

## Expanded bathroom access bill considered



Sen. Kathleen Kauth said LB89 would affirm Nebraska's commitment to supporting and empowering women.

An expanded version of a failed measure from last session that would have restricted K-12 student access to school facilities

and sports teams was considered Feb. 7 by the Government, Military and Veterans Affairs Committee. LB89, as introduced by Omaha

Sen. Kathleen Kauth at the request of Gov. Jim Pillen, would restrict student participation in school sports to teams that correspond to their “biological sex” – defined for males as a person whose “biological reproductive system is organized around the production of sperm,” and for females as being organized around the production of ova.

An amendment brought by Kauth to the committee hearing would alter those definitions to indicate reproductive systems that would do so “but for a congenital anomaly or intentional or unintentional disruption.”

The bill as introduced also would require that all public and private schools in Nebraska, both K-12 and postsecondary, designate bathrooms and locker rooms based on the bill’s  
**(continued page 3)**

## Bill would revive tax credit scholarship program

Nebraskans again could receive a tax credit for contributions to organizations that grant scholarships to students to attend private school under a bill heard Feb. 6 by the Revenue Committee.

LB509, sponsored by Elkhorn Sen. Tony Sorrentino, would allow individuals, passthrough entities, estates, trusts and corporations to claim a non-refundable income tax credit of up to 50 percent of their state income tax liability on contributions made to nonprofit organizations that grant scholarships to students to



Sen. Tony Sorrentino

attend private school.

Sorrentino said the proposal is “nearly identical” to the program created by the Legislature in 2023 with LB753. That program was repealed by LB1402, passed last year, which instead required the state treasurer to establish a program to provide scholarships to eligible students to pay costs associated with attending a qualified private school.

LB1402, which appropriated \$10 million to the program in fiscal year 2024-25 and FY2025-26, was repealed by voters in the November 2024 general election after being placed on the ballot by a successful referendum petition process.

More than 4,500 students received scholarships under the two programs,

Sorrentino said, and many of those families are now anxious that they will not have the financial means to keep their children in the school of their choice.

“That’s why I’m bringing back the scholarship tax credit legislation – to give these parents hope for the future and to give kids a chance at the best K-12 education that they could possibly receive based on their needs,” he said.

Credits for individuals, passthrough entities and corporations would be capped at \$100,000, and credits for estates or trusts would be limited to \$1 million. The credit could be carried forward and applied to the taxpayer’s income tax liability for the next five years. A taxpayer could not designate  
**(continued page 2)**

# Bill would revive tax credit scholarship program

(continued from front page)

their contribution for the benefit of a specific student.

Only Nebraska residents would be eligible for the scholarships. They could be used to pay all or part of the cost to educate an eligible student at a qualifying privately operated 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.

A scholarship-granting organization would have to provide the state Department of Revenue with sufficient information to show that it would use a priority ranking system to distribute scholarships to certain students, including those whose household income does not exceed 185 percent of the federal poverty level.

LB509 would limit the total annual amount of credits for 2025, 2026 and 2027 to \$25 million. After that, if at least 90% of the prior year's credits are claimed, the annual limit would increase by 25%. Annual increases could continue until the limit reaches \$100 million.

The department estimates that all credits would be claimed in each of the program's first three years and

that LB509 would reduce state general fund revenue by \$31.3 million in FY2028-29.

Michele Rivera of Kearney testified in support of the bill. She said her daughter Rylee experienced "tremendous" academic and personal growth after switching from a public school to a Catholic school with the help of a \$2,000 scholarship she received under the LB753 program.

"That scholarship made it easier for us to focus on Rylee and getting her the best education for her individual needs," Rivera said.

Also in support was Jeremy Ekeler, executive director of Opportunity Scholarships of Nebraska. Of the scholarships his organization granted under LB753, he said, nearly half went to students whose families qualified for the Children's Health Insurance Program, 45% to students in rural areas and 38% to students of color.

"Two things can be true at the same time," Ekeler said. "We can invest in choice for parents and invest in great public schools."

Testifying in opposition to LB509 was Tim Royers, president of the Nebraska State Education Association.

Like the previous program, he said, LB509 would not require qualifying private schools to meet the same nondiscrimination and accountability requirements as public schools.

He said polling and last year's election results show that the majority of Nebraska voters do not support tax credit scholarships.

Also in opposition was Jean McGuire of Lincoln, who said it would be "indefensible" for lawmakers to ignore voters' wishes on the issue of using public funds to benefit private schools.

"The message they wanted to send to you as legislators was and remains clear," McGuire said. "Do not divert public funds to pay for private schools."

Rebecca Firestone of OpenSky Policy Institute also testified in opposition, saying the proposed credit would provide a tax benefit nearly 20 times greater than the deduction available for other types of charitable donations.

She said LB509 also would reduce state general fund revenue at a time when the Legislature is facing a \$430 million revenue shortfall.

The committee took no immediate action on the bill. ■

## UNICAMERAL UPDATE

The Unicameral Update is a free, weekly newsletter published during the legislative session. It is produced by the Clerk of the Legislature's Office through the Unicameral Information Office. For print subscriptions, call 402-471-2788 or email [uio@leg.ne.gov](mailto:uio@leg.ne.gov). Visit us online at [Update.Legislature.ne.gov](http://Update.Legislature.ne.gov), [twitter.com/UnicamUpdate](https://twitter.com/UnicamUpdate) and [facebook.com/UnicameralUpdate](https://facebook.com/UnicameralUpdate).

Clerk of the Legislature: Brandon Metzler

Editor: Kate Heltzel; Writers: Maggie English, Kyle Harpster and McCartney Martin; Photographer: Bess Ghormley

Printed copies of bills, resolutions and the Legislative Journal can be requested at [NebraskaLegislature.gov](http://NebraskaLegislature.gov). Status of bills and resolutions can be requested 402-471-2709 or 800-742-7456 or can be found at [NebraskaLegislature.gov/bills](http://NebraskaLegislature.gov/bills). Live video of hearings and floor debate can be viewed on NE-W and at [nebraskapublicmedia.org](http://nebraskapublicmedia.org).

Senators may be contacted by mail at this address:

Senator Name, District #, State Capitol, P.O. Box 94604, Lincoln, NE 68509-4604

Assistance provided by the Clerk of the Legislature's Office, the Legislative Technology Center, committee clerks, legal counsels, journal clerks, pages, transcribers, mail/bill room staff and the State Print Shop.

THE NEBRASKA LEGISLATURE'S OFFICIAL NEWS SOURCE SINCE 1977

# Expanded bathroom access bill considered

(continued from front page)

definitions of biological sex.

Under Kauth's amendment, the bill's provisions would apply to private schools only if the school's students or teams compete against a public school in an interscholastic or intramural sport or the school is a member of an athletic association.

LB89 also would require all state agencies, boards, commissions and bureaus to designate bathrooms based on biological sex. It further would require such entities to define biological sex as either male or female in the adoption and promulgation of rules and regulations, enforcement of administrative decisions and dispute adjudication.

Kauth said the proposal is necessary to uphold Title IX — the 1972 civil rights law that prohibits sex-based discrimination in education programs or activities that receive federal funding — by ensuring that women and girls can compete fairly in their chosen sports.

More than 75% of Nebraskans support "sex segregation" in sports, Kauth said, and LB89 would reflect the will of the majority of the state's residents and recent national trends.

"This is something that is needed, this is something that is wanted and, unfortunately, it is something that is often silenced," Kauth said. "[LB89] is a crucial piece of legislation that aims to protect the integrity of athletic competitions and ensure the safety and privacy of women and girls at schools and state agencies."

Pillen testified in favor of the proposal, calling it a reflection of "commonsense Nebraska values." He said LB89 would build on an executive order he issued last year that establishes a person's biological sex as defined at birth for purposes of state

government.

"The highest calling of government is to keep us safe, to keep all of our citizens safe," Pillen said.

Several student athletes also testified in favor of the proposal, including Selina Soule, who described herself as a former elite track and field athlete from Connecticut. Soule said she had to compete against two transgender athletes in high school, causing her to lose out on medals, records and college scholarships.

"No matter how hard we trained or how hard we pushed ourselves, they won time and time again," Soule said. "I was forced to become a spectator in my own sport."

UNL senior Hannah Holtmeier, said she was "forced to share a sorority house with an adult male," when a transgender student joined the Kappa Kappa Gamma house where she lived.

Speaking in support of LB89, she said the measure would protect other women from similar situations, which she described as a violation of the private, safe space that a sorority house is meant to provide.

Marion Miner, testifying on behalf of the Nebraska Catholic Conference, also supported the proposal. The bill would serve several important government objectives, he said, including ensuring privacy, fairness and equality of opportunity.

