

## Minimum wage limitations approved

After a second vote on the bill's final passage, lawmakers approved a measure Feb. 5 that limits scheduled increases to the state's minimum wage.

Nebraskans voted at the November 2022 general election to increase the state minimum wage incrementally to \$15 an hour by Jan. 1, 2026. The minimum wage then was scheduled to adjust annually based on the Midwest Consumer Price Index to account for cost-of-living increases.

LB258, sponsored by Lincoln Sen. Jane Raybould, instead increases the state minimum wage by 1.75% annually.

The bill also establishes a youth minimum wage of \$13.50 an hour for employees ages 14 and 15 and adjusts the 90-day training wage for new employees under age 20 to \$13.50 an hour through Dec. 21, 2026. The training wage then increases by 1.5% annually.

The youth minimum wage, which does not apply to emancipated youth, also will increase by 1.5% every fifth year beginning Jan. 1, 2030.

LB258 failed to obtain final approval last session on a vote of 31-17. Laws that would alter voter-approved initiative measures require a two-thirds majority, or 33 votes, for final passage.



Sen. Jane Raybould said business owners are concerned about the impact of wage increases on their ability to keep prices from rising.

Lincoln Sen. Beau Ballard filed a successful motion to reconsider that vote, but the bill was not rescheduled for final consideration last session.

During final round debate this year, Raybould said many businesses refrain from hiring young workers who lack experience and are prohibited by law from performing certain tasks and in the number of hours they can work during the school week.

"[Businesses] are making hard choices about how many people to hire and who to hire," she said. "Allowing employers to ... [hire] teenage workers at a lower minimum wage makes them more attractive despite possessing little to no work experience or job skills."

Seward Sen. Jana Hughes supported the proposal, saying fixed-rate minimum wage increases would provide business owners with consistent and predictable labor costs.

"We want to grow our economy and the best way to do that is to grow our businesses – and make a healthy environment for businesses – who are going to hire more people," Hughes said. "That consistency is good for workers and it's good for business owners."

Speaking in opposition, Sen. Danielle Conrad of Lincoln said LB258 defies the inflation-based increase approved by

58% of voters in 2022 during a time when Nebraskans are experiencing an "affordability crisis."

Conrad said costs for utilities, groceries, child care and housing have increased much faster than the rate at which the minimum wage is scheduled to increase under the bill. In addition, she said, the majority of the 280,000 working Nebraskans who will be impacted by the proposal are women, people of color, young workers and those living in rural communities.

"The answer to addressing the affordability crisis is not to cut minimum wages," Conrad said.

After two hours of debate, Raybould offered a motion to invoke closure, which ends debate and forces a vote on the bill. The motion prevailed 33-16 and lawmakers passed LB258 on a 33-16 vote. ■

# AGRICULTURE



## Noxious weed changes amended, advanced

A bill that would change state law aimed at the control of certain noxious weeds cleared the first round of debate Feb. 4.

As originally introduced by Sumner Sen. Teresa Ibach, LB807 would move administration of the Noxious Weed Control Act from the state Department of Agriculture to the state Department of Water, Energy and Environment.



Sen. Teresa Ibach

An Agriculture Committee Amendment, adopted 31-0, replaced the bill with a modified version of the proposal.

Rather than moving administration of the Noxious Weed Control Act, the amendment would establish riparian vegetation management projects as eligible activities for state aid grant assistance provided through the

Water Resources Cash Fund administered by DWEE.

Ibach said invasive weeds can “spread like wildfire” in Nebraska waterways and out-compete other plants for water and nutrients while restricting water flows. Control efforts begun in 2007 were largely successful, she said, but invasive weeds will always remain in the state’s waterways and continuous effort is needed to address them.

“Due to the lean budget years, funding for this program has waned, with only \$353,000 in grants being appropriated last year,” Ibach said. “Over time, funding has been reduced while the program’s uses have been expanded.”

LB807 would allow DWEE to provide grants from the Water Resources Cash Fund for these projects without a general fund appropriation, she said, while retaining administration of the noxious weed program within the state Department of Agriculture.

Under the bill, eligible uses of grant funds would include riparian vegetation removal that improves streamflow conveyance and acquisition of equipment related to that purpose. Eligible entities would include natural resources districts,

weed control authorities and other weed management entities.

Priority in awarding grants would be given to applicants with projects within streams subject to an interstate compact or decree.

Speaking in support, committee chairperson Sen. Barry DeKay of Niobrara said the amended bill would create a subset of grants within the Water Resources Cash Fund exclusively to address invasive and congestive riparian vegetation that impair efficient streamflow conveyance.

Sen. Fred Meyer of St. Paul also supported the proposal. Certain noxious weeds have adapted specifically to areas near or within waterways, he said, and need to be addressed differently from other types of noxious weeds.

“[DWEE] is much more attuned to the needs of managing those noxious weeds in those riparian areas than anybody else – that’s their forte,” Meyer said.

Following adoption of the committee amendment, senators voted 33-0 to advance LB807 to select file.

# UNICAMERAL UPDATE

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# APPROPRIATIONS

## State budget adjustments offered

Mid-biennium adjustments to the state's budget were considered by the Appropriations Committee Feb. 2. The state budget is structured on a two-year basis, with the budget passed in odd-numbered years and adjustments made during legislative sessions held in even-numbered years.

Two bills, introduced by Speaker John Arch of La Vista at the request of Gov. Jim Pillen, comprise the governor's mid-biennium budget recommendations. The committee heard joint testimony on the proposals.

LB1071 would provide, change and eliminate provisions related to appropriations for the expenses of state government for the biennium ending June 30, 2027. LB1072 would 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.

The bills were presented to the committee by State Budget Administrator Neil Sullivan, who said Nebraska's projected budget shortfall is a "spending issue." The governor's proposal would balance the state's budget through reduced spending, he said, while also providing for additional investments in education, property tax relief, medical care and business growth opportunities.

"Many Nebraskans read headlines about a \$471 million budget gap and worry about the state's fiscal solvency,"

Sullivan said. "I'd like to begin by clarifying that the state of Nebraska is in excellent fiscal shape."

The state's revenue growth trend is positive in spite of recent "historic" income tax rate reductions, he said, and Nebraska's credit rating is higher than ever.

After reviewing 900 funds across 79 state agencies, Sullivan said, the governor's proposal would transfer or reduce almost \$358 million from 94 of those funds that have what he termed "excess balances."

No one else spoke in support of the governor's proposal.

Craig Beck of OpenSky Policy Institute pushed back on the suggestion that the budget shortfall is the result of general fund spending growth. He said the issue is not spending but rather transfers out of state revenues, particularly for property tax relief.

The percentage of revenues allotted to property tax relief has increased 650% since 2019, he said, while general fund expenditures have increased only 23%.

"With projected biennial revenues of \$13.75 billion and general fund appropriations of just over \$11 billion, Nebraska has more than enough revenue to cover general fund spending," Beck said.

Several testifiers opposed specific aspects of the proposal, including provisions that would sweep dollars from more than a dozen funds related to the environment.

Katie Torpy of The Nature Conservancy, testified in opposition to both bills, which she said would represent a "system-wide swipe" at programs that protect the state's wildlife, air, parks and public lands.

Sweeping those funds would push the state's conservation system into crisis to solve a short-term budget problem, Torpy said, particularly a proposed \$40.7 million sweep from the Nebraska Environmental Trust Fund in LB1072.

"[This sweep] strikes at the heart of the Nebraska Environmental Trust—a voter-created institution that has for decades powered conservation work in all 93 counties," she said.

Also testifying in opposition to the fund sweep from the NET was Traci Bruckner, speaking on behalf of the National Audubon Society and Audubon Great Plains.

