

Bill to define male and female for bathroom access considered

A new attempt to limit access to public school bathrooms and locker rooms was considered by the Government, Military and Veterans Affairs Committee Jan. 28.

LB730, introduced by Omaha Sen. Kathleen Kauth, would require state agencies, public schools and public postsecondary educational institutions to designate restrooms and locker rooms based on sex as defined in the bill and prohibit use by the opposite sex.

A male is defined in the bill as a person who, but for a congenital anomaly or intentional or unintentional disruption, has a reproductive system that utilizes sperm for reproduction. A female is defined as having a reproductive system that utilizes eggs for fertilization.

The proposal contains exceptions for custodial, maintenance and inspection personnel, as well as parents or caregivers of minor children and individuals rendering emergency assistance.

It also would allow coaches, athletic trainers and authorized school personnel of the opposite sex to enter



Sen. Kathleen Kauth introduces LB730 before the Government, Military and Veterans Affairs Committee Jan. 28.

restrooms and locker rooms, provided the individual “takes reasonable steps” to ensure that no one inside is in a state of undress.

LB730 tasks the governing bodies of schools with enforcement of the bill’s provisions, but is silent on the manner of enforcement or penalties for violations. The bill does, however, prohibit retaliation for “good-faith” reporting of violations.

Finally, the bill would require all state agencies to define an individual’s sex as either male or female for purposes of rules and regulations, enforcement of administrative actions

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Conditional use permit measure clears first round

A bill that would set new requirements for county boards and commissions when considering conditional use permits for livestock siting advanced to the second round of debate Jan. 28.

Whitman Sen. Tanya Storer, sponsor of LB663, said the measure would ensure “fairness, transparency and accountability” in the application process for such permits.



Sen. Tanya Storer

As introduced last session, the bill would:

- set an educational requirement of two hours per term for county commission and county board members on matters relevant to the bill’s provisions;
- require county officials to base conditional use permit decisions solely on county zoning regulations;
- prohibit requiring a federal, state or other local permit when deciding on a conditional use permit; and
- set a timeline for county commissions to follow when processing an application.

Under the measure, county officials would have 30 days to determine if an application is complete and 10 days to relay that information to the applicant. Once an application is

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Conditional use permit measure clears first round

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deemed complete, counties would have 90 days to approve or deny the application.

If a county fails to act within that timeline, an application automatically would be deemed approved.

Storer said decisions on these types of applications have the potential to tear communities apart and that subjective concerns need to be taken out of the process.

“This is simply a bill that safeguards applicants’ rights, the rights of those who support and those who oppose applications and it creates better government efficiency,” she said.

A Government, Military and Veterans Affairs Committee amendment, adopted 36-2, would require that county attorneys also receive continuing education and would limit the bill’s provisions to counties that have enacted zoning requirements. The amendment also would add county zoning administrators to the application review process.

St. Paul Sen. Fred Meyer supported the bill, saying he has seen county

boards “drag their feet” to prevent approval of feedlot siting applications based solely on “populist opposition.” LB663 would remove uncertainty from the application process for operations that would like to expand, he said.

“The requirements that come down from [the state] or a county that already has those requirements in place are very defined,” Meyer said, “and if an operation is able to meet those, they are certainly entitled to a swift ... conclusion.”

Sen. John Cavanaugh of Omaha opposed the measure, saying he was not in favor of placing artificial time constraints on government decision making. In addition, he said, while the elimination of “unnecessary hurdles” to development is a worthy goal, deciding what fits that definition is itself subjective.

Storer offered an amendment to the committee amendment to provide what she called a “fire exit” for county officials.

Under the amendment, if officials

obtain information that materially affects an application before the 90-day deadline for its approval, they could require submission of a new application. Doing so would restart the approval deadline time clock, providing an additional 90 days for officials to review the new application.

Storer said the amendment removed previous opposition to the bill from the Nebraska Association of County Officials.

Following the 34-2 adoption of the Storer amendment, senators advanced LB663 to select file on a 35-2 vote. ■



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and adjudication of disputes.

Kauth said the bill essentially is the portion of her LB89 from last session that was amended out of that proposal during floor debate in order to secure its passage. She called this year's version a "commonsense measure" that would establish a right to privacy in "intimate spaces" for both sexes.

"What this committee needs to determine is, does the law still recognize biological sex as a meaningful and legitimate category, or can it be erased in favor of subjective identity claims?" Kauth said. "Belief does not trump biology. It is impossible to change your sex. Access to female bathrooms and locker rooms must be restricted to females."

Elizabeth Nunnally of the Nebraska Family Alliance echoed those sentiments in her support of LB730. Calling the measure "grounded in biological reality," she said it is unfair and dangerous to force women and girls to share bathrooms and locker rooms with males.

"Our laws and policies should recognize and respect that males and females are biologically different," Nunnally said. "Respecting these biological differences is essential to ensuring the privacy, dignity and safety of both sexes."

Justin Jacobsen of Lincoln also testified in favor of the bill, saying his daughter felt uncomfortable when a student who identified as transgender used the girl's restroom with her at school.

"I can't tell you the shock, awe and anger that I felt having been told this," Jacobsen said.

Instead of making girls uncomfortable while trying to accommodate students who are "struggling with this



Sen. Kauth said the focus of LB730 is "privacy and safety" for both sexes.

mental delusion," he said, schools should be protecting children like his daughter.

Michelle Jud, speaking on behalf of Rainbow Parents of Nebraska, testified in opposition, calling LB730 an "egregious waste of time" and a "discriminatory, harmful and unnecessary" proposal.

"Ultimately, this is not about protecting children and women, as they like to say," Jud said. "It is about erasing trans people from existence. It is about eradicating something that they don't understand and therefore something that they fear."

Ashleigh Clarke, a licensed clinical psychologist testifying on behalf of the Nebraska Psychological Association, also opposed the bill. She said the measure would place schools, universities and state agencies in enforcement roles for which they are not equipped.

"In practice, these requirements cannot be reliably implemented," Clarke said. "Institutions lack any appropriate or standardized mechanism to determine compliance, resulting in inconsistent, complaint-driven en-

forcement that increases stigma and conflict without evidence of increased safety benefit."

Speaking on behalf of the Omaha Public Schools Board of Education, board president Jane Erdenberger testified in opposition as well. She said local communities can best identify how to support their students, rather than a one-size-fits-all approach mandated by the state.

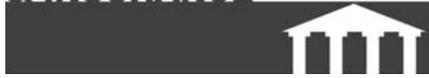
Christon MacTaggart, executive director of the Nebraska Coalition to End Domestic and Sexual Violence, questioned assertions that the bill would protect women.

The coalition provided shelter for 1,800 survivors of sexual violence last year, she said, and there were no reported incidents involving a trans person victimizing another survivor. In fact, she said, research indicates that trans individuals are more likely to be victims of sexual violence than perpetrators.

"This is not sexual violence prevention," MacTaggart said.

The committee took no immediate action on LB730. ■

**BANKING, COMMERCE
& INSURANCE**



Omnibus banking bill clears first round

A measure that would make a number of changes to Nebraska banking laws advanced from general file Jan. 27.

LB717, introduced by North Platte Sen. Mike Jacobson at the request of the Nebraska Department of Banking and Finance, is the annual administrative update for the department.



Sen. Mike Jacobson

Among other provisions, the bill would harmonize state law with federal law and preserve the “wild card” powers of state banks, credit unions and savings associations.

The measure also would provide a number of consumer protections, such as requiring a “net tangible benefit” analysis for borrowers financing installment or mortgage loans and authorizing the emergency closure of financial institutions in the event of a cybersecurity breach.

In addition, LB717 would expand the definition of financial institutions to include credit unions under the Nebraska Financial Innovation Act, broaden the scope of controllable electronic record kiosks and update lending limits by increasing the usury rate exemption cap from \$25,000 to \$100,000.

Jacobson, committee chairperson, said the annual cleanup bill would make certain that Nebraska banking institutions are not operating under obsolete federal regulations or rules that have changed over the past year.

“These changes ensure that our state-chartered institutions remain competitive, secure and aligned with federal regulatory standards,” he said.

Jacobson offered an amendment, adopted 38-0, that he said represents a compromise between the department and small Nebraska payroll processors. The amendment would provide an exemption from the Nebraska Money Transmitters Act for payroll processors that:

- have fewer than 25 full-time employees;
- provide services for fewer than 50 clients residing in Nebraska;
- have not been convicted of or pled guilty to a felony;
- have never had a financial services or other professional license revoked; and
- do not engage in the business of money transmission.

“This amendment ... is a simple, pro-small business adjustment that maintains high standards while [protecting] main street service providers from unnecessary red tape,” Jacobson said.

Following adoption of the amendment, lawmakers voted 41-0 to advance LB717 to select file.

Changes to CPA licensure advanced

Lawmakers advanced a bill to select file Jan. 27 intended to increase licensure access to those seeking to become certified public accountants in Nebraska.

North Platte Sen. Mike Jacobson, sponsor of LB718, said the measure would expand and modernize pathways to licensure while maintaining strong professional standards and public safeguards.

Currently, to sit for the CPA exam in Nebraska, one must have completed

150 semester-hours of postsecondary academic credit, earned a bachelor’s degree or higher from an accredited college or university and demonstrated professional competency.

Jacobson said the 150 credit-hour requirement is “essentially a fifth year of college” because it is 30 credits beyond what is required to earn a bachelor’s degree and is a barrier to entry for the profession.

“For many qualified students, the cost and time associated with that extra year acts ... as a ‘Keep Out’ sign,” he said.

LB718 instead would create three distinct licensure pathways in the state:

- a master’s degree plus one year of experience;
- a bachelor’s degree plus 30 additional credit hours and one year of experience;
- a bachelor’s degree plus two years of professional experience.

The measure also would clarify that passing the exam is not the same as being credentialed as a CPA, align Nebraska law with the Uniform Accountancy Act and provide a distinction between administrative lapses and ethical violations.

Elkhorn Sen. Tony Sorrentino supported the proposal. As a member of the profession for over 40 years, Sorrentino said, he can attest that the industry is having difficulty hiring and supervising new entrants.

“This bill creates new avenues for certification without compromising the integrity of the profession,” he said.

Lawmakers advanced LB718 to select file 39-0.

BUSINESS & LABOR

Human trafficking bill narrowed, advanced

A measure intended to help combat human trafficking was amended and advanced from general file Jan. 28.

LB320, sponsored by Sen. Rita Sanders of Bellevue, initially would have expanded the role of the state's existing Human Trafficking Task Force.



Sen. Rita Sanders

As introduced last session, the measure would add hotels and other lodging establishments to the list of public spaces that are required to display informational posters developed by the state Department of Labor regarding human trafficking.

Sanders said more than half of all states have laws requiring hotel employees to take an active role in preventing human trafficking. LB320 would help ensure that workers in an industry on the front lines of the problem are aware of how to recognize the signs of human trafficking and how to report concerns appropriately, she said.

"That awareness can mean the difference between someone remaining trapped and someone getting help," Sanders said.

Under the bill as introduced, the state Department of Labor would be required to develop regulations and enforce provisions for optional hotel employee training, within 180 days of being hired, on identifying and reporting trafficking, differentiating between labor and sex trafficking and understanding employees' legal responsibilities.

Hotel employee training would use existing training materials developed by the state Attorney General's Human Trafficking Task Force.

A Business and Labor Committee amendment, adopted 33-4, would remove task force involvement and instead allow the attorney general, the state Department of Labor and hotels to work together to approve human trafficking training.

The committee amendment also would remove the requirement that optional training must be provided within the first 180 days of employment. Finally, it would require display of the Nebraska trafficking hotline number rather than the national hotline.

Lincoln Sen. George Dungan supported the intent of the bill, but raised concerns that it would provide a "liability shield" for hotel owners that facilitate human trafficking in their establishments but display posters and provide training for their employees.

He offered an amendment to remove a section of the bill stating that a hotel owner would not be liable for any act or omission arising out of or related to human trafficking committed by a third party at their establishment unless they "knowingly assist" in the commission of that trafficking.

"What we should not be in the business of doing, colleagues, is protecting entities that negligently act in allowing human trafficking to occur in their facilities," Dungan said.

Sen. Mike Jacobson of North Platte opposed the Dungan amendment, saying it would require business owners to be responsible for things that might not be under their control. Most hotel owners and even managers don't reside on the premises, he said, and they shouldn't be held liable for all actions their employees might take or not take.