Miner said several U.S. courts have found that similar proposals are consistent with the Equal Protection Clause of the U.S. Constitution and Title IX.

Dozens of opponents to the bill, including Erin Feichtinger of the Women's Fund of Omaha, questioned its necessity and its potential impact

on Nebraska women and girls.

Testifying in opposition, Feichtinger said many policies could be enacted to protect and advance the well-being of women and girls, none of which are included in LB89.

"If we cared about ending discrimination against women, we would address the growing gender wage gap, focus intensely on the child care crisis and implement family leave policies, just to name a few," she said.

Jane Erdenberger, president of the Omaha Public Schools Board of Education, also opposed the bill on behalf of the OPS board. Local schools should decide how best to identify and address students' needs, she said, and the Nebraska State Education Association already provides guidelines on how to do so for transgender students.

Also testifying in opposition to LB89 was J. Scott Barker, bishop of the Episcopal Diocese of Nebraska, who called the bill a "culture war volley that is unnecessary, unkind and inflammatory." Barker said he has met transgender Nebraskans across the state and seen them struggle to find acceptance within themselves and the larger community.

"Nobody chooses this for themselves or their child," he said. "It's a hard life [and] you'll make it much, much harder — especially for trans youth and their parents — if you pass this bill."

Mary Kelly of the League of Women voters opposed the bill, saying the history of restrooms in the U.S. is "mired in discrimination." Prior to the Industrial Revolution, public restrooms were available only to men,

(continued page 4)

# Expanded bathroom access bill considered

(continued from page 3)

she said, because women were not expected to be outside the home long enough to need such facilities.

In the Jim Crow era, restricting bathrooms and water fountains was a way to keep Black people out of public spaces, Kelly said.

“The impact of restricted access to restrooms is real,” she said. “Whether or not there is a bathroom available to you determines where you can go and

how long you can stay at a location — it communicates whether or not you are a welcome member of society who can and should be out in public.”

Speaking on behalf of the Nebraska Psychological Association, doctoral student Gina May said transgender youth have higher rates of depression and suicide than other teens. Restrictive restroom policies have been associated with a nearly 2.5 times higher

risk of sexual assault for transgender girls, she said.

“LB89 seeks to restrict bathroom access, although research shows that access to school bathrooms that match students’ gender identity protects the health of transgender youth and presents no risk to their cis-gender peers,” May said.

The committee took no immediate action on the proposal. ■

## BANKING, COMMERCE & INSURANCE



### Bill aimed at protecting youth online considered

A proposal meant to protect children’s private information and provide parental tools to monitor their online safety was heard by the Banking, Commerce and Insurance Committee Feb. 3.

LB504, introduced by Lincoln Sen. Carolyn Bosn at the request of Gov. Jim Pillen, would create the Age-Appropriate Online Design Code Act. Under the bill, a covered online service would be required to “exercise reasonable care” in protecting user data and in the design and implementation of covered online services to prevent harms such as compulsive use, severe emotional distress, identity theft and severe psychological harm.

A covered online service is defined as one that operates in Nebraska, is

reasonably likely to be accessed by minors and meets certain revenue or volume thresholds. The bill would not apply to government entities.

Among other provisions, the bill would require a covered online service to provide users with “easy-to-use tools” that limit communications from other users, prevent the viewing of personal data, control in-game purchases and other transactions and place limits on the amount of time a user spends on the service.

LB504 also would place limits on data retention and sharing and would require a covered online service to treat all users as minors unless they have knowledge that they are not. Parents would be provided with the ability to view, manage and control a child’s privacy and account settings. The bill defines a “child” as an individual who is 13 or younger.

The state attorney general’s office would enforce the bill’s provisions and violations could result in a civil penalty of not more than \$50,000 per violation.

Bosn said the proposal is the product of a bipartisan effort to give parents the tools they need to keep children safe online, while not requir-

ing the sort of content moderation that could result in First Amendment free speech challenges.

Social media has consequences for the neurobiological development and mental health of children, she said, and LB504 would implement some of the recommendations from a 2023 US surgeon general’s advisory report aimed at curbing those harms.

“We think about safe design features in every other product we provide our most vulnerable children,” Bosn said. “So why wouldn’t we do that online?”

Lincoln pediatrician Philip Boucher testified in favor of the proposal. Children lack the ability to self-regulate, he said, and app developers know how to keep them interacting with platforms through “constant dopamine hits.” As a result, he said, anxiety, depression and self-harm among youth has reached alarming levels and continues to rise.

“It’s hard to be a kid right now; it’s also hard to be a parent,” Boucher said. “Today’s kids are living under a microscope — and inside a pressure cooker — where every thought, every picture, every moment can be documented, judged and used against them.”



Sen. Carolyn Bosn

Jill Edmundson, who spent 25 years in software development, also spoke in support of LB504. She said her 9-year-old daughter inadvertently became engaged with “pro-anorexia” content during the pandemic and subsequently was diagnosed with the disease.

Technology companies feasibly could address the kind of issues that led her daughter down that path, Edmundson said, but won’t unless legally required to do so.

“Absent commonsense legislation, we are all living on borrowed time—and our children are the ones who are going to pay the price,” Edmundson said.

Nebraska College of Law professor Kyle Langvardt testified in favor of the bill, calling it “fully compatible” with the First Amendment.

Speaking on his own behalf, Langvardt said LB504 would not regulate online content but rather product design. As a result, he said, the bill would be the equivalent of “time, place or manner” restrictions on free speech—such as an ordinance that prohibits loud music after a certain hour—that consistently have been deemed constitutional.

Amy Bos, representing online trade association NetChoice, opposed the bill. She disagreed with the contention that the law does not regulate content. The broad definitions in LB504 do not provide meaningful guidelines to businesses and could lead regulators to target speech they dislike, she said.

“By covering any service reasonably likely to be accessed by minors, this bill would regulate most of the internet,” Bos said. “The Supreme Court has repeatedly rejected such sweeping attempts to restrict online speech.”

Also testifying in opposition was Dylan Severino of ACLU Nebraska. While supporting the bill’s overall goal of child safety online, he said enforcement by the state’s attorney general

could be arbitrary and partisan depending upon who occupies the office.

For example, Severino said, one attorney general might deem information provided to minors on guns to be harmful, while another might attempt to prohibit information on gender identity.

“If anything, this bill has made it more clear that legislating content to protect minors is simply impossible in practice,” he said. “The time and effort would be much better spent in education and outreach so that families can protect themselves.”

The committee advanced LB504 to general file on a 7-0 vote Feb. 7.

### HMO assessment program considered

The Banking, Commerce and Insurance Committee heard testimony Feb. 4 on a bill intended to increase Medicaid provider reimbursement rates without the use of general fund dollars.

Modeled on a proposal approved by lawmakers last year to levy an assessment on all Nebraska hospitals, LB527, introduced by North Platte Sen. Mike Jacobson, would use a similar mechanism to levy an assessment on the state’s health maintenance organizations.



Sen. Mike Jacobson

Under the bill, the state Department of Health and Human Services would be required to submit a state plan amendment to the Centers for Medicare and Medicaid Services by Aug. 1, 2025.

If approved, the state plan amendment would authorize collection of a 6% tax on all non-Medicare premiums written in Nebraska under an HMO certificate of authority, to be collected

by the state Department of Insurance.

Revenue generated by the tax would be remitted to a newly created Medicaid Access and Quality Fund. DHHS would use the fund to obtain federal matching dollars to enhance Medicaid reimbursement rates paid to nonhospital providers of physical health services, with an emphasis on evaluation and management, labor and delivery and rural health services.

The fund also would be used to pay a monthly per-member fee of at least \$75 to qualified primary care providers who meet criteria to serve as a primary care medical home for target populations. Any remaining funds would be used within the state’s Medicaid and CHIP programs.

Jacobson said the bill, when fully implemented, would provide more than \$100 million in new, matching federal funds, which would enable more providers to accept Medicaid patients.

More than 350,000 Nebraskans are covered by Medicaid, he said, and the state is struggling to provide access to the care those individuals need.

“This bill is incredibly important to the future of health care in our state, especially for rural areas and especially for pregnant women and Nebraska children,” Jacobson said.

Testifying in support was Robert Wergin, president-elect of the Nebraska Medical Association, who said LB527 would provide much-needed reimbursement rate increases for the state’s Medicaid providers.

Speaking on behalf of the NMA and the Nebraska Academy of Family Physicians, Wergin said the cost of operating physician clinics has risen 20% over the last five years in Nebraska but net patient revenue has not kept pace.

“These increasingly thin or negative operating margins disproportionately affect small, independent and

rural physicians,” he said.

Libby Crockett, a Grand Island physician, agreed. Also speaking in support of the measure, she said the bill would help maintain access to obstetric and gynecological services in outstate Nebraska.

