

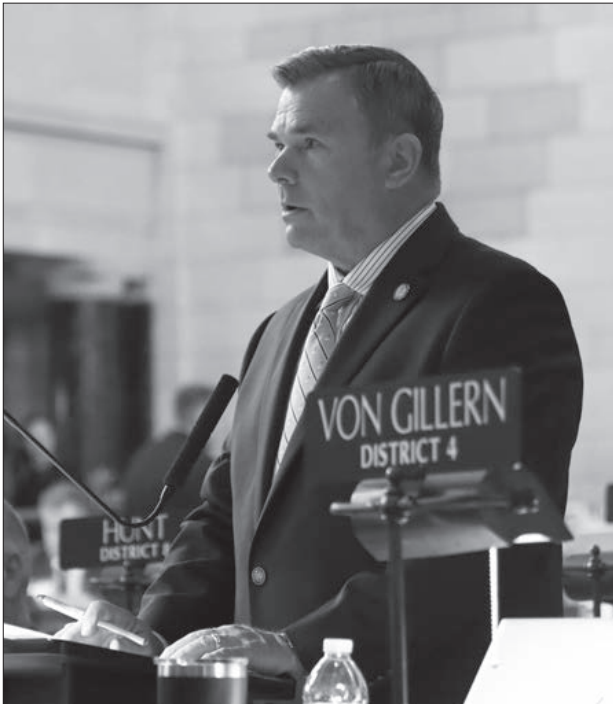
## Proposal to pare back tax incentives amended, advanced

**L**awmakers gave first-round approval April 11 to a proposal to roll back an array of business tax incentives to help address Nebraska's projected revenue shortfall.

LB650, introduced by Elkhorn Sen. R. Brad von Gillern at the request of Gov. Jim Pillen, would scale back tax credits related to biodiesel sales, food donations, livestock modernization or expansion projects, reverse osmosis systems, shortline railroad maintenance expenditures and renewable chemical production, among others.

Von Gillern said the measure targets recently enacted programs in an effort to cause the "least negative impact to taxpayers." He said the Revenue Committee listened to stakeholders and adjusted the original proposal to retain as many effective programs as possible.

A committee amendment, adopted 38-1, would make smaller cuts to certain programs and retain others that the original bill would have eliminated, including a sales tax exemption for net wrap and twine used in commercial agriculture as well as tax credits related to sustainable aviation



Sen. R. Brad von Gillern said LB650 would cut newer tax incentives as opposed to long-established ones that more Nebraska businesses rely on.

fuel and pregnancy help organizations.

As amended, von Gillern said, LB650 would increase state tax revenue by approximately \$71 million over the next biennium to help the Legislature address a projected \$289 million revenue shortfall.

Among other changes, the amendment would:

- end applications for state turn-back assistance for sports complexes and large public stadiums;
- decrease the amount that businesses are allowed to deduct for collecting and remitting sales tax; and
- end applications for incentives

(continued page 3)

## Electoral winner-take-all proposal stalls on first round

**A** measure aimed at reinstating a winner-take-all system for allocating Nebraska's five presidential electoral votes failed to advance from the first round of debate April 8.

Currently, the winner of Nebraska's statewide popular vote receives two Electoral College votes. Since 1992, the state's three congressional districts also award one electoral vote each based on the popular vote winner in each district.

Nebraska has split its electoral votes three times: in 2008, 2020 and 2024. Maine is the only other state to use this system.

LB3, introduced by Central City Sen. Loren Lippincott on behalf of Gov. Jim Pillen, would reinstate a winner-take-all system and award all five electoral votes to the winner of the statewide popular vote.

Calling the current split-vote system a "failed experiment," Lippincott said a winner-take-all allocation of Nebraska's electoral votes would make the state more influential in presidential races.

"This is not about party politics," Lippincott said. "It is about creating a system that ensures that every Nebraskan's vote counts equally, promotes unified representation and strengthens our state's voice in the national conversation."

Hastings Sen. Dan Lonowski sup-



Sen. Loren Lippincott

(continued page 2)

## Electoral winner-take-all proposal stalls on first round

(continued from front page)

ported the proposal. He said the decisive vote that the 2nd Congressional District could deliver in a closely contested presidential election would be out of proportion to the nearly even party split that characterizes the district.

“Why would we want to be different from 48 other states and maybe incongruous?” Lonowski said. “We need to get on the same sheet of music.”

Sen. Bob Andersen of Omaha suggested that a return to winner-take-all could be a way to “stop the influx of out-of-state funds” that flow into CD2 during the presidential election season, which he said totaled more than \$5.5 million and are a “detrimental side effect” of the current system.

Also speaking in support of LB3, Sen. Jared Storm of David City said the 1991 bill that created the state’s current split electoral system passed with the minimum number of votes and has faced consistent attempts at repeal in the years since.

If the split electoral system was superior to winner-take-all as its proponents suggest, he said, more than two states would have implemented it.

“We are the United States of

America, not the united congressional districts of America,” Storm said.

Lincoln Sen. Danielle Conrad opposed the measure and offered a motion to indefinitely postpone LB3. The possibility of gaining an electoral vote in CD2 gives Nebraska a relevance in national elections that it otherwise would lack, she said, and reflects the reality that not all Nebraskans share the same political priorities.

“We are a diverse state ... our political culture is different in different parts of the state,” Conrad said.

Sen. Megan Hunt of Omaha also opposed the measure. She said allocating electoral votes by district ensures an outcome that is “closest to the people.” She suggested that the push to return the state to winner-take-all is a partisan attempt at “consolidation of power.”

“This bill is about locking up all five of Nebraska’s electoral votes for the Republican Party because the current system doesn’t always give them what they want,” Hunt said.