The Dungan amendment failed on a 18-28 vote. Twenty-five votes were needed.

Omaha Sen. John Cavanaugh offered and later withdrew an amendment that would have made the hotel employee training mandatory and add language that hotels could be held liable if they "failed to act in a reasonable manner." He said the changes would make the bill "a little bit stronger."

Sen. Carolyn Bosn of Lincoln then offered what she characterized as a "compromise" amendment. It would keep the training optional, she said, but maintain the liability language from Cavanaugh's amendment.

"The goal here is to incentivize these hotels and establishments to complete the training and .. the incentive there is, if you do that, there are some protections for you," Bosn said.

Following the 38-0 adoption of the Bosn amendment, lawmakers voted 44-0 to advance LB320 to select file.

Workplace safety committee elimination advanced

Lawmakers gave first-round approval Jan. 27 to a bill that seeks to eliminate an unfunded state program requiring workplace safety committees.

LB397, introduced by Columbus Sen. Mike Moser, would repeal the Workplace Safety Consultation Program. Under the program, the state Department of Labor is authorized to conduct workplace inspections and consultations to determine whether employers are complying with standards issued by the federal Occupational Safety and Health Administration.



Sen. Mike Moser

Moser said the program has not been administered or enforced since it last received funding in 2003. OSHA instead provides funding to the state Department of Labor to conduct confidential inspections of businesses that choose to participate.

“The OSHA regulations ... are very robust,” Moser said. “We don’t need a separate Nebraska requirement of a safety committee.”

Sen. Jane Raybould of Lincoln supported the bill, saying every employer should have the right to decide best practices for their business.

The majority of business owners independently enforce safety measures to protect employees and customers, she said, and establish a record of safety practices for workers’ compensation claims.

“A business owner/operator does not need a government telling them what are the best business practices to incorporate into their operations,” Raybould said. “Any responsible business owner addresses [safety] in their normal course of business, with or without this [requirement].”

Sen. Ben Hansen of Blair also spoke in support of the proposal. He noted that businesses still would be able to establish safety committees if the Workplace Safety Consultation Program was eliminated.

“[LB397] gets rid of redundancies [and] overly burdensome rules and regulations for employers ... and still protects employees,” Hansen said.

Lincoln Sen. George Dungan spoke in opposition to the measure. He questioned the wisdom of relying solely on the federal government to conduct workplace safety inspections through an optional program. Doing so could harm workers, he said.

“My concern is that LB397 is going to be taking away authority from the Nebraska Department of Labor

and instead hoping or trusting that a federal program ... [with] federal funding is going to remain in place to allow that workplace inspection.”

Also speaking in opposition to the bill was Sen. Dan Quick of Grand Island. He noted that public sector employees, such as those working for local and state governments, are not covered by OSHA and therefore could benefit from additional protections in state law.

“Safety in the workplace is important for not just the private sector, but also for the public sector employees,” Quick said.

LB397 advanced to select file on a vote of 31-11.

Notification requirements considered for layoffs, mass closures

Members of the Business and Labor Committee heard testimony Jan. 26 on a bill that seeks to provide state-level notification requirements in Nebraska for businesses experiencing mass layoffs or closures.

Under current federal law, businesses with 100 or more employees are required to submit notice when the business experiences a shutdown affecting 50 or more employees during a 30-day period, or when 500 or more employees – or 33% of the workforce – will permanently lose employment.

LB921, introduced by Sumner Sen. Teresa Ibach, would adopt the Nebraska Worker Adjustment and Retraining Notification Act. The act would require businesses that experience a mass layoff event or closure affecting 25 or more full-time employees for a period exceeding six

months to notify employees and the state Department of Labor at least 60 days in advance of such event.

The act would apply to businesses with at least 25 employees. Businesses that do not provide adequate notice would be subject to a civil penalty not to exceed \$100 for each day of the violation.

The bill also would make changes to the Non-English-Speaking Workers Protection Act, which requires businesses to provide an interpreter and referral agent if 10% of their staff speaks the same non-English language. Under the bill, referral agents would be required to develop and maintain a list of community services and assist employees in attempting to obtain those services.

Ibach said she introduced LB921 following the unexpected closure of a Tyson Foods plant, a major employer in her district, to ensure protections for other employees who may be facing a similar situation in the future.

Being laid off can be one of the most stressful events for employees and their families, Ibach said, and her bill could help mitigate that stress by providing advanced notice even when the federal triggering threshold is not met.

“Twenty-five jobs may not seem like a lot in Lincoln or Omaha, but in smaller communities, losing twenty-five jobs or more can be a massive hit and we should treat it as such,” Ibach said.

Rose Godinez testified in support of the measure, saying the meatpacking plant closure affected over 3,000 Lexington residents.

Community members who relied on those jobs are the ones who bear the real consequences of layoffs and closures, she said, not the multibillion-dollar corporations who own the businesses.



Sen. Teresa Ibach

“It’s too late for Lexington, but [not] for every other Nebraska community that depends on a major employer to survive,” Godinez said.

Testifying in opposition to the proposal was Ryan McIntosh. Speaking on behalf of the National Federation of Independent Business, Nebraska Chamber of Commerce and Industry and a number of other business organizations, he said the measure would make it difficult for the state to attract and retain employers.

McIntosh said businesses weigh the regulatory climate when deciding whether to expand or relocate, and LB921 would make Nebraska one of the most restrictive states for business closures and layoffs.

“While we support efforts to ensure employees are treated fairly and have opportunities to adjust to business changes,” he said, “policies like LB921 must strike a balance with the viability and adaptability of Nebraska businesses.”

The committee took no immediate action on the bill.

EDUCATION

Antisemitism policies for schools, universities advanced

A measure that would require Nebraska school boards and postsecondary educational institutions to address antisemitism in their discrimination and harassment policies advanced from general file Jan. 30.

LB538, introduced by Gering Sen. Brian Hardin, would require public school boards and postsecondary institutions to include antisemitism in their policies prohibiting discrimi-

nation against students or school employees based on race, ethnicity, national origin, sex, disability, religion or marital status.



Sen. Brian Hardin

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 bill would require the Commissioner of Education to appoint a Title VI coordinator at the state Department of Education.

The Title VI coordinator would be tasked with investigating all complaints of discrimination or harassment in public institutions and, if necessary, file complaints with the U.S. Department of Education and the U.S. Department of Justice.

Hardin said LB538 would ensure all students feel safe, respected and protected by putting accountability measures in place so that antisemitism is identified when it occurs and is addressed just like any other form of discrimination.

“This is not a partisan issue,” Hardin said. “It’s a matter of human dignity, moral clarity and upholding the values of equality and justice.”

An Education Committee amendment would replace the bill with a modified version. Under the amendment, the Title VI coordinator would be required to submit an electronic report to the Legislature by Oct. 31 each year detailing incidents, complaints and resolutions.

Additionally, the amendment

would clarify definitions in accordance with the International Holocaust Remembrance Alliance, align the bill with existing federal civil rights law, integrate required staff training into existing professional development programs and ensure that complaints follow existing processes.

Committee chairman Glenvil Sen. Dave Murman said the amendment would provide consistency and oversight in addressing discrimination in public education without adding bureaucratic or administrative burdens.

Hastings Sen. Dan Lonowski spoke in support of LB538. He said that although he initially questioned the need for the bill, after seeing a rise in antisemitism in larger cities and school systems in recent years, he now understood its necessity.

Sen. Megan Hunt of Omaha agreed that Jewish students must be protected from harassment and discrimination, but raised concerns over the use of the IHRA definition, which she said equates criticizing the state of Israel to antisemitism.

“I think that we should be skeptical and very careful with bills like LB538 to make sure we’re not conflating criticism of the government with discrimination against a religious or ethnic group,” Hunt said.

Lincoln Sen. Danielle Conrad offered an amendment that would replace the bill and the committee amendment to clarify the measure’s implementation. She said the refined proposal would give schools and colleges more flexibility in training and handling complaints, reduce projected costs for the state Department of Education and higher education institutions and ensure the law works within existing civil rights frameworks.

Additionally, Conrad said, the amendment better protects free speech, including political criticism

of foreign governments, to ensure that such criticism is not conflated with antisemitism.

“I think it’s undeniable that dissent, the right to petition your government or the right to hold and express unpopular – or popular – opinions is quintessential to the values that we hold dear as Americans and Nebraskans, where we value peaceful, free expression and robust exchange of ideas without undue government interference,” she said.

Hardin supported Conrad’s amendment, saying it would preserve the bill’s original intent of protecting Jewish students from discrimination.

Sen. Terrell McKinney of Omaha offered an amendment to expand the bill’s scope to include anti-Blackness and anti-Indigenous discrimination. Hate is not limited to one group, he said, and, like antisemitism, hate crimes and bias against Black and Indigenous communities also are on the rise.

Speaking in support of McKinney’s amendment, Omaha Sen. Machaela Cavanaugh said the state should be comprehensive in its approach to combating discrimination.

“This sort of divisive, negative political speech has infiltrated our society,” Cavanaugh said. “Having legislation that only focuses on one piece of [discrimination] I think does us a disservice as a society.”

Senators rejected McKinney’s amendment on a vote of 15-25. Twenty-five votes were needed. A motion offered by Cavanaugh to reconsider that vote also failed.

After voting 41-0 to adopt Conrad’s amendment, senators adopted the committee amendment 40-0. Lawmakers then voted 42-0 to advance LB538 to select file.

Repeal of in-state tuition for certain immigrant students considered

Certain immigrant students would no longer be eligible for in-state tuition at Nebraska postsecondary institutions under a pair of proposals considered by the Education Committee Jan. 26.

Under current state law, certain categories of non-resident students qualify for in-state tuition, including those who were brought to the U.S. as children, established residency and graduated from Nebraska high schools.

LB870, as introduced by Omaha Sen. Bob Andersen, would eliminate in-state tuition to students seeking relief under the Deferred Action for Childhood Arrivals program. It also would no longer require post-secondary institutions to grant in-state tuition to certain homeschooled students.

Under LB1061, sponsored by Sen. Dave Murman of Glenvil, current language in state law allowing eligibility for those seeking to attain “lawful status under federal immigration law” would be replaced with language limiting eligibility to those who have a “bona fide intention to become lawful permanent residents of the United States.”

Nebraska has allowed DACA students to receive in-state tuition since 2006, when lawmakers enacted the policy over a veto by former Gov. Dave Heineman.

LB870 would repeal much of that law, Andersen said, and reserve in-state tuition for lawful residents.

“LB870 is a simple bill to reimplement common sense and fiscal responsibility,” he said. “In-state tuition rates are lower and [are] a privilege reserved for Nebraska residents.”

Murman said he and Andersen would work together to advance LB870, warning that Nebraska potentially could face federal scrutiny or costly litigation if the measure does not pass. He cited a 2025 case in Texas in which the U.S. Department of Justice sued over a similar in-state tuition law.

“The federal government may move slowly, but I wouldn’t count out that they may very well take a look here at Nebraska,” Murman said.

Doug Kagan testified in support of both measures on behalf of Nebraska Taxpayers for Freedom, echoing Murman’s comments that failing to act could “incur the wrath of the Trump Department of Justice on our state.”

Ruby Mendez Lopez opposed both measures on behalf of Nebraska Appleeed, saying the current law allows many Nebraska immigrants to access higher education and later contribute to their local communities.

“Immigrant Nebraskans who have accessed college before because of Nebraska’s in-state tuition policy make valuable contributions to our state and fields like health care, business, education, agriculture, social services and many more,” Mendez Lopez said.

Lucia Pedroza-Estrada also opposed the bills, saying they would worsen Nebraska’s “brain drain” by making college inaccessible to some residents.

“You cannot claim to want to retain Nebraska talent while pushing educated, work-ready people out,” she said. “We’re not protecting Nebraska’s future, we’re actively undermining it.”

The committee took no immediate action on either proposal.



Sen. Bob Andersen



Sen. Dave Murman

Possible retention proposed for third graders who struggle with reading

Students who fail to demonstrate grade-level reading proficiency by the end of third grade could be held back under a measure considered by the Education Committee Jan. 27.

LB1050, introduced by Glenvil Sen. Dave Murman at the request of Gov. Jim Pillen, would amend the Reading Improvement Act and, beginning in the 2027-28 school year, require schools to administer reading assessments three times a year to students in kindergarten through third grade.

