

## Legislature adjourns sine die, 13 senators depart

The second session of the 109th Legislature adjourned sine die April 17.

Ten senators are leaving the Legislature due to term limits: La Vista Sen. John Arch; Plymouth Sen. Tom Brandt; Omaha Sen. Machaela Cavanaugh; Elmwood Sen. Robert Clements; Bennington Sen. Wendy DeBoer; Adams Sen. Myron Dorn; Blair Sen. Ben Hansen; Omaha Sen. Megan Hunt; Columbus Sen. Mike Moser and Glenvil Sen. Dave Murman.

Omaha Sen. Christy Armendariz and Sen. Jane Raybould of Lincoln are not seeking reelection and St. Paul Sen. Fred Meyer, who was appointed in January, has chosen not to run for election.

In his address to lawmakers, Gov. Jim Pillen congratulated departing senators, who he said have faced “plenty of challenges and long hours.”



Gov. Jim Pillen

The governor also praised lawmakers for working with him to pass legislation that ensured agricultural producers own and control the data generated on their farms, created incentive packages for businesses and

balanced the state budget in a “fiscally responsible, historically conservative” way.

“We accomplished a lot of good for our state in this session,” Pillen said, “but we know there is always more to do.”

The governor challenged senators to solve the state’s “property tax crisis” when the 2027 session begins in January, saying it’s an issue he hears about from Nebraskans daily.

In his comments, Speaker Arch also thanked his colleagues for their “tireless” work during the 60-day session, which he said resulted in the passage of all or part of nearly 340 proposals.

In addition to achieving policy goals, he said, lawmakers should take pride in moving from the institution’s



Departing senators (from left): Sens. Ben Hansen, Myron Dorn, Christy Armendariz, Tom Brandt, Wendy DeBoer, Megan Hunt, John Arch, Jane Raybould, Robert Clements, Machaela Cavanaugh, Dave Murman, Fred Meyer and Mike Moser.

“low point” of the 2023 session — marked by prolonged filibusters and division among lawmakers — to a legislative body where members cooperated and treated each other with respect.

“We weren’t just successful in passing good policy, we were also successful in embracing a model of process for future Legislatures,” Arch said. “And of all the things this session, this is what I’m most pleased with.”

The first session of the 110th Legislature is scheduled to convene Jan. 6, 2027. ■



Speaker John Arch

# DEPARTING SENATORS

BEFORE ADJOURNMENT, DEPARTING SENATORS HAD AN OPPORTUNITY TO ADDRESS THEIR COLLEAGUES, REFLECTING ON THEIR TIME IN THE NEBRASKA UNICAMERAL.



SEN. JOHN ARCH

“We do not need to hate each other for different worldviews, nor agree with someone else’s worldview, but we do need to attempt to understand each other.”



SEN. TOM BRANDT

“I believe [a senator] must possess a fierce curiosity to counter those that believe the Legislature is where imagination goes to die.”



SEN. MACHAELA CAVANAUGH

“One thing that I tried to do the entire time I was here was to stay grounded in what I believe is right, even if it was uncomfortable.”



SEN. ROBERT CLEMENTS

“I came in feeling that Nebraska was already in good shape ... [and] I leave knowing that the Legislature will be fine without me.”



SEN. WENDY DEBOER

“When I came here, I was full of so much hope ... My hope has been chastened and had to mature, but it has persisted because I have had a front-row seat to all that has happened here in this room.”



SEN. MYRON DORN

“It’s been a privilege to serve for all the people in my district ... and I hope I made them proud.”



SEN. BEN HANSEN

“This body works best when we remember that, despite our differences, we all love this state and want what’s best for its people.”



SEN. MEGAN HUNT

“You don’t always win, but you can be an extraordinary agent for change by doing whatever it takes to make a little progress [and] to bring the future into being.”



SEN. FRED MEYER

“Thank you for putting up with me on such short notice ... it’s always an honor to serve the citizens of Nebraska, and I will always consider you friends.”



SEN. MIKE MOSER

“Serving here in the Legislature has been an experience of a lifetime. Everybody should be interested in serving. It’s not exactly what you see on TV – I think it’s better than that.”



SEN. DAVE MURMAN

“One of the earliest interests that I remember having as a young fella – besides girls, sports and farming – was politics.”



SEN. JANE RAYBOULD

“I made a commitment every day when I came here, to work with anyone and everyone for the betterment of our beloved state. Nebraskans, I hope you feel that I gave it my best.”

## UNICAMERAL UPDATE

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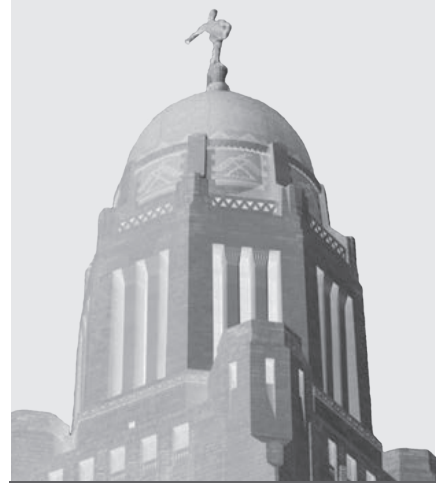
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# AGRICULTURE



## Ethanol board, fuel tax updated

Senators updated the structure and funding of Nebraska's ethanol oversight system with a bill passed April 10.

LB815, introduced by Plymouth Sen. Tom Brandt, expands the Nebraska Ethanol Board from seven to nine members to include more ethanol producers and requires that an existing business seat be held by a producer beginning Sept. 1. The bill also updates the board's mission and statutory language in the Ethanol Development Act.



Sen. Tom Brandt

The measure eliminates outdated authorities, including provisions allowing the board to acquire commodities, accept grain from federal agencies and join trade organizations. It also repeals obsolete provisions tied to expired incentive programs and defines an ethanol producer as an individual who spends at least 50% of their professional time on operational or business management activities at an ethanol production facility.

LB815 also adjusts fuel-related taxes tied to ethanol programs. Beginning Oct. 1, a quarter-cent per gallon excise tax will be imposed on dyed diesel used for off-road purposes. The first \$140,000 collected each year will be directed to the Motor Fuel Tax Enforcement and Collection Cash Fund, with the remainder directed to the Agricultural Alcohol Fuel Tax Fund.

The bill also updates allowable uses of that fund and shifts existing fees by removing one on dyed diesel and

increasing the fee on clear diesel to 0.6 cents per gallon.

Senators passed the bill on a 35-14 vote.

## Grain dealer measure approved

Senators expanded oversight of grain warehouses and dealers with a bill given final approval April 9.

LB894, introduced by Niobrara Sen. Barry DeKay, eliminates an exemption that allowed certain warehouses to avoid classification as grain dealers if grain was first unloaded at their facilities, subjecting those engaged in direct delivery transactions to licensing, bonding and oversight requirements.



Sen. Barry DeKay

The measure also replaces the current \$100 annual grain dealer license fee with a fee established by the Nebraska Public Service Commission, capped at \$1,500. Existing fees will remain in place until July 1, 2027, and the commission must submit a proposed fee schedule to the Legislature by Dec. 1.

License revenue will continue to be deposited in the state's General Fund until July 1, 2027, after which it will be redirected to the newly created Grain Dealer and Grain Warehouse Cash Fund.

Additionally, LB894 revises payment provisions to require dealers to pay within 10 business days after receiving a written demand with proof of delivery, unless a contract provides otherwise, with interest accruing after the deadline. The measure also repeals certain notice requirements and streamlines claims against a dealer's security, allowing unpaid producers to seek recovery during a commission

administrative action, while excluding obligations not yet due under deferred payment contracts.

Also included in the measure are provisions of DeKay's LB895, which remove an exemption from licensure for federally licensed warehouses and instead provide that those warehouses automatically qualify for state licensure and are not subject to a state license fee.

Lawmakers passed LB894 on a 44-3 vote.

## Brand Committee fees, membership updated

A bill that raises Nebraska Brand Committee inspection fees and updates committee operations received final approval from lawmakers April 10.

LB1187, introduced by Niobrara Sen. Barry DeKay, raises the maximum per-head inspection fee from \$1.10 to \$1.50 and replaces mileage-based travel charges with a flat surcharge of up to \$30 per inspection stop.

The measure also make the following changes:

- limits audits of registered feedlots to no more than twice a year, with reviews covering 10% of records unless additional audits are approved for reasonable cause;
- updates how feedlot fees are calculated, replacing the current flat structure with a formula based on inspection fees;
- authorizes an annual feedlot charge equal to 25% of the per-head inspection fee multiplied by the facility's one-time capacity;
- increases the brand renewal fee, paid once every four years, from \$200 to \$400;
- creates a classification for dairy heifer development facilities

and exempts certain dairy-related cattle movements from inspection; and

- allows cattle already inspected and placed in a registered feedlot or background lot to move between feedlots without another inspection if proper documentation is provided.

The measure also makes several changes to the Brand Committee's membership. Beginning Aug. 28, the current five-member committee will be replaced by a seven-member group made up of five cattle producers — one from each newly created geographic district — along with an owner or operator of a cattle feeding operation and a livestock auction market owner.

The governor will appoint all members, and current members may be reappointed if they meet the new requirements.

LB1187 passed 39-9.

## BANKING, COMMERCE & INSURANCE



### Ag privacy, AI protections for minors approved

A measure aimed at creating comprehensive privacy protections for Nebraska agricultural data and strengthening regulation of conversational artificial intelligence passed April 10.

LB525, introduced by North Platte Sen. Mike Jacobson on behalf of Gov. Jim Pillen, requires controllers and potential controllers of agricultural data to enter into written consent agreements with ag producers before



Sen. Mike Jacobson

providing, using or selling that data.

Among other provisions, the bill prohibits the sale of an agricultural producer's raw data by anyone other than the producer who controls or processes that data, and requires any controller or processor in possession of such data to establish, implement and maintain reasonable security practices to protect the information.

Under the bill, starting Jan. 1, 2027, every new contract or agreement involving the collection or processing of agricultural data in Nebraska must include a specific provision that prohibits the selling of that data unless the producer has given express written consent.

Any contract entered into after that date that waives or limits the requirements of the bill will be void and unenforceable. The state attorney general may bring an action for violations to either seek injunctive relief or a civil penalty of \$1,000 per violation.

Also included in the bill are the provisions of LB1185, sponsored by Sen. Eliot Bostar of Lincoln, which adopt the Conversational Artificial Intelligence Safety Act. The provisions require disclosure when



Sen. Eliot Bostar

a user reasonably could believe that they are interacting with a human being and add additional safeguards for minor account holders.

The measure also requires a protocol to respond to prompts involving suicidal ideation or self-harm that includes referral to crisis services, and prohibits a service from claiming to be designed to provide professional mental or behavioral health care.

The attorney general is empowered to enforce the provisions through civil action.

LB525 passed on a 49-0 vote.

### Insurance coverage required for certain pediatric disorders

Lawmakers passed a bill April 10 that requires Nebraska insurers to cover treatments for two related pediatric autoimmune disorders that manifest as mental health disorders.

LB762, sponsored by Lincoln Sen. George Dungan, requires coverage of treatment for pediatric acute-onset neuropsychiatric syndrome (PANS) and pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAS), a subset of PANS.



Sen. George Dungan

Required PANS/PANDAS treatments must be recommended by the patient's licensed physician and include, but are not limited to, antibiotics, medication and behavioral therapies to manage neuropsychiatric symptoms, plasma exchange and immunoglobulin.

LB762 passed on a 45-4 vote and took effect Jan. 1, 2027.

### Affordable housing proposal clears final round

Lawmakers approved a bill April 9 intended to improve the efficiency and effectiveness of the state's efforts to increase affordable housing.

LB768, sponsored by Norfolk Sen. Robert Dover, makes a number of changes to the powers of the Nebraska Investment Finance Authority, the Rural Workforce Housing Investment Act and the Middle Income Workforce Housing Investment Act.



Sen. Robert Dover

The bill authorizes NIFA to establish and own nonprofit subsidiaries that further housing goals. NIFA will not be responsible for the debts, liabilities and obligations of any nonprofit subsidiary it creates.