The NET is funded through a percentage of lottery revenue that Nebraska voters chose to have directed to it, she said, and those dollars are meant to provide grant funds to conservation projects across the state, not to replace general funds for recreational water projects prioritized by the governor.

"Recreational purposes [are] not in line with the Nebraska Environmental Trust," Bruckner said, adding that over \$18.4 million in funding from the NET to 53 separate projects has been put on hold at the suggestion that the governor intends to sweep money from the fund.

LB1072 also would transfer \$2.5 million in each of the next two fiscal years from the Veterans' Aid Fund to the state Department of Veterans' Affairs Cash Fund.

Jeffrey Baker of the Veterans of Foreign Wars opposed that provision, while testifying in a neutral capacity on the rest of the bill. The Veterans' Aid Fund was established after World War I to provide bonuses to veterans of that war, he said, and it should remain intact for the benefit of individual veterans.

"A one-time sweep won't solve our budget challenge, but it will hurt our ability to help veterans," Baker said.

The governor's proposal also would reduce funding to the state's Compulsive Gamblers Assistance fund by \$650,000 in each of the next two fiscal years and move services currently provided by the Nebraska Commission on Problem Gambling to the behavioral health division of



Sen. John Arch

the state Department of Health and Human Services.

Mike Sciandra, executive director of the Nebraska Council on Problem Gambling, testified against those provisions. He said problem gambling is a public health crisis that is growing more severe as gaming becomes more normalized and widespread.

“At a time when gambling has significantly increased within Nebraska, surrounding states and in the entire country, it is highly illogical and irresponsible to tear apart a program that has given thousands of Nebraskans a new outlook on life,” Sciandra said.

Several opponents, including Christon MacTaggart of the Nebraska Coalition to End Sexual and Domestic Violence, also testified against a section of LB1071 that would prohibit the Legislature from appropriating funds in this budget cycle to any program for the purpose of diversity, equity and inclusion.

MacTaggart said the coalition receives government funding to carry out statutorily mandated work and that the DEI language in the budget proposal likely would result in all 24 coalition programs being out of compliance at the federal level.

“None of these programs could comply with both federal law and also this provision in LB1071 should it pass,” MacTaggart said.

The committee took no immediate action on either bill.



**Bill to provide equal access to school employees clears first round**

Lawmakers advanced a bill from general file Feb. 4 aimed at ensuring that

Nebraska school districts provide any professional employees’ organization equal access to the district’s employees.

LB429, introduced by Glenvil Sen. Dave Murman, would require school boards to provide equal access to physical and electronic mailboxes, meetings, events and recruitment opportunities when such access is granted to any professional employees’ organization.

A professional employees’ organization is defined as any organization that exists for the purpose of professional development or liability protection. Employees would include any administrative employee, student teacher, paraprofessional, teacher or administrator employed by a school board.

The bill also would require equal treatment with respect to signage and informational materials displayed on school property and prohibit school boards from naming or referring to any day or break in the school calendar using the name of a professional employees’ organization.

Murman said there are many organizations that could provide valuable information and support to school employees. LB429 would ensure that school boards don’t “pick winners and losers” when it comes to providing access to their employees by way of professional development, bulletin board access or the ability to attend a new teacher orientation event, he said.

“The Education Committee heard from proponents who were deliberately blocked from school board after school board,” Murman said. “By giving this favoritism to one professional organization over another, we do our educators a disservice.”

Omaha Sen. Dunixi Guereca said



Sen. Dave Murman

the bill appeared to be narrowly focused on attacking the Nebraska State Education Association and possibly undermining teachers’ right to collective bargaining.

“I’m always leery of a piece of legislation that might interfere with that,” Guereca said.

Sen. Danielle Conrad of Lincoln said the bill was not directed at the NSEA or other educational unions but simply was about ensuring equity in access to employees for organizations that provide insurance and professional development information.

She said senators would work together with stakeholders before the next round of debate to address any technical issues with the proposal.

Senators voted 30-0 to advance LB429 to select file.

**Antisemitism measure amended, passed over**

Lawmakers narrowed a proposal on select file Feb. 6 that would require Nebraska school boards and postsecondary institutions to address antisemitism in their discrimination and harassment policies before passing over the bill at the introducer’s request.

LB538, introduced last session by Gering Sen. Brian Hardin, would require public school boards and postsecondary institutions to include antisemitism in policies prohibiting discrimination against students or employees based on race, ethnicity, national origin, sex, disability, religion or marital status.

Under the bill, policies would be required to guarantee equal access to educational programs, classes, guidance counseling and financial assistance



Sen. Brian Hardin

services and ensure that cases of harassment and discrimination, including antisemitism, are addressed equitably.

During second-round debate, lawmakers adopted three amendments offered by Hardin aimed at reducing the bill's fiscal impact. Those amendments would:

- incorporate changes requested by the university system, including removal of coordinator duties and system obligations and limiting reporting to official complaints, adopted 34-3;
- remove additional language requiring incident reporting, adopted 35-0; and
- strike provisions requiring the Commissioner of Education to appoint a Title VI coordinator to investigate complaints of discrimination or harassment and, if necessary, file complaints with federal agencies, adopted 32-1.

Seward Sen. Jana Hughes also offered an amendment, adopted 39-0, to remove “and students” from the bill's language, ensuring required training would apply to school employees only.

An amendment from Omaha Sen. Megan Hunt, which would replace the definition of antisemitism in the bill from the International Holocaust Remembrance Alliance definition to the Jerusalem Declaration on Antisemitism, was not adopted.

Hunt said the JDA, developed by scholars of Holocaust history and Jewish and Middle East studies, clearly defines antisemitism while protecting political speech, including criticism of Israel's government.

Hardin opposed Hunt's amendment, saying the IHRA definition has been adopted by 37 states through legislation or executive orders, while the JDA definition has not been adopted by “a single body of government on the Earth.”

Hunt's amendment failed on a vote of 8-26.

Sen. Machaela Cavanaugh of Omaha filed a series of motions to extend debate on the bill. After a little over two hours of discussion, the Legislature passed over LB538 at Hardin's request and moved to the next item on the day's agenda.

### **Abortion informed consent updates stall after cloture vote**

Following four hours of debate spanning four days, a proposal to update the state's informed consent laws for abortion stalled on general file Feb. 4 following a failed cloture motion.

LB669, introduced by Whitman Sen. Tanya Storer, would remove obsolete sections of state law regarding informed consent that were ruled unconstitutional and blocked from taking effect. Debate focused on another provision in the bill that would require abortion providers to screen patients for signs of coercion, abuse and trafficking.

Under those provisions, if a patient reveals being pressured or coerced into seeking or consenting to an abortion, or indicates that they are a victim of domestic violence or human trafficking, their provider would be required to supply phone numbers for the national domestic violence and national human trafficking hotlines and allow the patient to make a confidential phone call.

Storer said the measure would remedy constitutional issues and require abortion providers to screen for coercion, domestic violence and sex trafficking.

“The underlying goal here is to

protect women and to give them a way out of an abusive situation where they're being controlled by a trafficker,” Storer said. “If this saves one woman, it's worth it.”

Hastings Sen. Dan Lonowski supported LB669, saying sex trafficking is a significant and growing problem in Nebraska, especially along the I-80 corridor. Trafficking victims often are controlled and coerced into acting against their will, he said, and Storer's bill would offer victims a way to seek help.

“This bill gives [patients] a chance to speak privately with someone, to talk and let their feelings out, [and] maybe reveal who the sex trafficking people are that have forced them into this situation” Lonowski said.

Sen. Megan Hunt of Omaha opposed the measure and introduced a series of procedural motions to extend debate. LB669 would unfairly target abortion patients and characterize them as incapable of making medical decisions, she said, adding that the measure is opposed by medical organizations, including the Nebraska Medical Association.