Students determined not to be reading at grade level under the state-wide assessment could be retained. School districts then would provide intensive acceleration classes for those students, which would feature smaller student-to-teacher ratios and diagnostic assessments.

Under the bill, the state Department of Education would be required to develop a professional learning system to train early-grade teachers in evidence-based reading instruction and place regional coaches in schools to support implementation, funded through the Education Future Fund. The department also would approve reading assessments, set proficiency standards, provide technical assistance to districts and report annually to the Legislature.

Students exempt under federal disability law or those who have completed multiple years of intensive reading intervention would be excluded. Retention could occur only once, and if a reading deficiency is identified by Jan. 1, schools must notify parents or guardians by Feb. 1 and offer a meeting to review the student’s individualized reading improvement plan.

Murman said LB1050 is based largely on strategies including reten-

tion – often called the “Mississippi miracle” – that resulted in a dramatic rise in reading proficiency in Mississippi over the past decade.

Additionally, he said, Nebraska’s ranked 40th in 2024 in fourth grade reading scores on the National Assessment of Educational Progress, highlighting the need for solutions.

“Change is needed and it’s needed quickly,” Murman said.

Kenny Zoeller, director of the Governor’s Policy Research Office, testified in support of LB1050. Research shows that retention, when used as a last resort along with intensive intervention and targeted support, helps struggling students catch up by providing extra time and instruction, he said.

“Thoughtfully implemented third grade promotion policies improve long-term outcomes without causing harm,” Zoeller said.

Lisa Schonhoff of Bennington, a member of the State Board of Education, also testified in support of the bill on her own behalf. She said the measure would track student progress, identify struggling readers early and ensure schools provide the interventions and support students need.

Kathy Poehling, president of the Omaha Education Association, testified in opposition to LB1050. Retaining students solely based on reading proficiency overlooks the complexities of child development and the professional judgment of educators, she said.

“Research consistently shows that holding a child back can lead to significant social and emotional distress, and labels a student as a failure,” Poehling said.

Tim Royers, president of the Nebraska State Education Association, also opposed the bill, saying the positive outcomes seen in states like Mississippi were due to comprehensive support services, not retention.

The committee took no immediate action on the proposal.

GENERAL AFFAIRS

Bill to authorize music bingo proposed

Nonprofit organizations would be authorized to conduct “music bingo” under a bill considered by the General Affairs Committee Jan. 26.

LB1047, introduced by Bellevue Sen. Rick Holdcroft, would amend the Nebraska Bingo Act to include music bingo as an authorized form of bingo and allow for the use of song titles, artists and musical genres as a selection method.



Sen. Rick Holdcroft

The measure also would increase the amount that can be charged for each bingo card from 25 cents to \$1 and increase the maximum prize amount that a licensed organization may award from \$25 to \$50.

Holdcroft said music bingo currently is classified as a gift enterprise, which nonprofit organizations categorically are prohibited from offering.

He said the bill would remedy this problem by broadening the definition of bingo to include music bingo, which would enable nonprofit organizations to use it as a form of charitable gaming.

“LB1047 ... ensure[s] nonprofit organizations can conduct one popular form of bingo and assist them with raising money for charitable purposes,” Holdcroft said.

Angela Grote, vice president of advancement at V.J. and Angela Skutt Catholic High School, testified in

support of the measure. She said the funds raised through music bingo could help provide tuition assistance to students.

Traditional fundraising events have become increasingly expensive to host, she said, while music bingo events provide low overhead and high margin opportunities.

“Music bingo directly strengthen[s] the financial health and community reach of Nebraska’s charitable organizations and private educational institutions,” Grote said. “This bill provides a scalable way to turn a small investment into thousands of dollars of direct program fundraising.”

Elliott Piper, owner of The Music Bingo People, also supported the measure. He said his business typically provides over 1,000 music bingo games annually for for-profit entities, such as bars and taverns, retirement facilities and senior centers.

Expansion of the Nebraska Bingo Act to include music bingo would allow this same model to be used to support and raise money for local nonprofit organizations, Piper said.

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

require approval by a majority of elected officials on the board of health for an area impacted by a community-wide directed health measure before it could take effect.

The bill defines a community-wide directed health measure as a public health action or intervention by a local public health department involving the total population of the department’s jurisdiction when there are “no known epidemiological links.”

Under the proposal, a public health director would need to receive written approval from a majority of the publicly elected representatives who are appointed to the city-county health department prior to a measure being issued.

Kauth said the proposal arose from actions by local public health officials during the coronavirus pandemic, which she said involved “unelected bureaucrats” making decisions that “removed civil liberties.”

The ability to restrict citizens’ liberty should be limited to elected officials, Kauth said, because those officials can be held accountable at the ballot box.

LB203 would change the role of county health officials in regard to the community-wide directed health measure process “from one of authority to one of advisement,” she said.

A Health and Human Services Committee amendment further would require an approved measure to expire seven days after issuance unless renewed by a vote of the local health board. Continuing approval would be required every seven days thereafter.

An amendment to the committee amendment offered by Omaha Sen. John Fredrickson would allow



Sen. Kathleen Kauth

emergency meetings to be called to vote on such measures and for virtual conferencing to be used to carry out the bill’s provisions.

Fredrickson, who described himself as “conflicted” about LB203, said his intention was to improve the bill. Many boards that govern public health officials meet only sporadically, he said, making the original timeline of voting at the next regularly scheduled meeting “unrealistic” in an emergency situation.

Sen. Tom Brandt of Plymouth expressed concerns about the underlying proposal, saying public health officials have the experience and expertise to respond to “fast-moving” emergency situations, while elected officials likely do not.

He noted that measles recently was detected in Lincoln’s wastewater, an early warning of a potential outbreak. Adding another layer of bureaucracy to address that sort of public health situation doesn’t seem like the best way to solve the problem, he said.

Lincoln Sen. George Dungan echoed those concerns. While LB203 may appear on the surface to be a small change to laws governing local health officials, he said, it’s part of a larger pattern of undermining public trust.

“I have concerns that ... we are undermining both the process that has been established already to make sure that we’re protecting the citizens of Nebraska, and also undermining the long-standing confidence that we should have in public health officials, in doctors and in science,” Dungan said.

Also opposing the bill was Sen. Dan Quick of Grand Island. He said his local public health director did “an amazing job” during the Covid pandemic and used her expertise to pull together the entire community when the virus “spread through Grand Island like a wildfire.”

The local hospital did not have

HEALTH & HUMAN SERVICES

Pre-approval for certain public health measures advanced

Lawmakers gave first-round approval Jan. 26 to a measure that would put constraints around community-wide directed health measures.

LB203, introduced last session by Omaha Sen. Kathleen Kauth, would

enough ventilators to treat everyone, he said, and patients had to be flown elsewhere.

“We live really close to the hospital [and] it was like a war zone,” Quick said. “I mean we had helicopters flying people ... out of our St. Francis hospital to Omaha or Lincoln, wherever they had available ventilators.”

Handling that kind of crisis should not be left to county boards or city councils who lack medical expertise, he said.

Following the 34-3 adoption of the committee amendment, senators voted 43-0 to adopt the Fredrickson amendment. LB203 was then advanced to select file 28-13.

Measure to repeal health care certificate of need requirements scaled back, advanced

Lawmakers narrowed a bill Jan. 26 that would impact the development of nursing home facilities in Nebraska before giving the proposal first-round approval.

LB437, as introduced last session by Ralston Sen. Merv Riepe, would repeal the Nebraska Health Care Certificate of Need Act. The act requires providers to demonstrate a need for their projects before opening new facilities, expanding existing facilities, increasing bed capacity or purchasing advanced technology.

Riepe said the certificate of need was established to attempt to control costs and prevent needless duplication of services, but has become a “roadblock” for health care expansion in the state.

A Health and Human Services Committee amendment would narrow the scope of the certificate of need

repeal to long-term care beds only.

Riepe, however, offered an amendment to the committee amendment to replace both its contents and those of the underlying bill. His amendment instead would extend the timeline for compliance with certificate of need requirements.

Currently, applicants have one year to demonstrate certificate of need compliance with the option to appeal to the state Department of Health and Human Services for a one-year extension. Riepe’s amendment would extend that timeline to three years, while retaining the possible one-year extension.

Riepe said a situation in Butte, Nebraska, highlighted the current system’s shortcomings that LB437 as amended would address.

A nursing home in the small community was slated for closure by its out-of-state owners, he said, and the community could not complete the certificate of need process before the facility’s closure date.

“This amendment removes an arbitrary constraint and reduces an unnecessary bureaucratic hurdle for those who have stepped forward to provide needed care in their community,” Riepe said.

Niobrara Sen. Barry DeKay supported the bill and Riepe’s amendment, saying it would assist rural communities that are trying to reopen closed nursing homes or assisted living facilities and keep their loved ones nearby.

He said the closing of the Butte facility represented the potential loss of approximately 50 local jobs, or about 4% of the county’s employment opportunities. While Butte was able to obtain a new certificate of need, DeKay said, other communities may not be so lucky.

Also speaking in support was Sen.

Tanya Storer of Whitman. She said the extended timeline would help groups in Cherry and Boyd counties who are trying to raise funds to reopen or open new “very much needed” facilities in their communities.

The 2021 closure of a nursing home in Valentine meant that residents had to be moved up to 90 miles away to receive appropriate care, she said, which “sent shock waves” through the community.

A group is working to build a new nursing home in Valentine, she said, but under existing rules they have a maximum of two years after qualifying for a certificate of need to complete the project, if they receive an extension.

Storer said it is unrealistic to expect communities to pull together funding for a multimillion-dollar project, go through the permitting process, acquire property, get plans in place and be fully staffed and up and running in two years.

“This is going to make a big difference for people working very hard to reestablish care in their communities out in [rural] Nebraska,” she said.

Following the 42-0 adoption of the Riepe amendment, senators adopted the committee amendment 39-0. They then advanced LB437 to select file on a 41-0 vote.

Puberty blockers, hormone therapy ban for gender dysphoria considered

The Health and Human Services Committee heard testimony Jan. 29 on a bill that seeks to prohibit access to hormones and puberty blockers for Nebraskans younger than 19 who are experiencing gender dysphoria.

Currently, Nebraska practitioners may prescribe approved puberty-blocking drugs and cross-sex hormones for patients younger than 19 only if the



Sen. Merv Riepe

individual meets criteria established by the state Department of Health and Human Services, which include a minimum of 40 hours of gender identity focused therapy before treatment can begin and a number of ongoing requirements.

LB732, introduced by Omaha Sen. Kathleen Kauth, would prohibit a health care practitioner from prescribing cross-sex hormones or puberty-blocking drugs to individuals under age 19 except for treatment of a congenital defect, precocious puberty, disease or physical injury.



Sen. Kathleen Kauth

Individuals under age 19 currently receiving cross-sex hormones and puberty-blocking drugs for gender dysphoria would be permitted to continue care through Jan. 1, 2027, under the measure.

A health care practitioner who violates the bill's provisions would be subject to a civil penalty of \$25,000 per violation.

Kauth said she introduced LB732 following a U.S. Supreme Court ruling that state bans on puberty blockers and hormone therapy for minors are constitutional.

Such bans do not exclude individuals from medical treatment on the basis of sex or transgender status, she said, but rather remove the diagnoses of gender dysphoria, gender identity and gender incongruence from the range of treatable conditions.

"LB732 protects minors from irreversible, experimental medical interventions that carry significant, unresolved risk and lack high-quality, long-term evidence of benefit," Kauth said. "Children and adolescents are developmentally incapable of providing informed consent for procedures

that permanently alter sexual function, fertility and healthy bodily development."

Merlin Wehling, an anesthesiologist from Kearney, testified in support of the measure.

Many parents are unaware of the potential risks of puberty blockers and hormone therapy, such as blood clots, infertility and scar tissue, he said, and "misrepresented" data can influence their decision to support a child's transition as a way to alleviate depression, anxiety or suicidal ideation.

"All the problems we have are multiplied because the body is not designed to transition, especially at this early age," Wehling said.

Proponent Jamie Reed shared her experience assisting in nearly 1,500 medical transitions as a social worker and clinical research coordinator at the Washington University Transgender Center in St. Louis.