Crockett said 40% of maternal patients and 44% of pediatric patients at her clinic are on Medicaid. Reimbursement rates do not cover the cost of care for those individuals, she said, placing an “undue burden” on the practice and forcing it to limit new Medicaid patients.

“Our state cannot afford for these access challenges to grow worse,” Crockett said.

Also testifying in favor of LB527 was Jeremy Nordquist, president of the Nebraska Hospital Association. The bill would not expand the pool of Medicaid recipients, he said, but would allow the state to pursue available federal dollars to provide much-needed care to vulnerable Nebraskans.

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

## BUSINESS & LABOR

### Proposal to classify certain gig workers as contractors advanced

Lawmakers gave first-round approval to a bill Feb. 4 that would codify ride-share drivers as independent contractors in state law.

LB229, introduced by Syracuse Sen. Bob Hallstrom, would add workers who use technical applications for marketplace network platforms, such as Uber and Lyft, to an existing list of workers who are classified as independent

contractors and are excluded from the state’s Employment Security Law.

Ride-share drivers already are considered independent contractors in Nebraska, Hallstrom said, but LB229 would solidify that classification in state statute.

“The app-based work available through the Uber platform is critical for those who want to work but might not have the ability to handle a traditional nine-to-five job,” Hallstrom said. “Drivers on ride-share platforms are independent [and] choose if, when, where and how long they work.”

Speaking in support of LB229, Elkhorn Sen. Tony Sorrentino pointed to a six-factor test the federal Department of Labor uses to determine whether an individual is an employee or independent contractor, which includes a worker’s ability to negotiate, among other factors.

Applying that test indicates that ride-share drivers should be classified as independent contractors, he said.

“Opposing LB229 could easily be considered an intentional thumbing of the nose to the true facts of the federal guidance and legislative intent adopted by the Department of Labor,” Sorrentino said.

North Platte Sen. Mike Jacobson agreed, saying the proposal would ensure ride-share drivers are able to continue providing an essential service to Nebraskans. Classifying ride-share drivers as employees likely would destroy the ride-share business due to increased costs, he said.

“We’re curbing free enterprise if we try to require that they all be employees as opposed to the independent contractors that they are,” Jacobson said.

Omaha Sen. Terrell McKinney spoke in opposition to LB229. He



Sen. Bob Hallstrom

said the claim by Uber that classifying ride-share drivers as employees would destroy its business is evidence that the company survives by denying fair wages and benefits to its workers.

“Uber’s profitability model relies on exploiting workers,” McKinney said. “[Their] financial struggles are more tied to its unsustainable pricing model and investor-driven growth strategy than worker classification.”

Sen. Megan Hunt of Omaha expressed concern that classifying ride-share drivers as independent contractors would take away their ability to unionize and negotiate benefits.

Workers already are battling corporate interests and increased privatization of services in our society, she said, and lawmakers shouldn’t make it even harder for workers to advocate for themselves.

“If ride-share drivers try to form a union, there is no guarantee they will win,” Hunt said. “But workers in Nebraska deserve the right to try, without outside intervention from the government preventing them from doing so.”

LB229 advanced to select file 33-12.

### Bill would limit paid sick leave implementation

The Business and Labor Committee heard testimony Feb. 3 on a bill that seeks to narrow provisions of a ballot initiative passed by Nebraska voters last November that guarantees paid sick leave.

The successful ballot initiative provides eligible Nebraska employees the right to earn and use paid sick leave for family health needs based on the size of their employer — up to 40 hours annually for employers with fewer than 20 employees and 56 hours for businesses with more than 20 employees. It also establishes enforcement powers and a civil cause of action for violations.

LB698, introduced by Sidney Sen. Paul Strommen, would exempt several groups from the new provisions, including temporary and seasonal agricultural employees, workers under age 16 and businesses with 10 or fewer employees.



Sen. Paul Strommen

The bill also would remove protections for workers who face retaliation from their employer for using paid sick leave and the ability for employees to seek restitution for earned sick leave that was not granted.

Strommen said the proposal is not an attempt to undermine the will of Nebraska voters, but rather an effort to shield small businesses from the unintended consequences of mandated paid sick leave.

“The sum of this bill is to ensure that both employees and employers in our most vulnerable small businesses in the state are not finding themselves in a position where they are going to have to start letting folks go,” Strommen said.

Ansley Fellers testified in support of the measure on behalf of several industry organizations, including the Nebraska Grocery Industry Association. She said passage of LB698 would indicate the Legislature’s willingness to balance the voice of voters at the ballot box with the concerns of the state’s smallest employers.

“We understand why the voters think these new mandates are the right thing to do, but ballot initiatives cannot and do not account for differences between businesses – be it size, industry or location,” Fellers said.

David Barnes, speaking on behalf of Valley Foods Cooperative, also supported the proposal. He expressed concern that the additional costs associated with implementing paid sick

leave for employees could result in increased prices for consumers.

“The consumer always pays for any government regulation,” Barnes said.

Craig Moody, co-sponsor of the paid sick leave ballot initiative, testified in opposition to LB698. Moody said his own small business has benefitted from implementing a paid sick leave policy. The team has become more productive and cohesive because they know they are supported, he said.

“I don’t buy the narrative that this is going to hurt employers,” Moody said. “The reality that I’ve seen and experienced is that this is much better for our business.”

Ken Smith, speaking on behalf of Nebraska Appleseed, also opposed the measure. Data collected from other states with similar policies indicates employment growth and minimal long-term costs to businesses, he said, which is part of the reason over 200 Nebraska employers supported the ballot initiative.

“This is a well-worn path,” Smith said. “And when you walk down this path, there are economic and business benefits.”

The committee took no immediate action on LB698.



**School cell phone ban proposed**

Nebraska school boards would be required to adopt policies regarding student use of cellphones under a proposal considered Feb. 4 by the Education Committee.

Under LB140, introduced by Bellevue Sen. Rita Sanders at the request of Gov. Jim Pillen, school boards would be required to adopt a policy

before the 2025-26 school year prohibiting student use of cellphones while on school property or attending school functions. These policies may also include discipline and enforcement mechanisms.



Sen. Rita Sanders

Students could use cellphones on school grounds or at school functions when:

- required by a student’s individualized education program and 504 plan;
- authorized by a teacher for education purposes during instructional time;
- in case of emergency or perceived threat of danger;
- necessary to manage a student’s health care; and
- determined appropriate by the school board or otherwise allowed by an appropriate school employee.

Sanders said recent studies show a clear correlation between increased phone usage and lower academic performance, including test scores.

“I firmly believe that every student deserves the best possible chance to succeed, and part of that is eliminating unnecessary distractions,” she said. “By limiting electronic communication devices in the classroom, we can foster an environment that promotes focus and academic achievement.”

Pillen testified in support of the bill, citing research that shows young people receive, on average, nearly 200 electronic notifications a day. The constant barrage of content and notifications is affecting students’ academic performance and their mental health, he said.

“The more we can keep [cell-phones] out of classrooms, keep them out of our schools and keep our kids

free of them, the better,” Pillen said.

Speaking on behalf of the Nebraska State Education Association, Tim Royers also supported the proposal, but urged lawmakers to consider limiting allowable exceptions.

In a recent survey of its members, Royers said NSEA has heard concerns from many educators about cellphone use and the inconsistent enforcement of related policies. While some teachers actively enforce cellphone policies at their schools, he said, others do not, leaving some teachers feeling like the “bad guy.”

Tyler Mosher, an Elkhorn South High School senior, testified in support of LB140. The American Academy of Pediatrics advises limiting phone use to 2 hours a day, she said, yet the Centers for Disease Control and Prevention indicate that teenagers average 4 hours daily on their cellphones.

Mosher said most of her friends, however, spend an average of 5.5 to 6 hours daily on their phones.

“Obviously, we are two to three times [over] the amount that we should be,” Mosher said.

Colby Coash testified in opposition to LB140 on behalf of the Nebraska Association of School Boards, raising concern over the bill’s language regarding cellphone use at school functions. School boards could craft policies prohibiting cellphones at school functions, but it would be challenging to enforce, he said.

Ultimately, Coash said, school boards would prefer to maintain the flexibility of choosing a cellphone policy that best suits their district.

The committee took no immediate action on the proposal.

**Bill seeks to curb antisemitism in schools, universities**

Nebraska school boards and post-secondary educational institutions

would be required to develop and adopt a policy addressing antisemitism and other forms of discrimination under a proposal considered by the Education Committee Feb. 3.

LB538, introduced by Gering Sen. Brian Hardin, would require school and postsecondary boards to adopt an antisemitism and antidiscrimination policy prohibiting discrimination against students or school employees based on race, ethnicity, national origin, sex, disability, religion or marital status.