The bill also overlooks the broader realities of domestic violence and reproductive coercion, Hunt said, and adds requirements — such as signing a written certification that they have been screened — that could actually deter abuse survivors from seeking help.

“For someone who is being abused, coerced or trafficked, a written record like that can feel very dangerous and it can make them much less likely to disclose those things in a conversation,” she said.

Omaha Sen. Ashlei Spivey also opposed the bill. While the measure is well-intentioned, she said, it focuses narrowly on one form of reproductive coercion and fails to address others, including women being forced to con-



Sen. Tanya Storer

tinue a pregnancy and contraception interference.

To address opponents' concerns that the measure would unfairly target abortion providers and patients, Storer filed an amendment to require that screenings occur at all initial pregnancy-related visits, not just abortion appointments.

Hunt said that while she worked in good faith with Storer on the amendment, medical providers continued to raise concerns about placing obstetricians under abortion statutes and exposing them to new liabilities.

"Yes, I would like to fix this bill, but there's no way that I'm going to be supporting an amendment that isn't supported by the medical community," Hunt said.

Sen. Danielle Conrad of Lincoln also opposed the bill and Storer's amendment. Nebraska lawmakers have worked across party lines for more than 20 years to pass legislation addressing human trafficking, she said, often with support from law enforcement as well as domestic and civil rights groups.

Conrad said LB669, in contrast, is supported primarily by local and national anti-abortion advocacy groups and lacks backing from a diverse set of stakeholders.

"We want to have a victim-centered approach that doesn't target reproductive health providers and doesn't lean into junk science put forward at the committee hearing by these ideologically focused groups," she said.

After four hours of debate, Storer offered a motion to invoke cloture, which ends debate and forces a vote on the bill and any pending amendments.

The motion failed on a 31-15 vote. Thirty-three votes were needed. LB669 is unlikely to be placed on the agenda again this session.

### School funding formula overhaul considered

The Education Committee considered a measure Feb. 2 that would use existing property tax relief funds to overhaul Nebraska's school funding formula with the aim of lowering property taxes statewide.

Under LB1038, introduced by Seward Sen. Jana Hughes, \$1.2 billion currently allocated to property tax credit funds and an additional \$110 million from the Education Future Fund would be redirected into the Tax Equity and Educational Opportunities Support Act. Rather than flowing through separate credit programs, the funds would go directly to school districts to provide property tax relief to homeowners and other property owners.



Sen. Jana Hughes

The measure also would lower the maximum school levy from \$1.05 per \$100 of valuation to 50 cents, resulting in all districts having general fund levies between 30 and 50 cents, compared with the current range of about 32 cents to \$1.05.

Additionally, LB1038 would cut the local effort rate from \$1 to 45 cents per \$100 of valuation, making 242 of the state's 245 districts eligible for equalization aid.

Hughes said despite Nebraska's investment in property tax credits and other relief programs, the state still ranks among the highest in the nation for property taxes. She said this is in part because the credits do not directly lower school levies or appear on taxpayers' bills in a way that reduces the effective tax rate households actually pay.

"None of these significant investments are designed to actually reduce

property taxes — both are an apology," Hughes said. "Property tax credits are an apology on behalf of the Legislature to our property owners for the state not adequately funding TEEOSA [and] foundation aid is an apology to our public schools for the same failure."

Jack Moles testified in support of LB1038 on behalf of the Nebraska Rural Community Schools Association, saying bringing school levies closer together and increasing state funding for rural districts are both sound policy goals. However, some property owners could pay more than they do now with tax credits applied under the proposal, he said, and school boards may need to raise property taxes if the state fails to fully fund the formula in the future.

Also supporting the proposal was Connie Knoche on behalf of OpenSky Policy Institute. LB1038 would provide more predictable property tax relief for families by directing additional state aid through TEEOSA, she said, reducing reliance on local property taxes and ensuring more equitable support for rural and urban schools.

"Utilizing TEEOSA's mechanisms for providing equalization aid will enable the state to target property tax relief to the areas of the state where valuations are not sufficient to meet the local needs in a manner better targeted than the state's current efforts," Knoche said.

Daniel Russell spoke in favor of LB1038 on behalf of Stand for Schools, saying the measure would move Nebraska toward a more transparent, state-driven school finance system.

"This approach recognizes that property tax relief and school funding stability are closely linked, and that addressing one without the other is unlikely to succeed," Russell said.

Liz Standish, associate superintendent for business affairs for Lincoln Public Schools, opposed LB1038.

She said the measure would eliminate the averaging adjustment that helps districts with limited revenue capacity and could lead to property tax increases in higher-income areas.

Standish said lawmakers should preserve local taxing authority, take actual taxes levied into account rather than just valuation growth and conduct detailed modeling before making major changes to how Nebraska funds its schools.

Kyle Fairbairn, representing the Greater Nebraska Schools Association, also testified in opposition to the bill. While GNSA supports provisions in LB1038 that would standardize local school levies and allow districts flexibility to raise property taxes if the state fails to meet funding commitments, he said, changes to community reinvestment funding proposed in the measure could further reduce budgets for the state's lowest-spending districts.

Additionally, Fairbairn said, proposed reductions of agricultural property values by 40% and residential values by 10% would be unfair.

"[GNSA members] don't have a lot of school districts that have ag values," he said. "So a 40% reduction in one and a 10% reduction in another, I think, is a bit much with the way property taxes have gone up on residential [property] in the past five years."

The committee took no immediate action on the measure.

**Statewide guidelines for AP, prior learning credit considered**

The Education Committee heard testimony Feb. 3 on a bill that would establish statewide guidelines for awarding college credit for prior learning exams, such as Advanced Placement, International Baccalaureate and College-Level Examination Program courses.

LB1164, introduced by Hastings Sen. Dan Lonowski, would require the Coordinating Commission for Postsecondary Education to approve and publicly post a list of recognized exams and minimum passing scores, also known as "cut scores," by Sept. 1, 2026, and keep the list updated and accessible to students and families. Institutions could set higher cut scores if approved by the commission.



Sen. Dan Lonowski

The bill also would require public colleges and universities to adopt and publish written policies on how exam-based credit applies toward degrees, appears on transfers between Nebraska schools and on transcripts, by Oct. 1, 2026.

Lonowski said current variation in accepted exams, scores and communication causes confusion for students and families.

"By passing LB1164, Nebraska will join 37 other states that have adopted uniform, transparent credit policies, ensuring that students can fully benefit from [the] prior learning they have already demonstrated," he said.

Lonowski offered an amendment at the hearing that would allow the commission to set cut scores in consultation with public colleges and universities.

Katie Zulkoski testified in support of the measure on behalf of College Board, saying students need clear, reliable information on how their AP credits will be applied. Currently, she said, that information can be inconsistent or hard to find.

"[LB1164] helps students make informed choices about course selection, exam participation and postsecondary pathways," Zulkoski said. "This empowers students to invest their time and effort with confidence, knowing

their work will count toward a credential or degree."

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



**Bill would allow campaign funds for security purposes**

A proposal to allow candidates and office holders to use campaign funds for security purposes was considered Feb. 4 by the Executive Board.

LB986, introduced by Sen. Eliot Bostar of Lincoln, would add security measures to the list of allowable expenditures of campaign funds



Sen. Eliot Bostar

under the Nebraska Accountability and Disclosure Act.

Under the bill, security personnel, hardware, software, electronic security equipment, installation, maintenance, monitoring and other physical and structural security measures and improvements would be considered allowable expenditures.