Reed said there is an element of "social contagion" in the number of youth who identify as transgender. Over several years, she said, the clinic went from an average of four patients per month to approximately 60 patients per month, many of whom were influenced by social media, school and the lockdown that occurred as a result of the COVID-19 pandemic.

"Decades of developmental research shows that most of those children, if left alone, would grow up to be gay or lesbian," she said. "We still have ... kids who are still sucked into this contagion who are being medically harmed."

Reed also said that more than 10 systemic reviews of the use of hormones, puberty blockers and surgery on transgender youth have found no evidence to support medical transitioning in children.

Speaking in opposition to LB732, social worker and therapist Braden

Foreman-Black argued that several of those systemic reviews did not determine that hormones and puberty blockers are definitively bad treatment. In fact, he said, one study concluded that medical interventions are not a serious enough risk of harm to suggest the need for policies that restrict access to them.

"We have ... lists of data and literature that do support the ethical treatment of puberty blockers or hormones for children under 19," Foreman-Black said.

Elizabeth Constance also opposed the measure. Speaking on behalf of the Nebraska Medical Association, she said health care decisions should remain between a family and their medical team.

There are no one-size-fits-all solutions in medicine, Constance said, and physicians need to have the authority to tailor treatments to meet the unique needs of each patient.

"LB732 is a blunt-instrument approach to a deeply nuanced and complex area of health care ... [and] replaces the expertise of medical professionals and the intuition of parents with a government mandate," she said.

Meghan Oakes, a double board certified OB-GYN and reproductive endocrinologist, testified in opposition to the bill. She said the same hormones and puberty blockers used to assist in the transition process are considered safe and effective medical interventions for endometriosis, precocious periods, in vitro fertilization and birth control.

If the medications were harmful, Oakes said, the state would ban them for every use, not just for gender-affirming care.

Opponent Evelynn Freeman, a mental health provider, said she often wonders what her life would have been like had she had access to gender-

affirming care sooner.

“Maybe I could have gotten into painting, made more friends or just wouldn’t have had to hurt so much,” Freeman said. “I want to protect other people from hurting like I did.”

The committee took no immediate action on LB732.

Referral process proposed for home visiting services

The Health and Human Services Committee heard testimony Jan. 28 on a bill that seeks to create a pathway for voluntary home visiting service referrals by case managers.

LB903, introduced by Whitman Sen. Tanya Storer, would allow child welfare case managers to refer at-risk families with children under age two to home visiting services under the Family Home Visitation Act.

Storer said the measure seeks to increase awareness among case managers of available home visiting services while maintaining professional discretion. Many case managers are busy juggling large caseloads and the multifaceted needs of their clients, she said, resulting in a lack of referrals for home visiting services.

“Home visiting programs pair young families with trained professionals who tailor services to meet the family’s specific needs,” Storer said.

Dezarae Brandt, maternal and child health program manager for Panhandle Public Health, testified in support of the proposal, saying many at-risk families are missing out on services due to limited funding and referrals.

She said the measure would provide agencies with another source of

funding for home visiting services through the federal Families First Prevention Services Act.

“LB903 helps enhance and encourage referrals directly from ... caseworkers, which is how we can draw down those dollars to ensure home visiting agencies receive funding to serve families involved in the child welfare system,” Brandt said.

Katie Nungesser also testified in support of the proposal on behalf of Voices for Children in Nebraska. Connecting families to voluntary support services at the earliest sign of risk prevents trauma, promotes stability and keeps families safely together, she said.

“This bill aligns with Nebraska’s commitment to prevention, family preservation and the well-being of our youngest children,” Nungesser said.

No one testified in opposition to LB903 and the committee took no immediate action.



Sen. Tanya Storer

JUDICIARY

Study of missing Black women and children advanced

A bill aimed at improving the reporting and investigation of missing Black women and children in Nebraska advanced from the first round of debate Jan. 30.

Under LB751, introduced by Omaha Sen. Ashlei Spivey, the Nebraska State Patrol would be required to conduct a study to determine ways to expand criminal justice resources for reporting and identifying missing



Sen. Ashlei Spivey

Black women and children.

The patrol would collaborate with state and federal agencies, including the Nebraska Commission on African American Affairs and the U.S. Department of Justice, to assess the scope of the issue, identify barriers and improve information sharing and coordination.

An electronic report detailing the study’s findings – including data, analysis, identified barriers and possible future legislation – would be due to the Legislature’s Executive Board by June 1, 2027.

More than 700 Black women and children have gone missing in Nebraska in each of the past five years, Spivey said, and they represented 885 of the more than 1,000 women and children reporting missing in 2023.

She said her proposal is modeled after a bill passed by former Sen. Tom Brewer in 2019 that commissioned a study to increase investigative resources for missing Native American women and children. That study produced actionable measures the State Patrol could implement, Spivey said, including the development of a standard operating procedure for handling missing persons cases.

LB751 could help shed light on why Black women and girls are over-represented in the state’s missing persons cases and offer possible solutions, she said, adding that the estimated \$23,000 cost to hire a consultant to assist the State Patrol with the study would be absorbed by the Nebraska Commission on African American Affairs through their existing general fund appropriations.

“I believe this is an opportunity for our state to step up and do this study to ensure that [we’re] going upstream on this issue, because this doesn’t have to be our reality,” Spivey said.

Lincoln Sen. Carolyn Bohn sup-

ported LB751, saying it could have the same positive impact achieved by the state's previous study on missing Native American women and children.

Lawmakers advanced the measure on a 41-0 vote.

Bills would cap number of guardianship clients, require monthly visits

The Judiciary Committee heard testimony Jan. 29 on two proposals that seek to improve Nebraska's guardianship system.

LB985, sponsored by Bennington Sen. Wendy DeBoer, would prohibit a private person from accepting appointment as a guardian or conservator if they already have 20 clients.



Sen. Wendy DeBoer

DeBoer said the cap would mirror the one already in place for the state's Office of Public Guardian, which serves as guardian when no alternative is available.

While abuse by a guardian is rare, she said, it does occur. In December of last year, she said, an alleged case of fraud and abuse was made possible, in part, by the lack of a cap on how many clients a private guardian may serve.

"The more individuals you serve as a guardian for, the more accounts you have access to and the more you can bill for your services," DeBoer said. "In order to limit the potential for abuse, I believe a cap is necessary."

Amy Miller testified in support of LB985 on behalf of Disability Rights Nebraska. She said the organization has spent the last three years researching the state's guardianship system.

Approximately 10,000 people are under guardianship in Nebraska, she said, and an estimated 90% of those

are full guardianships — meaning the guardian makes almost all life decisions for the client.

"Your guardian gets to decide where you live, what type of medical care you receive, whether you're able to get a job or take classes and all of the money matters related to your life," Miller said. "It's hard to imagine how one person with even 20 wards under their care could thoroughly represent all of those issues for so many people."

Jina Ragland also supported the measure. Speaking on behalf of AARP Nebraska, she said a caseload cap would ensure that guardians aren't stretched too thin.

"This [bill] would increase the likelihood that they could spend more time with older adults and respond quickly to emergencies," Ragland said.

Tim Hruza testified in opposition to LB985 on behalf of the Nebraska State Bar Association. Being a guardian is difficult and intense work, he said, and making it harder to find individuals who are willing to serve may not be the answer.

"Our concern is simply that a cap of 20, while well intended ... may not get to the root cause [of the problem]," Hruza said.

The committee also heard testimony on LB1178, sponsored by DeBoer, which would allow individuals under a guardianship or conservatorship to attend required hearings either virtually or in person. The bill also would require guardians to make at least monthly monitoring visits, keep written records of those visits and maintain periodic contact with care providers.

Finally, the bill would authorize courts to award costs and reasonable attorney's fees in specified proceedings, payable either from the trust involved or by another party.

"Monthly visits ensure guardians actually know their ward's current

condition, living situation and needs, and are not just managing their affairs on paper," DeBoer said.

Miller testified in favor of LB1178. Currently, she said, guardians file an annual report that consists of two pages of questions. In examining those reports, she said, Disability Rights Nebraska found one attorney who indicated that he did not visit his ward of 10 years who lived only eight miles away.

"If any guardian doesn't visit, how do they know the condition of their ward?" Miller said. "It makes common sense to go lay eyes on a person."

No one testified in opposition to LB1178 and the committee took no immediate action on either proposal.



Municipal natural gas sales authorization clears first round

Certain Nebraska cities could contract with large-scale natural gas users to their mutual benefit under a bill advanced from general file Jan. 29.

Sen. Loren Lippincott of Central City, sponsor of LB548, said the bill would allow 15 Nebraska political subdivisions that own natural gas systems to take advantage of a federal



Sen. Loren Lippincott

tax exemption to make discounted natural gas sales to certain large industrial users, including ethanol plants.

This would generate revenue for cities while cutting gas prices for businesses and helping Nebraska compete

for new industries, he said.

Lippincott said a potential contract between Central City and a large industrial facility could generate \$500,000 in annual revenue, which the city would use to make electrical infrastructure upgrades that otherwise would be funded with property taxes.

“LB548 gives cities a tool to fund city services while reducing their tax burden,” he said.

Under the bill, as introduced last session, the industrial user could not be a consumer of any investor-owned or governmentally owned gas system at the time the contract is entered into.

That provision would ensure that cities could not compete with private natural gas suppliers like Black Hills Energy, Lippincott said. Under LB548, he added, cities could contract only with large industrial consumers that already buy natural gas from interstate pipelines on the wholesale market.

A Natural Resources Committee amendment, adopted 28-1, replaced the bill with a modified version of the original proposal.

Under the amendment, the industrial consumer would have to be located in Nebraska within 200 miles of the political subdivision, and the facility would be considered within the natural gas distribution system’s service area for the term of the contract.

A contract could not “pose an unreasonable financial risk” to the political subdivision or its taxpayers as determined by the political subdivision’s governing board.

Seward Sen. Jana Hughes supported LB548. She called it a “creative way” for cities to generate extra revenue without undercutting private businesses.

“It’s very clear that we are not stealing away a customer from some ... private entity,” she said.

Sen. R. Brad von Gillern of Elkhorn opposed the bill, saying he is philosophically against allowing a city to engage in private business. He also raised concerns about what could happen if a city becomes reliant on a new revenue stream only to have it dry up.

“Let’s say they’ve hired additional police officers... [and] they’ve built structures that now need to be maintained,” von Gillern said. “Are they still going to be able to do that?”

LB548 advanced to select file on a vote of 25-9.

Prohibition on eminent domain for CO2 pipelines considered

The Natural Resources Committee heard testimony Jan. 28 on a measure intended to protect the property rights of Nebraskans from companies seeking to build carbon dioxide pipelines.

LB916, introduced by Sen. Glen Meyer of Pender, would prohibit the use of eminent domain to acquire a right-of-way for, construct or operate a pipeline used for transporting carbon dioxide.

Meyer said he introduced LB916 at the request of constituents who fear that carbon dioxide sequestration companies will use eminent domain to acquire their land if they refuse to grant an easement. Eminent domain should be used only rarely and exclusively for public benefit, not for private economic gain, he said.

“Today, I am asking you to place the rights of landowners over the rights of private companies, which is the way it ought to be,” Meyer said. “Let’s fix this mistake that was made in LB650.”

That measure, passed by the Legis-

lature in 2021, created the Nebraska Geologic Storage of Carbon Dioxide Act, which established a legal and regulatory framework for underground carbon dioxide storage in Nebraska.

Meyer’s proposal would authorize the Nebraska Oil and Gas Conservation Commission to approve an application for a carbon dioxide pipeline if the project meets safety, environmental and economic criteria.

LB916 also would update requirements the commission must meet before it approves a permit for an underground carbon dioxide storage facility. Currently, it must find that the facility’s operator has obtained the consent of those who own reservoir estates comprising at least 60% of the physical volume contained within the storage reservoir.

Under the bill, the commission could not issue a permit if an operator has not obtained the consent of all affected landowners.

Shelli Meyer testified in support of LB916. In 2021, she said, a carbon dioxide sequestration company notified her parents of its intent to acquire land on their northeast Nebraska farm to build a pipeline.

Meyer said the bill would protect Nebraskans’ property rights and ensure they are not forced to have an unwanted infrastructure project on their land.

“Some landowners may choose to participate in these projects – that is their right,” she said. “But my parents and many others should also have the right to say no ... and be left alone.”