Under the bill, a policy must guarantee equal access to educational programs, classes, guidance counseling and financial assistance services. A policy also must ensure that cases of harassment and discrimination, including antisemitism, are addressed equitably.

To effectively monitor and investigate cases of discrimination, antisemitism and harassment, the Commissioner of Education would be required to appoint an individual to act as the Title IV coordinator at the state Department of Education.

Since the Oct. 7, 2023, attack on Israel by Hamas, Hardin said, there has been an uptick in instances of antisemitism in K-12 schools, colleges and universities. Places of learning should ensure students and employees can feel safe and respected regardless of their religious or ethnic background, he said.

“This [LB538] is about ensuring that all students and educators in Nebraska have the right to learn and work in an environment free from hatred, harassment and prejudice,” Hardin said.

Adam Beren testified in support of the bill on behalf of the Combat Antisemitism Movement. Jewish students have filed 200 Title IV complaints with



Sen. Brian Hardin

the U.S. Department of Education since the Hamas attack, he said, with little resolution. Implementing Title IV at the state level could enhance the likelihood of resolving complaints, he said.

“Students want to have a place where they know that the issues that they’re confronting will be addressed,” Beren said. “If they aren’t going to be addressed on the federal level — which hopefully they will be — they can be addressed at the state level.”

Noah Lederman, a Jewish student who attends Columbia University, also supported the proposal.

Last year, Lederman said, several protests took place at Columbia University regarding the Israeli-Palestinian conflict, which disrupted classes and obstructed access to university facilities. Many students and protesters expressed antisemitic sentiments through their words and signs directed at Jewish students, he said, yet they faced no significant consequences for their actions.

“This sends a dangerous message that overtly racist behavior is acceptable as long as it’s only targeting Jews,” Lederman said.

No one testified in opposition to LB538 and the committee took no immediate action on it.

**GENERAL AFFAIRS**

**Changes to casino, racetrack regulation clear first round**

Lawmakers advanced a bill from general file Feb. 5 that would make a number of changes to casino and racetrack enclosure regulation in Nebraska.

LB357 was introduced by the General Affairs Committee at the request of the State Racing and Gaming Commission. Bellevue Sen. Rick Holdcroft,



chairperson of the committee, said the bill would allow the commission to better manage the record growth of casino gaming and horse racing in Nebraska over the last four years.

“In 2024, the state of Nebraska received \$29.1 million in gaming tax [revenue], with \$20.4 million going toward property tax relief,” Holdcroft said.

Among other changes, the bill would:

- create a new Racetrack Gaming Fund and consolidate two existing commission cash funds into it;
- reduce the required number of annual commission meetings from eight to six;
- update commission background check and fingerprint procedures;
- reduce the term for individual horse racing licenses from five years to three;
- clarify licensing fee structures and requirements; and
- provide for an application process for a \$10,000 three-year racetrack enclosure license.

Holdcroft said the commission currently licenses race days in Nebraska but has no authority under state law to license racetrack enclosures.

The bill also would change the payment process for an existing one-time authorized gaming operator license, which has a \$5 million fee. Under LB357, the license fee still must be paid over a five-year period – with \$1 million due at the time an application is issued – but each additional \$1 million payment would be required annually until the fee is paid in full.

Following adoption of a technical amendment, senators voted 39-0 to advance the bill to select file.

## HEALTH & HUMAN SERVICES

### Bill would eliminate child care assistance sunset date

The Health and Human Services Committee heard testimony Feb. 6 on a bill that would eliminate a scheduled sunset date on expanded eligibility for the state’s Child Care Subsidy program.

The program provides a subsidy directly to providers to cover a portion of child care expenses for low-income Nebraska families. Income eligibility guidelines were expanded in 2021 from 130% of the federal poverty level to 185%. That expansion is scheduled to expire Oct. 1, 2026.

LB304, sponsored by Sen. Wendy DeBoer of Bennington, would remove the sunset date and instead make the current income eligibility level permanent. If the expansion is rolled back, DeBoer said, only one state would have a lower eligibility level than Nebraska. The current 185% threshold is in line with the average of surrounding states, she said.

DeBoer said the 2021 legislation authorizing the initial expansion also required an impact study, which indicated that more than 2,000 families were made eligible under the new guidelines. Ninety-eight percent of those families cited employment as the reason for needing the subsidy, she said.

“We have incredibly high workforce participation in our state and we still have job openings,” DeBoer said. “Child care is an essential need in our state.”

Bryan Sloane, president and CEO of the Nebraska Chamber of Commerce

and Industry, testified in support of the measure on behalf of more than a dozen local chambers of commerce and economic development organizations.

Sloane said the consistent No. 1 concern for business leaders in the state is workforce development. In order to achieve that goal, he said, the state needs to do more to attract 18 to 35 year olds.

“For Nebraska to remain competitive in business, it’s essential that we develop longer-term and bolder strategies and make greater investments – both public and private – in affordable child care throughout our state,” Sloane said.

Katie Bass of First Five Nebraska also spoke in favor of the proposal. Families who qualified under the previous expansion, which was funded through federal block grant dollars, generated between \$5.8 and \$8.9 million in positive impact on the state’s economy, she said.

In addition, Bass said, many families benefitted from interactions with providers with expertise in early childhood development.

Taylor Givens-Dunn of I Be Black Girl also supported LB304. Making the expanded income eligibility levels permanent would help small business owners keep their doors open and increase child care options for the state’s most vulnerable families, she said.

“The challenges of affording child care did not begin with the pandemic, nor have they disappeared,” Givens-Dunn said.

John Meals, chief financial officer at the state Department of Health and Human Services, testified in a neutral capacity.

He said the state has roughly \$90 million in federal grant dollars to allocate to the Child Care Subsidy program annually, which cost Nebraska approximately \$125 million in 2024. That gap was covered with other federal dollars that have since expired,



Sen. Wendy DeBoer

Meals said, and the department does not have sufficient base funds if the expansion does not sunset.

“We already exceed the annual value of the grants ... so it’s going to end up being a General Fund cost,” he said.

No one testified in opposition to LB304 and the committee took no immediate action on the bill.

**New midwife licensure category proposed**

A measure that would create a procedure in Nebraska law for licensure of certified professional midwives was considered by the Health and Human Services Committee Feb. 5.

Currently, only certified nurse-midwives are authorized to practice in Nebraska and may do so only in a hospital or birthing center and under the supervision of a licensed practitioner. Individuals who hold a CNM credential must be licensed as a registered nurse and complete a nurse-midwifery education program.

LB374, introduced by Blair Sen. Ben Hansen, would add certified professional midwife as a new category of state licensure under the Uniform Credentialing Act. The bill would create a Board of Licensed Midwives and a CPM licensure process.



Sen. Ben Hansen

Under the bill, a licensed CPM would be authorized to attend physiological childbirths, provide prenatal, postpartum and newborn care for up to six weeks after birth.

Hansen said that with passage of LB374, Nebraska would join 37 other states in recognizing that certified professional midwives are knowledgeable, skilled maternity care providers.

“In most other states, home births

and licensed professional midwives are influential and respected in the birthing community,” he said. “It is time Nebraska catches up.”

Chandra Stewart, a certified professional midwife, testified in support of the bill. CPMs are experts in out-of-hospital births and receive extensive training in risk assessment for potential complications during and after pregnancy, she said.

“It’s important to note that home births are happening in Nebraska already, they’re just happening without the benefit of a trained professional there to assist,” Stewart said. “Licensing CPMs simply makes home births safer for the families in Nebraska who choose to give birth outside of the hospital.”

Gabriella Otto also spoke in support of the proposal, saying it is especially important for women of color to have access to various birthing options.

Otto said data from the Centers for Disease Control and Prevention indicate that Black women in the U.S. are 2.6 times more likely than white women to die while giving birth in a hospital. As a result, she said, studies show a 30% increase in the number of Black women choosing to deliver at home.

“Black mothers have a desire for more control over their birthing experiences,” Otto said.

Amy Pinkall, a pediatric physician, testified on behalf of the Nebraska chapter of the American Academy of Pediatrics in opposition to LB374. She said the lack of medical training required to become a CPM is a concern in emergency situations.

Pinkall said infant mortality rates for out-of-hospital deliveries by a lay midwife are up to 4 times higher than those for infants delivered in a hospital. In addition, she said, approximately 10% of full-term deliveries require some degree of intervention,

so having trained providers who are able to assess infants and intervene immediately if necessary is critical.

“This bill is unsafe and puts at risk the lives of our smallest and most vulnerable newborns,” Pinkall said.

OB-GYN Molly Johnson shared those concerns. Testifying on behalf of the Nebraska Medical Association and Nebraska Nurse Practitioners, she said many conditions, including postpartum hemorrhaging, infection and fetal distress, can become life-threatening emergencies in seconds.