Sen. Merv Riepe of Ralston said all states would follow Nebraska’s lead in allocating electoral votes “in an ideal world.” Speaking in opposi-

tion to LB3, he said the potential for a split electoral vote brings attention and resources to the Omaha area that would not happen otherwise.

“Those who live in safe states or safe districts may not understand what it means to be courted,” Riepe said. “As the saying goes, you don’t know what you’ve got until you lose it.”

Fremont Sen. Dave Wordekemper said he tried to find a way to support LB3, but could not. He said 75% of constituents in his legislative district, which includes residents of both CD1 and CD2, told him that they support keeping the current electoral system.

“Why does this matter so deeply?” Wordekemper said. “Because Nebraska’s split electoral system isn’t just a procedural quirk. It’s part of our identity, just like the Unicameral.”

After four hours of debate, Lippincott offered a motion to invoke cloture, which ceases debate and forces a vote on the bill. The motion failed on a vote of 31-18. Thirty-three votes were needed.

A failed cloture motion ends debate on a measure for the day. LB3 is unlikely to be scheduled for further debate this session. ■

## UNICAMERAL UPDATE

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# Proposal to pare back tax incentives amended, advanced

(continued from front page)

under the Urban Redevelopment Act.

LB650 as introduced would have capped a credit for employers to offset the relocation expenses of qualifying employees at a total of \$5 million. The amendment instead would decrease the annual limit from \$5 million to \$1 million beginning in 2026.

The original proposal also would have eliminated a sales tax exemption related to the lease of towers used to provide internet access and certain other services. Under the committee proposal, the exemption still would apply to radio and television broadcasting.

The committee amendment also includes provisions of five other bills considered by the committee this session.

The provisions of LB270, sponsored by Sen. Victor Rountree of Bellevue, would allow an individual certified by a municipality to review confidential sales and use tax information to notify the Auditor of Public Accounts of suspected irregularities or discrepancies.

The amended provisions of LB458, introduced by Lincoln Sen. Eliot Bostar, would update provisions related to tax sale certificates. Among several other changes, the proposal would give

purchasers the option to notify property owners that the property was sold for taxes by residence service or certified mail service, rather than by residence service only, as is currently required.

The provisions of LB494, in-

troduced by Sen. Myron Dorn of Adams, would clarify current law requiring transfers to the School District Property Tax Relief Credit Fund and the Cash Reserve Fund based on state General Fund net receipts.

The provisions of LB495, sponsored by Blair Sen. Ben Hansen, would remove Nebraska community colleges from the list of political subdivisions that must notify taxpayers via postcard and participate in a joint public hearing before increasing their property tax request by more than a certain percentage.

Hansen said community colleges should be exempted from the process because the Legislature ended the community college area levy after fiscal year 2023-24.

The provisions of LB547, introduced by Rountree, would exempt disabled veterans from state motor vehicle tax.

Additionally, the committee amendment would eliminate an income tax credit for qualified shortline railroad maintenance expenditures after FY2025-26. Von Gillern introduced an amendment, adopted 38-0, that instead would limit total credits to \$500,000 per year.

Von Gillern said the amendment would offset that increase by cutting the same amount from the total annual credits available under the Cast and Crew Nebraska Act.

As amended by the committee pro-

posal, LB650 also would repeal a law passed last year that allows construction contractors to be appointed as purchasing agents that may purchase materials tax free based on the buyer-based exemption of the contractor's client.

Von Gillern introduced a further amendment, adopted 38-0, which he said would retain the exemption and instead clarify that a client is a nonprofit entity.

Sen. Dave Murman of Glenvil supported LB650, saying the incentive rollback is being proposed at the same time as cuts to state spending.

"In these difficult times, when revenue is coming in much less than we would like to see ... we need to make these difficult decisions," he said.

Omaha Sen. Kathleen Kauth also supported the bill, saying the state provides tax incentives in times when it has extra revenue. She said LB650 would "tone down" those incentives, rather than raise additional revenue from taxpayers, to help balance the budget.

"We are in a budget crunch," Kauth said. "And so we have to ... look at cutting those extras."

In opposition to LB650 was Sen. Danielle Conrad of Lincoln, who said the proposal would increase taxes on businesses to help fill a budget gap caused by "inequitable and unsustainable" income tax cuts passed by the Legislature in recent years.

Omaha Sen. Terrell McKinney also opposed the bill, specifically the proposed repeal of the Urban Redevelopment Act. He said the measure, passed in 2021, is intended to encourage hiring and small business growth in urban areas with high levels of poverty.

After adoption of the amendments, senators voted 36-2 to advance LB650 to select file. ■



Sen. Myron Dorn



Sen. Ben Hansen



Sen. Victor Rountree



Sen. Eliot Bostar

# MEET THE SENATOR

## Andersen ready for new legislative mission

**Y**ou might not guess it to meet him now, but much of Omaha Sen. Bob Andersen's youth would have made a great spy novel.

The freshman senator, who was raised just outside of Detroit, signed up for the Air Force straight out of high school at age 19 and soon found himself working in intelligence behind the Iron Curtain.

After joining the military, a series of tests determined that Andersen had an aptitude for Slavic languages. Within 12 months he was speaking, reading and writing Russian at the 12th-grade level through an immersion program taught by people who had escaped from the Soviet Union during the Cold War.

His first posting was Berlin, which at the time was still divided into four occupation zones controlled by the U.S., Britain, France and the Soviet Union. It was known as the "spy capital of the world," Andersen said, in part because the subway system still connected East and West Berlin.

"It was an exciting place to be and you can imagine the fun I had there at 20 years old," Andersen laughed. "In the intelligence business at the time, you worked hard and you played hard. I didn't sleep much. Let's just say I'm glad nobody had camera phones back then."