Testifying in opposition to the bill was Mark Halstead of Kimball. Halstead said he and several other landowners in the area have signed easements with a company building a carbon dioxide injection well project south of Dix. Others would like to join the project but are unable to sign



Sen. Glen Meyer

easements for various reasons outside their control, he said.

Halstead said the 100% landowner consent requirement proposed in LB916 is “unrealistic” and would halt the project, which is expected to bring much needed revenue to communities in the panhandle.

“I do not feel it is right to deny the vast majority of landowners the possibility of an economically beneficial project in a geographic area that, quite frankly, could really use the help,” he said.

Brent Hoops testified in opposition to the bill on behalf of several agricultural organizations, the Nebraska Chamber of Commerce and Industry and the Nebraska Economic Developers Association. He said the state’s ethanol producers have made “significant” investments in projects designed to reduce their carbon dioxide emissions in an effort to increase the value of Nebraska’s ethanol.

LB916 would make carbon dioxide sequestration projects “extraordinarily difficult to permit,” Hoops said, effectively stopping further investment and cutting off the industry’s access to low-carbon fuel markets and emerging international and private markets.

“Without access to those markets,” he said, “ethanol production growth could simply move to other states, taking corn demand, jobs and investment with it.”

The committee took no immediate action on the bill.

REVENUE

Tax increase to fund additional workforce housing considered

The Revenue Committee heard testimony Jan. 29 on a measure intended to create a stable funding source for two Nebraska workforce housing programs.

LB1067, introduced by Syracuse Sen. Bob Hallstrom, would increase the documentary stamp tax on the transfer of real estate from \$2.32 to \$3.82 for each \$1,000 in value. The additional proceeds would be split between the Rural Workforce Housing Investment Fund and Middle Income Workforce Housing Investment Fund.



Sen. Bob Hallstrom

The state Department of Economic Development uses the first fund, created in 2017, to provide grants to nonprofit developers to build workforce housing in the state’s rural communities. Created in 2020, the middle income program serves the same purpose for Douglas, Lancaster and Sarpy counties.

Although both programs have had an “astonishing” return on investment, Hallstrom said, the Legislature has not consistently funded either in recent years. He said LB1067 would generate approximately \$12 million in additional proceeds for each fund beginning in fiscal year 2026-27.

“Nebraska has a housing crisis for which an immediate, reliable funding source is needed,” Hallstrom said. “Without question, allocating resources to enhance our housing supply promotes both workforce

development and the growth of our communities across the state.”

In addition to increasing the documentary stamp tax, Hallstrom said, LB1067 would eliminate a provision allowing the Legislature to transfer money from the Affordable Housing Trust Fund to the state’s General Fund and other funds that receive documentary stamp tax proceeds.

Carol Bodeen testified in support of the bill on behalf of the Nebraska Housing Developers Association, saying developers especially appreciate that proposed change. Despite the state’s lack of affordable housing, she said, lawmakers last year approved an \$8 million transfer from the Affordable Housing Trust Fund to the General Fund to help balance the state budget.

Shannon Harner, executive director of the Nebraska Investment Finance Authority, also testified in support. She said the “modest” tax increase proposed in LB1067 — \$600 on the sale of a \$400,000 house — would create a dedicated funding source to help address Nebraska’s shortage of entry-level homes for working families, first-time homebuyers and moderate income households.

“Without LB1067, there’s no likely dependable source of state funding,” Harner said. “One-time appropriations and temporary programs don’t create the stable pipeline that communities need to plan, build and preserve attainable housing year after year.”

Testifying in opposition to the bill was Charles Chadwick on behalf of the Nebraska Realtors Association, Lincoln and Omaha homebuilders associations and the Welcome Home Coalition. He said LB1067 would increase closing costs, eroding a seller’s equity and limiting options for their next home.

“While this bill may appear modest

on paper,” Chadwick said, “the real-world impacts are meaningful.”

He said lawmakers instead could increase Nebraska’s housing supply by eliminating regulations and reducing the taxes and fees associated with home construction and ownership.

The committee took no immediate action on the bill.

URBAN AFFAIRS

Virtual inspection authorization clears first round

A bill that would authorize virtual inspections of certain residential buildings advanced from general file Jan. 27.

Under LB441, introduced by Omaha Sen. Ashlei Spivey, any state agency, county, city or village that requires an inspection as part of a building permit could allow for virtual inspection by an authorized inspector under certain conditions.



Sen. Ashlei Spivey

Spivey said the measure is intended to modernize the building inspection process while preserving safety and accountability. It would not require local governments to use virtual inspections, she added.

“This is not a mandate, it does not lower standards and it does not replace the judgment of inspectors or permitting authorities,” Spivey said.

The inspection would have to be of an area of a residential building that is less than three stories in height and under 10,000 square feet.

In most cases, Spivey said, the in-

spection would have to be conducted live with both the individual requesting or holding the permit and the inspector. Inspections required for building permits of a nonstructural nature could be conducted using video or photo documentation for any reinspection.

An Urban Affairs Committee amendment, adopted 43-0, would further limit the option for virtual inspections to single-family or two-family residential buildings meeting the proposed height and area requirements.

LB441 as introduced would have required the individual requesting or holding the building permit to provide a list of personnel who are completing the work. Under the committee amendment, the required list would have to include only licensed or registered personnel completing the work to be virtually inspected.

The original bill also would require that certain inspection records be made available to the public. Under the committee amendment, the personnel list would not be included in that requirement.

Spivey introduced an amendment, adopted 45-0, that replaced the bill. It incorporates the changes included in the committee amendment and also removes the requirement that inspection records be made public, which she said raised privacy concerns.

Under her amendment, any state agency or local government that uses virtual inspections would not be required to publicize the personnel list.

Spivey offered another amendment, adopted 40-0, to require that only licensed or registered contractors be included in the required list.

Elkhorn Sen. R. Brad von Gillern supported the amendment, saying the change would further alleviate privacy concerns by ensuring that only the contractor completing the work

to be inspected would be included in the list, not all of the contractor’s personnel.

LB441 advanced to select file on a vote of 45-0.

Accessibility requirements proposed for state housing assistance

The Urban Affairs Committee heard testimony Jan. 27 on two measures intended to ensure that Nebraskans with mobility, hearing or vision impairments can find homes that meet their needs.

Bellevue Sen. Victor Rountree, sponsor of LB839 and LB840, said the proposals stem from an interim study that found an “acute need” for affordable housing units that are accessible for people with disabilities.



Sen. Victor Rountree

“While it is hard to say how many affordable, accessible units exist in the state,” he said, “we know that many people with disabilities are unable to find housing that meets their needs.”

For most housing projects built with federal funds, Rountree said, at least 5% of units must be accessible for people with mobility impairments and at least 2% must be accessible for people with sensory impairments.

LB840 would create a similar provision to qualify for assistance from the state’s Affordable Housing Trust Fund, requiring at least 20% of a multifamily housing project’s units to be accessible for people with mobility impairments and at least 10% to be accessible for people with hearing or vision impairments.

To more accurately gauge the number of accessible units on the market, Rountree said, LB839 would add a re-

quirement to current biennial reports certain cities are required to submit to the committee. The reports provide details on cities' efforts to address the availability of and incentives for affordable housing through zoning, ordinances and regulations.

The bill would require cities to report the number of multifamily housing units that have been designed and built in accordance with the federal Fair Housing Act's accessibility requirements.

Kathy Hoell testified in support of both measures on behalf of the state's Olmstead Advisory Committee, which helps integrate people with disabilities into their communities under a 1999 U.S. Supreme Court decision. She said the additional reporting requirement proposed under LB839 would give the committee a "snapshot in time" that it could use when making plans to increase Nebraska's accessible housing stock.

"We have to know what we start with in order for us to make any changes," Hoell said.

Blair MacDonald testified in opposition to LB839 on behalf of the Greater Nebraska Cities, including Grand Island, which is required to submit an affordable housing report.

She said cities would have "substantial difficulty" in compiling information from 35 years' worth of housing records, many of which are not digitized.

MacDonald said a shorter lookback period and a clearer definition of which multifamily dwellings should be included in the report would make the measure easier to comply with.

Zeke Rouse testified in support of LB840 on behalf of Spark, an Omaha community development nonprofit. He said lower minimum requirements for accessible units and an exemption for rehabilitation and adaptive use projects would make it easier for smaller developers and those restoring older buildings to comply with the bill.

Testifying in opposition to LB840 was Carol Bodeen of the Nebraska Housing Developers Association. Although developers support the bill's intent, she said, most multifamily housing projects in Nebraska are built using federal funding sources, which already require a minimum percentage of accessible units.

In addition to considering requirements for new construction, Bodeen said, lawmakers should consider making funds available for homeowners or renters to make their current homes accessible.

"Preserving existing homes and allowing people to age in place deserves a priority in this conversation," she said.

Also testifying in opposition to LB840 was Fred Hoppe, an affordable housing developer. He said the proposed minimum percentages seem "excessive" and that the majority of his projects' fully accessible units end up being leased to people without disabilities.

Hoppe said his company builds all first-floor units to be "adaptable," meaning that they are ready to be upgraded with features that make them fully accessible. He suggested requiring landlords to keep a reserve fund used to help tenants cover the approximately \$5,000 needed to convert adaptable units to fully accessible units.

Dianne DeLair of Disability Rights Nebraska gave neutral testimony on both bills. Although certain units are adaptable, she said, currently the onus is on tenants to pay the high conversion costs.

Private apartment buildings constructed with state tax dollars should be required to include a minimum number of accessible units, she added.

The committee took no immediate action on either bill. ■



COMMITTEE HEARINGS

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

Monday, Feb. 2

Appropriations

Room 1524 - 1:30 p.m.

**NOTE: LB1071 and LB1072 will be a combined hearing. 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.*

***NOTE: LB992, LB1105, LB1209 and LB1210 will be a combined hearing.*

*LB1071 (Speaker Arch) Provide, change, and eliminate provisions related to appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2027

*LB1072 (Speaker Arch) Provide for and change transfers from the Cash Reserve Fund and provide, change, and eliminate provisions relating to fees, funds, fund transfers, agency powers and duties, and various statutory programs

LB772 (M. Cavanaugh) Eliminate provisions allowing certain transfers of funds

**LB992 (Dover) State intent regarding appropriations

**LB1105 (Dover) State intent regarding appropriations

**LB1209 (Clements) Appropriate funds for the Legislative Council

**LB1210 (Clements) Eliminate an obsolete transfer relating to the Cash Reserve Fund

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB875 (Hallstrom) Amend the Equipment Business Regulation Act to change provisions relating to dealer agreements and the return of surplus repair parts

LB835 (Jacobson) Change and eliminate provisions relating to fees of the Secretary of State, notices of liens under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act, the central filing system,

effective financing statements, the master lien list, and filed records under the Uniform Commercial Code
 LB950 (Bostar) Change provisions relating to uniform prior authorization forms, the designated health information exchange, and the Health Information Technology Board
 LB1044 (Prokop) Change provisions of the Business Innovation Act

Business & Labor

Room 1200 - 1:30 p.m.

LB861 (Bostar) Require authorized building inspectors for inspections under the Building Construction Act and public access to certain building inspection records

LB744 (Juarez) Include public safety communications personnel in certain provisions relating to first responders in the Nebraska Workers' Compensation Act and the Critical Incident Stress Management Act

LB819 (Hallstrom) Change provisions of the Rural Workforce Housing Investment Act and the Middle Income Workforce Housing Investment Act

LR303CA (M. Cavanaugh) Constitutional amendment to provide for paid family medical leave

LB1173 (Kauth) Provide for an annual filing fee for certain employers under the Employment Security Law, rename the Contractor and Professional Employer Organization Registration Cash Fund, and change permitted uses of such fund

Education

Room 1525 - 1:30 p.m.

LB1038 (Hughes) Change provisions relating to school funding and property taxes

LB742 (McKinney) Provide requirements relating to the participation of seventh and eighth grade students in high school sports

LB1046 (McKinney) Require school policies relating to name, image, and likeness rights for high school students

LB1243 (Murman) Change school board policies and procedures relating to part-time enrollment

LB1146 (Conrad) Change provisions relating to reports by a school district relating to absences of a child from school

Executive Board

Room 1524 - 12:00 p.m.

LB1237 (Executive Board) Prohibit bringing weapons or prohibited substances into the State Capitol

General Affairs

Room 1023 - 1:30 p.m.