LB768 also dissolves the Housing Authority Committee and grants DED the power to contract with statewide nonprofits to serve as agents for workforce and middle income housing programs. Among other provisions, the bill also:

- shortens the NIFA grant and loan application period from 90 to 60 days;
- allows funds held in any escrow account to be recaptured by DED; and
- provides that a building constructed or repaired using state grant funds will not be subject to state energy code compliance and mandatory plan reviews if it will not be owned or managed by the state.

The measure includes provisions of LB1246, also introduced by Dover.

Those provisions require NIFA to record all instances of revenue, fund balance and expenditure within a formal accounting system and submit, at least 20 days before the start of each legislative session, a report on the condition of all public funds for grants or loan programs involving public funds pursuant to an agreement with a state agency.

NIFA also is required to provide monthly accountings of all such transactions and detailed annual reports, beginning July 1, 2027.

Finally, the bill includes provisions of Syracuse Sen. Bob Hallstrom's LB819, which extend sunset dates for the Rural Workforce



Sen. Bob Hallstrom

Housing Investment Act and the Middle Income Workforce Housing Investment Act to July 1, 2032.

The provisions also change definitions in the Middle Income Workforce Housing Investment Act to include construction cost in determining a property's value, and increase the construction cap on owner-occupied housing units under the Rural Workforce Housing Program from no more than \$325,000 to \$375,000 and on rental units from no more than \$250,000 to \$300,000.

Lawmakers passed LB768 on a 49-0 vote.

### Omnibus consumer protection measure approved

A measure aimed at strengthening consumer protections was approved by lawmakers April 10.

LB838, sponsored by Sen. Mike Jacobson of North Platte, authorizes an optional program for financial institutions under which a vulnerable or senior adult may designate an authorized contact to be notified by a financial institution in the event of an emergency, loss of contact with the customer or suspected financial exploitation.



Sen. Mike Jacobson

The measure also includes provisions from the following bills:

- LB837, also introduced by Jacobson, which addresses how merchants treat transactions involving physical currency now that the U.S. Mint has stopped producing pennies;
- LB875, sponsored by Syracuse Sen. Bob Hallstrom, which prohibits suppliers from including clauses in contracts that waive compliance with the Equip-

ment Business Regulation Act or mandate that legal disputes be resolved in out-of-state forums or by other state laws;

- LB1063, introduced by Sen. Eliot Bostar of Lincoln, which modernizes the Nebraska Money Transmitters Act to exclude influence from foreign adversaries and regulates informal transfer systems;



Sen. Eliot Bostar

- LB1118, sponsored by Lincoln Sen. Carolyn Bosn, which updates the state's Uniform Deceptive Trade Practices Act to treat certain conduct by social media platforms that accept paid advertising as a deceptive trade practice;



Sen. Carolyn Bosn

- LB1119, also introduced by Bosn, which updates the Age-Appropriate Online Design Code Act passed by lawmakers last year;
- LB1160, sponsored by Hallstrom, which modernizes Nebraska's estate and trust laws by synchronizing the Uniform Probate Code with the Uniform Trust Code and strengthening the rights of surviving families; and
- LB1174, introduced by Omaha Sen. Kathleen Kauth, which imposes a 25% excise tax on a remittance transfer using cash, money order or cashier's check by a licensee or authorized delegate to a resident of a foreign adversary country as determined by

the federal government. The tax will not apply to remittance transfers to or from U.S. active-duty service members or their dependents, or remittances sent to Cuba or Venezuela.



Sen. Kathleen Kauth

Lawmakers passed LB838 on a 46-3 vote. The measure took effect immediately.

**DED minimum grant requirement clears final round**

A program aimed at benefitting Nebraska's small businesses is required to award a minimum dollar amount of grant funds under a bill passed April 9.

Currently, the state Department of Economic Development has the option to distribute up to \$3 million in grants annually through the Microenterprise Assistance Program under the Business Innovation Act. LB1205, sponsored by Kearney Sen. Stan Clouse, requires DED to do so beginning in fiscal year 2027-28.



Sen. Stan Clouse

LB1205 passed on a 49-0 vote.

**BUSINESS & LABOR**

**Work comp injury report confidentiality approved**

Certain workers' compensation first injury report information will be confidential under a bill passed April 10.

Currently, employers or insurers are required to file a first injury report with the Workers' Compensation Court for any injury resulting in death, lost time, loss of consciousness or medical treatment beyond first aid. Such reports are considered public records and can be accessed through a public records request.

LB455, sponsored by Syracuse Sen. Bob Hallstrom, requires that an employee's confidential information included in such reports remain confidential for 60 days after filing, except as necessary to administer and enforce other provisions of the Nebraska Workers' Compensation Act. An injured employee also may waive confidentiality.

Under the bill, access to the confidential report otherwise is restricted to the involved parties and their legal counsel, insurers and treating physicians, state and federal agencies for investigations or statistical research and nonprofit organizations that provide services to families of deceased employees.

Additionally, the workers' compensation court is required to send a letter to an injured employee notifying them of their right to seek legal advice or representation once a report is filed.

The measure also includes provisions of Plymouth Sen. Tom Brandt's LB1077.



Sen. Tom Brandt

Those provisions update how workers' compensation claims data is reported to the National Council on Compensation Insurance for purposes of calculating the experience modification factors used to set a business's insurance premium based on its workers' compensation claim history compared to the industry average.

Nebraska businesses may use a net reporting system rather than a

gross reporting system to allow for the exclusion of deductible payments in the determination of their experience modification factor beginning Jan. 1, 2027.

LB455 passed on a 37-12 vote.

**Omnibus employment measure clears final round**

A bill containing several labor measures was passed by lawmakers April 10.

LB921, sponsored by Sumner Sen. Teresa Ibach, requires businesses that experience a closure or a mass layoff event lasting longer than six months to notify employees and the state Department of Labor at least 90 days in advance of such event, if it will affect 100 or more full-time employees



Sen. Teresa Ibach

It also amends the Non-English-Speaking Workers Protection Act to require businesses to provide an interpreter and referral agent if 5% of their staff speaks the same non-English language. Referral agents are required to develop and maintain a list of community services and assist employees in attempting to obtain those services.

LB921 includes the amended provisions of the following bills:

- LB308, also introduced by Ibach, which requires DOL to create and maintain a registry of health care staffing agencies operating in Nebraska;

- LB 5 4 4 , sponsored by Norfolk Sen. Robert Dover, which requires individuals re-



Sen. Robert Dover

ceiving unemployment benefits to respond to an interview request or a job offer for suitable employment within one week or lose a week of benefits; and

- LB1170, introduced by Fremont Sen. Dave Wordekemper, which

allows a county to file more than one state claim for a single correctional in-



Sen. Dave Wordekemper

stitution incident if the threshold amount is met for each claim, and expands the definition of what constitutes a death for purposes of the Line of Duty Compensation Act.

Sen. Tony Sorrentino of Elkhorn offered an amendment during select file debate April 7 to include the amended provisions of Lincoln Sen. Eliot Bostar's LB813.



Sen. Eliot Bostar

Those provisions change the definition of who is classified as an independent contractor and excluded from the state's Employment Security Law. The amendment specifies that one of the requirements to be classified as a marketplace network contractor — that an individual not perform work at a physical business location operated by a marketplace network platform, such as DoorDash — does not apply if the physical business is located in a metropolitan or primary class city.

Omaha is the state's only metropolitan class city and Lincoln is the only primary class city.

Sorrentino said DoorDash delivery drivers already are considered independent contractors in Nebraska and

the amendment simply expands the classification to include drivers who shop for such deliveries at an affiliated brick-and-mortar store.

Blair Sen. Ben Hansen supported Sorrentino's amendment, saying "overburdensome" regulations — such as minimum wage and paid leave requirements — have led to more automated business models. The amendment would allow businesses to adjust their service models based on market needs, he said.

"We have to open ourselves up to the idea of [letting] the market decide ... how they can best accomplish their business," Hansen said.

Sen. Jane Raybould of Lincoln spoke in opposition. She said the amendment's "broad" definition could apply to individuals employed by DoorDash who work inside a physical location to stock and provide assistance to delivery drivers.

She also expressed concern that the change could lead other businesses that provide pickup and delivery options, such as grocery stores and other retailers, to classify their workers as independent contractors.

"[It] is a bridge too far," Raybould said.

The Sorrentino amendment was adopted on a vote of 30-8.

Bostar then brought a floor amendment to address opponents' concerns and clarify that individuals classified as part-time employees under the Employment Security Law are not classified as independent contractors under his measure.

After adopting the Bostar amendment 29-1, lawmakers advanced LB921 to final reading 34-9.

The bill passed April 10 on a 37-12 vote.

## EDUCATION

### School access for professional organizations approved

Lawmakers passed a bill April 9 aimed at ensuring that Nebraska school districts provide professional employees' organizations equal access to the district's employees.

LB429, introduced by Glenvil Sen. Dave Murman, requires school boards to provide equal access to certified employees' physical or electronic mailboxes, meetings and events when such access is granted to any qualified professional employees' organization.



Sen. Dave Murman

A professional employees' organization is defined as any organization that exists for the purpose of providing liability protection or collective bargaining on behalf of certified employees.

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

The bill does not apply to, modify or supersede the provisions of the Industrial Relations Act or any matters relating to collective bargaining.

LB429 passed on a 47-2 vote.

### GED age requirement eliminated

Lawmakers gave final approval April 9 to a bill that removes an age requirement for obtaining a general

education development diploma.

Current state law allows 16 and 17-year-olds to take the GED exam, but requires a person to be at least 18 to receive their diploma.

LB745, sponsored by Sen. Margo Juarez of Omaha, allows an individual who has completed all GED requirements to receive their diploma from the Commissioner of Education no matter their age.

The bill passed on a 49-0 vote.



Sen. Margo Juarez

### NEST program expanded

Eligible uses of Nebraska educational savings plan trust accounts were expanded under a bill passed April 9.

Under LB748, introduced by Elkhorn Sen. Tony Sorrentino, families may use NEST accounts for education-related expenses beyond K-12 and postsecondary tuition, including books, tutoring and online instructional materials, beginning Jan. 1, 2029.



Sen. Tony Sorrentino

The bill also increases the annual withdrawal cap from \$10,000 to \$20,000 and expands eligible uses to qualified postsecondary credentialing programs, such as career and technical certifications.

Additionally, the measure permits the Nebraska State Treasurer's Office to enter agreements with recognized postsecondary credentialing programs, excluding those related to investment of program funds, and to make payments directly to those programs on behalf of beneficiaries.

The bill passed on a 46-3 vote.

### Omnibus education package approved

Senators passed an omnibus education bill April 10 aimed at strengthening student protections and updating teacher policies.

Among other provisions, LB937, introduced by the Education Committee, aligns state law with current educational practices and ensures that teachers who become eligible to teach dual enrollment courses qualify for the Teacher Recruitment and Retention Act high-need retention grant.

Additionally, the bill requires option enrollment reports to include approved applications, removes obsolete language related to solar and wind energy funding, aligns the College Pathway Program Act with state procurement processes and sets an Oct. 15 deadline for property tax authority requests and annual census reports.

The measure includes provisions of several additional education-related bills.

Under LB1146, introduced by Lincoln Sen. Danielle Conrad, students may not be considered truant for absences related to medical or mental health needs, pregnancy or parenting responsibilities, disabilities or homelessness if those absences are excused by a parent or guardian and supported by appropriate documentation.



Sen. Danielle Conrad

Absences due to physical or mental illness must be documented by a credentialed health professional and are subject to periodic review for students with chronic conditions.

LB1164, sponsored by Sen. Dan Lonowski of Hastings, establishes statewide guidelines for awarding college credit for prior learning exams.

The Coordinating Commission for Postsecondary Education must approve and publish a list of recognized exams and minimum passing scores by Sept. 1.

Provisions of LB1224, introduced by Omaha Sen. Megan Hunt, bar individuals convicted of certain felonies from working with students at unaccredited schools. The measure also prohibits a parent, guardian or educational decisionmaker who is the subject of a substantiated child abuse or neglect investigation from transferring or disenrolling their student during the investigation.



Sen. Dan Lonowski



Sen. Megan Hunt

The package also includes provisions of LB1241, sponsored by Sen. Dave Murman of Glenvil. Those provisions require applicants for school positions involving regular contact with students to disclose seven years of prior employment involving children. The measure also authorizes the release of related records and requires reporting of past child abuse or sexual misconduct investigations, separations or license actions.