Andersen was in Berlin when President Reagan made his famous speech in 1987 calling on Soviet leader Gorbachev to "tear down this wall" and was still there in 1989 when the Berlin Wall fell.

Although he admittedly didn't realize the historic significance of events as they were happening, Andersen still has a piece of the former dividing wall between Eastern and Western Europe that he cut down himself and took with him around the world during the remainder of his time in the military.

That career involved stints in Okinawa, Japan, and more than 900 days in the Middle East, among other postings. Andersen credits that exposure to different cultures and perspectives for his ability to adapt to new places and experiences — including Nebraska.

"I'm an outlier in almost every way," Andersen said. "I'm not from here, I don't have generations of my family that went to the same high school and I don't have a background in agriculture."

So why did he put down roots here after retiring from the military?

"I stayed in Nebraska because of Julie, my lovely wife

of 30 years," Andersen beamed. "She's an Irish Catholic girl, born and raised in Omaha."

The couple's two sons, Joe and Jack, are both students at UNL, and Andersen says they are happy to have him nearby when lunch time rolls around. He said the Capitol cafeteria is a good excuse for them to "have a free meal on dad" and that Julie joins when she can.

Andersen sees his role in the Legislature as another mission like the many he completed during his time in the Air Force. Once he decided to run, he never looked back. When you accept a mission, he said, the only question is how hard or easy it's going to be: "surrender is not an option."

Now that he's representing District 49, Andersen said he's looking forward to making a difference for his constituents. Constituents like a woman that his office recently helped who was having difficulty obtaining veterans' benefits after her husband died.

"The thing about this job — people think you do it because it comes with status and a lot of perks, but that's not leadership," Andersen said. "Leadership means that you're the last person in line. Your constituents are first. That's what matters, not that I get called 'senator.'" ■



A young Sen. Bob Andersen with canine companion Abbey during his late-1990s military posting in Okinawa, Japan.

## BANKING, COMMERCE & INSURANCE



### Model anaphylaxis policy, epinephrine cost cap approved

Lawmakers gave final approval April 10 to a bill intended to ensure that children with life-threatening allergies are safe in school and licensed child care environments.

LB457, sponsored by Lincoln Sen. Eliot Bostar, requires the state Department of Health and Human Services, in consultation with the state Department of Education, to develop statewide guidelines for prevention, individualized health plans, emergency response and communication regarding anaphylaxis.

Under the bill, school districts and licensed child care facilities that include children with known allergies must adopt and publish a policy on anaphylaxis by July 1, 2026.

LB457 also requires any individual or group sickness and accident insurance policy that provides reimbursement for prescription medically necessary epinephrine injectors to limit to no more than \$60 the total amount that a covered individual is required to pay for a two-pack of injectors regardless of the amount or type of epinephrine injector needed.

Lawmakers passed the measure on a vote of 47-1.



Sen. Eliot Bostar

## BUSINESS & LABOR



### Banking cleanup bill clears first round

Lawmakers amended a technical banking bill and added provisions of three additional measures before advancing the proposal to the second round of debate April 9.

LB474, introduced by the Banking, Commerce and Insurance Committee at the request of the Nebraska Department of Banking and Finance, would make a number of changes related to interest, loans and debt under the department's jurisdiction, effective Oct. 1.

As introduced, the bill would eliminate the Nebraska Installment Loan Act after merging certain provisions of it with the Nebraska Installment Sales Act and creating a new Nebraska Installment Loan and Sales Act.

North Platte Sen. Mike Jacobson, chairperson of the committee, said the existing Installment Loan Act governs entities that make loans of less than \$25,000 to consumers, while the current Installment Sales Act regulates entities that purchase retail installment loans.

Jacobson said combining the two sections of law would result in efficiencies for the department and the industries that they regulate.

Senators adopted a committee amendment on a 36-0 vote to clarify that loans made by financial institutions that are serviced by or purchased by a licensee would not be subject to the interest rate limitations of the new Nebraska Installment Loan and Sales Act.

Jacobson offered an amendment, adopted 33-0, that added provisions of three other bills heard by the com-

mittee this session.

Amended provisions of LB232, sponsored by Sen. Bob Hallstrom of Syracuse, would make changes in state law relating to life insurance. Under the amendment, policies issued or delivered on or after Jan.



Sen. Bob Hallstrom

1, 2026, would be required to send notice electronically or by mail to the last known address of the policy owner and any assignee on record at least 15 days prior to policy termination or lapse due to nonpayment of any premium.

An assignee would have the same legal standing as the policy owner with respect to the provision.

LB278, introduced by Elkhorn Sen. R. Brad von Gillern, would amend state law that places restrictions on health insurance policies and contracts between preferred providers and insurers by preventing such policies and contracts from excluding a provider solely because the provider holds a visiting faculty permit.



Sen. R. Brad von Gillern

Finally, the amended provisions of LB473, sponsored by the committee, would update and modernize the Nebraska Money Transmitters Act.

Following adoption of Jacobson's amendment, lawmakers advanced LB474 to select file on a 38-0 vote.

### Bill aimed at protecting youth online narrowed, advanced

A proposal meant to protect children's private information and provide parental tools to monitor their online safety was amended and ad-

vanced from select file April 9.

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.



Sen. Carolyn Bosn

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 as introduced 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 offered an amendment dur-

ing select file debate to address a number of concerns that were raised during first-round discussions. The amendment would replace the bill and make a number of changes, including:

- removing reporting requirements;
- adding a definition of dark patterns;
- removing the definition of sensitive personal data;
- changing the definition of compulsive usage;
- adding a definition of a covered minor;
- changing the definition of covered online service;
- removing promulgation of rules and regulations from the state attorney general’s office; and
- removing a section regarding the exercise of “reasonable care” on behalf of a covered online service.

