LB1184 (Bostar) Adopt the Reverse Osmosis System Tax Credit Act, provide for income tax credits, and state intent relating to appropriations

LB1206 (Arch) Eliminate provisions relating to the Long-Term Care Savings Plan Act that terminated

LB1305 (Hansen) Prohibit tax liability on the purchase, sale, or exchange of gold or silver bullion, change sales tax exemption provisions relating to currency and bullion, and provide an income tax adjustment for net capital losses and gains on the sale or exchange of gold or silver

LB1251 (Linehan) Authorize state assistance for certain small sports facilities under the Sports Arena Facility Financing Assistance Act

LB893 (Ibach) Change provisions of the ImagiNE Nebraska Act relating to the types of property receiving a property tax exemption

LB1084 (Ibach) Adopt the Nebraska Shortline Rail Modernization Act and provide tax credits

Tuesday, Feb. 20

Appropriations

Room 1524 - 1:30 p.m.

LB850 (Jacobson) Change the authorized use of certain Federal Funds for housing

LB931 (Fredrickson) Change appropri-

tions of Federal Funds for behavioral health purposes

LB1079 (McDonnell) Appropriate Federal Funds to the Department of Economic Development

LB1099 (McDonnell) Change the use of appropriated Federal Funds for nursing scholarships

LB1155 (McDonnell) Appropriate federal funds to the Department of Health and Human Services and state intent relating to appropriations

LB1266 (Conrad) Appropriate Federal Funds to the Board of Regents of the University of Nebraska

LB1352 (DeBoer) State intent regarding appropriations of Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021

General Affairs

Room 1510 - 1:30 p.m.

Appointments: Zachary Cheek; Jon Gross; Clark Roush; Jana Goranson; Brian Botsford; Lovell James Wright - Neb. Arts Council

Appointment: John (Chris) Stinson - State Racing and Gaming Commission

Appointment: Bruce D. Bailey - Neb. Liquor Control Commission

Appointments: Cameron Arch; Claudia Moore; Kelly Lambert - Neb. Commission on Problem Gambling

Transportation & Telecommunications

Room 1113 - 1:30 p.m.

LB1255 (Fredrickson) Change provisions relating to next-generation 911 service

LB1256 (DeBoer) Require reports by communications service providers regarding 911 service outages and require a hearing

LB1257 (DeBoer) Change provisions of the 911 Service System Act

Wednesday, Feb. 21

Appropriations

Room 1003 - 1:30 p.m.

LB1080 (Holdcroft) Appropriate Federal Funds to the Department of Natural Resources

LB1205 (Hughes) Appropriate Federal Funds to the Department of Natural Resources

LB1244 (McDonnell) Appropriate Federal Funds to the Department of Natural Resources

LB1287 (Ballard) Appropriate Federal Funds to the Department of Environment and Energy for drinking water infrastructure

LB1401 (Ballard) Appropriate Federal Funds to the Department of Transportation

LB1411 (Clements) Appropriate Federal Funds to the Department of Transportation

Executive Board

Room 2102 - 12:00 p.m.

LR284CA (DeBoer) Constitutional amendment to create the office of Public Counsel in the Legislature

LB994 (Wayne) Provide for the Legislature to administer the Department of Correctional Services and appoint the Director of Correctional Services

LB1343 (Wayne) Change provisions relating to the appointment of the Inspector General of Nebraska Child Welfare and the Inspector General of the Nebraska Correctional System (*Note: Joint hearing with LB1293*)

LB1293 (Conrad) Change appointment provisions and powers and duties of the Public Counsel, the Inspector General of Nebraska Child Welfare, and the Inspector General of the Nebraska Correctional System (*Note: Joint hearing with LB1343*)

Natural Resources

Room 1525 - 1:30 p.m.

Appointment: John Arley Rundel - Neb. Oil and Gas Conservation Commission

LB1335 (Moser) Change provisions of and provide duties and exemptions from the Nongame and Endangered Species Conservation Act

LB1247 (Hansen) Require certain school lands be open to the public for hunting as prescribed and provide powers and duties relating to the use of such school lands for hunting ■

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