Bostar said the bill is a response to a "well-documented and growing reality" of increased threats, harassment and intimidation against candidates and office holders across the country. For example, he said, more than 40% of state legislators in the U.S. have experienced direct threats to their safety.

"LB986 is about safeguarding participation in the democratic process and protecting the people who serve our communities," Bostar said.

He brought an amendment to the hearing, which he said was suggested by

U.S. Rep. Mike Flood, to allow county assessors and registers of deeds to withhold candidate and elected officials' home addresses. Current Nebraska law allows that consideration for judges and law enforcement officers, he said.

Bryan Waugh, head of the Nebraska State Patrol, testified in favor of the proposal. The State Patrol currently provides security for the State Capitol, he said, and all three branches of Nebraska state government that have offices in the building.

"Any opportunity to strengthen our capability — which we believe LB986 would — we welcome and fully support," Waugh said.

Todd Wiltgen, current Lancaster County Election Commissioner and a former Lancaster County commissioner, also supported LB986. Wiltgen said he was forced to increase security at his home in response to threats during the 2024 election cycle, and the inability to afford such actions could become a barrier to others seeking office in Nebraska.

Testifying in a neutral capacity was Scott Danigole, executive director of the Nebraska Accountability and Disclosure Commission. The commission does not oppose the proposal, he said, but the measure could benefit from more detail or inclusion of a provision allowing the commission to promulgate rules and regulations around security expenditures.

For example, he said, questions could arise regarding how long a campaign could pay for monitoring a security system or whether an office holder could pay travel expenses for a bodyguard to accompany them on an overseas trip.

"The committee may want to consider more limiting language related to allowable uses of campaign funds for security to ensure that campaign spending is related to the campaigning or the holding of public office and not of a

more personal nature," Danigole said.

No one testified in opposition to LB986 and the committee took no immediate action on the bill.

### **Bill would prohibit firearms, other weapons in Capitol**

The Executive Board heard testimony Feb. 2 on a measure that would prohibit entering the Nebraska State Capitol with a weapon or other banned substance.

LB1237, introduced by the Executive Board, would provide exceptions for individuals who have received prior approval from the Nebraska State Patrol and would allow possession of a weapon by law enforcement officers in the course of their official duties. It also would allow qualified law enforcement officers, including retired officers, to carry concealed handguns in the building.

Firearms would include guns, knives, brass or iron knuckles, pepper spray, tasers and stun guns. Prohibited substances would include explosives, incendiary or other combustible devices, hazardous materials and paint and spray paint.

Violations would be a Class III misdemeanor.

Under the bill, the Nebraska State Patrol would be charged with implementing procedures to provide for detection of weapons and controlled substances to prevent them from being brought into the Capitol by no later than Jan. 1, 2027.

Sen. Ben Hansen of Blair, chairperson of the committee, introduced the bill at the hearing. He said the measure was the product of consultation among the three branches of government, who all have offices in the Capitol, as well as the State Patrol.

Given the "dramatic rise" in threats to elected officials across the country and an increase in violent attacks on

government buildings, Hansen said, proactive steps are needed to ensure a safe environment.

The proposal would deter potential risks while also maintaining the Capitol as a secure place for employees to work and for the public to engage with their government, he said.

"LB1237 is a commonsense measure to protect everyone who works in or visits our Capitol, while respecting the rights of law-abiding citizens," Hansen said.

Ron Cunningham testified in support of the proposal. As a frequent testifier at public hearings, he said, it "seemed strange" that individuals could bring loaded assault weapons into a hearing room, but that cardboard props are prohibited.

While raising concerns that the bill would provide a "carve-out" for the Capitol building while not addressing the potential for gun violence elsewhere, Cunningham said he understood the desire to ensure the safety of everyone in the Capitol.

Also testifying in support of LB1237 was Jessica McGrath, who said she was "shocked" upon moving back to Nebraska after working as a prosecutor in California to discover that people could openly carry weapons in the Nebraska Capitol.

The U.S. Supreme Court has specifically stated that states have the ability to prohibit firearms in "sensitive places" such as schools and other public buildings, she said.

As a lifetime NRA member, owner of numerous firearms and a trans woman, McGrath said she was willing to risk her own safety by not being armed in the Capitol if it would help ensure the safety of others.

Former state Sen. Tom Brewer testified in opposition to the proposal, saying many testifiers have to park far from the Capitol and should be able

to protect themselves while walking to and from the building. He said the bill would make visitors to the Capitol guilty of a crime unless they disarm before getting out of their cars.

“I believe it’s wrong to force people to choose between being able to defend themselves and being able to be part of this legislative process here,” Brewer said.

Former Nebraska State Capitol administrator Bob Ripley also opposed LB1237, saying the bill lacks a dedicated appropriation to ensure that any modifications made to accommodate enhanced security are done with proper care for the building.

Nathan Griffith also raised concerns about the cost to implement the proposal. Testifying against the bill, he said senators shouldn’t move forward with a measure with an unknown cost and questionable feasibility while facing a \$471 million budget deficit.

“I also don’t want to be in a situation where, if something happens, I’m not in a position to help if I can,” Griffith said. “Even with metal detectors and everything, is it really feasible to 100% secure the building? My thought is, I’d rather be here with other people that are armed and could help back up the appropriate law enforcement people that are here.”

Testifying in a neutral capacity, Clerk of the Legislature Brandon Metzler said the metal detectors and screening tables would be portable and would not require permanent alterations to the Capitol building.

“They don’t envision at this time any sort of permanent fixtures,” Metzler said. “It would primarily just be a power consumption [issue].”

The committee took no immediate action on LB1237.

## GENERAL AFFAIRS

### Vending machine lottery ticket sales approved

Nebraskans will be able to purchase lottery tickets through vending machines under a bill given final approval Feb. 5.

LB60, sponsored by Grand Island Sen. Dan Quick, removes a current prohibition in state law on the sale of lottery tickets through vending or dispensing devices.

Lawmakers approved the bill on a 41-8 vote.



Sen. Dan Quick

### Election of medical cannabis commissioners proposed

Members of the General Affairs Committee considered a proposal Feb. 2 that would make the Nebraska Medical Cannabis Commission an elected board.

Nebraskans voted to approve two ballot measures at the November 2024 election related to medical cannabis. One provides protections to qualified individuals from legal penalties for possessing and using cannabis when recommended by a health care practitioner and the other created the Nebraska Medical Cannabis Commission to oversee the industry.

Currently, the five-member commission comprises the three governor-appointed members of the Nebraska Liquor Control Commission, and two other individuals who also are appointed by the governor.

LB934, introduced by Omaha Sen. John Cavanaugh, instead would require the five commissioners to

be elected to four-year terms through staggered statewide general elections, beginning in 2028. District lines would mirror those of the five seats on the Nebraska Public Service Commission.



Sen. John Cavanaugh

Cavanaugh said the current commissioners were “hand selected by the governor for their expressed hostility toward medical cannabis in any form” and have not carried out the intent of the proposals approved by 71% of Nebraska voters.

“The commission has adopted regulations that restrict access to such an extent as to make [medical cannabis] inaccessible,” Cavanaugh said. “[LB934] ensures that the commission ... will be elected by the people who entrusted them to regulate medical cannabis establishments in good faith.”

Dominic Gillen echoed those sentiments in his support of LB934. He said making the commission an elected board would allow for more direct accountability for decisions that contradict or narrow the initiatives passed by voters.

“When rules take away rights or make access harder, they reach beyond the commission’s authority,” Gillen said. “LB934 is about getting the structure right now, before barriers will become permanent.”

Proponent Troy Burgess expressed concern about a lack of transparency from the current commission regarding their decisions. Members have failed to communicate with cultivator license applicants regarding the grading scale that is used to approve or deny those applications, he said.