Murman's LB1243 prohibits school boards from requiring students to enroll in more than the minimum district credit hours set by a national or state organization in order to participate in extracurricular activities.

Finally, the package was amended on select file April 7 to include provisions of LB599, introduced by Bennington Sen. Wendy DeBoer. Those provisions adopt the K-12 Education Cybersecurity Act and create a coordinating council.

The measure requires the state Department of Education to purchase or develop a standardized cybersecurity readiness assessment and authorizes up to \$250,000 in state lottery funds to support the effort.



Sen. Wendy DeBoer

Following the 34-0 adoption of the DeBoer amendment and several additional technical amendments, senators advanced LB937 to final reading by voice vote.

The bill passed on a 49-0 vote April 10.

### School meal reimbursement program broadened, approved

Students who qualify for reduced-price school meals may receive them at no cost under a bill approved by lawmakers April 10.

LB966, introduced by Omaha Sen. Machaela Cavanaugh, adopts the Hunger-Free Schools Act. The act requires the state Department of Education to reimburse schools for the difference between



Sen. Machaela Cavanaugh

federal reimbursement rates for free meals and reduced-price meals, allowing eligible students from low-income families to receive meals at no cost.

During select file debate April 8, Cavanaugh offered an amendment, adopted 36-12, that replaced the bill with a modified proposal. The amendment creates the five-year Hunger Free Schools Pilot Program, funded by a private donor, which will run through the 2031-32 school year.

Schools must apply to participate in the program and report the number

of meals served. The department will study the pilot program's impact on student academic performance and behavior, with findings due to the Legislature by Dec. 1, 2032.

The amendment also creates the Hunger-Free Schools Cash Fund, which will use private donations to cover the meal reimbursement gap for participating public schools.

Cavanaugh said that while the original proposal included both public and private schools, the amendment reflects the donor's requirement that funding be used for public schools only.

"We're trying to feed as many kids as possible with the resources available," she said.

Sen. Christy Armendariz of Omaha opposed the amendment. Pilot programs often create expectations, she said, and lawmakers will face pressure to continue funding the program with taxpayer dollars once the private funding expires.

Pushing back on that argument, La Vista Sen. John Arch supported Cavanaugh's amendment. He said lawmakers should take advantage of an opportunity to help students, even if a program might require future legislative commitments. It would be "shortsighted" to reject private donor funding solely because it may be temporary, he said.

Lincoln Sen. Carolyn Bosn also opposed the amendment, saying she was disappointed the proposal applied only to public school students. Eligibility for meal assistance should be based on need, she said, and not the type of school a student attends.

Bosn offered an amendment, adopted 37-4, that appropriates general funds to the department to administer the Hunger-Free Schools Act for any school that does not receive funding through the Hunger-Free Schools Cash Fund.

The amendment appropriates \$55,638 in general funds in fiscal year 2026-27 and FY2027-28 to ensure coverage for private schools wishing to participate in the pilot program. Following adoption of the Bosn amendment, lawmakers advanced the bill to final reading by voice vote.

LB966 passed April 10 on a vote of 38-11.

### Human relations teaching certificate change approved

Lawmakers passed a bill April 10 that changes a human relations training requirement for some Nebraska educators.

Currently, prospective teachers, substitutes and administrators must complete human relations training in order to be certified. LB1022, as introduced by Glenvil Sen. Dave Murman, would have eliminated that requirement.



Sen. Dave Murman

The bill was amended on select file April 8 to instead provide an exemption from the human relations training requirement for military spouses, applicants who hold a certificate or permit from another state and applicants for a Nebraska substitute teacher's certificate.

The bill passed 37-12.

### Reading improvement measure stalls on second round

A measure aimed at strengthening support for young Nebraska students who struggle with reading stalled during second-round debate April 8 after a failed attempt to cut off debate and force a vote on the bill.

LB1050, introduced by Glenvil Sen. Dave Murman at the request of Gov.

Jim Pillen, would amend the Reading Improvement Act to require schools, beginning in the 2027-28 school year, to administer reading assessments three times a year to students in kindergarten through third grade.

Students experiencing a “persistent reading deficiency” at the end of third grade – based on performance on the statewide reading assessment, alternate reading assessments or a test-based student portfolio – could be required to repeat the grade.

Districts would be required to provide such students with “intensive acceleration” classes featuring smaller student-to-teacher ratios and diagnostic assessments.

As amended on general file, the bill would require that, beginning in the 2028-29 school year, students who are not proficient in reading by the end of third grade generally be retained. However, parents could request a meeting with school officials and would have the final say in cases of disagreement.

Retention would be limited to once per student, and the policy would exempt students with disabilities, those who already have received interventions and English language learners who have received less than two years of English instruction.

Additionally, beginning in the 2027-28 school year, districts would be required to screen K-2 students for dyslexia risk and provide interventions through a multi-tiered system of support. A medical diagnosis would not be required to receive those services.

Murman said current strategies have not improved reading outcomes and that identifying struggling students earlier, along with stronger parental involvement, is needed. He said the changes made to the bill during the first round of debate would ensure that retention is used only as a last resort and that parents have the final say.

“We can’t just keep doing what we’ve been doing and expect different results,” Murman said.

Sen. Danielle Conrad of Lincoln also supported the measure, saying grade retention should not be viewed as a punishment or carry stigma. Retention already is used in schools, she said, and typically is decided through collaboration between schools and parents based on the best interest of the student.

Lincoln Sen. Jane Raybould opposed the measure and introduced a series of procedural motions to extend debate. She said LB1050 could impose significant costs on schools – about \$850,000 in the first year and \$800,000 annually thereafter.

Additionally, Raybould questioned the effectiveness of retention policies, saying there is little scientific evidence that they work. Short-term academic gains often fade over time, she said, and retention increases the risk of a student eventually dropping out of school.

“There is no evidence-based, research-based best practice that this is what will work,” Raybould said.

Sen. Merv Riepe of Ralston cited similar concerns regarding the cost of the proposal in his opposition to the bill. He said LB1050 would significantly expand student retention and, as a result, place new demands on schools without providing adequate support.

“We’re asking schools to do more with less, with less clarity and without resources,” Riepe said.

Lincoln Sen. Jason Prokop also opposed the measure, raising concerns about the emotional impact of grade retention on young students. Holding students back can undermine their confidence and sense of belonging in the classroom, he said, particularly at an early age when social development is critical.

After four hours of debate, Murman 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 31-4 vote. Thirty-three votes were needed. LB1050 was not scheduled for further debate this session.

## EXECUTIVE BOARD

### Use of campaign funds for security purposes approved

Nebraska candidates and officeholders may expend campaign funds for security purposes under a bill passed April 10.

LB986, introduced by Sen. Eliot Bostar of Lincoln, adds security measures to the list of allowable expenditures of campaign funds under the Nebraska Accountability and Disclosure Act.



Sen. Eliot Bostar

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

The measure also requires disclosure of security-related campaign expenditures in campaign finance reports.

LB986 passed 41-8 and took effect immediately.

### Legislative oversight measure clears final round

Senators passed a cleanup proposal related to legislative oversight April 9.

LB1155, introduced by Adams

Sen. Myron Dorn, updates and clarifies legislative oversight changes enacted last session with passage of a bill that created the Legislative Oversight Committee.



Sen. Myron Dorn

Among other provisions, the measure modifies due dates for annual reports and authorizes secure remote access for audit purposes.

The bill also expands documentation requirements for room confinements longer than one hour to specify the duration of the confinement, facility staffing levels at the time and any incidents of self-harm or suicide committed by a juvenile while isolated.

The Division of Legislative Oversight is required to review collected data, assess room confinement use and prepare an annual report of findings to be delivered to the Legislature.

LB1155 passed on a 49-0 vote.

**Executive Board publication bill approved**

State law related to the compilation, printing and distribution of several official legislative documents was updated by a bill passed April 9.

LB1236, introduced by the Executive Board, consolidates those duties under the Office of the Clerk of the Legislature and authorizes the clerk to distribute session laws, the legislative journal and state statutes in print, electronic or both formats.

The bill also eliminates mandatory provision of certain documents in specific quantities, instead making them available for distribution upon request.

LB1236 passed on a 49-0 vote and took effect immediately.

**Certain weapons, substances banned in state Capitol**

Entering the Nebraska State Capitol with certain weapons and substances will be prohibited under a bill given final approval April 10.

Under LB1237, introduced by the Executive Board, the Nebraska State Patrol is charged with implementing procedures no later than Jan. 1, 2027, to provide for detection of weapons and controlled substances to prevent them from being brought into the Capitol.

Prohibited weapons include firearms and knives with blades over 3.5 inches in length that could, in the manner used or intended to be used, be capable of producing death or serious bodily injury.

The bill provides exceptions for individuals who have received prior approval from the Nebraska State Patrol and allows possession of a weapon by law enforcement officers in the course of their official duties.

LB1237 also allows any individual holding a current, valid permit issued pursuant to the Concealed Handgun Permit Act and qualified law enforcement officers, including retired officers, to carry concealed handguns in the building.

Prohibited substances include explosives, incendiary or other combustible devices, hazardous materials and paint and spray paint.

The bill passed on a vote of 45-4.



**Public records, hall of fame measure passed**

A proposal that addresses open

meetings, legal notices, public records and Nebraska Hall of Fame requirements passed April 10.

LB596, introduced by Sen. Rita Sanders of Bellevue, authorizes digital news publication of legal notices as an alternative to print newspapers, if a digital news publication does not also have a print version. It also clarifies definitions of digital newspapers and electronic editions of print newspapers for purposes of legal notices.



Sen. Rita Sanders

The measure includes provisions from the following seven measures dealing with open meeting requirements and public records:

- LB739, sponsored by Bellevue Sen. Victor Rountree, which changes the county newspaper public notice requirement for a legal name change from four consecutive weeks to two;



Sen. Victor Rountree

- LB869, introduced by Sen. Barry DeKay of Niobrara, which requires that the state treasurer's annual unclaimed property list



Sen. Barry DeKay

- include information on how to search for unclaimed property and be published in each legal newspaper of general circulation in every county;
- LB896, sponsored by Hastings Sen. Dan Lonowski, which increases the marriage license fee

from \$25 to \$50 and the cost of certified copies issued by county clerks from \$9 to \$16;



Sen. Dan Lonowski

- LB898, introduced by Lonowski, which adds three additional public bodies to the list of those authorized to hold virtual meetings: the Semiquincentennial Commission, the Board of Trustees of the Nebraska State Historical Society and local foster care review boards;
- LB919, sponsored by Sanders, which updates four sections of state law governing the preservation of certain public records to allow the use of media other than microfilm or microfiche;
- LB923, introduced by Sen. Stan Clouse of Kearney, which contains a number of cleanup provisions related to the duties of county clerks; and
- LB1145, sponsored by Lonowski, which requires public bodies subject to open meetings requirements to provide reasonable advance notice by a method designated by the public body and recorded in its minutes.



Sen. Stan Clouse

Finally, the bill includes provisions of Lonowski's LB1159, introduced at the request of Gov. Jim Pillen, which require that the Nebraska Hall of Fame Commission name one inductee before Jan. 1, 2027. The inductee must have a demonstrated record of achievement in public service, leadership in collegiate athletics and volunteer

youth mentorship activities.

The measure also eliminates the requirement that an individual have been dead for at least 35 years before being eligible for induction into the Nebraska Hall of Fame.

LB596 passed on a 46-3 vote.

**Veterans' commission cleanup measure approved**

Updated membership and reporting requirements for a state commission on veterans' affairs passed April 9.

LB787, sponsored by Sen. Rita Sanders of Bellevue, updates the ex officio membership of the Commission on Military and Veteran Affairs. The bill allows the state Department of Economic Development and the director of Veterans' Affairs to specify a designee to serve in their place.

It also adds as members the commanders of the 95th Wing, 90th Missile Wing, Defense POW/MIA Accounting Agency, U.S. Department of Defense Nebraska service secretary and any wing or headquarters positioned or established in Nebraska in the future.

Finally, LB787 eliminates an annual reporting requirement and instead makes the commission's report due upon request of the governor or when the commission deems drafting of an updated version appropriate.

Lawmakers approved the bill on a 49-0 vote.

**State employee parental leave vetoed, override attempt unsuccessful**

A gubernatorial veto of parental leave for permanent state employees who give birth or adopt was sustained April 17.