Most of these scenarios occur in what previously had been a “normal” pregnancy and labor, she added.

“Unlike hospital-based deliveries, the home birth setting ... lacks the necessary resources to manage obstetric emergencies,” Johnson said.

The committee took no immediate action on LB374.

**JUDICIARY**



**Bill would decrease personal injury statute of limitations**

The Judiciary Committee heard testimony Feb. 5 on a bill that would reduce the Nebraska statute of limitations for personal injury actions from four years to two.

LB199, introduced by Elkhorn Sen. Tony Sorrentino, also would require disclosure of any nonrecourse civil litigation financing contracts, which are agreements between a plaintiff and a third party that provide funds to cover the plaintiff’s legal expenses in exchange for a share of the settlement.



Sen. Tony Sorrentino

Under the bill, a consumer or their attorney would be required to disclose and provide a copy of any contract for civil litigation funding to:

- each party to the legal claim or their attorney;
- any court, agency or tribunal in which the legal claim is pending; and
- any known person, including an insurer, with a preexisting contractual obligation to reimburse or defend a party to the legal claim.

Sorrentino said LB199 would align Nebraska with most other states, 26 of which have adopted a two-year statute of limitations. Doing so would encourage timely claims and reduce the risk of lost documents or fading memories, he said, which can affect fairness in legal proceedings.

“[A] long statute of limitations can leave businesses and individuals in a state of prolonged uncertainty about a potential lawsuit,” Sorrentino said. “The goal is to achieve faster resolution of disputes, enabling parties to move forward without lingering legal risk.”

Additionally, he said, LB199 would promote transparency by requiring the disclosure of nonrecourse civil litigation financing agreements, which have become increasingly common.

“The problem with this practice is [that] once third-party funding is involved, a case is no longer just about compensation for the injured plaintiff but also about profit for the financier,” Sorrentino said.

Korby Gilbertson testified in support of the bill on behalf of the American Property Casualty Insurance Association and the Nebraska Insurance Federation.

The use of civil litigation financing has ballooned, Gilbertson said, with the industry grossing \$19 billion annually. The use of litigation funding has the

potential to raise the overall cost of litigation and the cost of insurance, she said.

Kent Grisham, president of the Nebraska Trucking Association, also supported the measure. Statutes of limitations ensure that disputes brought to court are resolved promptly, he said, preventing cases from being litigated long after witnesses’ memories fade or evidence deteriorates.

“Statutes of limitations do not deny justice,” Grisham said. “They encourage timely justice where plaintiffs receive appropriate restitution and defendants do not have to live with years of uncertainty.”

Jennifer Turco Meyer testified in opposition to the bill on behalf of the Nebraska Association of Trial Attorneys. She noted that 24 states have a statute of limitations of more than two years, while others, such as Colorado and Kentucky, have a two-year statute of limitations with the possibility of longer for motor vehicle accidents.

LB199 is a solution in search of a problem, Turco Meyer said.

“We’re not hearing anything about Nebraska cases,” she said. “We’re not hearing about how this is affecting Nebraska’s judicial system.”

Representing the Alliance for Responsible Consumer Legal Funding, Eric Schuller also opposed the measure, citing the bill’s disclosure requirements.

Some states require individuals to disclose civil litigation financing only upon request, Schuller said. That method is more equitable than requiring automatic disclosure, he said, because individuals who are not using litigation financing are not obligated to reveal their legal payment methods.

“It’s the same thing as saying you have to automatically, as soon as you file a lawsuit, turn over your bank account [or] turn over your credit card statements,” Schuller said.

The committee took no immediate action on LB199.

### Age verification for social media use proposed

Nebraska minors would need parental consent before creating a social media account under a proposal considered Feb. 6 by the Judiciary Committee.

LB383, introduced by Whitman Sen. Tanya Storer at the request of Gov. Jim Pillen, would create the Parental Rights in Social Media Act, which would take effect Jan. 1, 2026.



Sen. Tanya Storer

The bill would require social media companies operating in Nebraska to utilize “reasonable age verification” processes to ensure anyone creating an account on their platform is at least 18 years old.

Individuals younger than 18 still could obtain an account if their parent, who also would be subject to age verification, submits a signed document confirming their consent.

Under the bill, digitized identification cards or third-party services would qualify as a reasonable age verification method. A commercial entity or third party would be prohibited from retaining a person’s identifying information after verification.

LB383 also would require social media companies to provide methods for parents to monitor a minor’s account activity and include options for the parent to:

- view all posts the minor account holder makes under the social media platform account;
- view all responses and messages sent to or by the minor account holder in the social media platform account;

- control the minor’s privacy and account settings; and
- monitor and limit the amount of time the minor account holder spends using the social media platform.

The Nebraska attorney general would be responsible for enforcing the act, which allows for penalties of up to \$2,500 for each violation.

Storer said the absence of sufficient age verification when creating social media accounts allows children to access these platforms without parental knowledge. This makes it challenging, if not impossible, for parents to monitor their children’s online activity, she said.

“[LB383] ensures that parents are empowered to protect their children by requiring social media companies to go through parents to verify a minor’s age before allowing them to create an account— just like we do for every other industry or product that poses inherent risk, especially for minors,” Storer said.

Attorney General Mike Hilgers testified in support of the measure, saying Nebraska has become a national leader in holding social media companies accountable for their platforms’ effects on children through two lawsuits filed against Meta and TikTok.

Social media companies are deliberately creating platforms to attract and engage children, he said.

“These are not on-accident algorithms that are just sort of inadvertently bringing in children,” Hilgers said. “These are by design because some of the most lucrative customers you can find in this area are children.”

Thomas Janousek, director of the Division of Behavioral Health at the state Department of Health and Human Services, also testified in support of the bill.

The measure would help parents gain better control over their children’s social media activities by enabling

them to monitor usage and behavior, Janousek said. This approach aligns with guidance from the American Academy of Pediatrics, he said, which emphasizes the importance of parental involvement in managing screen time and tracking digital usage.

“By requiring social media companies to verify the age of users and secure parental consent for minors, LB383 establishes essential protections that mitigate these risks and foster healthy engagement,” Janousek said.

Ruthie Barko testified in opposition to the proposal on behalf of TechNet, a technology trade association.

Age verification methods require collecting and processing sensitive, personally identifiable information, Barko said, which conflicts with data privacy best practices and puts users at risk of fraud. If passed by lawmakers, LB383 likely would be challenged and overturned in court, she said.

“No similar legislation requiring parental consent and age verification for minors for online social media platforms has survived a court challenge, and we do not see any reason to believe that this law will be any different,” Barko said.

Representing ACLU Nebraska, Dylan Severino also opposed the bill, saying the Supreme Court has ruled minors have First Amendment protections except in specific circumstances. Preventing people of all ages from accessing social media without first providing proof of their identity is not one of those circumstances, he said.

“LB383 threatens the free speech rights of social media users, forcing us to hand over our private data or lose the ability to participate in robust online conversation,” Severino said.

The committee took no immediate action on LB383.

## REVENUE

### Convention center turnback proposal amended, advanced

A bill intended to aid the development of a proposed Lincoln convention center advanced to the final round of debate Feb. 7 after lawmakers amended it to ensure transparency in the process.

LB116, sponsored by Lincoln Sen. Beau Ballard, would update the Convention Center Facility Financing Assistance Act, which turns back a portion of state sales tax revenue collected by convention centers, associated hotels and nearby retailers to political subdivisions to help finance the facilities.



Sen. Beau Ballard

Among other changes, the bill would clarify that the area used to determine associated hotels and nearby retailers would be within the territorial boundaries of the political subdivision that applies for assistance.

On select file, Sen. Danielle Conrad of Lincoln introduced an amendment, adopted 37-0, to strike a requirement in LB116 that state assistance be used only to pay or repay amounts borrowed to finance a project and reinstate stricken language requiring that assistance be used only “for public purposes.”

Current law allows the board that approves applications for assistance to accept additional evidence after an application’s public hearing. LB116 would require the board to provide any additional evidence contemporaneously to the applicant.

Conrad introduced a further

amendment, adopted 36-0, to strike that provision, saying any additional evidence should be subject to a subsequent public hearing.

“As we’re working to advance this important project, it’s critical that we ensure transparency at each stage and community engagement and public participation,” she said.

After adopting Conrad’s amendments, senators voted 32-1 to advance LB116 to final reading.

**Inheritance tax measure would replace lost county revenue**

The Revenue Committee heard testimony Feb. 5 on a proposal to cut certain county inheritance tax rates while also distributing replacement revenue to counties.

Currently, immediate relatives pay a 1% tax on the clear market value of property over \$100,000 received by each person.