Burgess also said commissioners have not taken comments from industry experts and impacted communities

into consideration when creating regulations.

“What we’ve tried with the [commission] isn’t working,” Burgess said. “We have patients that will die before we ever have medical cannabis in Nebraska.”

No one testified in opposition to LB934 and the committee took no immediate action on the proposal.



**Emergency state contract change considered**

Members of the Government, Military and Veterans Affairs Committee heard testimony Feb. 5 on a measure that would update notification requirements governing emergency sole source contracts.

Under current law, all proposals for sole source contracts in excess of \$50,000 must be preapproved by the state Department of Administrative Services except in emergency situations.

When an emergency sole source contract is approved by a state agency director or designee, a copy of the contract and the agency’s written justification for the emergency must be provided to the DAS director within three business days after contract approval.

LB997, sponsored by Omaha Sen. Bob Andersen, would require that the Auditor of Public Accounts also receive a copy within the same time frame.



Sen. Bob Andersen

Andersen said he introduced the measure at the request of State Auditor of Public Ac-

counts Mike Foley to ensure proper oversight of emergency contracts. The process for state government contract procurement in Nebraska was standardized in 2003, he said, but the emergency contract provisions have remained largely unchanged.

“LB997 seeks to provide greater transparency and accountability by including the state auditor in the contract notification process,” Andersen said.

Auditor Foley testified in support of the proposal. Almost all of the thousands of contracts entered into by state agencies each year go through the competitive bidding process, he said, to ensure the prudent expenditure of state dollars. Emergency situations do arise, however, and the law makes an exception in those instances, he said.

The bill would not authorize the state auditor to approve emergency contracts or take on any additional role in the process, Foley said, other than being notified when such contracts are entered into.

For example, he said, irregularities with a recent emergency contract between the governor’s office and a consultant only came to his attention through tips from the public. If he had seen a copy of the contract, he said, the office could have started asking questions sooner.

“I think the fact that they would file this form in my office would give the agency director pause to make sure he’s got it right and there really is an emergency,” Foley said.

DAS director Lee Will also testified in favor of LB997. While DAS does not approve emergency contracts, he said, the department is the repository for those records and has implemented processes to provide more oversight for emergency contracts – including ensuring that all information is filled out accurately and is on file.

“Improving state procurement pro-

cesses has been a key initiative [for the department] over the last few years,” Will said.

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

**Restrictions considered for petition circulators**

A bill that would create new requirements for petition circulators and sponsors under the Nebraska Election Act was considered by the Government, Military and Veterans Affairs Committee Feb. 4.

Currently, the only criteria for petition circulators in Nebraska is that they be at least 18 years old.

LB1068, sponsored by David City Sen. Jared Storm, would require that all petition circulators be U.S. citizens who have never pled guilty or nolo contendere to, or been found guilty of, a felony or criminal offense involving fraud, forgery or identification theft.



Sen. Jared Storm

The measure also would require all paid circulators to be subject to a criminal background check by the petition sponsor. Any sheet of a petition circulated by a person who does not qualify as a valid circulator under the bill’s provisions would be invalid.

As introduced, LB1068 also would require circulators to wear an ID badge that includes their name.

Storm said the bill was introduced in response to several situations that occurred in recent election cycles involving initiative petitions sponsors and circulators that resulted in court cases and the invalidation of signatures.

“When we have proof of fraud being committed, the credibility of the remain-

ing signatures is damaged,” he said. “Overall, I believe we need to maintain the integrity of the petition process.”

Storm brought an amendment to the hearing to replace the measure with a modified version in an attempt to remove the bill’s fiscal impact. The amendment would remove the badge requirement and a provision requiring petition sponsors to file circulator lists with the secretary of state’s office.

He said the secretary of state’s office indicated a need to hire an additional employee to carry out the administrative tasks associated with those provisions of LB1068.

Instead, the amendment would require petition sponsors to maintain lists of the names of circulators who would be handling more than 25 petition sheets and make the list available within four days of a request from either the secretary of state’s office or the attorney general’s office.

Wayne Bena, deputy secretary of state for elections, testified in favor of the proposal on behalf of Nebraska Secretary of State Bob Evnen. He said the office likely could absorb the bill’s costs without additional appropriations with Storm’s amendment attached.

The overall measure would provide reasonable guardrails for the initiative process, he said.

“This is just another step to say that the sponsors of a petition need to take responsibility for their circulators and to make sure that they are following the rules,” Bena said. “And then, if they’re not, we’d be able to identify who they are so there could be a proper investigation.”

Spike Eickholt testified in opposition to LB1068 for the ACLU of Nebraska. The right to petition the government is the first power reserved to the people in the Nebraska Constitution, he said, and should not be limited without good reason.

He said the measure would not address what happened in 2024 involving problems with the medical marijuana initiatives and the lawsuit that followed. None of those irregularities involved circulators who weren’t U.S. citizens or had been convicted of felonies, he said.

“I understand [the] point that there should be integrity in the process,” Eickholt said, “[But] I know a lot of people with clean records who aren’t trustworthy ... I think a criminal conviction, even for a felony, is not really determinative of whether a person is honest.”

Also opposing the bill was Mike Gage, speaking on behalf of Affiliates of the Nebraska State AFL-CIO and the Nebraska Farmers Union. He said past successful initiatives in several states have prompted legislators to add new requirements making the petition process more difficult.

The stipulations in LB1068 could “scare away people,” Gage said, in part because volunteer petition circulators may not want to reveal a felony conviction in their distant past. In addition, he said, being a petition circulator might be the only way that someone who isn’t a citizen yet can legally participate in the democratic process since they can’t vote.

“Working people and family farmers should not have fewer tools of democracy simply because popular initiatives succeed,” Gage said.

The committee took no immediate action on the bill.



### Changes to Medicaid prenatal program considered

The Health and Human Services Committee heard testimony Feb. 5

on a bill that seeks to expand coverage under the state’s Prenatal Plus Program and eliminate the program’s scheduled sunset date.

The program covers the cost of prenatal services for pregnant women eligible for Medicaid or the Children’s Health Insurance Program who a health care provider has determined are at risk for negative maternal or infant health outcomes. Those services began in January 2025 and are scheduled to expire June 30, 2028.

LB773, introduced by Lincoln Sen. George Dungan, would remove the sunset date and extend program services to eligible mothers for up to 60 days postpartum. The measure also would extend reporting requirements to 2034.



Sen. George Dungan

Prenatal services under the program include nutritional counseling, psychosocial counseling and support, general client education, health promotion and targeted case management. Under the bill, qualifying services would expand to include a minimum of two breastfeeding support sessions.

Dungan said the program is intended to reduce adverse health outcomes by addressing lifestyle, behavioral and nonmedical aspects of a mother’s life. In the first six months of the program, he said, 68 at-risk mothers were provided prenatal services.

“To let this program sunset would be a great detriment to moms across the entire state,” Dungan said. “A healthy mom equates to a healthy baby.”

Robert Wergin of the Nebraska Medical Association supported the measure, emphasizing the importance of extending services to include postpartum mothers. The most serious preventable complications — such as

hypertension, diabetes, infection and depression – often emerge postpartum, he said.

“Extending case management through 60 days postpartum reflects the medical reality that pregnancy related care does not end at delivery,” Wergin said.

Madeleine Walker of the Nebraska Coalition to End Sexual and Domestic Violence also testified in support of LB773. Domestic violence survivors are nearly three times more likely not to receive prenatal care and two times more likely to delay care than women not experiencing domestic violence, she said.

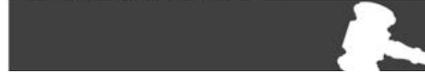
“Access to health care is a protective factor against domestic violence victimization,” Walker said. “The Prenatal Plus Program meets the needs of pregnant survivors of domestic violence by connecting them with a variety of services that support their health and safety.”