LB934 (J. Cavanaugh) Provide for the election of members of the Nebraska Medical Cannabis Commission

LB1235 (General Affairs) Change and transfer provisions of the Nebraska Medical Cannabis Patient Protection Act and the Nebraska Medical Cannabis Regulation Act and provide for taxation

Transportation & Telecommunications

Room 1510 - 1:30 p.m.

Appointment: Bradford L. Jacobs - Motor Vehicle Industry Licensing Board

Appointment: James W. Hawks - State Highway Commission

LB1107 (G. Meyer) Change provisions of the Rural Road Improvement District Act

LB977 (Storer) Provide requirements under the Nebraska Rules of the Road relating to motorists encountering certain animals being led, herded, or driven on or along highways

LB991 (Dover) Provide for stop-signal-arm camera systems on school buses and authorize the use of such systems for enforcement of certain violations under the Nebraska Rules of the Road

LB1223 (Hunt) Change headlight requirements under the Nebraska Rules of the Road and prohibit the sale and distribution of certain motor vehicles under the Motor Vehicle Industry Regulation Act

LB1098 (Juarez) Adopt the State Rail Plan Act

COMMITTEE HEARINGS

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

Tuesday, Feb. 3

Agriculture

Room 1023 - 1:30 p.m.

LB815 (Brandt) Provide for a tax on diesel fuels, change provisions relating to refunds for motor fuel taxes and the petroleum release remedial action fee, change and eliminate provisions of the Ethanol Development Act, and eliminate the Ethanol Production Incentive Cash Fund

LB894 (DeKay) Change provisions relating to the Grain Dealer Act and the Grain Warehouse Act

LB895 (DeKay) Change applicability, license requirements, and fees under the Grain Warehouse Act

Appropriations

Room 1524 - 1:30 p.m.

Agency 13: Dept. of Education

Agency 32: Board of Educational Lands & Funds

Agency 48: Coordinating Commission for Postsecondary Education

Agency 50: State College System

Agency 83: Community College Aid

LB862 (Prokop) Change intent relating to appropriations under the Nebraska Reading Improvement Act

LB1054 (DeBoer) Appropriate funds to the State Department of Education for grants for cybersecurity products and services

LB1140 (Spivey) Provide for distribution of appropriations to the State Department of Education for a pilot program in a city of the metropolitan class

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB1062 (Bostar) Change provisions relating to the Insurance Producers Licensing Act and the Pharmacy Benefit Manager Licensure and Regulation Act

LB1063 (Bostar) Change provisions relating to applicants and licensees under the Nebraska Money Transmitters Act and prohibit money transmission by foreign adversary persons

LB967 (Jacobson) Provide requirements for electronic notice of annual meetings by mutual insurance holding companies

LB1138 (Hallstrom) Adopt the Nebraska Protection of Seniors from Insurance Exploitation Act

LB1137 (Ballard) Change provisions relating to residential contracts, notice of cancelations, prohibited acts, and post-loss assignment of rights or benefits under the Insured Homeowners Protection Act, licenses, contracts, prohibited acts, and fees under the Public Adjusters Licensing Act, and penalties relating to fraudulent insurance acts

Education

Room 1525 - 1:30 p.m.

LB1196 (Storer) Prohibit the use of state or local funds for low-earning outcome postsecondary education programs

LB1164 (Lonowski) Adopt the Prior Learning Act

LB1208 (Juarez) Provide a budget requirement under the Tax Equity and Educational Opportunities Support Act

LB1224 (Hunt) Prohibit children from transferring to an exempt school during certain child abuse or neglect investigations and prohibit persons convicted of certain crimes from monitoring or providing instruction at such schools

LB1241 (Murman) Provide requirements relating to applications for employment at a school

Transportation & Telecommunications

Room 1510 - 1:30 p.m.

LB1126 (Moser) Adopt the Infrastructure Development Investment Program Act and change provisions relating to the construction and repair of roads, the Transportation Innovation Act, the Motor Vehicle Safety Responsibility Act, and the Nebraska Rules of the Road

LB1176 (DeBoer) Change provisions relating to the Nebraska Rules of the Road and the Automatic License Plate Reader Privacy Act

LB1005 (Clouse) Provide for the operation of all-terrain vehicles and utility-type vehicles between sunset and sunrise under the Nebraska Rules of the Road

Urban Affairs

Room 1200 - 1:30 p.m.

LB1130 (Jacobson) Adopt the Community Improvement District Act

LB1163 (Fredrickson) Change provisions relating to the Property Assessed Clean Energy Act

LB1041 (Rountree) Provide requirements for cities, villages, and counties relating to accessory dwelling units

LB981 (Urban Affairs) Provide powers to cities of the metropolitan class to regulate housing authorities and change provisions of the Nebraska Housing Agency Act

LB1045 (McKinney) Adopt the Nebraska Public Housing Preservation Trust Act

Wednesday, Feb. 4

Appropriations

Room 1003 - 1:30 p.m.

Agency 14: Public Service Commission

Agency 24: Dept. of Motor Vehicles

Agency 27: Dept. of Transportation

Agency 33: Game & Parks Commission

Agency 63: Board of Public Accountancy

LB982 (DeBoer) Appropriate funds to the Public Service Commission for the Broadband Bridge Program

LB1218 (Brandt) Change provisions of the County Bridge Match Program and provide for a transfer of funds from the Roads Operations Cash Fund

Executive Board

Room 1524 - 12:00 p.m.

LR300 (Spivey) Create the Nebraska Economic Development Task Force

LB986 (Bostar) Allow expenditure of campaign funds for security services and systems under the Nebraska Political Accountability and Disclosure Act

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB904 (Arch) Change provisions relating to Chinese military companies under the Nebraska Political Accountability and Disclosure Act

LB927 (Andersen) Change provisions relating to the involvement of foreign

COMMITTEE HEARINGS

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nationals with funding and organization of ballot question committees
 LB1068 (Storm) Change requirements for petition circulators and sponsors under the Election Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB942 (Riepe) Provide requirements for medicaid reimbursement for emergency medical conditions and inpatient services under the Medical Assistance Act

LB911 (Hardin) Provide requirements for licensed behavior analysts, certain child care licensing facilities, behavior analysis services under the Medical Assistance Act, and the Department of Health and Human Services

LB724 (Quick) Require the Department of Health and Human Services to conduct a cost study of behavioral health care rates

LB945 (Dorn) Change provisions relating to the use of the Hospital Quality Assurance and Access Assessment Fund

LB812 (Bostar) Provide requirements for the Department of Health and Human Services relating to medicaid eligibility redeterminations and community engagement

Judiciary

Room 1525 - 1:30 p.m.

LB1230 (Strommen) Provide for mobile homes in the Disposition of Personal Property Landlord and Tenant Act and change provisions relating to certificates of title for mobile homes

LB871 (Conrad) Increase and provide for inflation adjustments for amounts exempt from judicial enforcement and the homestead and exempt property allowances

LB809 (Dover) Prohibit political subdivisions from enacting certain ordinances relating to landlords

LB880 (Guereca) Prohibit residential landlords from prohibiting or charging extra fees for tenants' payments made by automated clearinghouse transfer

LB1007 (Dungan) Prohibit a landlord

from keeping a security deposit when a rental agreement is not signed and prohibit nondisclosure terms in rental agreements

LB980 (Bosn) Change provisions of the Uniform Residential Landlord and Tenant Act relating to waivers of jury trials and summonses and provide for summary judgment and expedited proceedings

Natural Resources

Room 1023 - 1:30 p.m.

Appointments: Lance Hedquist, Jessica Kolterman, Kevin Peterson - Environmental Quality Council

LB1172 (Holdcroft) Provide requirements for electric suppliers relating to dispatchable electricity capacity

LB1259 (Hansen) Adopt the Grid Modernization Act

Revenue

Room 1524 - 1:30 p.m.

Appointment: Kuhn, James D - Tax Equalization and Review Commission

LB1109 (von Gillern) Eliminate certain sales and use tax exemptions and a renewable energy tax credit and change provisions relating to the Nebraska Advantage Research and Development Act and the ImagiNE Nebraska Act

LB1244 (Murman) Eliminate certain sales and use tax exemptions, impose sales and use tax on certain services, and change provisions relating to the Nebraska Job Creation and Mainstreet Revitalization Act

LB1124 (Sorrentino) Increase the cigarette tax and state intent and change provisions relating to the distribution of cigarette tax proceeds

LB1131 (Bostar) Adopt the Domestic Violence and Human Trafficking Service Providers Tax Credit Act and eliminate personal property tax and sales and use tax exemptions relating to data centers

LB1238 (Hughes) Change the cigarette tax and distribution of such tax and change taxes imposed under the Tobacco Products Tax Act

Thursday, Feb. 5

Appropriations

Room 1003 - 1:30 p.m.

Agency 22: Dept. of Insurance

Agency 16: Dept. of Revenue

Agency 35: Liquor Control Commission

Agency 36: State Racing Commission

Agency 93: Tax Equalization & Review Commission

Agency 54: Neb. State Historical Society

Executive Board

Room 1524 - 12:00 p.m.

LB1245 (Dover) Provide for assigned parking for members of the Legislature and judges

LB1155 (Dorn) Change provisions relating to legislative oversight

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB964 (Bostar) Adopt the Nebraska Public Property Disclosure Act

LB898 (Lonowski) Change which political subdivisions may use virtual conferencing for meetings under the Open Meetings Act and change related requirements

LB1145 (Lonowski) Change provisions relating to notice requirements for a meeting of a public body under the Open Meetings Act

LB997 (Andersen) Change provisions relating to emergency contracts in the State Procurement Act

Health & Human Services

Room 1510 - 1:30 p.m.

LB926 (Andersen) Change provisions relating to cash assistance under the Welfare Reform Act and transitional assistance under the aid to dependent children program

LB773 (Dungan) Eliminate a sunset date and change provisions of the Nebraska Prenatal Plus Program

LB1043 (G. Meyer) Include prescription antidepressants, antipsychotics, and anticonvulsants on the preferred drug list under the Medical Assistance Act

LB929 (Fredrickson) Provide requirements for the Department of Health and Human Services relating to deductions and cost sharing for medicaid enrollees

COMMITTEE HEARINGS

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

LB1221 (Ballard) Provide definitions relating to community engagement and work requirements under the Medical Assistance Act

Judiciary

Room 1525 - 1:30 p.m.

LB1096 (Bostar) Adopt the Preventing Lethal Agricultural and National Threats Act and the Critical Infrastructure Protection Act, authorize the withholding of records relating to critical water infrastructure, and provide civil and criminal penalties

LB1123 (Bostar) Provide requirements relating to Brady-Giglio lists, protections for certain officers, and duties for prosecuting agencies and public safety agencies, and change the penalty for impersonating a peace officer

LB1036 (Dungan) Change Nebraska Evidence Rules to provide for consideration of evidence of other crimes, wrongs, or acts as prescribed

LB1153 (Conrad) Change provisions relating to recovery under the Consumer Protection Act, provide a termination date for the State Settlement Cash Fund and for distribution of money in the fund, and change provisions relating to the State Settlement Trust Fund

LB1195 (Storer) Eliminate requirements relating to female inmates of county jails

Natural Resources

Room 1023 - 1:30 p.m.

Appointments: Tassia Falcon da Silva Steidley, Alden Zuhlke - Environmental Quality Council

LB1026 (Storm) Prohibit retirement, shutdown, cessation of operation, and alteration of operation of certain energy generation facilities

LB1027 (Storm) Eliminate certain exemptions applicable to privately developed renewable energy generation facilities and change requirements for the construction of privately developed renewable energy generation facilities

LB1261 (DeKay) Prohibit the use of eminent domain to acquire certain privately owned electric generation facilities

Revenue

Room 1524 - 1:30 p.m.

**NOTE: LB1219 and LB317CA will be a combined hearing*

LB1252 (Murman) Provide for a retail delivery fee under the Nebraska Revenue Act of 1967

LB1183 (Lippincott) Change provisions relating to valuation of property

LB1154 (Riepe) Change provisions relating to the calculation of property tax request authority under the Property Tax Growth Limitation Act

**LB1219 (Brandt) Limit the amount of property taxes that may be levied by a political subdivision*

**LR317CA (Brandt) Constitutional amendment to limit the annual growth in the amount of property taxes levied by political subdivisions*

Friday, Feb. 6

Appropriations

Room 1003 - 1:30 p.m.