Bosn said the amendment would allow online platforms to operate in Nebraska while still keeping children safe. For example, the bill as amended would apply only to “known minors,” she said, and not to entities that are “likely to be accessed by minors” as in the previous version of the measure.

“The reason for the change was to accommodate those companies who were inadvertently scooped up in the previous definition,” Bosn said. “Think companies in the automotive industry who are not what you think of when you think of social media companies but who are accessed by young adults, perhaps looking to buy their first car.”

Lincoln Sen. George Dungan said he appreciated the intent of the bill and the amendment, but that the changes wouldn’t address all of his concerns — including that the requirements for covered entities would cross the line into restricting their content.

Dungan offered an amendment to strike provisions of the bill requiring covered entities to establish default settings that he said continued to raise First Amendment concerns. He said those provisions would require social media companies to curate their content in a way that would infringe on their free speech rights.

That amendment failed 10-26.

An amendment offered by Omaha Sen. John Cavanaugh, adopted 39-0, would specify that all monetary penalties collected under the measure would be remitted to the state treasurer for distribution in accordance with Nebraska Constitution.

Cavanaugh said such civil penalties in Nebraska ultimately are distributed to the school district in which the offense occurred and that his amendment simply would affirm that would be the case for LB504 as well.

Following the 45-0 adoption of Bosn’s amendment, lawmakers advanced LB504 to final reading by voice vote.

## EDUCATION

### School library transparency measure approved

A bill that increases parental access to school library materials was given final approval by lawmakers April 10.

LB390, introduced by Glenvil Sen. Dave Murman, requires school boards to adopt a policy that provides parents, guardians or edu-



Sen. Dave Murman

cational decisionmakers access to

school library information.

A policy must include creation of a catalog listing all available books in the district's library, organized by each school building. The catalog must be accessible to parents, guardians and educational decisionmakers of students who attend the school district, who may request notification — through an application, website or email — when their student checks out a book from the school library.

The notification will include the book's title, author and due date.

Lawmakers passed LB390 on a 34-14 vote.

### **Parental notification for student surveys amended, advanced**

A bill that would require Nebraska schools to notify parents, guardians and educational decisionmakers before conducting non-anonymous surveys that request sensitive student information was amended and advanced from select file April 8.

LB428, introduced by Glenvil Sen. Dave Murman, would require schools to give parents, guardians and educational decisionmakers 15 days' notice before conducting a survey that collects sensitive information from students, such as details about sex, religion, politics and health-risks or medical information.

The notice would include the purpose of the survey, who survey results might be shared with and how student privacy would be protected.

Under the bill, parents also could request to review a copy of a survey and choose to exempt their child from participating. LB428 also would prohibit sexual questions in surveys given to students in kindergarten through sixth grade.

Murman offered a select file amend-

ment to clarify that LB428 would operate in compliance with current federal data privacy laws applicable to minors and students. It also would allow schools to continue conducting anonymous surveys on student vaping and drug use without following the additional steps outlined in the bill.

Such surveys are noncontroversial and typically administered to gauge the effectiveness of anti-vaping education initiatives, Murman said.

Lincoln Sen. Danielle Conrad supported the measure, saying it strikes the right balance in respecting the interests of student privacy, parental rights and government regulation.

After adopting Murman's amendment on a vote of 36-0, senators advanced LB428 to final reading by voice vote.

## **GENERAL AFFAIRS**

### **Microdistillery, craft brewery expansion bill approved**

Nebraska microdistilleries and craft breweries will have greater flexibility to grow their businesses under a bill given final approval April 10.

LB113, introduced by Grand Island Sen. Dan Quick, increases the amount of alcohol that a holder of a microdistillery license can self-distribute to retail licensees in Nebraska from 500 gallons to 3,500 gallons.

The bill also increases the number of licensed premises and retail locations a craft brewery or microdistillery licensee is permitted to operate from

five to eight physical locations.

LB113 contains a stipulation that if any section or part of a section of the measure is declared invalid or unconstitutional, the ruling will not affect the validity or constitutionality of the remaining portions.

The measure also includes provisions of LB186, sponsored by Norfolk Sen. Robert Dover, which make a number of changes to existing law regarding entertainment district licenses.

Those provisions stipulate that alcohol consumption in an entertainment district commons area may occur only during the hours authorized for on-premise alcohol sales and while food service is available in the commons area or from at least one holder of an entertainment district license.

The provisions also create a new, separate definition of commons area for licensees in villages, first and second class cities and unincorporated portions of a county. The definition of commons area for primary and metropolitan class cities remains unchanged.

The new definition for smaller communities does not require that an area be completely closed to vehicular traffic when used as a commons area and allows carrying of open alcohol while crossing a street or highway at a designated crosswalk.

LB113 passed on a vote of 33-13.



Sen. Robert Dover



Sen. Dan Quick

## HEALTH & HUMAN SERVICES

### Interstate compact for school psychologists adopted

A bill to add Nebraska to an interstate compact for school psychologists was given final approval April 10.

LB84, sponsored by Bellevue Sen. Victor Rountree, adopts the School Psychologist Interstate Licensure Compact. Under the compact, a licensed school psychologist who wishes to move into a member state may use their existing license as evidence that they are qualified to receive licensure in the member state.

The compact, which requires adoption by seven states, is not yet in effect.

LB84 passed on a 46-0 vote.

### SNAP eligibility expansion clears first round

Lawmakers gave first-round approval April 10 to a bill that would eliminate the state's lifetime ban on Supplemental Nutrition Assistance Program eligibility for individuals with certain drug-related convictions.

Current Nebraska law prohibits individuals from receiving SNAP benefits if they have one or more felony convictions involving the sale or distribution of a controlled substance or three or more felony convictions for use or possession.