Under LB878, as originally introduced by Omaha Sen. Dunixi

Guereca, eligible permanent state employees would have been entitled to six weeks of paid maternity leave.



Sen. Dunixi Guereca

The bill would have extended benefits currently available to state union employees to three groups of contract employees: members of the State Patrol and Fraternal Order of Police and educators who work in institutions within the state Department of Correctional Services and the state Department of Health and Human Services.

The measure as introduced also would have applied to adoptive parents, but was amended on general file to limit its application to women as defined in state law by a bill passed last session.

During select file debate April 8, Guereca offered an amendment, adopted 43-0, to specify the leave as "parental" rather than "maternal" in order to apply to qualified adoptive parents. It also limited the leave to only permanent state employees who have worked at least 1,250 hours in the previous 12 months and to adoptive parents of a child who is 12 months of age or younger.

Following adoption of the Guereca amendment, lawmakers advanced LB878 to final reading by voice vote. The bill passed on a 41-7 vote April 10.

LB878 was vetoed by Gov. Jim Pillen April 16. In his veto letter, the governor said employee benefits such as paid parental leave should be negotiated through the collective bargaining process rather than mandated in state law.

Pillen added that he has asked the state Department of Administrative Services to begin negotiations with the three contract employee groups to which maternity leave currently is not available.

Guereca filed a motion to override

the governor's veto. He said paid leave should include male state employees who wish to expand their families through adoption.

The motion failed on a vote of 21-27. Thirty votes were needed.

**State board, commission cleanup measure approved**

Lawmakers passed a cleanup measure April 10 that clarifies the elimination or consolidation of several state boards and commissions and accompanying cash funds.

LB905, introduced by La Vista Sen. John Arch, corrects some aspects of a bill passed last year that eliminated nearly 40 state boards, councils and commissions.



Sen. John Arch

The bill provides a number of clarifications regarding transfers of duties and disposition of associated cash funds. Among other provisions, the measure transfers the duties of three eliminated boards as follows:

- Board of Alcohol and Drug Counselling to the Board of Mental Health Practice;
- Foster Care Reimbursement Rate Committee and Bridge to Independence Advisory Committee to the Nebraska Children's Commission; and
- Board of Examiners of County Highway and City Street Superintendents to the Board of Public Roads Classifications and Standards.

Finally, the measure eliminates 39 inactive funds and transfers them into the state General Fund, and modifies the Information Management Revolving Fund, Vacant Building and Excess Land Cash Fund and Nebraska

Capital Construction Fund.

LB905 passed on a 49-0 vote and took effect immediately.

**Election law omnibus passed**

Lawmakers gave final approval April 10 to an omnibus election bill.

LB1075, sponsored by Sen. Rita Sanders of Bellevue, is the annual elections cleanup bill, which makes a number of changes to laws relating to election provisions requested by the Nebraska secretary of state.



Sen. Rita Sanders

Among other provisions, the bill sets the cost of a recount at \$100 per precinct voting in the contest, authorizes village clerks to prepare claims and issue warrants and prohibits petition circulation within 25 feet of a secure ballot drop box.

The measure includes provisions of five additional bills containing election law provisions:

- LB884, introduced by Omaha Sen. Bob Andersen, which requires delivery of mid-day ballots directly to a centralized location, prohibiting any other stops, and changes rules regarding observation by poll watchers;
- LB927, sponsored by Andersen, which prohibits the direct or indirect involvement of foreign nationals in funding and organizing ballot question committees in Nebraska;
- LB969, introduced by Sen. Bob Hallstrom of Syracuse, which creates a database of county



Sen. Bob Andersen

and municipal financial information within the state Department of Administrative Services;



Sen. Bob Hallstrom

- LB1002, sponsored by Omaha Sen. Machaela Cavanaugh, which increases filing, application and non-compliance fees under the Political Accountability and Disclosure Act; and
- LB1074, introduced by Sanders, which revises unclaimed property statutes to clarify timelines, provide a tolling period in certain cases and create the Unclaimed Property Liquidation Proceeds Trust Fund.



Sen. Machaela Cavanaugh

LB1075 passed on a 49-0 vote and took effect immediately.

**Nebraska-Ireland Commission established**

Lawmakers approved creation of a commission April 10 intended to foster trade relations between Nebraska and the Republic of Ireland.

LB1087, sponsored by La Vista Sen. John Arch, creates the 10-member Nebraska-Ireland Commission to be housed within the state Department of Economic Development for administrative purposes.

The commission is tasked with promoting and encouraging business and other mutually beneficial activities between Nebraska and Ireland, including:

- bilateral trade and investment;

- business and academic exchanges;
- mutual economic support;
- mutual investment in infrastructure; and
- joint action on policy issues.

Membership will consist of one member of the Legislature from each of the state's three congressional districts, in addition to the heads of DED and the state Department of Agriculture or their designees.

The following members will be appointed by the governor to two-year terms: a representative of a postsecondary institution, two members from the business community, one nonprofit representative and a member of the general public.

Members will not be paid but may be reimbursed for expenses. The commission will report to the Legislature annually.

The bill also creates the Nebraska-Ireland Commission Fund, which may receive grants and federal or state funds to help defray administrative costs.

LB1087 passed on a 49-0 vote.

## HEALTH & HUMAN SERVICES

### Child care assistance eligibility permanently expanded

Lawmakers passed a bill April 10 that eliminates a scheduled sunset date on expanded eligibility for the state's Child Care Subsidy program.

The program provides a subsidy directly to providers to cover a portion of child care expenses for low-income Nebraska families. Income eligibility guidelines were expanded in 2021 from 130% of the federal poverty

level to 185%. That expansion was scheduled to expire Oct. 1.

LB304, sponsored by Sen. Wendy DeBoer of Bennington, removes the sunset date and instead makes the current income eligibility level permanent. The bill states legislative intent that the Health Care Cash Fund be used to pay the state's cost to implement the measure.

The bill passed on a vote of 43-6.

### Intergenerational care facility grants updated

Lawmakers passed a measure April 9 that seeks to improve access to shared care and programming for children and older adults in Nebraska.

The state's Intergenerational Care Facility Incentive program provides one-time startup grants of \$100,000 for child care programs in nursing and assisted living facilities that are certified for Medicare or Medicaid, with priority given to facilities located in rural communities for applications filed on the same date.

LB721, sponsored by Grand Island Sen. Dan Quick, eliminates that priority designation and requires the state Department of Health and Human Services to award grants to both nonprofit and proprietary facilities.

The bill also authorizes the use of grant funding for expansion costs and prohibits a facility from receiving more than one grant under the program.

LB721 passed on a 49-0 vote.



Sen. Wendy DeBoer



Sen. Dan Quick

### Olmstead joint hearing requirement passed

Lawmakers approved a bill April 9 that requires an annual joint legislative hearing to review the progress of community integration for individuals with disabilities in Nebraska.

LB737, introduced by Bellevue Sen. Victor Rountree, requires the Legislature's Health and Human Services and Urban Affairs committees to conduct a joint hearing to review



Sen. Victor Rountree

progress on the state Olmstead Plan. The plan is mandated by a 1999 U.S. Supreme Court decision and requires states to ensure that people with disabilities are integrated into their communities.

Under the bill, the joint hearing will assess plan progress from the previous calendar year in the areas of housing, employment, education, community support and transportation and recommend legislative solutions.

The committees are required to meet annually on or before Oct. 1 and submit an annual report of findings to the clerk of the Legislature no later than Dec. 31 of each year.

LB737 passed on a 47-1 vote.

### Omnibus health services bill clears final round

Lawmakers passed a measure April 10 that makes a number of changes to health service provision in Nebraska.

LB867, introduced by the Health and Human Services Committee, updates administration of several state Department of Health and Human Services' programs. Among other provisions, the measure:

- clarifies eligibility for the Bridge

to Independence Program;

- excludes expenses needed to earn income when determining financial need for assistance and removes a requirement that payment be made by state warrant under the Aged, Blind or Disabled program;
- clarifies that criminal background check and fingerprinting requirements under the Uniform Credentialing Act apply to all license applications, not just initial applicants;
- removes a requirement for the Title IV-D Customer Service Unit to generate new hires equal to at least 0.25% of the local labor force;
- prohibits transfer penalties for individuals who establish or fund an individual account in a pooled special needs trust in compliance with federal law; and
- eliminates references that allow the healthy spouse of an institutionalized Medicaid applicant to formally designate certain assets and income for their own use.

The bill includes provisions of seven other measures considered by the committee this session, including

Lincoln Sen. Beau Ballard’s LB603. Those provisions remove a requirement for care management clients to pay a fee for service and allow DHHS to reimburse Area Agencies on Aging for any costs not paid by clients.



Sen. Beau Ballard

LB733, sponsored by Sen. Merv Riepe of Ralston, re-names the Division of Developmental Disabilities to the



Sen. Merv Riepe

Division of Disability and Aging.

The amended provisions of LB845, introduced by the committee, combine the Alzheimer’s Disease and Other Dementia Advisory Council with the Division of Medicaid and Long-Term Care Advisory Committee on Aging to create a new 14-member Aging, Alzheimer’s and Dementia Advisory Council.

The measure also creates the Aging, Alzheimer’s and Dementia Advisory Council Fund to accept authorized federal funds, grants or gifts.

The provisions of LB959, introduced by Riepe, require DHHS to create a youth afterschool eligibility letter for individuals age 16 and 17 who are seeking employment in school-age or temporary nonresidential child care programs.

Gering Sen. Brian Hardin’s LB1143 requires DHHS to submit an application to the federal Centers for Medicare and Medicaid Services, no later than Dec. 31, to establish a Money Follows the Person Program to assist qualifying individuals in transitioning from an institutional setting to a community setting while continuing to receive long-term care.



Sen. Brian Hardin

The measure also prohibits the average weighted Medicaid nursing facility daily rate from falling below the average weighted daily rate as of Jan. 1, 2026, unless directed by the Legislature or during a state of emergency proclaimed by the governor.

The provisions of LB1144, also sponsored by Hardin, expand the definition of a Medicaid health plan to establish application, submission and denial proceedings and to include service benefit plans, managed care organizations, pharmacy benefit managers and any party responsible for claims payment for a health care item or service.

A third measure introduced by Hardin, LB1217, allows any Nebraska accredited or approved public, private, denominational or parochial school to maintain FDA-approved epinephrine on campus to provide first aid to students who experience an allergic reaction.

LB867 passed on a vote of 49-0 and took effect immediately.

### Referral process approved for home visiting services

A bill given final approval April 9 creates a pathway for voluntary home visiting service referrals by case managers.

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



Sen. Tanya Storer

The measure also allows case managers to refer at-risk families with children age three or younger to early intervention services.

LB903 passed on a 47-0 vote.

### HHS licensure package approved

A package of health and human services proposals related to licensure and credentialing was given final approval by lawmakers April 10.

LB912, introduced by Gering Sen. Brian Hardin, creates the Community Health Worker Training Endorsement Act. The act requires the state Department of Health and Human Services to establish a statewide process to endorse community health worker training programs that meet minimum

standards of quality and ensure services provided by community health workers are eligible for reimbursement by Medicaid and private insurers.

Completion of a community health worker training program does not constitute licensure, certification or credentialing under the Uniform Credentialing Act.

LB912 also includes the amended provisions of 11 other measures considered by the committee this session:

- LB735, sponsored by Bellevue Sen. Victor Rountree, which adopts the Respiratory Care Interstate Compact;



Sen. Victor Rountree

- LB736, also sponsored by Rountree, which adopts the Athletic Trainer Compact;

- LB796, introduced by Sen. Barry DeKay of Niobrara, which clarifies who is considered to be engaged in the practice of pharmacy in Nebraska;



Sen. Barry DeKay

- LB825, sponsored by Lincoln Sen. Beau Ballard, which requires practitioners licensed under the Mental Health Practice Act to complete a minimum of two hours of continuing education in domestic abuse counseling every two years;

- LB887, introduced by Sen. Bob Hallstrom of Syracuse, which allows accredited



Sen. Bob Hallstrom

pharmacy programs to determine the date and time of the jurisprudence examination for pharmacy students and clarifies that certified pharmacy technician requirements do not apply to interns under the supervision of a pharmacist;

- LB891, sponsored by Blair Sen. Ben Hansen, which updates the Child Care Licensing Act to align state law with federal background check regulations, clarifies how self-reported licensing investigations appear on public records, allows certain volunteers to be counted toward staff-to-child ratios and prohibits residency requirements for family child care homes;



Sen. Ben Hansen

LB892, also sponsored by Hansen, which prohibits a massage therapist from practicing in a location other than a licensed massage therapy establishment, except as permitted by DHHS;

- LB914, introduced by Hardin, which repeals a state law that held physicians or physician groups liable for negligent acts or omissions by physician assistants acting under their supervision;

- LB936, sponsored by Ballard, which allows a licensed nurse practitioner who has completed the necessary education and training to perform fluoroscopy and allows a licensed medical radiographer to use fluoroscopy in collaboration with a qualified nurse practitioner;

- LB1012, introduced by Hansen, which allows a physical therapist to file a medical lien for

damages awarded to an injured patient; and

- LB1211, sponsored by Sen. Merv Riepe of Ralston, which updates the Automated Medications Systems Act to allow licensed pharmacies to operate automated pickup kiosks that securely store and dispense prescription medications to patients and caregivers, beginning May 1, 2027.