Sydney Carraher of the Nebraska Perinatal Quality Improvement Collaborative also supported the measure. She noted that medical risk factors and social drivers of health, such as financial barriers, substance use disorders and housing and food insecurity, can further complicate pregnancy outcomes.

“Mothers on Medicaid face higher rates of preterm birth, low birth weight [and] severe maternal morbidity and mortality,” Carraher said. “Improving birth outcomes in Nebraska requires upstream solutions ... that address risk factors during pregnancy before they lead to an adverse outcome.”

No one testified in opposition to LB773 and the committee took no immediate action on the bill.

## JUDICIARY



### Expedited removal of abandoned mobile homes proposed

A proposal to speed up the removal or rehabilitation of abandoned mobile homes in manufactured housing communities was considered Feb. 4 by the Judiciary Committee.

LB1230, introduced by Sidney Sen. Paul Strommen, would include mobile homes under the state’s Disposition of Personal Property Landlord and Tenant Act, which governs how landlords handle abandoned personal property.



Sen. Paul Strommen

Under the bill, homes valued under \$2,000 could be disposed of at the landlord’s discretion, while homes valued over \$2,000 could be sold at public auction. After completing the required steps, landlords would be able to obtain a certificate of title from the state Department of Motor Vehicles, giving them legal control of the property.

Strommen said removing an abandoned mobile home under current law can take more than 120 days because landlords must wait 90 days for the property to remain on site, provide 30 days public notice of their intent to sell and follow public sale procedures.

LB1230 would streamline the process, he said, allowing landlords to notify tenants directly – seven days in person or 14 days by mail – and obtain a certificate of title from the DMV once procedures are completed.

“It is the expectation that [LB1230] will be an efficient means to facilitate

dealing with the removal of abandoned mobile homes, which create eyesores and safety concerns for mobile home communities throughout the state of Nebraska,” Strommen said.

Paul Elofson testified in support of the measure on behalf of the Nebraska Manufactured Housing Association, saying the bill would make current procedures under the Storage Lien Act more efficient and allow landlords to better manage their communities.

“We are hoping that the Legislature adopts this language and allows for an efficient means by which mobile home park owners can keep their parks clean,” Elofson said.

Stephen Hipple, president of the Nebraska Manufactured Housing Association and owner of a Bellevue mobile home community, also supported LB1230.

He cited two recent incidents in his park that would have been simplified by the proposal, including a storm-damaged home abandoned after an insurance payout that cost \$7,000 to remove and another left in disrepair and linked to criminal activity, which cost \$4,000 to remove.

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

## NATURAL RESOURCES

### Eminent domain carve-out proposed for AI data center power plants

Nebraska’s public power utilities could not use eminent domain to acquire privately owned power plants built to serve certain large-scale electricity users under a bill heard Feb. 5 by the Natural Resources Committee.

Niobrara Sen. Barry DeKay, who sponsored LB1261 at the request of Gov. Jim Pillen, said the measure was drafted in collaboration with utilities to help them meet “unprecedented” challenges in providing electric service to industrial customers such as data centers.



Sen. Barry DeKay

“These large industrial companies offer a significant economic potential,” DeKay said, “but their large energy demands and expedited expectations for interconnection could place extraordinary pressure on the Nebraska electric utilities and electric customers.”

The bill would prohibit a consumer-owned utility in Nebraska from using eminent domain to acquire a privately owned electric generation facility under certain conditions.

The exemption would apply only to a facility that is built to provide electric service to an industrial customer at a single site with projected new electric load greater than 1,000 megawatts. Among other requirements, the facility also would have to receive approval from the Nebraska Power Review Board.

Under the proposal, DeKay said, the private supplier would enter into a long-term power purchase agreement or other contract with a public utility for retail or wholesale electric service. The contract would preserve the utility’s exclusive right to serve retail customers in the relevant service area and prohibit the industrial customer from reselling electricity, he said.

The bill also would require the industrial customer to pay for any electric system upgrades or other costs needed to provide their service.

The requirements would apply to contracts to serve new industrial loads entered into with consumer-owned

utilities on or before Dec. 31, 2031.

Kenny Zoeller, director of the governor’s Policy Research Office, testified in support of LB1261. He said the narrow exemption to public power’s eminent domain authority would ensure that private energy developers can finance power generation projects for artificial intelligence data centers, sustainable aviation fuel facilities and manufacturing plants.

Javier Fernandez testified in support of the measure on behalf of Omaha Public Power District. He said LB1261 would help Nebraska’s public power utilities meet surging demand from large industrial customers at a time when the wait for natural gas turbines, transformers and other large electrical equipment has grown from 18 months to five years or more.

Fernandez said the proposal would allow customers with access to equipment to build their own power plants more quickly while insulating a public utility’s ratepayers from the risk of such a large capital investment.

“We believe this bill will facilitate valuable partnerships between public power districts and private generation developers while maintaining public power’s role and strengthening our ability to serve Nebraskans,” he said.

Testifying in opposition to LB1261 was Ken Winston of the Nebraska Chapter of the Sierra Club. He said development of large data centers and their dedicated power plants could threaten Nebraska’s water resources and increase electricity costs for public utility ratepayers by raising demand for natural gas.

The committee took no immediate action on the bill.

## REVENUE

### Excise tax on remote cigar sales approved

Lawmakers passed a bill Feb. 5 intended to help Nebraska cigar shops compete with online retailers.

The state excise tax on cigars currently is 20% of the purchase price paid by the first owner or the price at which the first owner who made the products sells them to others.

LB212, introduced last session by Fremont Sen. Dave Wordekemper, requires remote retail sellers to collect and remit the 20% excise tax on products sold directly to Nebraska consumers if they meet certain sales thresholds.



Sen. Dave Wordekemper

The requirement applies to “covered tobacco products” — like cigars and pipe tobacco — but not snuff, chewing tobacco or electronic nicotine delivery systems.

The bill also requires remote retailers of covered tobacco products to apply for a license from the state tax commissioner. License holders must submit monthly tax returns and keep accurate sales records.

The new requirements take effect Jan. 1, 2027.

LB212 passed on a vote of 49-0.

### Property tax hearing attendance rule updated

Lawmakers approved a measure Feb. 5 intended to increase accountability for local governments seeking to raise property taxes.

The Property Tax Request Act,

passed by the Legislature in 2021, requires counties, cities and school districts to participate in a joint public hearing before increasing their property tax request by more than an allowable growth percentage. Affected taxpayers are notified of the hearings via pink postcards.

Previously, at least one elected official – or a designated representative – from each participating political subdivision was required to attend the hearing.

LB384, introduced last year by Whitman Sen. Tanya Storer, instead requires the attendance of at least one voting member of the governing body of each participating political subdivision. The measure also requires the county assessor of the county hosting the hearing to attend.



Sen. Tanya Storer

The bill passed on a vote of 49-0.

**Measure to trim tax credits, exemptions considered**

The Revenue Committee heard testimony Feb. 4 on a proposal to eliminate several tax credits and exemptions in an effort to address the state’s budget shortfall.

Elkhorn Sen. R. Brad von Gillern, who introduced LB1109 at the request of Gov. Jim Pillen, said the changes are intended to increase state revenue.



Sen. R. Brad von Gillern

“Some of these exemptions are underutilized or haven’t yielded significant returns,” he said, “while others have served their useful life.”

The bill would repeal sales and use

tax exemptions related to:

- sales of mineral oil as a dust suppressant;
- purchases by Wyuka Cemetery in Lincoln;
- sales of game birds subject to permit and regulation by the state Game and Parks Commission;
- sales of personal property for use in a community-based energy development project;
- sales of biochips used for genotyping and certain other activities; and
- tangible personal property and services acquired by a person operating a data center under certain conditions.