LB468, introduced by Elmwood Sen. Robert Clements, would decrease the rate paid by remote relatives – including uncles, aunts, nieces and nephews – from 11% to 1% on inheritances of more than \$100,000, up from the current \$40,000.



Sen. Robert Clements

A third rate that applies to all other beneficiaries would decrease from 15% to 1% on inheritances of more than \$100,000, up from \$25,000.

The new rates and exemption amounts would take effect July 1.

Clements said Nebraska’s disparate inheritance tax rates are unfair to beneficiaries who are not children of a decedent. Although LB468 would not eliminate the tax entirely, he said,

the proposal would make it fairer by treating all beneficiaries the same.

Clements said he is committed to replacing the approximately \$34 million per year counties would lose in inheritance tax revenue under his measure. The numerous revenue replacements proposed in LB468 would more than cover that amount, he added.

To cover the lost revenue, the measure would increase the nameplate capacity tax paid by owners of renewable energy generation facilities, increase the documentary stamp tax collected by counties on the transfer of real estate and repeal tax incentives for certain data center projects under the ImagiNE Nebraska Act, among several other changes.

The state Department of Revenue estimates that LB468 would increase total state revenue by \$13.6 million in fiscal year 2025-26 and \$13.8 million in FY2026-27.

Jon Cannon testified in favor of the bill on behalf of the Nebraska Association of County Officials, saying its support is “conditioned on counties being made whole.” He said county officials have “incredible angst” about eliminating the inheritance tax, which comprised about 10% of total county revenue last year, without a promise of adequate and sustainable replacement revenue.

“From our perspective,” Cannon said, “it’s either 10% more of a spend on the property tax side or it’s 10% less services, which we hear from our constituents they don’t want less of.”

Also in support was Ryan McIntosh of the Nebraska Federation of Independent Business. He said the inheritance tax is outdated, unfair and results in lost economic activity and investment by incentivizing wealthier Nebraskans to leave the state to avoid taxation of their heirs.

Testifying in opposition to LB468 was Lori Pirsch on behalf of Douglas County. The proposed offsets would not fully replace the county’s lost inheritance tax revenue, she said, and the new revenue would have to be reallocated from specific departments to the various health and social services currently funded with inheritance tax proceeds.

Carol Bodeen of the Nebraska Housing Developers Association also testified in opposition. She said LB468 would reduce the allocation of documentary stamp tax proceeds to the Affordable Housing Trust Fund at a time when the shortage of affordable and available housing units in Nebraska is greater than ever.

“Housing developed using this fund is essential in meeting the needs of working families, attracting new families and increasing investment in our communities,” Bodeen said.

Also in opposition was Hunter Traynor, who spoke on behalf of the Nebraska Chamber of Commerce and Industry and four other organizations representing Nebraska businesses and economic developers.

He said the Trump administration and private industry are preparing to make large investments in data processing facilities needed for artificial intelligence over the next several years. By increasing the cost of renewable energy and eliminating incentives for data centers, Traynor said, LB468 would make it less likely that those projects are located in Nebraska.

The committee took no immediate action on the bill.

## TRANSPORTATION & TELECOMMUNICATIONS

### Increased driver, motor vehicle records fees proposed

The Transportation and Telecommunications Committee heard testimony Feb. 3 on a proposal to raise fees for certain driver and motor vehicle records maintained by the state Department of Motor Vehicles.

Columbus Sen. Mike Moser, sponsor of LB114, said the department would use the additional revenue to deploy an updated driver licensing system sooner than originally planned to avoid rapidly increasing costs.



Sen. Mike Moser

The bill would raise the driver record abstract fee from \$7.50 to \$24 per record. A portion of the additional revenue would be credited to the state's General Fund.

The fee for searching the driver record monitoring service would increase from 6 to 30 cents per record, and the fee for driver record header information – which includes name, address and date of birth, among other details – would increase from \$18 to \$30 per 1,000 records.

The fee for individual registration or title records would increase from \$1 to \$3 per record. For requests of more than 2,000 records, the fee would increase from \$18 to \$40 per 1,000 records. The same increase would apply to the fee for an extract of the entire file of all vehicles registered or titled in Nebraska.

The department estimates that LB114 would generate \$12 million in total state revenue in both fiscal year 2025-26 and FY26-27.

DMV director Rhonda Lahm testified in support, saying the fee increase would allow the department to create an identity management system intended to combat fraud and finish the modernized driver licensing system by 2026 rather than 2032, saving an estimated \$20 million.

She said part of the driver record fee increase would be directed to the General Fund to help offset the costs other state agencies would incur when integrating with the new driver licensing system.

Testifying in opposition to LB114 was Robert Bell on behalf of the Nebraska Insurance Federation. He said Nebraska insurance companies need access to driver records during the underwriting process and likely would pass on the higher fees to customers by raising auto insurance rates.

Although a fee increase may be necessary to upgrade DMV systems, Bell added, directing part of the additional revenue to the General Fund “seem[s] less about good governance and more about revenue generation for the government.”

The committee took no immediate action on the bill.

### Print-on-demand license plate system considered

The Transportation and Telecommunications Committee heard testimony Feb. 3 on a bill to make Nebraska's motor vehicle licensing and registration process more efficient.

Under LB543, sponsored by Norfolk Sen. Robert Dover, owners could register a motor vehicle or trailer for a period of two or three years, in addition to the current an-



Sen. Robert Dover

nual registration period, beginning in January 2029. Those who choose a multiyear registration would pay all fees and taxes for the entire period up front.

The bill also would allow the state Department of Motor Vehicles to deliver license plates or registration certificates to the applicant or to the applicable county treasurer by U.S. mail or another shipping service.

Dover said the print-on-demand system could save an estimated \$500,000 at the end of every license plate issuance cycle by reducing the number of unused plates.

“LB543 enhances the efficiency of Nebraska's vehicle license plate and registration system by providing increased flexibility and convenience for residents while reducing waste,” he said.

DMV director Rhonda Lahm testified in support of the bill. Among other changes, she said, the proposal would give owners who show proof of registration a 30-day grace period to operate their vehicles while waiting for their license plates to be mailed. It also would allow the department to charge a fee to recover its postage and handling costs, Lahm said.

“These updates reflect best practices in motor vehicle administration and will position Nebraska for continued modernization in years ahead,” she said.

No one testified in opposition to LB543 and the committee took no immediate action on it. ■

# COMMITTEE HEARINGS

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

## **Monday, Feb. 10**

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

- LB77 (Bostar) Adopt the Ensuring Transparency in Prior Authorization Act  
 LB467 (Riepe) Provide a duty to implement a prior authorization application programming interface under the Utilization Review Act  
 LB457 (Bostar) Require anaphylaxis policies for school districts and licensed child care facilities and provide a limit on the amount an insured is required to pay by an insurance policy or benefit plan for epinephrine injectors  
 LB109 (Bostar) Prohibit certain provisions in insurance policies and health plans relating to clinician-administered drugs and change provisions relating to pharmacy benefit managers

### **Business & Labor Room 1524 - 1:30 p.m.**

- LB299 (Ibach) Allow eligible aliens and dependents to receive public benefits relating to employment  
 LB75 (Hunt) Change provisions of the Wage and Hour Act relating to tipped employees and provide for complaints, prohibited actions, and liquidated damages  
 LB45 (McKinney) Provide for grants for job programs for historically underserved youth  
 LB402 (von Gillern) Include collections relating to overpayment of unemployment benefits under the Employment Security Law as collectible under the Gambling Winnings Setoff for Outstanding Debt Act and change the statute of limitations for recovery of unemployment overpayment debt  
 LB363 (Ibach) Adopt the Apprenticeship Grant Act

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

- LB303 (Hughes) Change provisions relating to foundation aid and certain certification dates and provide for base levy adjustments under the Tax Equity and Educational Opportunities Support Act and create the School

- Finance Reform Commission  
 LB500 (DeBoer) Create the School Financing Review Commission  
 LB597 (DeBoer) Change provisions relating to foundation aid, local effort rate yield, adjusted valuations of property, and certification dates under the Tax Equity and Educational Opportunities Support Act  
 LB498 (Murman) Change provisions relating to foundation aid and certification dates under the Tax Equity and Educational Opportunities Support Act  
 LB161 (Juarez) Redefine formula students under the Tax Equity and Educational Opportunities Support Act

### **General Affairs Room 1023 - 1:30 p.m.**

- LB280 (von Gillern) Require audits of authorized gaming operators and provide powers and duties for the Auditor of Public Accounts  
 LB60 (Quick) Eliminate the restriction on selling a lottery ticket through a vending or dispensing device under the State Lottery Act  
 LB635 (Hansen) Authorize the regulation of professional bare-knuckle mixed martial arts, professional mixed martial arts on ice, amateur kickboxing, and slap fighting by the State Athletic Commissioner