LB912 passed on a 49-0 vote. The measure took effect immediately.

### Dementia services coordinator requirements approved

Lawmakers gave final approval April 9 to a bill that seeks to link families caring for individuals with Alzheimer's disease and other dementia with supportive services and resources.

LB913, sponsored by Sen. Dunixi Guereca of Omaha, requires the state Department of Health and Human Services to appoint a dementia services coordinator who will:



Sen. Dunixi Guereca

- collect and monitor data related to the impact of dementia disorders on Nebraska residents;
- recommend strategies for service and resource coordination among agencies;
- increase awareness and create dementia-specific training to facilitate access to quality coordinated care in the most integrated setting;
- organize community stakeholders and resources to identify proactive and effective solutions;
- evaluate the needs of impacted individuals and their caregivers and identify services, legislation, resources, policies and funding

required to address such needs through a state plan; and

- provide information, counseling, education and referral about services and programs, including safe, secure environments, that support individuals and families dealing with Alzheimer’s disease and other dementia.

LB913 passed on 48-0 vote.

### Medicaid cost-sharing coverage veto sustained

An attempt to override a gubernatorial veto of a bill allowing managed care organizations to cover out-of-pocket expenses for Nebraska Medicaid enrollees fell short April 17.

LB929, introduced by Omaha Sen. John Fredrickson, would have allowed Medicaid managed care organizations to cover deductibles, co-insurance, copayments or similar cost-sharing charges on behalf of Medicaid enrollees to the extent allowed under federal law.



Sen. John Fredrickson

Lawmakers passed the bill on a 31-18 vote April 10. It subsequently was vetoed by Gov. Jim Pillen.

In his veto letter, the governor said that while the bill would not require managed care organizations to cover cost sharing, it would encourage Medicaid enrollees to “overuse the system without consequence.”

Pillen said the measure would create an expectation that public benefits are “handouts” and send a message that enrollees will “never have any skin in the game.”

Fredrickson filed a motion to override the veto. He said many Medicaid managed care organizations already eliminate or cover cost-sharing ex-

penses and that the bill was intended to be a “proactive” step to ensure that Nebraska Medicaid recipients have access to vital health care.

The motion failed on a vote of 22-26. Thirty votes were needed.

### Legal protections for medical cannabis recommendations passed over

Lawmakers passed over a bill April 7 that would provide legal protections to health care practitioners who recommend medical cannabis to qualified patients.

Currently, the Nebraska Medical Cannabis Patient Protection Act prevents qualified individuals from facing legal penalties for possessing and using medical cannabis when recommended by a health care provider. LB933, sponsored by Omaha Sen. John Cavanaugh, would provide the same type of protection to practitioners who provide medical cannabis recommendations.



Sen. John Cavanaugh

Under the measure, health care providers would be protected from arrest, prosecution, penalty or denial of any right or privilege – including civil penalties or professional disciplinary action by the state Department of Health and Human Services or a licensing board – solely for recommending medical cannabis or stating a professional opinion that a qualified patient would benefit from medical cannabis to treat or alleviate a condition.

Cavanaugh amended the bill on general file to remove protections against civil penalty or disciplinary action for physicians who engage in malpractice or professionally negligent behavior as currently defined in state law.

He said qualified medical cannabis patients have not been able to receive recommendations from providers in the state who fear they will lose their license or face other repercussions for doing so.

“Patients are effectively denied care because doctors are afraid of professional retribution,” Cavanaugh said.

He offered an amendment on select file to further narrow the proposal by outlining the standard a health care practitioner must meet to recommend medical cannabis.

Under the amendment, a health care practitioner must consider the medical condition of the qualified patient, determine whether the potential benefits of medical cannabis outweigh the potential harms, discuss with the qualified patient or caregiver the risks associated with treatment and obtain their consent prior to issuing a written recommendation.

It also would prohibit a health care practitioner from:

- offering a discount or other item of value to a qualified patient or their parent, guardian or registered agent that is contingent upon, or encourages, the qualified patient’s decision to use a particular registered cannabis establishment;
- issuing a written recommendation to themselves, members of their family, employees or coworkers;
- providing product samples containing cannabis; and
- accepting compensation from a registered cannabis establishment.

Speaking in support of the Cavanaugh amendment, Sen. Ben Hansen of Blair referenced a letter from the Nebraska Association of Trial Attorneys indicating the proposal still would allow for civil or disciplinary action against a physician who does not fol-

low the standard of care or engages in medical malpractice.

“[LB933] is not full immunity by any means or stretch of the imagination,” he said.

Omaha Sen. Bob Andersen opposed the Cavanaugh amendment, saying the Legislature already has taken steps to implement the medical cannabis ballot initiative language – including formal establishment of the Nebraska Medical Cannabis Commission – and that further legislation is not warranted.

He also said the reason Nebraska doctors are not recommending medical cannabis is because it is not approved by the federal Food and Drug Administration and remains classified as a Schedule I substance.

“Until that changes, the research won’t be done [and] they won’t allow the medical specialists to do the research and figure out exactly what portions of it are applicable and how to actually apply it,” Andersen said.

Cavanaugh’s amendment failed on a 20-20 vote. Twenty-five votes were needed.

Sen. Brian Hardin of Gering offered an amendment to specify that a health care practitioner must be licensed in Nebraska in order to provide a medical cannabis recommendation to qualified patients. It also would require that such recommendation be in compliance with the Nebraska Medical Cannabis Regulation Act.

Hardin said the provision is necessary because Nebraska has no legal or regulatory authority over practitioners licensed in other states. Under the amendment, he said, an out-of-state practitioner who provides care to a qualified patient still could offer guidance and informal recommendations for a Nebraska physician to consider.

Hardin’s amendment was adopted 25-12.

Omaha Sen. Kathleen Kauth also offered an amendment on select file that would specify the standard of care a practitioner must meet to recommend the use of medical cannabis.

Under her amendment, a health care practitioner could recommend medical cannabis only if their professional judgment and a preponderance of current scientific evidence indicate that the potential benefits outweigh the potential harms for alleviating a patient’s medical condition.

Sen. Jared Storm of David City supported the amendment, calling it a “common-sense” addition to LB933 that would ensure practitioners are using the most up-to-date scientific evidence when treating patients.

The amendment was adopted on a 26-16 vote.

Kauth offered a second amendment to include provisions of her LB732, which would prohibit access to hormones and puberty blockers for Nebraskans younger than 19 who are experiencing gender dysphoria.



Sen. Kathleen Kauth

Kauth said current law creates a “runway” for youth experiencing gender dysphoria to access care focused on affirming their identity. She claimed medical professionals have no way to know which patients may continue to experience gender dysphoria and which will come to terms with their sex assigned at birth.

“Systematic reviews of the evidence have revealed deep uncertainty about the reported benefits of these interventions ... [and] more and more states have recognized that these drugs are experimental and detrimental to growing youth,” Kauth said.

Sen. George Dungan of Lincoln offered an unsuccessful motion chal-

lenging the germaneness of the Kauth amendment to the underlying bill.

The Legislature then passed over LB933 at Cavanaugh’s request. He said the measure had been “hijacked” and would no longer achieve the goal of providing a functional medical cannabis program to Nebraskans in need of care.

“This bill no longer serves the goal of ensuring that kids get access to medicine ... so they will have to wait another year,” Cavanaugh said.

The Legislature moved on to the next item on the agenda without voting on the bill or the pending amendments. The measure was not scheduled for further debate this session.

### Medicaid bill expanded, passed

Lawmakers passed a measure April 10 that makes changes to state Medicaid provisions after expanding it on the second round of debate.

LB958, introduced by Sen. Machaela Cavanaugh of Omaha, requires that the assessment tool used by the state Department of Health and Human Services to



Sen. Machaela Cavanaugh

determine functional eligibility, service needs and service tier assignments for Medicaid waiver participants be administered by an employee or contractor trained in clinical interviewing techniques.

Among other provisions, the measure requires that services authorized under a waiver be based on individualized assessments of medical necessity, functional need and health and safety requirements as determined through a person-centered planning process in accordance with federal home and

community based services waiver regulations.

If an assessment results in a reduction of a waiver participant's service tier, authorized service hours or service provision, the department is required to conduct an immediate supervisory review of the assessment and determination prior to final implementation of the reduction.

The bill also includes Cavanaugh's LB777, which requires DHHS to provide the maximum amount of retroactive coverage for each Medicaid eligibility category authorized by federal law under the One Big Beautiful Bill Act of 2025. It also requires the department to include information in the Medicaid and Long-Term Care annual report regarding work requirements, concurrent enrollment and cost sharing.

Sen. George Dungan of Lincoln offered an amendment during select file debate April 8, adopted 42-0, that added the amended provisions of his LB773, which expand the state's Prenatal Plus Program and eliminate its 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 are determined by a health care provider to be at risk for negative maternal or infant health outcomes. Those services began in January 2025 and were scheduled to expire June 30, 2028.

Dungan's amendment removed the sunset date, extended the reporting requirements to 2034 and expanded services to include a minimum of two breastfeeding support sessions. A provision in the original measure to extend program services to eligible mothers for up to 60 days postpartum



Sen. George Dungan

was not included in the amendment in order to eliminate the proposal's fiscal impact.

Omaha Sen. Ashlei Spivey brought an amendment to include the amended provisions of her LB701, introduced last session. Those provisions require DHHS to reimburse providers for trained doula services, at rates determined by the department, by Jan. 1, 2029. Doulas provide emotional, physical and informational support before, during and after labor and childbirth.

The department will establish a group of stakeholders and experts to develop an implementation plan, to be submitted no later than Jan. 1, 2027.

Spivey said the measure will have no General Fund fiscal impact because DHHS will determine doula reimbursement rates, which will be paid from the vital statistics subfund of the Health and Human Services Cash Fund.

Nebraska has some of the highest infant and maternal mortality rates in the country, Spivey said, and expanding Medicaid coverage to include doula services is one way to reverse that trend by preventing the need for expensive medical interventions.

"This is a really great, proven opportunity for how we can do just that," she said, adding that both of the state's Medicaid managed care organizations currently are operating pilot programs involving doula services.

Sen. Ben Hansen of Blair supported the amendment. Reimbursing doula services will save the state money in the long run, he said, by providing emotional support to pregnant women and reducing complicated labors and deliveries.



Sen. Ashlei Spivey

Ralston Sen. Merv Riepe agreed that doulas serve a function, but said he could not support the amendment. The federal government likely will be reducing Medicaid reimbursements, he said, and Nebraska should "slow down" the expansion of Medicaid services.

"Enough is enough ... we have to be fiscally responsible," Riepe said.

The amendment was adopted on a vote of 32-11.

Another Spivey amendment, adopted 32-5, added provisions of her LB1033. Those provisions require DHHS to make crisis assistance payments under the federal low-income home energy assistance program of no more than \$800 per program year, while allowing higher payments under extenuating circumstances.

Following adoption of the amendments, lawmakers advanced LB958 to final reading by voice vote. The bill passed on a 48-1 vote April 10 and took effect immediately.

### Medicaid managed care carve-out approved

Lawmakers passed a bill April 10 that changes the reimbursement structure for skilled nursing services provided to certain long-term care Medicaid recipients in Nebraska.