An individual with one or two felony convictions for possession or use is eligible only if they participate in an approved substance abuse treatment program.



Sen. Victor Rountree

LB319, sponsored by Bellevue Sen. Victor Rountree, would remove the lifetime ban and participation in a treatment program as a condition of eligibility. The measure would allow individuals with felony drug convictions to receive SNAP benefits if they otherwise would qualify and have completed their sentence or are serving a term of parole, probation or post-release supervision.

Rountree said the bill would help provide food assistance to over 1,000 individuals and families in the state. He said that while families of individuals with felony drug convictions may still qualify for SNAP benefits, the amount they receive is impacted by the current restriction.

A banned individual is not counted toward the overall household size, Rountree said, but their income is included in eligibility determinations, which results in fewer benefits for their family.

"This is not a handout, it's a hand up," he said. "I've heard countless stories of single parents trying to do right by their families, but they are denied assistance to put food on their table."

Gering Sen. Brian Hardin supported the bill, saying the recidivism rate among individuals with felony drug convictions is three times higher if they are ineligible for SNAP benefits.

"If they have this food [assistance] ... that removes a temptation to perhaps get back involved with the kinds of things that may have put them in [prison] in the first place," Hardin said.

Sen. Jana Hughes of Seward also supported the bill. She noted that the current ban on SNAP eligibility does not apply for any other criminal conviction — including serious offenses such as sexual assault and murder. Food is a basic need, she said.

"If you have [committed] a crime and you have served your time, at what

point do you get to become a citizen of the United States again and try to do better?" Hughes said.

Sen. Bob Andersen of Omaha opposed the bill. He said there are several philanthropic organizations that already provide transitional support to those reentering society from the criminal justice system.

Andersen also expressed concern about using additional state funds for formerly incarcerated individuals. In addition to the cost of the judicial system, police and prosecution, he said, the state is responsible for paying approximately \$41,000 annually to house an incarcerated person.

"Now when they come out of prison, they want even more money in food stamps," Andersen said.

LB319 advanced to select file on a 32-5 vote.

## JUDICIARY

### Animal control clarification clears first round

A measure intended to address a gap in the ability of animal control officers to carry out their work was amended and advanced from general file April 9.

Bellevue Sen. Rick Holdcroft, sponsor of LB133, said the bill was a "targeted and time sensitive" effort to correct the inability of animal control officers to do their work in the aftermath of a recent judicial interpretation in Sarpy County.

Holdcroft said the court ruling



Sen. Rick Holdcroft

highlighted ambiguities in state law that have paused efforts by animal control officers to obtain search warrants and address urgent animal welfare concerns.

The bill would add “animal control officer” to the definition of “law enforcement officer” for purposes of animal control laws. The change would give animal control officers authority to enforce state or local animal control laws if authorized by a city, village or county.

“Timely passage of LB133 will ensure that animal control officers can continue to execute their duties and will remove ambiguity in Nebraska statutes,” Holdcroft said.

A Judiciary Committee amendment, adopted 40-0, would add a separate definition for animal control officer and include that definition in certain sections of state law where law enforcement officer is used. The change would allow both animal control and law enforcement officers to swear to warrants, conduct investigations, issue citations and seize animals under animal control laws.

Sen. Carolyn Bosn of Lincoln, committee chairperson, said the amendment was the result of negotiations among stakeholders and would give animal control officers the authority needed to carry out their duties.

“[The amendment] would allow an animal control officer who has reason to believe that an animal has been abandoned or is being cruelly neglected or cruelly mistreated to seek a warrant authorizing entry by law enforcement — or by an animal control officer accompanied by law enforcement officers — upon private property to inspect, care for or impound the animal,” Bosn said.

Omaha Sen. Terrell McKinney said he voted against advancement of the bill from committee, but that

the amendment cleared up most of his concerns. He said animal control officers should go through law enforcement training in order to have the same authority as law enforcement officers, but that requiring them to be accompanied by law enforcement was an improvement.

Senators advanced LB133 to select file on a 33-2 vote.

### **Age verification for social media use broadened, advanced**

A bill that would require parental consent for Nebraska minors to create social media accounts advanced to the second round of debate April 11 after lawmakers amended it to include an additional proposal.

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

Individuals younger than 18 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 a 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 impact social media has on the mental health and safety of young people is no longer up for debate. According to a 2023 U.S. Surgeon General advisory warning, she said, social media is a risk factor for adolescent mental health and can exacerbate issues such as negative body image, eating disorders, poor sleep quality, depression and anxiety.

LB383 would not ban access to social media, she said, but simply would give parents greater control over their children’s online activity.

“It puts parents back in the driver’s seat,” Storer said. “We are asking that parents be given the tools to make decisions for what social media platforms their children have access to. It’s really that simple.”

Omaha Sen. Megan Hunt filed a motion to bracket LB383 until June 9, saying the bill aims to control kids, not protect them. Social media can provide struggling young people with access to community and affirmation that they may not find within their own families, she said.

The motion failed on a vote of 4-26.



Sen. Tanya Storer

Sen. Jared Storm of David City spoke in support of LB383, saying he has five children at home who he struggles to protect from too much online activity. He cited research from Yale University that found youth who spend more than three hours a day on social media face twice the risk of negative mental health outcomes, including symptoms of depression and anxiety.

"I'm living this right now," Storm said. "It's a full-time job to try to police social media."

Lincoln Sen. Carolyn Bosn also supported the proposal, saying it would provide guardrails rather than barriers for social media use by young Nebraskans. As chairperson, she introduced a Judiciary Committee amendment that would have added the provisions of Gering Sen. Brian Hardin's LB172 to update the Child Pornography Prevention Act.



Sen. Brian Hardin

Lincoln Sen. George Dungan made a motion to divide the committee amendment and consider the provisions of LB383 separately from those of LB172. That motion was successful.