### **Transportation & Telecommunications Room 1510 - 1:30 p.m.**

- LB112 (Quick) Change provisions relating to salvage branded certificates of title  
 LB225 (Guereca) Change application requirements for duplicate certificates of title under the Motor Vehicle Certificate of Title Act  
 LB490 (McKeon) Allow applications for certificates of title for certain agricultural vehicles  
 LB191 (Bosn) Change provisions relating to unlawful interference with telecommunications under the One-Call Notification System Act  
 LB449 (Fredrickson) Change provisions relating to the priority of projects and requirements of the state highway system plan

## **Tuesday, Feb. 11**

### **Agriculture Room 1023 - 1:30 p.m.**

- Appointment: Duane Gangwish - Brand Committee  
 LB646 (Ibach) Provide for exempt feedlots under the Livestock Brand Act  
 LB665 (Storer) Prohibit the use of certain electronic identification devices under the Animal Health and Disease Control Act

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

- LB482 (Ballard) Change provisions relating to attorney's fees in insurance cases  
 LB338 (Wordekemper) Prohibit the use of genetic information for life insurance, disability insurance, and long-term care insurance  
 LB326 (Jacobson) Change provisions relating to the Unfair Insurance Trade Practices Act, the Nebraska Property and Liability Insurance Guaranty Association Act, and mutual insurance holding companies and eliminate the provisions of the Health Insurance Access Act and the Health Care Purchasing Pool Act  
 LB325 (Jacobson) Change provisions relating to qualifications and requirements for the board of directors of an insurance corporation  
 LB232 (Hallstrom) Provide requirements for life insurance policies

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

- LB408 (Dungan) Adopt the Special Education Teacher Forgivable Loan Program Act  
 LB598 (DeBoer) Provide funding to school districts to cover extraordinary increases in limited English proficiency student expenditures, change provisions relating to the elementary site allowance and certification dates under the Tax Equity and Educational Opportunities Support Act and reimbursement for special education programs and support services, and change eligible uses of the Education Future Fund

# COMMITTEE HEARINGS

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

LB589 (Conrad) Change provisions relating to reimbursement for special education programs and support services and require school districts to provide special education staff with professional leave

LB653 (Murman) Change provisions relating to reimbursement for special education programs, support services, and the enrollment option program, provide reimbursement for certain students under the enrollment option program, and change the authorized uses of the Education Future Fund

LB507 (Hunt) Change provisions relating to school transportation expenses for children with disabilities

## **Transportation & Telecommunications Room 1510 - 1:30 p.m.**

LB4 (Bosn) Adopt the Telecommunications Exchange Deregulation Act

LB311 (DeBoer) Change provisions relating to nonregulated activities under the Nebraska Telecommunications Regulation Act

LB347 (Prokop) Eliminate conditions on the issuance of securities by common carriers

LB18 (J. Cavanaugh) Require certain determinations prior to utility pole installations under the Small Wireless Facilities Deployment Act

LB666 (Storer) Change provisions relating to duties of the Public Service Commission under the Rural Communications Sustainability Act

## **Urban Affairs**

### **Room 2102 - 1:30 p.m.**

LB90 (Clouse) Change provisions relating to improvement districts in cities of the first class

LB450 (Fredrickson) Change provisions relating to the Property Assessed Clean Energy Act

LB287 (Urban Affairs) Provide duties for certain housing agencies relating to bed bugs under the Nebraska Housing Agency Act

LB514 (Urban Affairs) Provide powers for cities of the metropolitan class to regulate housing authorities by ordinance

## **Wednesday, Feb. 12**

### **Executive Board**

#### **Room 2102 - 12:00 p.m.**

LB366 (Riepe) Create the Legislative Economic Analysis Unit and the Chief Economist

LB364 (Quick) Change provisions relating to legislative approval of an indication of intent to incorporate land into the state park system

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

LB664 (Storer) Change the Administrative Procedure Act to require agencies to allow for public comment and submissions on proposed rules and regulations and change permissible venue for civil actions challenging rules and regulations

LB565 (Quick) Provide and change requirements relating to agency guidance documents

LB29 (Conrad) Create a review process for agency rules and regulations

LB472 (McKeon) Adopt the Regulatory Management Act

### **Health & Human Services**

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

LB95 (Fredrickson) Provide for a pilot program under the federal Child Care Subsidy program

LB181 (M. Cavanaugh) Provide for benefits under the Young Adult Bridge to Independence Act for young adults not lawfully present in the United States

LB668 (Storer) Change provisions relating to the Adult Protective Services Central Registry, the central registry of child protection cases, and child welfare case managers

LB217 (Fredrickson) Require suicide awareness and prevention training for employees of child-placing agencies and child welfare workers

LB481 (Ballard) Adopt the Foster Care Child Scholarships Act

### **Judiciary**

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

LB150 (Bosn) Change the habitual criminal sentencing enhancement

LB206 (von Gillern) Provide enhanced penalties for certain offenses committed in a disaster area during an emergency period

LB322 (Clouse) Prohibit assault on a pharmacist and clarify provisions relating to assault on officers, emergency responders, certain employees, and health care professionals

LB535 (Kauth) Prohibit assault on a frontline behavioral health provider or health care worker and clarify provisions relating to assault on officers, emergency responders, certain employees, and health care professionals

LB657 (Andersen) Create the offense of assault on a sports official and provide a penalty under the Nebraska Criminal Code

### **Natural Resources**

#### **Room 1023 - 1:30 p.m.**

LB309 (Hughes) Adopt the Safe Battery Collection and Recycling Act

LB590 (Moser) Provide for a mitigation bank or an in-lieu fee program relating to the incidental taking of threatened or endangered species habitat

LB105 (Hughes) Change procedures for voting or election precincts for public power districts

### **Revenue**

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

LB526 (Jacobson) Provide for an excise tax on cryptocurrency mining and allow public power districts to require payments or letters of credit from cryptocurrency mining operations for certain infrastructure upgrades

## **Thursday, Feb. 13**

### **Government, Military & Veterans Affairs Room 2102 - 1:30 p.m.**

LB403 (Spivey) Create the Office of Grants and provide duties

LB560 (Dungan) Change provisions relating to innovative tourism grants

LB346 (Arch) Change qualifications of the State Capitol Administrator, provide for termination of boards, commissions, committees, councils, funds, panels,



# COMMITTEE HEARINGS

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

task forces, the Conservation Corporation Act, and the Nebraska Potato Development Act, and change and eliminate funds and powers and duties of departments and agencies

## Health & Human Services

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

*NOTE: This hearing will operate under annotated committee guidelines*  
LB512 (Holdcroft) Adopt the Chemical Abortion Safety Protocol Act

## Judiciary

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

LB216 (Holdcroft) Eliminate elected clerks of the district court, provide for consolidation of duties of court clerks and clerk magistrates, and change certain county employees to state employees  
LB387 (Bosn) Redefine a term under the Nebraska Treatment and Corrections Act  
LB612 (Andersen) Require the state to pay fifty percent of the operational costs of county courts  
LB640 (Judiciary) Change calculation of a sentence reduction for good behavior during confinement in a jail

## Natural Resources

### Room 1023 - 1:30 p.m.

LB317 (Brandt) Merge the Department of Natural Resources with the Department of Environment and Energy and change the name to the Department of Water, Energy, and Environment and provide, change, and eliminate powers and duties  
LB344 (Brandt) Change provisions relating to ground water allocation

## Revenue

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

LB692 (Murman) Change provisions relating to property tax request authority under the School District Property Tax Limitation Act  
LB355 (Andersen) Change provisions relating to census data used for certain tax and economic development programs  
LB384 (Storer) Require a majority of the elected members of the govern-

ing bodies of participating political subdivisions to attend joint public hearings under the Property Tax Request Act

## Tuesday, Feb. 18

### Agriculture

#### Room 1023 - 1:30 p.m.

LB246 (DeKay) Prohibit cultivated-protein food products under the Nebraska Pure Food Act and provide a deceptive trade practice  
LB658 (Andersen) Provide labeling and advertising requirements for manufactured-protein food products

### Appropriations

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

*NOTE: Budget Bills scheduled at this time for official record purposes.*

*Testimony on the overall budget is appropriate; however, testimony on specific issues and/or agencies should be presented at the date scheduled for the relevant agency.*

LB260 (Speaker Arch) Provide, change, and eliminate provisions relating to appropriations  
LB261 (Speaker Arch) Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2027, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021  
LB262 (Speaker Arch) Appropriate funds for salaries of members of the Legislature  
LB263 (Speaker Arch) Appropriate funds for salaries of constitutional officers  
LB264 (Speaker Arch) Provide, change, and eliminate transfers from the Cash Reserve Fund and various other funds and change, terminate, and eliminate various statutory programs