LB1091, introduced by Sen. Eliot Bostar of Lincoln, requires the state Department of Health and Human Services to provide a carve-out from Nebraska's Medicaid managed care



Sen. Eliot Bostar

program for services and supports for long-term care clients with special needs.

The measure requires those services instead to be administered and reimbursed through a Medicaid fee-for-service or other delivery system

authorized under state or federal law. It also prohibits a skilled nursing facility from being required to enroll in an MCO as a condition of eligibility to provide such services.

Under the bill, DHHS must amend Medicaid managed care contracts, including revisions to enrollment processes, no later than six months after the bill's effective date.

LB1091 passed 49-0.

**Licensure for internationally trained physicians approved**

Internationally trained physicians will have an alternative licensure pathway to practice medicine in Nebraska under a bill passed April 10.

LB1212, sponsored by Ralston Sen. Merv Riepe, allows the state Department of Health and Human Services, with the approval of the Board of Medicine and Surgery, to issue a maximum three-year provisional license to an internationally trained physician who enters into an agreement for full-time employment with a participating Nebraska health care entity, beginning Aug. 1, 2027.

The agreement requires a participating health care entity to conduct an initial formative needs assessment, develop an individualized learning and supervision plan and evaluate the physician's familiarity with the standards appropriate for medical practice.

Under the bill, an individual must meet the following criteria to be considered an internationally trained physician:

- have a medical degree or its equivalent from a legally chartered medical school outside the U.S.;

- be a U.S. citizen or legally authorized to work by the U.S. federal government;
- have completed a graduate medical education training program that is substantially similar to a U.S. graduate medical education or residency program;
- be licensed or otherwise authorized to practice medicine in another country;
- have practiced medicine for at least three of the last five years; and
- be in good standing with no pending discipline related to any previous medical licensing or regulatory institution during the most recent three years of practice.

After successfully practicing under a provisional license, an internationally trained physician may apply for a transitional license for another three years. A holder of a transitional license may practice only in a designated health profession shortage area.

An internationally trained physician may apply for an unrestricted license to practice medicine in Nebraska after practicing for at least six years under provisional and transitional licensure with satisfactory assessment and evaluation.

LB1212 was amended to include provisions of Hastings Sen. Dan Lonowski's LB899, which amends the Engineers and Architects Regulation Act to eliminate an exemption related to the practice of architecture by non-residents and updates language regarding use of a licensee's seal.

The measure also eliminates a requirement that a qualified candidate obtain approval from the Nebraska

Board of Engineers and Architects to be eligible for the professional engineering examination.

Lawmakers passed the bill 49-0.

**JUDICIARY**

**Law enforcement epinephrine use authorized**

Nebraska law enforcement officers are authorized to carry and administer epinephrine under a bill passed April 9.

LB727, introduced by Sen. Kathleen Kauth of Omaha, allows, but does not require, Nebraska law enforcement agencies to obtain and maintain a supply of epinephrine for use when individuals experience severe allergic reactions.

The state Department of Health and Human Services, in consultation with law enforcement agencies, will approve one or more educational training programs. Officers must complete an approved program and provide proof of training to their agency before administering epinephrine in the course of their official duties.

The bill passed on a 49-0 vote.

**Charitable asset transfer updates passed**

A measure intended to streamline the transfer of assets bequeathed to charitable organizations received final approval April 9.

LB758, introduced by Elkhorn Sen. R. Brad von Gillern, allows a charitable organization to claim certain assets left to



Sen. Merv Riepe



Sen. Kathleen Kauth



Sen. Dan Lonowski

it—such as funds in financial accounts, retirement plans, insurance policies or other payable-on-death transfers—by submitting a sworn affidavit and basic documentation.



Sen. R. Brad von Gillern

The proposal also addresses nontestamentary transfers on death, which are assets that pass directly to a named beneficiary without going through a will or probate court. LB758 creates a statutory process allowing charitable beneficiaries to request information about the property and claim it directly from the person or institution holding the asset.

Among other provisions, the bill also revises compliance timelines and prohibits asset holders from requiring charitable organizations to open accounts or provide the personal information of staff or board members.

LB758 passed on a 49-0 vote.

**Law enforcement requirements approved**

Residency requirements for certain county sheriffs and other law enforcement provisions were updated by passage of a bill April 9.

Under LB784, sponsored by Sen. Bob Hallstrom of Syracuse, sheriffs in counties without a metropolitan, primary or first class city are not required to reside in the county when filing for office, but must live in the county or an adjoining county while serving.



Sen. Bob Hallstrom

The bill also updates uniform standards for sheriffs' offices, allowing sheriffs to determine dress and patrol

uniform requirements within certain parameters and removing a requirement that uniforms be purchased through a supplier contracted with by the state.

Finally, LB784 updates continuing education requirements for law enforcement officers. Officers in agencies that employ fewer than 25 full-time officers are required to complete 24 hours annually and officers in larger agencies are required to complete 32 hours annually.

Annual training includes legal updates and refresher courses on firearms, de-escalation and officer wellness. Refresher courses on vehicular pursuit policies, mental health and substance abuse are required every three years. The requirements do not apply to noncertified conditional officers.

LB784 passed on a 48-0 vote.

**Administration of fraud reimbursement fund updated**

Lawmakers passed a bill April 9 that updates administration of the Financial Fraud Victims' Reimbursement Fund.

LB788, introduced by Lincoln Sen. Carolyn Bosn, transfers administration of the fund from the attorney general to the Nebraska State Patrol. The fund uses forfeited assets from financial crimes to compensate qualified victims.



Sen. Carolyn Bosn

The bill passed on a 48-0 vote.

**Electrical licensing penalties, deadlines updated**

Lawmakers approved a bill April 10 that increases certain penalties for violations of the State Electrical Act and updates licensure renewal

deadlines.

Under LB889, introduced by Sen. Stan Clouse of Kearney, certain violations are elevated from a Class I misdemeanor to a Class IV felony, including:



Sen. Stan Clouse

- failing to file a required request for inspection;
- performing paid electrical work without a proper license;
- interfering with or refusing entry to a lawfully acting electrical inspector;
- making a false statement in a license application, inspection request, certificate or other required form; and
- failing or neglecting to comply with the act or any lawful rule, regulation or order of the State Electrical Board.

A Class IV felony is punishable by up to two years' imprisonment and 12 months of post-release supervision, a \$10,000 fine or both.

The bill limits unlicensed work violations to paid electrical work and exempts certain work performed for family members.

The measure was amended on select file April 7 to include provisions of LB725, sponsored by Grand Island Sen. Dan Quick.

Those provisions change electrical license renewal deadlines from Oct. 1 to Nov. 30 of even-numbered years, with late renewals allowed from Dec. 1 to Dec. 31.



Sen. Dan Quick

LB889 passed on a 41-8 vote.

**Judiciary omnibus bill passed**

An omnibus judicial bill combin-

ing updates to sentencing, court fees and rural legal access passed April 10.

Under LB935, introduced by Lincoln Sen. Carolyn Bosn, a political subdivision may recover attorney fees and court costs if it must defend against a claim that a court finds frivolous or primarily intended to harass the subdivision or its public officials.

The bill also modifies sentencing rules by preserving the presumption of probation for Class IV felonies, unless a defendant originally was charged with a more serious felony and pled down to a Class IV offense.

LB935 includes provisions of the following seven bills:

- LB789, introduced by Bosn, which prevents defendants from benefiting if they intentionally make a witness unavailable, allowing a witness's prior statements to be admitted in court;
- LB876, sponsored by Sen. Bob Hallstrom of Syracuse, which establishes a statewide 72-hour no-contact period, to take effect automatically when a person is arrested for certain domestic or sexual assault offenses;
- LB978, introduced by Whitman Sen. Tanya Storer, which allows individuals depicted in or exposed to obscene material, child sexual abuse material or content promoting child sexual exploitation to sue entities that intentionally distribute such content on publicly available websites;
- LB1020, sponsored by Sen. Eliot Bostar of Lincoln, which criminalizes unauthorized use of tracking devices, establishes penalties for swatting incidents



Sen. Tanya Storer

and restricts drone use in designated airspace without proper approval;

- LB1139, introduced by Hallstrom, which modifies how child and spousal support liens are applied by limiting them to periods of missed payments and requiring their automatic removal once obligations are satisfied;
- LB1199, sponsored by Sumner Sen. Teresa Ibach, which provides additional funding for the state's rural attorney loan repayment program, increases the county population threshold from 15,000 to 75,000 to qualify as a designated legal profession shortage area and creates a tiered priority system for future awards; and
- LB1228, introduced by Bellevue Sen. Rick Holdcroft at the request of Gov. Jim Pillen, which establishes a new docket fee for civil cases and traffic misdemeanors and infractions in district and county courts, creates a \$10 case management system software fee and directs most of the new revenue to the state General Fund.



Sen. Eliot Bostar



Sen. Teresa Ibach



Sen. Rick Holdcroft

LB935 passed on a 38-11 vote and took effect immediately.

## Youth reentry program created

Lawmakers gave final approval April 10 to a measure aimed at easing the transition for Nebraska youth leaving detention, residential placement or probation supervision.

LB962, sponsored by Omaha Sen. Terrell McKinney, creates the Youth Reentry and Transitional Support Act, a multi-agency program focused on continuity of services during a young person's transition back to their community.



Sen. Terrell McKinney

Under the bill, the state department of Health and Human Services, the Office of Juvenile Services, the Office of Probation Administration and the state Department of Education will coordinate to establish the reentry program. Each participating agency is required to integrate transition planning into its existing programs and services.

A written transition plan will be developed for each juvenile upon entry to a facility, admission to a congregate care placement or placement on probation supervision to address the following areas upon their release:

- coordination with family resource centers;
- housing stabilization;
- treatment services, including continuity of behavioral health, medical and Medicaid services;
- enrollment in services and programs offered by the state Department of Education;
- plans and processes to obtain identification documents and public benefits; and
- an individualized employment plan.

A family team meeting will be held at least once every 30 days for the first

90 days following an eligible youth's reentry.

LB962 passed on a vote of 49-0.

**Judicial package clears final round**

Senators approved a package of judiciary bills April 10 aimed at strengthening penalties, updating court procedures and expanding abuse of authority prohibitions.

LB965, introduced by Lincoln Sen. Eliot Bostar, bars individuals in positions of authority – including probation officers, problem-solving court employees, guardians, conservators, guardians ad litem, foster and adoptive parents and child welfare service providers – from engaging in sexual contact with those under their supervision or care.



Sen. Eliot Bostar

The bill establishes penalties consistent with Nebraska law governing similar violations involving correctional staff, parole officers and school employees. Sexual penetration is a Class IIA felony, punishable by up to 20 years in prison, while sexual contact is a Class IIIA felony, punishable by up to three years in prison, up to 18 months of post-release supervision, a \$10,000 fine or both. Consent may not be used as a legal defense.

LB965 also expands protections for minors under 19 receiving child welfare services by prohibiting sexual contact between minors and service providers responsible for their care. Allegations of such misconduct must be referred to law enforcement to ensure formal criminal justice review.

The bill extends victim and witness assistance provisions, including those under Nebraska's Sexual Assault

Victims' Bill of Rights, to individuals affected by such offenses and aligns sex offender registration requirements with similar statutes. It also adds adoptive and foster parents to the state's incest statute.

LB965 also includes Bostar's LB1123, which establishes a formal process for handling Brady-Giglio disclosures related to law enforcement credibility. Among other provisions, the measure sets standards for maintaining and sharing credibility information and clarifies that placement alone is not grounds for discipline or termination.

The provisions also create the position of county conflict counsel to provide constitutionally required representation to indigent clients when the public defender cannot be appointed due to a conflict or other good cause. In counties with more than 170,000 residents, conflict counsel may not engage in private practice and must solely represent indigent individuals.

Also included are provisions of the following bills:

- LB785, introduced by Sen. Bob Hallstrom of Syracuse, which adds postal receptacle keys and locks used for the deposit and delivery of mail to the list of burglar's tools in state law when possessed with intent to commit a crime;



Sen. Bob Hallstrom

- L B 8 1 8 , sponsored by Whitman Sen. Tanya Storer, which increases penalties for



Sen. Tanya Storer

serious and repeat domestic assault offenses, enhances penalties for strangulation or suffocations and aligns first- and second-degree penalties with comparable crimes;

- LB908, introduced by Sen. Jared Storm of David City, which requires courts



Sen. Jared Storm

to consider credible evidence showing increased intellectual and social growth in children who have equal access to both parents when determining custody and parenting arrangements; and

- LB1000, sponsored by Lincoln Sen. Jason Prokop, which establishes a graduated penalty structure for violations of domestic abuse and sexual assault protection orders by increasing the penalty for a third offense to a Class IIIA felony, and to a Class IIA felony for fourth or subsequent offenses.