The measure also would remove waste treatment and disposal facilities from the list of locations eligible for tax incentives under the ImagiNE Nebraska Act and eliminate a sales and use tax exemption on certain purchases of property by nonprofit organizations.

Von Gillern said those recently enacted provisions were intended to benefit specific projects that have since been completed.

LB1109 also would modify the research tax credit available under the Nebraska Advantage Research and Development Act. The credit still could be used against a taxpayer’s income tax liability, but it would no longer be refundable.

Finally, the proposal would sunset a renewable energy tax credit at the end of June.

The state Department of Revenue estimates that LB1109 would increase state general fund revenue by \$15 million in fiscal year 2026-27 and \$16 million in FY2027-28.

State budget administrator Neil Sullivan testified in support of the bill, saying it would broaden Nebraska’s tax base and reduce pressure on property taxes by eliminating “special

interest exemptions.”

“Every sales tax exemption added to the books was sold as tax relief,” he said. “But what it really did was shift [the] tax base onto our homes and property.”

Testifying in opposition to LB1109 was Adam Feser of the Nebraska Cooperative Council. He said the measure would increase costs on Nebraska’s farmer-owned cooperatives, which use mineral oil as a dust suppressant in grain elevators for safety.

Joshua Vossler testified in opposition to the bill on behalf of Wyuka Funeral Home and Cemetery. He said eliminating Wyuka’s tax-exempt status would make it more difficult to provide affordable burial options to community members.

The committee took no immediate action on the bill.

**Sales tax on array of services proposed**

An expanded sales tax base would help balance the state budget under a measure heard Feb. 4 by the Revenue Committee.

Glenn Sen. Dave Murman, who sponsored LB1244 at the request of Gov. Jim Pillen, said the bill would tax discretionary services in an effort to modernize the state’s tax system



Sen. Dave Murman

and reduce its reliance on property taxes.

“Nebraska has a tax code where some businesses are taxed [and] others are not,” he said, “and sometimes there doesn’t seem to be much of a rhyme or reason why.”

The bill would eliminate state sales and use tax exemptions on motor vehicle repair, dry cleaning and pet-related services, among others.

It also would impose taxes on the gross income received from dozens of currently untaxed services, including:

- providing chartered flights;
- financial reporting services;
- fishing and hunting guide services;
- interior design and decorating services;
- investment advising services;
- mainframe computer access and processing services;
- personal instruction services for dance, golf or tennis;
- public relations and management consulting services;
- real estate management fees; and
- wedding planning services.

Nail care, skin care, tattoo and body modification and weight loss services also would be taxed unless they are part of a course of medical treatment and provided by a licensed health care practitioner.

LB1244 also would eliminate tax exemptions on sales of currency and bullion, net wrap used in commercial agriculture, molds and dies used in manufacturing and zoo admissions.

Additionally, the bill would impose state sales and use tax on the gross receipts from the operation of mechanical amusement devices and authorize local option sales and use taxes on those devices.

Under the proposal, no new applications could be filed under the Nebraska Job Creation and Mainstreet Revitalization Act after June 30. The act provides tax credits for expenses incurred for improvements to qualifying historically significant real property.

The state Department of Revenue estimates that LB1244 would increase state general fund revenue by \$86 million in fiscal year 2026-27 and \$132 million in FY2027-28.

State budget administrator Neil

Sullivan testified in support of the bill, saying it is part of the governor's strategy to balance the state budget. Pillen believes lawmakers should use any remaining revenue to provide additional property tax relief to Nebraskans, Sullivan added.

Testifying in opposition to the bill was Kelli Bello of Joslyn Castle and Gardens in Omaha. She said nonprofits use the Nebraska Job Creation and Mainstreet Revitalization Act to bridge funding gaps when restoring and maintaining historic buildings around the state.

"Beyond saving structures," Bello said, "these preservation projects create skilled local jobs, support small contractors and tradespeople and stimulate our neighborhoods."

Tara Holterhaus testified in opposition to LB1244 on behalf of the Apartment Association of Nebraska and the Nebraska Association of Commercial Property Owners. By taxing real estate management fees, she said, LB1244 would result in higher rents for Nebraska tenants.

"For one-third of Nebraska households," Holterhaus said, "this bill increases the cost of housing in an already tough market for low- to middle-income households."

Kelsie Shriver, a Lincoln tattoo artist, also testified in opposition. She said LB1244 would harm small businesses and penalize Nebraskans who seek out body art to help them recover from surgery or cope with mental health challenges.

"Tattoos, whether they're performed in a licensed health care facility or licensed body art facility, are helping people every day to erase both visible and emotional scars," Shriver said. "The setting in which we work does not determine the benefits."

The committee took no immediate action on the bill.

## TRANSPORTATION & TELECOMMUNICATIONS

### Heavy commercial electric vehicle fee increased

A bill tripling the registration fee paid by owners of heavy commercial EVs received final approval from lawmakers Feb. 5.

The standard state registration fee for alternative-fuel vehicles like electric cars is \$150. Electric motorcycles and plug-in hybrid electric vehicles are subject to a \$75 fee.

LB207, introduced last session by Elkhorn Sen. R. Brad von Gillern, requires owners of commercially registered alternative-fuel vehicles with a gross weight of more than 7,500 pounds to pay a fee that is three times the standard fee, or \$450.

The fee does not apply to large commercial trucks that operate across state lines.

The bill passed on a vote of 49-0.

### Transportation infrastructure bank proposed

Nebraska cities and counties could apply for state loans to build transportation infrastructure projects under a bill heard Feb. 3 by the Transportation and Telecommunications Committee.

LB1126, sponsored by Columbus Sen. Mike Moser, would create an infrastructure development investment program administered by the State Highway Commission with assistance from the state Department of Transportation.

Under the program, political subdi-



Sen. Mike Moser

visions or certain other entities could apply to the department for loans for the construction, improvement or enhancement of roads, bridges and other transportation infrastructure.

“These loans are primarily targeted at counties and cities,” Moser said, “which may not be able to deliver the necessary projects under existing revenue sources without accumulating funds over several years or otherwise raising local property taxes.”

The commission would select projects based on criteria including economic impact, safety and local support of the project.

LB1126 would authorize the investment program to issue revenue bonds to finance the loans. Bonds would be payable solely from revenue or other investment program sources and would not be a general obligation of the state.

The bill would require the commission to adopt certain program rules and regulations by July 1, 2027, and maintain a public website for the program.

An independent accounting firm would audit the program annually, and the program would submit an annual report to the Legislature.

LB1126 also would increase the maximum fees for 90-day, 180-day and one-year permits for oversized or

overweight vehicles and create a superload vehicle category with associated maximum permit fees.

The department estimates that the changes would generate an additional \$2.1 million in fiscal year 2026-27 and \$4.3 million in FY2027-28.

Among other changes, the bill also would:

- authorize public-private partnerships for transportation projects deemed appropriate by the department director;
- require the department to adopt procedures for receiving and evaluating unsolicited proposals;
- exempt certain routine repair and maintenance service contracts from prequalification requirements;
- increase the damage threshold at which a traffic accident must be reported to the department from \$1,500 to \$2,000; and
- require bicyclists to follow traffic control signal requirements.

Vicki Kramer, director of the state Department of Transportation, testified in support of the measure. Although LB1126 would not dedicate state funds to the infrastructure investment development program, she said, the department could fund it with a loan under the federal Rural Project

Initiative.

That program provides low-interest financing for transportation projects in smaller communities.