Agency 34: Neb. Library Commission

Agency 47: Neb. Educational Telecommunications Commission

Agency 53: Real Property Appraiser Board

Agency 57: Oil and Gas Conservation Commission

Agency 58: Board of Engineers & Architects

Agency 66: Abstracters Board of Examiners

Agency 87: Accountability & Disclosure Commission

Agency 90: African American Affairs Commission

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1048 (Arch) Change and eliminate reporting requirements for certain government agencies and preparation of the state executive budget and eliminate the Small Business Advisory Council, the Suggestion Award Board, and the state employee suggestion system

LB905 (Arch) Change and eliminate provisions relating to boards, commissions, committees, task forces, and funds that terminate

LB1087 (Arch) Create the Nebraska-Ireland Commission

Health & Human Services

Room 1510 - 1:30 p.m.

LB914 (Hardin) Eliminate physician liability for negligence of physician assistants

LB955 (Hardin) Provide for practice agreements between pharmacists and physician assistants

LB888 (Clouse) Change enforcement provisions for violations of the Nebraska Uniform Standards for Modular Housing Units Act, the Uniform Standard Code for Manufactured Homes and Recreational Vehicles, and certain rules, regulations, and orders

LB1013 (Hansen) Change and eliminate provisions relating to names of state institutions and requirements relating to gender at youth rehabilitation and treatment centers

Judiciary

Room 1525 - 1:30 p.m.

LB1000 (Prokop) Change penalties for violations of domestic abuse and sexual assault protection orders

LB1020 (Bostar) Provide for and change offenses involving mobile tracking devices, stalking, unlawful intrusion, operation of unmanned aircraft systems, and swatting and eliminate the requirement that courts impose probation for Class IV felonies

LB1088 (Raybould) Require persons convicted of misdemeanor crimes of domestic violence or subject to domestic abuse protection orders to surrender firearms for a period of time

LB1059 (Bosn) Prohibit certain conduct relating to mobile tracking devices and change penalties for stalking

LB1181 (Bosn) Change provisions relating to the rights of victims of certain crimes

Nebraska Retirement Systems

Room 1524 - 12:00 p.m.

LB1166 (Juarez) Change applicability of the employee contribution rate under the School Employees Retirement Act

LB1102 (Ballard) Provide requirements for monthly payments of retirement allowances and change when certain cost-of-living adjustments occur under the Class V School Employees Retirement Act

COMMITTEE HEARINGS

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

Revenue

Room 1524 - 1:30 p.m.

- LB1110 (von Gillern) Change provisions related to the distribution of certain tax revenue, confidentiality of shared information, contracts between the Tax Commissioner and collection agencies, and the collection and enforcement of delinquent income tax claims and provide for fees
- LB1240 (Murman) Change provisions relating to state recovery under the achieving a better life experience program
- LB1191 (Hallstrom) Change provisions relating to certain employment and investment requirements under the Nebraska Advantage Act
- LB1192 (Prokop) Redefine a term under the Convention Center Facility Financing Assistance Act
- LB852 (Spivey) Provide for the recapture of funding distributed from the Convention Center Support Fund to certain recipients

Monday, Feb. 9

Appropriations

Room 1524 - 1:30 p.m.

- Agency 25: Health & Human Services
- LB946 (Dorn) State intent regarding appropriations to the Department of Health and Human Services for medicaid assisted-living facilities
- LB1229 (Strommen) Create the Rural Health Transformation Fund
- LB1031 (Dorn) Require appropriations from the Hospital Quality Assurance and Access Assessment Fund and state intent regarding medicaid rates for mental health providers
- LB1122 (Bostar) State intent regarding appropriations to the Department of Health and Human Services
- LB1143 (Hardin) Change provisions relating to nursing facility rates and establish a money follows the person program under the Medical Assistance Act

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

- LB1185 (Bostar) Adopt the Conversational Artificial Intelligence Safety Act

- LB1083 (Storer) Adopt the Transparency in Artificial Intelligence Risk Management Act, create a fund, and change provisions relating to records which may be withheld from the public
- LB1174 (Kauth) Change provisions related to reports of condition under the Nebraska Money Transmitters Act and provide for a remittance transfer tax
- LB1119 (Bosn) Change provisions relating to the collection and use of personal data and provide additional duties and prohibitions for a covered online service under the Age-Appropriate Online Design Code Act
- LB1160 (Hallstrom) Change provisions relating to civil procedure, decedents' estates, trusts, and inheritance taxes
- LB1014 (Spivey) Change provisions relating to notice under the Nebraska Uniform Limited Liability Act and require the Secretary of State to create a web page and charge a fee for electronic publication of notices under the act

Business & Labor

Room 1200 - 1:30 p.m.

- LB813 (Bostar) Change provisions relating to marketplace network contractors under the Employment Security Law
- LB879 (Guereca) Adopt the Guest Worker Permit Act
- LB941 (Lippincott) Exclude certain franchisors from being considered employers under certain labor laws
- LB1089 (Hughes) Change enforcement provisions of the Nebraska Healthy Families and Workplaces Act
- LB1249 (Sorrentino) Redefine terms, change provisions relating to the carryover of paid sick time, and repeal obsolete provisions in the Nebraska Healthy Families and Workplaces Act

Education

Room 1525 - 1:30 p.m.

- LB1112 (McKinney) Adopt the Statewide Standardized Grading System Act
- LB1184 (Fredrickson) Adopt the Nebraska Tribal College Investment Act
- LB1086 (Dover) Change eligibility requirements for community college gap assistance

- LB1039 (Dungan) Prohibit school resource officers and security guards from using corporal punishment
- LB1182 (Lippincott) Provide for a base salary for certified teachers and state intent relating to changes to the Tax Equity and Educational Opportunities Support Act and a new form of block grant funding
- LB1029 (Conrad) Redefine terms relating to reportable funding from a foreign adversarial source for colleges and universities

General Affairs

Room 1023 - 1:30 p.m.

- Appointments:* John Michael Coffey, James A. Elworth, Robert (Bud) Synhorst - Neb. Liquor Control Commission
- LB1151 (Clouse) Provide for a regional craft brewery license under the Nebraska Liquor Control Act
- LB1128 (Dover) Change provisions relating to entertainment district licenses under the Nebraska Liquor Control Act
- LB1004 (Clouse) Change the regulation of nonalcoholic beer under the Nebraska Liquor Control Act
- LB1085 (Clouse) Change provisions relating to retail, bottle club, craft brewery, and microdistillery licenses, Nebraska Liquor Control Commission powers and duties, and penalties for violations under the Nebraska Liquor Control Act
- LB1115 (Storer) Exempt microbreweries from certain distribution agreement requirements between beer suppliers and wholesalers

Tuesday, Feb. 10

Agriculture

Room 1023 - 1:30 p.m.

- LB1188 (DeKay) Update a federal reference in the Foreign-owned Real Estate National Security Act and prohibit ownership of real estate in adversary nations by the state and any political subdivision thereof

Appropriations

Room 1524 - 1:30 p.m.

Agency 70: Foster Care Review Board
Agency 76: Neb. Indian Commission
Agency 81: Commission for the Blind & Visually Impaired
LB750 (Spivey) State legislative intent relating to reimbursement for PACE program services under the Health Care Facility Licensure Act
LB858 (Fredrickson) Appropriate funds to the Department of Health and Human Services for federally qualified community health centers
LB1106 (Prokop) Provide for transfers of funds from the Nebraska Health Care Cash Fund to the Patient Safety Cash Fund
LB1177 (DeBoer) Create the Child Care Cash Fund

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB1118 (Bosn) Classify certain actions by a social media platform as deceptive trade practices under the Uniform Deceptive Trade Practices Act
LB1006 (Guereca) Adopt the Protecting Consumers and Jobs from Predatory Pricing Act
LB1078 (Dungan) Adopt the Fair Online Pricing Act
LB1152 (Ballard) Adopt the New Taxpayer Recruitment Grant Act
LB953 (von Gillern) Change provisions related to eligible activities for and requirements for assistance from the Site and Building Development Fund
LB999 (Spivey) Adopt the Business Innovation and Startup Commission Act
LB1205 (Clouse) Require the Department of Economic Development to award grants under the Business Innovation Act

Transportation & Telecommunications

Room 1510 - 1:30 p.m.

LB1092 (Bostar) Provide for Back the Blue License Plates and Iconic-Design License Plates
LB1099 (Hansen) Provide for Husker Red License Plates
LB1093 (Ballard) Redefine excavation under the One-Call Notification System Act
LB1082 (Storer) Provide a duty for telecommunications companies under the Nebraska Telecommunications Regulation Act

Wednesday, Feb. 11

Appropriations

Room 1003 - 1:30 p.m.

Agency 5: Supreme Court
Agency 46: Dept. of Correctional Services
Agency 64: Neb. State Patrol
Agency 78: Neb. Commission on Law Enforcement and Criminal Justice
Agency 94: Commission on Public Advocacy
Agency 69: Neb. Arts Council
LB752 (Spivey) State intent regarding appropriations to the Department of Correctional Services

Executive Board

Room 1524 - 12:00 p.m.

LB1236 (Executive Board) Change provisions relating to publication, printing, and distribution of legislative journals, session laws, and statutes
LB1065 (Executive Board) Change provisions regarding the publication and distribution of the Constitution of Nebraska

Health & Human Services

Room 1510 - 1:30 p.m.

LB1194 (Storer) Adopt the Real Food Act
LB1144 (Hardin) Redefine a term and provide requirements for entities issuing health plans under the Medical Assistance Act
LB1132 (Fredrickson) Require the Department of Health and Human Services to file a state plan amendment for coverage of long-acting injectable and extended-release medications for certain individuals
LB723 (Quick) Provide for implementation of community engagement requirements under the Medical Assistance Act
LB1212 (Riepe) Provide for licensure of internationally trained physicians under the Uniform Credentialing Act

Thursday, Feb. 12

Appropriations

Room 1003 - 1:30 p.m.

Agency 18: Dept. of Agriculture
Agency 72: Dept. of Economic Development
LB806 (Ibach) Provide for a grant to a city of the first class from the Site and Building Development Fund
LB844 (Rountree) Provide for additional grants under the Site and Building

Development Fund

LB1030 (Dorn) Appropriate funds to the Department of Economic Development for state aid to development districts
LB1070 (Dover) Change appropriations to the Department of Economic Development
LB1167 (Dorn) State intent regarding appropriations to the Department of Economic Development
LB1190 (Conrad) Change authorized use of funds appropriated to the Department of Economic Development
LB1231 (Strommen) Transfer money from the Panhandle Improvement Project Cash Fund to the Animal Damage Control Cash Fund and state legislative intent

Executive Board

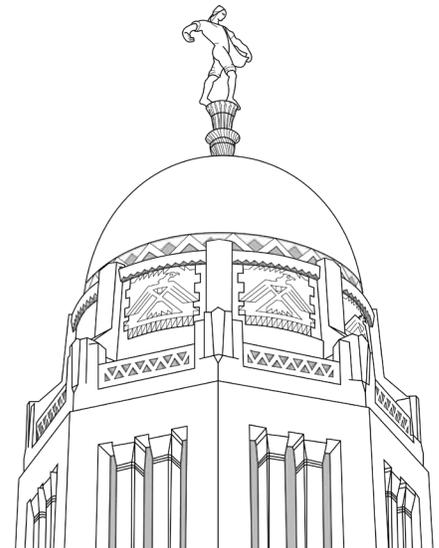
Room 1524 - 12:00 p.m.

LB1049 (Ibach) Require the Legislative Fiscal Analyst to prepare economic impact reports for regulatory actions
LB1179 (DeBoer) Change provisions relating to the Agriculture Committee, Natural Resources Committee, and Transportation and Telecommunications Committee of the Legislature

Health & Human Services

Room 1510 - 1:30 p.m.