Sen. Jason Prokop

Senators passed LB965 on a 39-10 vote.

**Guardianship requirements updated**

Senators passed a measure April 9 that seeks to improve Nebraska's guardianship system.

Under Nebraska law, a guardian is a court-appointed fiduciary responsible for making personal and medical decisions for a person who is unable to do so for themselves. A conservator

is a court-appointed fiduciary responsible for managing a person’s financial affairs and property.

LB985, sponsored by Bennington Sen. Wendy DeBoer, prohibits a private person who already has 20 or more clients from accepting another appointment as a guardian or conservator.



Sen. Wendy DeBoer

The bill also contains provisions of DeBoer’s LB1178, which allow individuals under a guardianship or conservatorship to attend required hearings either virtually or in person. The measure also requires guardians to maintain periodic contact with care providers, make monitoring visits at least monthly and keep written records of those visits.

Finally, courts are authorized to award costs and reasonable attorney fees in specified guardianship proceedings, payable either from the trust involved or by another party.

LB985 passed on a 49-0 vote.

**Tribal customary adoption bill clears final round**

A measure that recognizes tribal customary adoptions in Nebraska law received final approval April 10.

LB1032, sponsored by Bennington Sen. Wendy DeBoer, updates Nebraska adoption statutes, the Foster Care Review Act and the Nebraska Indian Child Welfare Act to implement a process for recognition and enforcement of tribal customary adoptions.

Under the bill, the state may choose not to file a recommendation or petition for termination of parental rights if a case involves a child who may be eligible for tribal customary adoption.

The measure also clarifies when the state court must consider tribal custom-

ary adoption as part of a permanency planning hearing, and requires notification of a child’s tribe at least 20 days before the hearing if a recommendation is anything other than returning the child to the parent or home.

Among other provisions, LB1032 also:

- requires notice in writing to a child’s tribe when the state court grants temporary concurrent jurisdiction to the tribal court;
- requires the state Department of Health and Human Services to provide the tribal court with a copy of the state court files within 30 days to ensure that the tribal court can make an informed decision;
- clarifies that the tribal court must finalize a tribal customary adoption in the child’s best interests; and
- sets a 120-day deadline for the tribal court to complete a tribal customary adoption.

Senators passed the bill on a 49-0 vote.

**Dementia training requirements approved**

A bill that requires training on dementia-related care for certain state employees passed April 9.

LB1055, sponsored by Bennington Sen. Wendy DeBoer, requires state Department of Health and Human Services adult protective services officials to complete at least one hour of training every five years related to caring for individuals with Alzheimer’s disease and other dementia.

Individuals currently working as adult protective services officials are required to complete such training within 30 days of the bill’s enactment.

Under the measure, DHHS also is authorized to collaborate with a

private nonprofit organization with expertise in working with individuals with Alzheimer’s disease and other dementia to provide training that includes information on:

- safety precautions;
- the most common types of abuse;
- recognizing psychiatric and behavioral symptoms;
- respectful and effective communication;
- techniques for understanding and approaching behavioral symptoms;
- alerting law enforcement agencies to potential neglect, exploitation or criminal behavior by a family member, caretaker or institution;
- methods of identifying incidents of self-neglect or caregiver neglect; and
- protocols for referring individuals to local care resources and professionals to encourage cross-referral.

LB1055 passed on a 49-0 vote.

**Ag, infrastructure foreign threat protections passed**

A measure aimed at protecting the state’s agricultural sector and critical infrastructure from foreign adversary threats earned final approval from lawmakers April 10.

LB1096, introduced by Lincoln Sen. Eliot Bostar at the request of Gov. Jim Pillen, makes unauthorized possession of high-risk agricultural pathogens or pests a Class III felony, punishable by up to four years in prison, two years of post-release supervision, a \$25,000 fine or both.

An offense may be elevated to a Class IIA felony if it involves concealment of the pathogen’s origin, is committed on behalf of or funded by a foreign government or results in more than \$1 million in economic damage.

The bill also exempts certain sensitive infrastructure and cybersecurity information from Nebraska’s public records laws and defines critical infrastructure to include water, telecommunications, broadband and 911 systems.

LB1096 restricts foreign-linked entities from accessing or controlling critical infrastructure systems, with limited exceptions, and authorizes fines against telecommunications providers that fail to meet certification requirements.

It also clarifies the definition of a foreign adversarial company in relation to state tax incentives and prohibits group members from using state tax incentive benefits against the income taxes of other group members that are classified as foreign adversaries.

Lawmakers passed LB1096 on a 34-15 vote.

**Crime victim protections broadened**

Crime victims’ rights and legal protections were broadened under a bill approved by lawmakers April 10.

LB1181, introduced by Lincoln Sen. Carolyn Bosn, expands the definition of a crime victim for reparations purposes and clarifies victims’ rights in homicide, domestic violence and post-conviction court proceedings.



Sen. Carolyn Bosn

The bill expands the definition of those impacted by a crime and eligible to access protections and services under the Nebraska Crime Victims’ Reparations Act to include relatives beyond immediate family members and others with close ties to the victim.

Additionally, LB1181 allows a victim to submit a written statement during a bond modification proceeding in certain abuse cases. The bill also

requires notification when a defendant seeks to modify bond in domestic violence cases and allows victims or their representatives to submit impact statements during bond hearings and, subject to court limits, at sentencing.

Finally, the measure expands the definition of co-victims in homicide cases to include survivors who suffered severe emotional harm from the victim’s death, determined on a case-by-case basis.

The measure passed on a 49-0 vote.



**Open burning permit requirements updated**

Senators gave final approval April 9 to a bill intended to help policymakers better understand the use of prescribed burning in Nebraska.

LB823, introduced by Fremont Sen. Dave Wordekemper, updates the definition of land-management burning to include both controlled burning and prescribed burning, and creates definitions for the latter two practices.



Sen. Dave Wordekemper

The measure requires open burning permits issued by fire chiefs to specify whether land-management burning is to be a prescribed burning or a controlled burning as well as the approximate number of acres to be burned.

Landowners are required to provide the same information when filing an application for a land-management burning permit and a plan for conducting the burning.

The bill passed on a vote of 49-0.

**Game Law updated, landowner mountain lion permits authorized**

An update to Nebraska’s Game Law that authorizes the state Game and Parks Commission to issue resident landowner limited permits to hunt mountain lions cleared the final round of debate April 9.

LB979, introduced by Plymouth Sen. Tom Brandt, increases fee caps for various hunting and fishing licenses, permits and applications.



Sen. Tom Brandt

The measure also increases motorboat registration fees and allows the commission to establish and collect reasonable fees for providing fish and wildlife education programs.

The bill authorizes the commission to charge an application fee of no more than \$9 for turkey permits awarded on the basis of a random drawing. It also increases fee caps for turkey permits and allows the commission to charge fees for the issuance of a preference point.

Additionally, LB979 authorizes the commission to use the Game Law Investigation Cash Fund for vehicles, equipment, digital services and specialized training.

It includes a provision under which a person who possesses, transports, sells, purchases, barter, trades, imports or exports wildlife taken in violation of the Game Law is guilty of a Class I misdemeanor.

The bill also includes provisions of LB1232, sponsored by Sen. Paul Strommen of Sidney. They allow the commission to



Sen. Paul Strommen

issue limited permits to hunt mountain lions to qualifying landowners or leaseholders or a member of their immediate family.

Under the measure, an applicant's qualifying farm or ranch land must be within a designated mountain lion management zone. The number of limited permits in any management unit may not exceed 75% of the regular permits authorized for that unit.

The application fee for the resident landowner limited permit to hunt mountain lions may not exceed one-half the application fee for the regular permit, and the number of applications for each farm or ranch is capped based on certain acreage requirements.

LB979 passed on a vote of 37-10.

**Battery storage framework, large load regulations approved**

Senators passed a measure April 10 that creates a regulatory framework for privately developed battery energy storage facilities and allows public utilities to set standards for new customers with large energy demands.

LB1010, sponsored by Plymouth Sen. Tom Brandt, requires private energy developers to apply to the Nebraska Power Review Board before constructing or acquiring an energy storage resource.

The bill requires a private electric supplier to show that they have:

- entered into, or will enter into, a power purchase agreement or other contract with a Nebraska public power supplier for the purchase of the ESR's electric energy and capacity throughout its operational life;
- obtained written consent from affected electric suppliers; and
- entered into a joint transmis-

sion development agreement with the public power supplier that owns the transmission facilities that will interconnect with the ESR.

LB1010 also contains provisions of three other measures considered by the Natural Resources Committee this session.

The amended provisions of LB1064, introduced by Sen. Eliot Bostar of Lincoln, create the Large Load Customer Regulation Act. They require public power suppliers to establish standards for interconnecting retail customers with a new or expanded load of more than 20 megawatts at a single site.

The standards will require customers to disclose whether they are pursuing a similar interconnection request and pay a fee to the interconnecting public power supplier for initial load studies.

The measure also authorizes public power suppliers to establish rates, charges and operating standards for each large load customer and impose electric service requirements for those customers in addition to the standards.

Finally, the measure requires public power suppliers to develop a procedure requiring large load customers to curtail their electricity use or deploy onsite backup generating facilities during times of grid instability or emergencies.

The amended provisions of LB1111, sponsored by Omaha Sen. Machaela Cavanaugh, allow public power suppliers to impose certain requirements



Sen. Eliot Bostar



Sen. Jason Prokop

on large data centers, including terms or conditions requiring data centers to pay the full cost of providing their electric service.

Additionally, the measure requires the owner or operator of a data center to submit an annual report to the state Department of Water, Energy and Environment and the Natural Resources Committee. The report must include the data center's size, location and annual electricity demand and water usage, among other information.

A data center owner or operator also is required to cover the facility's decommissioning costs and enter into a community benefit agreement with communities affected by the data center.

The amended provisions of LB1193, introduced by Sen. Jason Prokop of Lincoln, impose the annual nameplate capacity tax on owners of ESRs with a nameplate capacity of 100 kilowatts or more. The measure also exempts certain equipment used in ESRs from the tangible personal property tax.

LB1010 passed on a vote of 49-0.

**Eminent domain carve-out created for private power plants**

Lawmakers passed a bill April 10 intended to encourage private developers to build dedicated power plants for large-scale electricity users.

LB1261, sponsored by Niobrara Sen. Barry DeKay at the request of Gov. Jim Pillen, prohibits a consumer-owned utility from using eminent domain to acquire a privately



Sen. Machaela Cavanaugh



Sen. Barry DeKay

owned electric generation facility under certain conditions.

The exception applies only to a facility that is built to provide electric service to an industrial customer at a single site with a new electric load greater than 1,000 megawatts. The facility must be co-located with the industrial customer, have an electrically equivalent point of grid interconnection to the customer and be approved by the Nebraska Power Review Board.

Under the bill, the privately owned electric supplier must have executed a long-term power purchase agreement or other contract with a consumer-owned utility. Any contract must be approved by a utility's governing body.

LB1261 also requires the industrial customer to pay a utility for any electric system upgrades or other costs needed to provide its service.

The bill's requirements apply to contracts entered into on or before Dec. 31, 2031.

Senators voted 33-16 to pass LB1261.

## NEBRASKA RETIREMENT SYSTEMS

### Optional police retirement form approved

Lawmakers passed a bill April 9 that changes optional benefit form requirements under the Police Officers Retirement Act.

LB743, sponsored by Sen. Margo Juarez of Omaha, requires that benefit forms include the option of partial payments in an amount and frequency elected



Sen. Margo Juarez

by the police officer.

The bill passed on a 49-0 vote and takes effect Oct. 1.

### Retirement cleanup bill clears final round

Lawmakers approved a cleanup measure related to Nebraska's public employee retirement systems April 10.

LB820, introduced by the Nebraska Retirement Systems Committee, amends various sections of state law governing state and county retirement plans administered by the Nebraska Public Employees Retirement Systems, the Public Employees Retirement Board and the Nebraska Investment Council.