“The [state] program... will allow local governments without the technical knowledge and financing experience of Nebraska’s larger cities and counties to access financing opportunities,” Kramer said.

Matt Tondl testified in support of the bill on behalf of the Greater Omaha Chamber. He said the proposed transportation infrastructure bank would help fill funding gaps at the city and county level.

“Many of their transportation needs are not massive megaprojects but critical corridor improvements, bridge replacements and safety projects that are well understood but difficult to advance using the current funding climate and limited financing tools,” Tondl said.

Testifying in opposition to LB1126 was Beth Bazyn Ferrell of the Nebraska Association of County Officials. She said counties would support the measure if it were amended to require superload vehicles to receive a separate county permit before driving on county roads.

The committee took no immediate action on the bill. ■

# COMMITTEE HEARINGS

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

## **Monday, Feb. 9**

### **Appropriations**

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

Agency 25: Health and Human Services

LB946 (Dorn) State intent regarding appropriations to the Department of Health and Human Services for medical 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

# COMMITTEE HEARINGS

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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 - 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

## Transportation & Telecommunications

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

*Appointment:* Heath Mello - State Highway Commission

LB1121 (Ballard) Adopt the Recreational Vehicle Industry Regulation Act, change provisions of the Motor Vehicle Industry Regulation Act, and change provisions relating to recreational vehicles

LB1202 (Clouse) Change provisions relating to ignition interlock devices and ignition interlock permits

LB1104 (Dover) Provide for certain determinations relating to the avoidance of motor vehicle taxes and fees under the Motor Vehicle Registration Act

## 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 and 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

# COMMITTEE HEARINGS

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## Education

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

*Appointments:* Chad W. Buckendahl, Joshua Fields - Technical Advisory Committee for Statewide Assessment

*Appointments:* Paul J. Von Behren, William Wilson - Coordinating Commission for Postsecondary Education  
LB855 (McKinney) Adopt the Youth Early Intervention and Support Act  
LB1201 (Guereca) Provide for a grant program related to classroom libraries and engagement materials

## 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

## Urban Affairs

### Room 1200 - 1:30 p.m.

LB811 (Dover) Change provisions relating to the municipalities that are authorized to form their own land banks under the Nebraska Municipal Land Bank Act  
LB1135 (Urban Affairs) Change provisions of the Nebraska Municipal Land Bank Act  
LB799 (Urban Affairs) Adopt the Service Contract Reporting Act  
LB1114 (Urban Affairs) Change provisions related to eligibility of redevelopment plans for expedited review under the Community Development Law  
LB1214 (McKinney) Create a pilot program for neighborhood data collaboratives

## 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

## Government, Military & Veterans Affairs

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

LR305CA (Lippincott) Constitutional amendment to authorize the recall of the Governor, the Lieutenant Governor, the Secretary of State, the State Treasurer, the Attorney General, the Auditor of Public Accounts, and members of the Legislature  
LB765 (Holdcroft) Change provisions relating to elections for school district bonds and bonds issued by a joint entity that includes a Nebraska school district or educational service unit  
LB884 (Andersen) Change provisions relating to voter registration, ballots, and poll watchers and observers  
LB1075 (Sanders) Provide requirements for certain village warrants, change various provisions of the Election Act, and change election provisions for exceeding a school district's property tax authority

## 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

## Judiciary

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

LB897 (Lonowski) Change a penalty and provide a fee for violating the open burning ban  
LB859 (Bostar) Provide for county conflict counsel to represent certain indigent persons when the public defender is unavailable  
LB1169 (Wordekemper) Prohibit assault on a court operations officer  
LB784 (Hallstrom) Change residency requirements for sheriffs in certain counties and continuing education requirements for law enforcement officers  
LB785 (Hallstrom) Prohibit conduct involving mail receptacle keys and locks with the intent to defraud or deprive another of property  
LB874 (Hallstrom) Enhance penalties for motor vehicle homicide and motor vehicle homicide of an unborn child caused by wireless communication device violations

## Natural Resources

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

*Appointment:* Bradley Bird - Environmental Quality Council  
*Appointments:* Kristen Gottschalk, David Liegl - Neb. Power Review Board  
LB1010 (Brandt) Provide for eminent domain of electrical energy storage property, storage of electric energy under the Electric Cooperative Corporation Act, and energy storage resources and change application, notice, filing, exemption, and violation provisions relating to electric suppliers  
LB1220 (Brandt) Change provisions relating to hunting, fur-harvesting and fishing

## Revenue

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

LB1253 (Bostar) Change provisions relating to the laws that apply to certain tax sale certificates  
LB1257 (Hansen) Eliminate certain sales tax exemptions, impose sales and use taxes on certain services, change school district levy limitations, elimi-

# COMMITTEE HEARINGS

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

nate the School District Property Tax Relief Act, change provisions of the School District Property Tax Limitation Act, and provide additional foundation aid under the Tax Equity and Educational Opportunities Support Act  
 LB826 (DeKay) Change provisions relating to late applications for homestead exemptions  
 LB873 (Hallstrom) Provide for an excise tax on kratom products and change provisions of the Kratom Consumer Protection Act relating to adulterated products  
 LB1193 (Prokop) Provide regulation of and requirements for energy storage resources and change provisions relating to property tax exemptions and the nameplate capacity tax  
 LB1189 (Conrad) Create a pilot program to raise awareness of the earned income tax credit

## **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

### **Government, Military & Veterans Affairs**

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

LR293 (Kauth) Urge the United States Congress to swiftly enact legislation to provide for veterans' access to treatments for traumatic brain injury and post-traumatic stress disorder  
 LB754 (Wordekemper) Change provisions relating to permits issued by the Nebraska State Patrol for the storage, use, or purchase of explosives and application requirements for display fireworks  
 LB899 (Lonowski) Change and eliminate provisions of the Engineers and Architects Regulation Act

### **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

### **Judiciary**

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

LB957 (J. Cavanaugh) Provide a cause of action against certain adults for allowing a minor to possess a handgun and create an offense of leaving a loaded firearm in a location accessible to a minor  
 LB1079 (von Gillern) Change provisions relating to the habitual criminal enhancement for theft offenses  
 LB1097 (Conrad) Adopt the State and Political Subdivisions Sexual Abuse Liability Act  
 LR299CA (McKinney) Constitutional amendment to create the Nebraska

Board of Commutation and transfer powers of the Board of Pardons  
 LB1032 (DeBoer) Provide for recognition and enforcement of tribal customary adoptions under the Nebraska Indian Child Welfare Act and related laws

### **Natural Resources**

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

LB1111 (M. Cavanaugh) Require an annual data center load report to the Nebraska Power Review Board, provide powers and duties for public power suppliers, allow and require regulation of data centers, and change provisions relating to regulation of cryptocurrency mining operations  
 LB1064 (Bostar) Adopt the Large Load Customer Regulation Act  
 LB1204 (Clouse) Adopt the Nameplate Capacity Tax Facility Standards Act and change provisions relating to property tax exemptions and the nameplate capacity tax

### **Revenue**

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

LB1117 (Ibach) Change provisions relating to tuition waivers and provide for reimbursement to postsecondary institutions  
 LB890 (Clouse) Change provisions relating to fees and occupations taxes under the Mechanical Amusement Device Tax Act  
 LB938 (Hallstrom) Adopt the First-Time Home Buyer Savings Account Act and provide for income tax adjustments  
 LB1206 (Juarez) Exempt income received by certificated teachers, paraeducators, and paraprofessionals from state income taxation  
 LR292CA (Andersen) Constitutional amendment to provide a new method of valuing real property for property tax purposes, provide a limit on property tax increases, provide certain exceptions, provide requirements for declared emergencies, provide for emergency bond levies, and eliminate conflicting constitutional provisions ■

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