Dungan opposed the portion of the divided amendment containing LB383. Requiring someone to prove their age in order to participate in a public forum such as social media "runs afoul" of the First Amendment, he said.

Sen. John Cavanaugh of Omaha also opposed the measure, which he said could unintentionally make it harder for adults to access social media by requiring them to provide proof of identification in order for their children to open accounts.

Also speaking in opposition was Omaha Sen. Terrell McKinney. Storer's proposal likely would lead to a

legal challenge, he said, noting that a similar measure passed in Arkansas was struck down recently by the courts on First Amendment grounds.

"I want to protect kids too, but we have to balance that," McKinney said. "We have to think about the pros and cons and the likely outcomes — and the consequences."

Senators adopted a technical amendment offered by Cavanaugh before voting 30-4 to adopt the divided portion of the committee amendment containing provisions of Storer's LB383.

The remaining portion of the divided amendment containing Hardin's LB172 would update the definition of child pornography to "visual depiction of sexually explicit conduct that has a child, other than the defendant, as one of its participants or portrayed observers."

Additionally, the amendment would expand the definition of child pornography to include images generated by artificial intelligence or computers and would criminalize the act of knowingly receiving child pornography.

Hardin said emerging technology presents new challenges in combating the exploitation of children and that AI, deepfakes and digital manipulation allow predators to create lifelike computer-generated child pornography.

"This is not a victimless crime," Hardin said. "Offenders often morph real images from social media into explicit content, causing real harm, and current laws do not always cover these cases."

Senators adopted the portion of the divided amendment containing the provisions of LB172 on a 41-0 vote.

After also adopting an amendment from Storer to push back the effective date of her measure from Jan. 1 to July 1, 2026, senators voted 38-2 to advance LB383 to select file.

## Guardian, conservator FBI background checks advanced

A proposal to update background check procedures for guardians and conservators received first-round approval from lawmakers April 9.

LB453, introduced by Bennington Sen. Wendy DeBoer, would require anyone nominated or applying to serve as a guardian or conservator to undergo a background check conducted by the Nebraska State Patrol using the FBI's national background check system.



Sen. Wendy DeBoer

Under the bill, applicants would be responsible for the cost of background checks and fingerprinting. The Nebraska State Patrol also would be required to submit a report to the state court administrator containing the applicant's criminal history details.

DeBoer said the bill would clarify that background checks for guardians and conservators must be conducted through the FBI's national criminal history record information system, which can be accessed only if explicitly permitted by state law.

Additionally, she said, the FBI's system would provide more comprehensive background checks and uncover any crimes committed in states outside of Nebraska.

LB453 advanced to select file on a vote of 36-0.

## NATURAL RESOURCES

### Natural resources package that includes battery program advanced

Lawmakers gave first-round approval April 9 to a Natural Resources Committee omnibus bill after amending it to include a proposed battery collection and recycling program as well as several other measures.

LB36, as introduced by Plymouth Sen. Tom Brandt, would require counties, cities and villages to notify a wellhead protection area's controlling entity before considering land-use changes or building permits within the area.

A committee amendment, adopted 37-0, replaced the bill with provisions of six other measures considered by the committee this session.

The amended provisions of LB309, sponsored by Sen. Jana Hughes of Seward, would create the Safe Battery Collection and Recycling Act.

Hughes said batteries are a "significant and growing" cause of fires in Nebraska landfills. Her measure would help address the problem by requiring battery manufacturers to pay for the collection and recycling of batteries at the end of their useful life, she said.

The requirements would apply to portable and medium format batteries, which Hughes said are used

in products such as power tools and e-bikes. Large batteries like those used in electric vehicles and those that are embedded in products like cellphones and toys would be excluded, she said.

Beginning in 2028, producers and retailers could not sell any covered battery or battery containing product unless they are a member of a battery stewardship organization approved by the state Department of Environment and Energy.

Each BSO would be required to submit a battery stewardship plan to the department by Jan. 1, 2027. The plans would have terms of no more than five years.

In addition to the names and contact information of each producer member, plans would have to include performance goals, consumer awareness goals, collection site addresses and several other details.

A BSO would pay an annual fee to cover the department's costs to administer the program and submit a detailed annual report on its plan. The department would include a copy of all approved plans, annual reports, a list of battery brands covered under an approved plan and other information on its website.

Among several other requirements, a BSO would have to provide for the collection of all covered batteries on a free, continuous, convenient, visible and accessible basis. A BSO would have to ensure statewide collection opportunities for all covered batteries and provide a certain number of collection sites within three years after a plan's approval.

A BSO also would be required to develop advertisements and promotional materials as well as provide collection site safety training procedures and consumer-focused educational materials.

Finally, the measure would create

civil penalties for violating the act and prohibit individuals from improperly disposing of a covered battery.

The provisions of LB344, introduced by Brandt, would modify groundwater allocations for municipalities in fully or overappropriated areas.

Beginning Jan. 1, 2026, any new or expanded commercial or industrial user served by a municipal water source that uses more than 25 million gallons of water annually would be subject to the controls of an integrated management plan, rule or order and would be required to provide a mitigation report to the applicable natural resources district.

Integrated management plans, rules or orders within fully or overappropriated areas could require municipalities to report annual water use and consumption.

The amended provisions of LB459, sponsored by Lincoln Sen. Danielle Conrad, would establish the Home Weatherization Clearinghouse within the state Department of Environment and Energy.

The clearinghouse would be a primary contact for those applying for grants, loans or other programs that fund home weatherization projects. It also would assist state and local agencies administering or applying for those grants, loans or programs and coordinate efforts to maximize the receipt of federal funding for home weatherization projects.