### Banking, Commerce & Insurance

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

LB474 (Banking, Commerce & Insurance) Change and eliminate provisions relating to installment sales and installment loans, rename the Nebraska Installment Sales Act, and transfer provisions of and eliminate

the Nebraska Installment Loan Act  
LB473 (Banking, Commerce & Insurance) Change provisions of the Nebraska Money Transmitters Act  
LB201 (Kauth) Provide for a fee under Nebraska Money Transmitters Act  
LB591 (Ballard) Change provisions relating to when licenses are required and provide powers to certain licensees relating to affiliates under the Nebraska Installment Loan Act

### Executive Board

#### Room 2102 - 12:00 p.m.

LB298 (Arch) Provide for the Division of Legislative Oversight, the Director of Legislative Oversight, and the Legislative Oversight Committee and change provisions relating to the Public Counsel, the office of Inspector General of Nebraska Child Welfare, and the office of Inspector General of the Nebraska Correctional System  
LB579 (M. Cavanaugh) Prohibit charging a fee for public records requests by members of the Legislature

### Transportation & Telecommunications

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

*Appointments:* Brandon Jones, Jeffrey D. Grady, Trevor Roth, James Saville - Underground Excavation Safety Committee  
*Appointment:* Aaron Krebs - Underground Excavation Safety Committee  
*(NOTE: Rescheduled from 01-27-25)*  
LB667 (Storer) Change provisions of the Motor Vehicle Industry Regulation Act  
LB561 (Brandt) Change maximum weight limits for vehicles carrying raw milk

## Wednesday, Feb. 19

### Appropriations

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

Agency 40: Motor Vehicle Licensing Board  
Agency 63: Board of Public Accountancy  
Agency 41: State Real Estate Commission  
Agency 53: Real Property Appraiser Board  
Agency 58: Board of Engineers and Architects  
Agency 59: Board of Geologists  
Agency 66: Abstracters Board of Examiners  
Agency 73: State Board of Landscape Architects

# COMMITTEE HEARINGS

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

## Health & Human Services

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

- LB376 (Health & Human Services)  
Change and eliminate programs and services administered by the Department of Health and Human Services and eliminate various reporting requirements
- LB516 (Quick) Eliminate provisions relating to counties maintaining office space for the Department of Health and Human Services
- LB332 (Hardin) Require medicaid coverage for psychology services provided by certain practitioners
- LB382 (Meyer) Provide for use of the Medicaid Managed Care Excess Profit Fund to reimburse designated area agencies on aging and state intent regarding appropriations
- LB281 (Quick) Change provisions relating to the Board of Nursing and eliminate the Board of Advanced Practice Registered Nurses

## Judiciary

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

- LB219 (Dungan) Remove a requirement for a minimum term of post-release supervision for Class III and IIIA felonies
- LB585 (Spivey) Change provisions relating to distribution of aid under the Community-based Juvenile Services Aid Program
- LB327 (Holdcroft) Require the state to pay expenses for probation services
- LB488 (Hallstrom) Require a peace officer or temporary custody of a juvenile upon request by a probation officer
- LB404 (Hallstrom) Authorize the court to extend the term of probation on joint application of the probation officer and the probationer

## Thursday, Feb. 20

- Appropriations  
Room 1003 - 1:30 p.m.  
Agency 7: Governor  
Agency 8: Lieutenant Governor  
Agency 9: Secretary of State  
Agency 10: Auditor of Public Accounts  
Agency 11: Attorney General  
Agency 87: Accountability and Disclosure Commission

## Health & Human Services

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

- LB554 (Riepe) Create the Nebraska Health Professions Commission
- LB676 (Hansen) Change and eliminate provisions relating to certified nurse midwives and provide for applicability of the Nebraska Hospital-Medical Liability Act
- LB436 (Health & Human Services)  
Change provisions of the Nebraska Regulation of Health Professions Act
- LB569 (Health & Human Services)  
Change duties of the Board of Emergency Medical Services
- LB570 (J. Cavanaugh) Provide for scholarships for nursing students

## Judiciary

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

- LB17 (J. Cavanaugh) Prohibit certain fees by residential landlords and require notices and disclosures of consumer reports
- LB469 (M. Cavanaugh) Require the State Court Administrator to develop a form to be included by landlords in residential eviction notices concerning resources for tenants
- LB506 (Hunt) Adopt the Landlord and Tenant Radon Awareness Act
- LB587 (Spivey) Change provisions relating to tenants' remedies under the Uniform Residential Landlord and Tenant Act
- LB267 (Rountree) Provide for removal from a rental agreement of a cotenant or occupant who has committed domestic violence, require landlords to change locks, and provide landlords with related powers and duties

## Friday, Feb. 21

## Appropriations

### Room 1003 - 1:30 PM

- Agency 18: Dept. of Agriculture
- Agency 39: Brand Committee
- Agency 56: Wheat Board
- Agency 60: Ethanol Board
- Agency 61: Dairy Industry Development Board
- Agency 86: Dry Bean Commission
- Agency 88: Corn Development, Utilization and Marketing Board
- Agency 89: Hemp Commission
- Agency 92: Grain Sorghum Board
- Agency 95: Dry Pea & Lentil Commission
- LB654 (Murman) Appropriate funds to the Department of Agriculture
- Agency 52: State Fair Board

## Health & Human Services

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

- LB655 (Murman) Provide for medical conscience-based objections
- LB515 (Quick) Provide requirements for certain prescription refills
- LB555 (Riepe) Provide for assistant funeral directors under the Funeral Directing and Embalming Practice Act
- LB697 (Strommen) Change requirements relating to compounding and delegated dispensing permits under the Pharmacy Practice Act

## Judiciary

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

- Appointments:* David Nelson, Shawn Eatherton - Crime Victim's Reparations Committee
- LB412 (Hallstrom) Change provisions relating to interventions in paternity proceedings
- LB340 (Hallstrom) Adopt the Asbestos Trust Claims Transparency Act and the Asbestos Claims Priorities and Over-Naming Reform Act
- LB388 (DeBoer) Change provisions relating to judicial nominating commissions
- LB513 (Bosn) Change judges' salaries ■

# MEET THE SENATOR

## Clouse carves out a space at the Capitol

Sen. Stan Clouse has no shortage of pictures of his impressive wood carvings to display. What started out as a way to cope with the loss of his young son has turned into a lifelong hobby and creative outlet for the Kearney senator.

Clouse's only child, Jeremiah, died at age 10 from a brain stem tumor that he'd been diagnosed with only two years before. A fellow member of the freshman senator's church suggested wood carving as a way to occupy his hands and mind in his grief.

"It was therapy for me," Clouse said. "It still is. The loss that I've experienced gives me the perspective that I need to just keep going. I'm a person of faith, so I believe that there's a plan, even if I don't know what it is."

Clouse believes that plan also brought LaVon to a seat at his table at

a Fellowship of Christian Athletes banquet after the death of his first wife. LaVon, whom he married in 2023, was herself a widow.

"It helps that we knew each other's spouses before they died," Clouse said. "It makes it easier to accept them as still part of both of our lives."

The wood carvings that also have become such a part of his life — some done with mallets, others thin reliefs or full-size busts — often are donated as fundraising auction items to the many nonprofits and community organizations that Clouse has been involved in over the years in District 37.

In fact, Clouse said one of the biggest challenges now that he's in Lincoln serving as a state senator is missing out on the happenings back home in Kearney, where he served on the city council and was mayor for 18 years.

Clouse grew up in the small town of Brady. He graduated in 1975 with a class of 18 — one of the biggest in the school's history — and got a job at the Nebraska Public Power District just a year later as an ironworker helping build the Gerald Gentleman Station coal plant in Sutherland.

That affinity for small-town life never left Clouse, and get-



An avid golfer, Sen. Stan Clouse said he has played more than 100 Nebraska courses.

ting to visit many of Nebraska's small towns is one of the side benefits of his other passion: golf.

"My goal is to play every golf course in Nebraska," Clouse laughed, something he may achieve now that he's retired from a 40-year career at NPPD.

"I love playing small-town courses," Clouse said. "I love traveling and seeing the state, stopping in coffee shops or wine shops while I'm there."

But golf will have to wait for a bit. For now, the senator said he looks forward to bringing his many years of municipal experience to the Capitol.

"A lot of the issues I'm encountering here are things I'm familiar with, it's just a different approach," Clouse said. "I'm ready for the challenge." ■



Above: An example of Sen. Clouse's wood carving skills

Unicameral Information Office  
Nebraska Legislature  
P.O. Box 94604  
Lincoln, NE 68509  
03-23-05

PRESRT STD  
U.S. POSTAGE PAID  
LINCOLN, NE  
PERMIT NO. 212