LB1234 (Hansen) Adopt the Freestanding Birth Center Act
LB1211 (Riepe) Provide requirements for automated medication systems operated by certain pharmacies under the Automated Medication Systems Act ■



SENATOR CONTACT INFO

Sen. Bob Andersen Omaha, District 49 Room 1021 (402) 471-2725 bandersen@leg.ne.gov	Sen. Stan Clouse Kearney, District 37 Room 1206 (402) 471-2726 sclouse@leg.ne.gov	Sen. Ben Hansen Blair, District 16 Room 2108 (402) 471-2728 bhansen@leg.ne.gov	Sen. Dan Lonowski Hastings, District 33 Room 1017 (402) 471-2712 dlonowski@leg.ne.gov	Sen. Victor Rountree Bellevue, District 3 Room 1000 (402) 471-2627 vrountree@leg.ne.gov
Sen. John Arch La Vista, District 14 Room 2103 (402) 471-2730 jarch@leg.ne.gov	Sen. Danielle Conrad Lincoln, District 46 Room 2028 (402) 471-2720 dconrad@leg.ne.gov	Sen. Brian Hardin Gering, District 48 Room 1402 (402) 471-2802 bhardin@leg.ne.gov	Sen. Terrell McKinney Omaha, District 11 Room 1319 (402) 471-2612 tmckinney@leg.ne.gov	Sen. Rita Sanders Bellevue, District 45 Room 1315 (402) 471-2615 rsanders@leg.ne.gov
Sen. Christy Armendariz Omaha, District 18 Room 1423 (402) 471-2618 carmendariz@leg.ne.gov	Sen. Wendy DeBoer Bennington, District 10 Room 1114 (402) 471-2718 wdeboer@leg.ne.gov	Sen. Rick Holdcroft Bellevue, District 36 Room 1019 (402) 471-2642 rholdcroft@leg.ne.gov	Sen. Fred Meyer St. Paul, District 41 Room 1529 (402) 471-2631 fmeyer@leg.ne.gov	Sen. Tony Sorrentino Elkhorn, District 39 Room 1522 (402) 471-2885 tsorrentino@leg.ne.gov
Sen. Beau Ballard Lincoln, District 21 Room 1101 (402) 471-2673 bballard@leg.ne.gov	Sen. Barry DeKay Niobrara, District 40 Room 1022 (402) 471-2801 bdekay@leg.ne.gov	Sen. Jana Hughes Seward, District 24 Room 1212 (402) 471-2756 jhughes@leg.ne.gov	Sen. Glen Meyer Pender, District 17 Room 1202 (402) 471-2716 gmeyer@leg.ne.gov	Sen. Ashlei Spivey Omaha, District 13 Room 1120 (402) 471-2727 aspivey@leg.ne.gov
Sen. Carolyn Bosn Lincoln, District 25 Room 1103 (402) 471-2731 cbosn@leg.ne.gov	Sen. Myron Dorn Adams, District 30 Room 1208 (402) 471-2620 mdorn@leg.ne.gov	Sen. Megan Hunt Omaha, District 8 Room 2107 (402) 471-2722 mhunt@leg.ne.gov	Sen. Mike Moser Columbus, District 22 Room 1317 (402) 471-2715 mmoser@leg.ne.gov	Sen. Tanya Storer Whitman, District 43 Room 1401 (402) 471-2628 tstorer@leg.ne.gov
Sen. Eliot Bostar Lincoln, District 29 Room 1012 (402) 471-2734 ebostar@leg.ne.gov	Sen. Robert Dover Norfolk, District 19 Room 2011 (402) 471-2929 rdover@leg.ne.gov	Sen. Teresa Ibach Sumner, District 44 Room 2000 (402) 471-2805 tibach@leg.ne.gov	Sen. Dave Murman Glenvil, District 38 Room 1107 (402) 471-2732 dmurman@leg.ne.gov	Sen. Jared Storm David City, District 23 Room 1124 (402) 471-2719 jstorm@leg.ne.gov
Sen. Tom Brandt Plymouth, District 32 Room 1210 (402) 471-2711 tbrandt@leg.ne.gov	Sen. George Dungan Lincoln, District 26 Room 1016 (402) 471-2610 gdungan@leg.ne.gov	Sen. Mike Jacobson North Platte, District 42 Room 1117 (402) 471-2729 mjacobson@leg.ne.gov	Sen. Jason Prokop Lincoln, District 27 Room 1118 (402) 471-2632 jprokop@leg.ne.gov	Sen. Paul Strommen Sidney, District 47 Room 1321 (402) 471-2616 pstrommen@leg.ne.gov
Sen. John Cavanaugh Omaha, District 9 Room 1008 (402) 471-2723 jcavanaugh@leg.ne.gov	Sen. John Fredrickson Omaha, District 20 Room 2015 (402) 471-2622 jfredrickson@leg.ne.gov	Sen. Margo Juarez Omaha, District 5 Room 1528 (402) 471-2710 mjuarez@leg.ne.gov	Sen. Dan Quick Grand Island, District 35 Room 2004 (402) 471-2617 dquick@leg.ne.gov	Sen. R. Brad von Gillern Elkhorn, District 4 Room 1116 (402) 471-2621 bvongillern@leg.ne.gov
Sen. Machaela Cavanaugh Omaha, District 6 Room 1115 (402) 471-2714 mcavanaugh@leg.ne.gov	Sen. Dunixi Guereca Omaha, District 7 Room 1523 (402) 471-2721 dguereca@leg.ne.gov	Sen. Kathleen Kauth Omaha, District 31 Room 2010 (402) 471-2327 kkauth@leg.ne.gov	Sen. Jane Raybould Lincoln, District 28 Room 1406 (402) 471-2633 jraybould@leg.ne.gov	Sen. Dave Wordekemper Fremont, District 15 Room 1110 (402) 471-2625 dwordekemper@leg.ne.gov
Sen. Robert Clements Elmwood, District 2 Room 1004 (402) 471-2613 rclements@leg.ne.gov	Sen. Bob Hallstrom Syracuse, District 1 Room 1404 (402) 471-2733 bhallstrom@leg.ne.gov	Sen. Loren Lippincott Central City, District 34 Room 1018 (402) 471-2630 llippincott@leg.ne.gov	Sen. Merv Riepe Ralston, District 12 Room 1015 (402) 471-2623 mriepe@leg.ne.gov	

LEGISLATIVE PROCESS

The lawmaking process in Nebraska officially begins when a bill is introduced. But the process actually begins much earlier, when senators formulate ideas for new laws. Anyone — concerned citizens, special interest groups, state agencies or the governor — may suggest an idea for a new law. But a senator, a group of senators or a legislative committee must introduce the idea before the Legislature

can formally consider it.

Legislative committees then consider each bill and may propose amendments to them before advancing them to the full Legislature. The legislative body then has an opportunity to debate a bill at least twice before voting on its final passage.

This is the process a bill must undergo before it becomes a Nebraska statute:

Research

First, a senator and his or her staff research a problem and study possible legislative remedies. Senators may introduce bills to create new laws or to repeal or change existing laws.

Much research is done during the period between sessions called the interim. During this time, committees study a variety of issues that have been outlined in interim study resolutions passed by the Legislature.

Drafting

A senator brings his or her idea for a new law to a bill drafter, who works with the senator to transform the idea into the proper legal form for a bill. Unlike some states, bills introduced in Nebraska must contain only one subject.

Introduction

Most bills are introduced during the first 10 days of a regular legislative session, which begins each January.

To introduce a bill, a senator files it with the clerk of



A legislative committee hearing

the Legislature. The clerk reads the title of the bill into the record, assigns the bill a number and prints copies of it for public and legislative use.

Committee Action

Except for a few technical bills, all bills and many resolutions must receive a public hearing before a legislative committee. A nine-member Reference Committee determines which bills will be heard by which committees, based on subject matter jurisdiction.

The Legislative Fiscal Office prepares budget statements known as fiscal notes for each bill

introduced. Fiscal notes generally are prepared before a committee conducts a hearing on a bill.

After the hearing, the committee may either indefinitely postpone the measure, hold it for further discussion or advance it to the full Legislature. The committee may forward recommended amendments to the bill if it is advanced.

General File

General file is the first time the full Legislature can debate and vote on bills. At this stage, senators often consider amendments, which may be proposed both by committees and by individual senators. Many people consider general file to be the most crucial stage of the legislative process, because it is where most compromises are worked out through debate and amendment.

Bills on general file may be amended, indefinitely postponed, sent back to committee or advanced to the next stage. As with most legislative business, it takes a majority of senators (25 votes) to adopt any amendment or to move a bill from general file to the next stage.

After a bill is advanced from general file, it undergoes an initial process of enrollment and review, or E&R. During E&R Initial, adopted amendments are reviewed and the entire bill is checked for technical and grammatical accuracy.

Select File

Select file is the second debating and voting stage. This stage offers another opportunity for amendment, compromise and reflection. Bills on select file may be amended, indefinitely postponed, sent back to committee or advanced to the next stage.

After a bill is advanced from select file, the bill and all of its adopted amendments are sent to enrollment and review final for a process called engrossment. Once all amendments are incorporated into the bill, it is considered to be “correctly engrossed.” The bill then is reprinted for final reading.

Final Reading

Final Reading is the third and last stage of legislative consideration. The Nebraska Constitution requires the clerk of the Legislature to read every bill aloud in its entirety before the vote on whether to pass it. However, that requirement may be waived by a three-fifths vote (30 members) of the Legislature.

A bill may not be amended on final reading, but it may be returned to select file for specific amendment. No bill can be passed on final reading until at least five legislative days after the bill is introduced and one legislative day after it is placed on final reading.

Governor

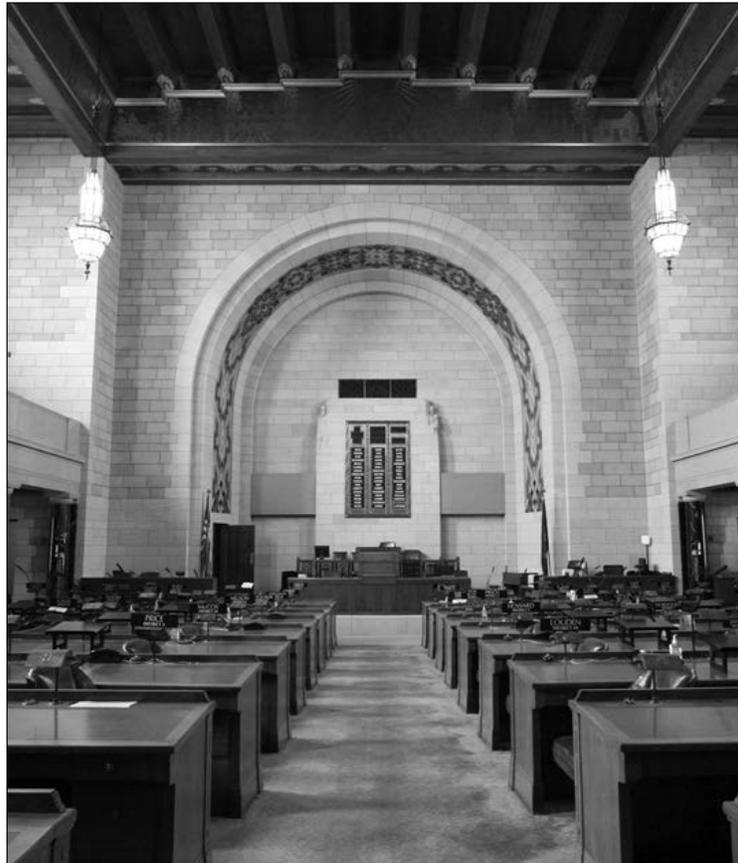
After the Legislature passes a bill on final reading, it goes to the governor. The governor has five days, excluding Sundays, to decide what to do with a bill.

If the governor signs a bill or declines to act on it, the bill becomes law. If the governor vetoes the bill, it is returned to the Legislature with the governor’s objections. A three-fifths vote of the Legislature is re-

quired to override a governor’s veto. The governor also may make reductions of specific figures in state budget bills. These reductions are line-item vetoes.

Laws of Nebraska

Most bills passed and approved by the governor become law three calendar months after the Legislature adjourns. However, bills may take effect earlier if they contain an emergency clause or a specified operative date. An emergency clause allows a bill to take effect immediately after the governor signs it. It takes a vote of 33 members of the Legislature to pass a bill with an emergency clause. ■



The George W. Norris Legislative Chamber

Unicameral Information Office
Nebraska Legislature
P.O. Box 94604
Lincoln, NE 68509
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Legislative committee hearings that are expected to draw large crowds may operate under annotated hearing guidelines. Under those guidelines this session, individuals are required to pass through a security check to enter the hearing room.