The provisions of LB480, sponsored by Sen. Barry DeKay of Niobrara, would authorize the state Game and Parks Commission



Sen. Tom Brandt



Sen. Jana Hughes



Sen. Danielle Conrad



Sen. Barry DeKay

to carry out additional projects at Lake McConaughy, the Lewis and Clark State Recreation Area and Niobrara State Park under the Water Recreation Enhancement Act.

The provisions of LB562, introduced by Brandt, would increase the maximum fees that the state Game and Parks Commission could charge for an annual resident motor vehicle park entry permit from \$35 to \$50 and a temporary permit from \$7 to \$10.

The maximum fees for nonresident annual and temporary permits — currently capped at \$60 and \$12, respectively — would be twice the corresponding resident permit fees.

The amendment also would allow the commission to issue two permits for hunting mountain sheep instead of one in an auction that is open to Nebraska residents and nonresidents. The number of additional permits could not exceed the number of those awarded to residents in an initial random drawing.

Additionally, the amendment would increase the maximum cost for an aquatic invasive species stamp for nonresident motorboat owners from \$15 to \$30.

Brandt's measure also would allow a Nebraska resident or nonresident who is the partner, officer, shareholder or beneficiary designated as the qualifying landowner by a partnership, corporation or trust to qualify for a limited permit to hunt elk.

The amended provisions of LB590, introduced by Columbus Sen. Mike Moser, would authorize the state Department of Transportation to establish a mitigation bank or in-lieu-fee program to offset the environmental effects of transportation proj-



Sen. Mike Moser

ects, including impacts to threatened or endangered species.

The measure would require any state agency or other entity that owns a mitigation bank acquired to restore, enhance, preserve or create habitat or wetlands to pay a sum in lieu of ad valorem taxes lost by the county.

Sen. Jason Prokop of Lincoln introduced an amendment, adopted 41-0, to include amended provisions of his LB595.



Sen. Jason Prokop

They would create the Research Excellence Cash Fund to support research-based investments in data, data collection and ongoing research critical to the state's economy, including the Nebraska Mesonet system, a statewide network of weather monitoring stations.

The fund, which would be administered by the University of Nebraska, would consist of money from gifts, grants or bequests as well as transfers authorized by the Legislature.

After adoption of the amendments, senators advanced LB36 to select file on a vote of 38-0.

## TRANSPORTATION & TELECOMMUNICATIONS

### DMV cleanup bill, single license plate requirement passed

Lawmakers gave final approval April 10 to a state Department of Motor Vehicles cleanup measure that includes a requirement for the department to issue one license plate to each registered motor vehicle rather than two.

LB97, sponsored by Omaha Sen. John Fredrickson, includes several technical updates requested by the department to improve processes and align Nebraska with federal regulations.



Sen. John Fredrickson

Among other changes, the bill exempts fertilizer trailers from titling requirements, prohibits modification of license plates, defines or redefines amphibious vehicles, junk vehicles and minibikes and adds telephone numbers and email addresses to the list of sensitive personal information under the Uniform Motor Vehicle Records Disclosure Act.

LB97 includes provisions of LB225, sponsored by Sen. Dunixi Guereca of Omaha, eliminating a requirement that individuals notarize applications for duplicate certificates of title.



Sen. Dunixi Guereca

The amended provisions of LB279, introduced by Elkhorn Sen. R. Brad von Gillern, require the department to issue one license plate rather than two for every registered motor vehicle or trailer beginning with the 2029 license plate issuance cycle. The measure requires license plates to be displayed on the rear of the vehicle.



Sen. R. Brad von Gillern

Under the provisions of LB543, introduced by Sen. Robert Dover of Norfolk, the department may



Sen. Robert Dover

deliver license plates or registration certificates to an applicant or applicable county treasurer by U.S. mail or an alternative shipping service beginning with the next license plate issuance cycle.

The department may charge a postage and handling fee to cover the cost of the specific items mailed. Drivers who present proof of registration may operate the applicable motor vehicle for 30 days without a mailed license plate displayed.

The measure also allows owners to register a motor vehicle or trailer for a period of two or three years, in addition to the annual registration period, beginning in 2029. All fees and taxes for each year of a multiyear registration will be paid at the time of renewal.

LB97 passed on a vote of 46-0 and takes effect immediately.

### Transportation omnibus bill clears first round

A bill to align Nebraska's transportation statutes with federal regulations advanced to select file April 9 after lawmakers amended it to include several other transportation-related measures.

Sen. Mike Moser of Columbus, sponsor of LB398, said the measure would ensure that the state complies with the most recent federal laws and regulations that govern the state Department of Motor Vehicles and Nebraska State Patrol.

Among other changes, the bill would increase civil penalties for motor carrier violations, update medical certification requirements for commercial driver's license holders and require the department to post certain information to the Commercial Driver License Information System.

Moser introduced an amendment, adopted 39-0, to include provisions of five other bills heard by the Trans-

portation and Telecommunications Committee this session.

The provisions of LB134, introduced by Bellevue Sen. Rick Holdcroft, would require the department to create six license plate designs intended to honor veterans and military service members, including those who have been awarded an Inherent Resolve Campaign Medal and who served or are serving in the U.S. Space Force.

Under the amendment, the department would create a design that includes the word "veteran" and another for those who are permanently handicapped or disabled that also includes the internationally accepted wheelchair symbol.

Two additional designs — both displaying the words "disabled veteran" and one including the wheelchair symbol — would replace the current disabled veteran license plates beginning in 2026. Under Holdcroft's proposal, a person would have to be classified by the U.S. Department of Veterans Affairs as at least 10% service-connected disabled to apply for a disabled veteran license plate rather than the current 100%.

To qualify for a license plate that includes the wheelchair symbol, an individual would have to submit an application and proof of disability.

The provisions of LB343, introduced by Sen. Tom Brandt of Plymouth, would decrease the organizational license plate fee from \$70 to

\$40, the same as the alternate license plate fee.

The provisions of LB563, also

sponsored by Brandt, would require the department to issue permanent license plates for commercial fertilizer trailers.

The provisions of LB568, introduced by Omaha Sen. John Fredrickson, would require the department to issue Arbor Day license plates.

The associated fees would be directed to a new fund administered by the University of Nebraska Board of Regents, which would award grants to the Nebraska Statewide Arboretum for tree planting, environmental education and other purposes.

Fredrickson's proposal also would update and reorganize state statute related to alternate and organizational license plates.

The amended provisions of LB114, sponsored by Moser, would increase fees for certain driver and motor vehicle records maintained by the department.

The measure would increase the driver record abstract fee from \$7.50 to \$15 per record. Moser said the additional revenue would be used to update the department's driver licensing system.

The fee for searching the driver record monitoring service would increase from 6 to 15 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 \$25 per 1,000 records prior to July 1, 2026, and \$35 per 1,000 records after that. The same increases would apply to the fee for an extract of the entire file of all vehicles registered or titled in Nebraska.

The measure would require the



Sen. Rick Holdcroft



Sen. Tom Brandt

state treasurer to credit the fees to the License Plate Cash Fund and the Records Management Cash Fund.

Sen. Wendy DeBoer of Bennington supported the amendment. As introduced, she said, Moser's proposal would have increased the driver record abstract fee from \$7.50 to \$24 per record and directed a portion of the additional revenue to the state's General Fund.

She said committee members "took exception" to that approach of "quietly raising taxes." In response, DeBoer said, the department agreed to a smaller increase commensurate with the modernization program's cost.

Syracuse Sen. Bob Hallstrom introduced an amendment, adopted 39-0, to include provisions of his LB175. They would require a railroad's successor in interest to provide at least one adequate crossing for a person who owns land on both sides of a right-of-way.

After adoption of the amendments, senators voted 39-0 to advance LB398 to the second round of debate.

### Updated car warranty compensation rules advanced

Lawmakers gave first-round approval April 9 to a bill intended to ensure that motor vehicle manufacturers fairly compensate Nebraska new car and truck dealers for warranty service.

Current law requires manufacturers to provide "reasonable" compensation to dealers for diagnostic work as well as repair service, parts and labor. Time allowances for the performance of warranty work must be "reasonable and adequate."

Whitman Sen. Tanya Storer, spon-

sor of LB667, said manufacturers have interpreted the law in a way that decreases compensation to dealers, ultimately increasing prices for consumers.

To ensure that rates better reflect the true cost of warranty service, she said, LB667 would strike instances of "reasonable" from current law and instead require that time allowances be adequate for a qualified technician to perform the work or service.

The bill would prohibit franchisors from unreasonably denying a franchisee's request for a modification of a time allowance for a specific warranty repair or for an additional time allowance for diagnostic or repair work on a specific vehicle covered under warranty.

Storer said the proposal also would exclude nonwarranty service and certain basic maintenance parts, including tires, from rate calculations.

Under a Transportation and Telecommunications Committee amendment, adopted 42-0, a manufacturer could request additional repair orders from a dealer to determine if the dealer's parts and labor rates are materially different from those that the dealer has declared with the manufacturer.

The manufacturer could adjust the subsequent rates paid to the dealer if it determines that the dealer's rates charged to customers for nonwarranty work are less than the rates currently being paid by the manufacturer to the dealer for warranty work.

LB667 advanced to select file on a vote of 42-0.



Sen. Tanya Storer

## URBAN AFFAIRS

### Housing agency bed bug requirements amended, advanced

A proposal requiring the Omaha Housing Authority to address bed bug infestations advanced to the final round of debate April 9 after lawmakers amended it to include a reporting requirement.

LB287, introduced by the Urban Affairs Committee, would require a housing agency in a metropolitan class city to inspect a dwelling unit within 10 days of receiving a bed bug complaint and, if an infestation is found, obtain and provide remedial services from a pest control professional within 21 days. Omaha is the state's only metropolitan class city.

Omaha Sen. Terrell McKinney, the committee's chairperson, introduced an amendment on select file that he said would clarify the bed bug complaint process. It also would require a housing agency in a metropolitan class city to submit a report to the city and the Urban Affairs Committee every six months.

The report would include information on pest control management activities, the number of eviction filings and the number and nature of complaints or grievances filed during the period covered by the report, in addition to current vacancy rates and relevant updates from the agency's board meetings.

As amended on general file, LB287 would authorize a metropolitan class city to regulate any housing authority in the city by ordinance. Among other regulations, a city could provide for code enforcement, pest control and regular inspections as well as set pen-

alties for code violations and require monthly updates to the city council.

McKinney offered a second amendment, adopted 33-0, which he said is a compromise with the city of Omaha. Under the amendment, the city instead could require a housing authority to comply with any city rental inspection and registration ordinance, code enforcement and inspection of residential rental properties.

After adoption of the amendments, senators advanced LB287 to final reading by voice vote. ■

## COMMITTEE HEARINGS

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

### Wednesday, April 16

#### **Education**

**Room 1525 - 1:00 p.m.**

*Appointments:* Clay Smith, Paul Turman - Neb. Educational Telecommunications Commission

### Tuesday, April 29

#### **Health & Human Services**

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

*Appointments:* Alysson Muotri, Rui Yi - Stem Cell Research Advisory Committee ■

### Unicameral Youth Legislature registration now open



**L**earn what it's like to serve as a Nebraska state senator during the 2025 Unicameral Youth Legislature, June 8-13. In this legislative simulation, high school students from around the state have the opportunity to take on the role of lawmakers.

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