Among other provisions, the bill:

- changes the NPERS director's title to executive director;
- consolidates language regarding approved identification documents for state retirement plan purposes;
- clarifies language regarding state contributions to the School Retirement Fund and the Omaha School Employees Retirement System Plan;
- provides for tax treatment of contributions under the Deferred Compensation Plan in designated Roth IRA accounts under the Internal Revenue Code; and
- deletes obsolete provisions related to the transfer of OSERS governance to the PERB, which is now complete.

The bill includes provisions of four additional bills.

LB433, introduced by Elkhorn Sen. Tony Sorrentino, amends the State Employees Retirement Act to provide that temporary state employees who previously were members of the state employees retirement system and return to state employment in fewer

than 120 days will begin participation in the system within 30 days of returning as a temporary employee.

It also clarifies that employees of the Legislature who are hired for a limited period of time, or for a grant-funded position or a special project, will be considered temporary employees for purposes of the State Employees Retirement Act.

LB1102, sponsored by Sen. Beau Ballard of Lincoln, changes the adjustment date of cost-of-living adjustments under the Class V School Employees Retirement Act to align with the beginning of the plan year. Beginning in 2026, COLAs will be calculated and adjusted Sept. 1 of each year. The measure also changes the annuity payment date and the definition of retirement date under the act to align with the School Employees Retirement Act.

LB1103, introduced by Lincoln Sen. Eliot Bostar, increases the mandatory retirement age for members of the Nebraska State Patrol from 60 to 65 and authorizes members who joined the plan after July 1, 2016, to participate in the deferred retirement option plan.

Finally, LB1166, sponsored by Sen. Margo Juarez of Omaha, amends the School Employees Retirement Act to modify the timeline for annual adjustments to employee and employer contributions to the School Retirement Fund.



Sen. Tony Sorrentino



Sen. Beau Ballard



Sen. Eliot Bostar

Beginning in 2027, contribution rates will be calculated as of July 1 each year and apply beginning Sept. 1 of that year and prior to Sept. 1 the following year.

LB820 passed on a 49-0 vote and took effect immediately.

**Police retirement cleanup bill passed**

A cleanup bill passed April 9 renames a police officers retirement act.

LB822, introduced by the Nebraska Retirement Systems Committee, updates references and eliminates obsolete language in the retirement system for first class city police officers. Nebraska cities are classified as first class if they have a population of at least 5,000 and less than 100,000.

LB822 also renames the Police Officers Retirement Act as the Cities of the First Class Police Officers Retirement Act.

Senators passed the bill 49-0.

**REVENUE** 

**Creative district grant requirement relaxed**

Lawmakers approved a measure April 9 intended to give the state Department of Economic Development more flexibility when awarding certain grants of assistance to Nebraska municipalities.

Previously, municipalities were required to partner with a certified creative district to be eligible for state assistance under the Civic and Community Center Financing Act. Creative districts are certified by the Nebraska Arts Council and distinguished by geography and artistic or

cultural activities or facilities.

LB778, introduced by Lincoln Sen. George Dungan, instead requires the department to give preference to any municipality that is partnered with a creative district when awarding grants of assistance under the act from July 1, 2027, to June 30, 2028.

The bill passed on a vote of 49-0.



Sen. George Dungan

**Property tax request override threshold raised**

The state will assume responsibility for notifying Nebraskans of joint public hearings related to local property taxes and budgets under a measure passed by lawmakers April 10.

The Revenue Committee introduced LB803 as a shell bill. As amended, it includes provisions of five other measures considered by the committee this session, including LB575, sponsored by Syracuse Sen. Bob Hallstrom.

The Property Tax Request Act, passed by the Legislature in 2021, requires counties, cities, school districts and certain other political subdivisions to hold a public hearing and pass a resolution or ordinance to increase their property tax request from one year to the next.

Under LB803, such a measure must pass by a two-thirds majority vote — or a four-sevenths majority vote in political subdivisions with seven-member boards.

The act also requires counties, cities and school districts to participate in a joint public hearing if they seek to increase their property tax request



Sen. Bob Hallstrom

by more than an allowable growth percentage. Hallstrom’s measure requires those political subdivisions to participate regardless of whether they seek to increase their property tax request.

The hearing must focus on each political subdivision’s budget and property tax request.

Joint public hearings previously had to be held between Sept. 14 and 24. Under LB803, hearings must be held on or after July 1 and prior to July 15, and before any of the participating political subdivisions files its adopted budget statement.

Previously, counties were required to send postcards notifying property owners of a joint public hearing. Under the bill, the state Department of Revenue instead will send property owners a postcard that includes a website where a county is required to post the time and place of the joint public hearing and the first county, city and school district budget hearings.

LB803 also updates an existing provision that requires counties to notify property owners of valuation changes.

The updated notice must include certain information similar to what was included on the previous version of the postcard, such as the current valuation and the total amount of taxes that would be levied against the parcel by each city, county and school district using the previous year’s levy rate.

During select file debate April 7, Elkhorn Sen. R. Brad von Gillern introduced an amendment that requires counties to include two additional statements on the notice.

Under the amendment, adopted 35-0, the notice also must state that the tax amounts do not include any homestead exemptions or property tax credits and that the parcel’s valuation will not be certified to the listed political subdivisions until Aug. 20.

Von Gillern’s amendment also

modifies provisions of LB1116, sponsored by Sen. Teresa Ibach of Sumner, which update the Sports Arena Facility Financing Assistance Act. Under LB803, state assistance may be used for a sports complex located in a second class city or village for up to 10 years rather than five.



Sen. Teresa Ibach

The act requires a five-member board to hold a public hearing on an application for assistance after reviewing it. As introduced, Ibach's measure would have required the board to hold a hearing within 30 days after completing a review.

The proposal also would have required the board to approve or deny an application within 30 days after a hearing.

Under von Gillern's amendment, the board instead has 60 days to hold a hearing and a subsequent 60 days to approve or deny an application.

Finally, Ibach's measure eliminates a requirement that the governor be among the majority of members voting on board actions. Under LB803, board actions require a majority vote of members present at the board meeting.

Also included in LB803 are provisions of LB882, introduced by Omaha Sen. Bob Andersen. They eliminate or modify homestead exemption reapplication requirements for certain disabled veterans and their surviving spouses, as well as for surviving spouses of service members who died on active duty or because of a service-connected disability.



Sen. Bob Andersen

The provisions of LB938, sponsored by Hallstrom, create the First-Time Home Buyer Savings Account

Act. They allow Nebraskans to receive an income tax deduction for contributions to accounts that may be used for the down payment and closing costs related to a beneficiary's purchase or construction of a primary residence in Nebraska.

The provisions of LB1154, introduced by Sen. Merv Riepe of Ralston, update the calculation of county, city and village preliminary property tax request authority under the Property Tax Growth Limitation Act.



Sen. Merv Riepe

During select file debate on LB803, Lincoln Sen. Eliot Bostar offered an amendment to LB901, introduced by the Revenue Committee and passed by the Legislature April 1.



Sen. Eliot Bostar

The measure contains provisions of his LB1131, which require the state Department of Revenue to distribute \$3 million annually in state income tax credits to nonprofits that provide services to victims of domestic violence and human trafficking.

Bostar said the amendment corrects a drafting error, ensuring that credits are distributed according to an existing formula used by the state Department of Health and Human Services.

After voting 30-3 to adopt the amendment, senators advanced LB803 to final reading.

The bill passed April 10 on a vote of 48-1 and took effect immediately.

**County government modernization measure approved**

Lawmakers gave final approval April 9 to a bill intended to modernize

county government processes.

LB834, sponsored by Omaha Sen. Kathleen Kauth, allows a county assessor, when authorized by the county board, to appoint one or more deputies who will perform the assessor's duties in his or her absence.



Sen. Kathleen Kauth

The assessor may not appoint the county treasurer, sheriff, clerk or surveyor as deputy.

Among several other technical updates, the bill also eliminates an annual \$5 mobile home park permit fee and provides for delinquent taxes on mobile homes, cabin trailers and manufactured homes to be extinguished after 15 years.

LB834 also includes provisions of LB1230, sponsored by Sen. Paul Strommen of Sidney. The measure includes 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 may be disposed of at a landlord's discretion, while homes valued over \$2,000 may be sold at public auction. After completing the required steps, landlords may obtain a certificate of title from the state Department of Motor Vehicles, giving them legal control of the property.

LB834 passed on a vote of 46-0.

**Grant requirements for historic building demolition updated**

A bill intended to preserve Ne-

braska's historic buildings without hindering economic development received final approval from lawmakers April 9.

LB883, sponsored by Omaha Sen. Bob Andersen, allows the state Department of Economic Development to provide grants to assist in the demolition of historic buildings or districts under the Civic and Community Center Financing Act.

Grant applications must include documentation showing that the applicant and the State Historic Preservation Officer have agreed to preservation-based mitigation strategies.

LB883 also updates requirements for demolition grants awarded to first and second class cities or villages under the Revitalize Rural Nebraska Grant Program, which is administered by the state Department of Water, Energy and Environment.

If the State Historic Preservation Officer has determined that a property to be demolished is listed or eligible to be listed on the National Register of Historic Places, an applicant must demonstrate that:

- the property has been deemed a substandard and abandoned commercial property by a certified building professional with the approval of the State Historic Preservation Officer; or
- the city or village and the State Historic Preservation Officer have agreed to preservation-based mitigation strategies.

Finally, LB883 requires that the rural grant program's fund be used to pay the costs incurred by the State Historic Preservation Officer in carrying out his or her duties under the new requirements.

Senators voted 47-0 to pass the bill.

### County distress warrant fee increased

Senators gave final approval April 9 to a measure aimed at helping counties cover the cost of collecting delinquent taxes.

County sheriffs collect a fee for distress warrants issued to collect delinquent taxes on personal property, plus a \$1 levy fee, a mileage charge and a commission on any taxes collected.

The charges are assessed against the debtor and are credited by a county treasurer to the county's general fund.

LB900, sponsored by Hastings Sen. Dan Lonowski, increases the fee for issuing a distress warrant from \$2 to \$20.

The measure also eliminates the \$1 levy fee as well as a requirement to prorate mileage among trips when sheriffs serve multiple warrants at the same time.

For taxes collected by distress and sale, counties may collect a 10% commission on amounts not exceeding \$500, an increase from \$100. An 8% commission applies to amounts exceeding \$500, also an increase from \$100.

LB900 passed 33-14.

### Incentive program recalculation requirement approved

A measure intended to ensure that Nebraska companies do not lose certain tax incentives when they spin off part of their business operations received final approval from lawmakers April 9.

LB954, sponsored by Elkhorn Sen. R. Brad von Gillern, applies to companies that have met employment and investment requirements under Tier 6 of the Nebraska Advantage Act.

If a company sells or transfers part of its business to another entity, the state Department of Revenue is required to recalculate the company's



Sen. R. Brad von Gillern

base-year employees by subtracting the number of employees at the sold or transferred business operation from the number of base-year employees calculated prior to the sale or transfer.

The recalculation would not be allowed if the business operations that were sold or transferred cease operations within two years after the sale or transfer or if the primary business purpose of the sale or transfer was to close a location.

Any credits or other incentives generated prior to a sale or transfer will not be recalculated.

LB954 applies to agreements entered into after Dec. 31, 2016.

The bill passed on a vote of 44-3.

### Tax increase to fund workforce housing clears final round

Lawmakers gave final approval April 9 to a measure intended to create a stable funding source for two Nebraska workforce housing programs.

LB1067, sponsored by Syracuse Sen. Bob Hallstrom, increases the documentary stamp tax on real estate transactions and splits the additional proceeds between the Rural Workforce Housing Investment Fund and Middle Income Workforce Housing Investment Fund.



Sen. Bob Hallstrom

The programs, administered by the state Department of Economic Development, provide grants to non-

profit developers to build workforce housing in the state's rural and urban communities.

The measure increases the documentary stamp tax from \$2.32 to \$3.32 for each \$1,000 in value through Jan. 1, 2032, when it will return to the previous amount.

Beginning July 1, 2027, the bill also prohibits the transfer of money from the Affordable Housing Trust Fund to the state's General Fund and certain other funds.

The state Department of Revenue estimates that LB1067 will increase documentary stamp tax revenue by \$13.4 million in fiscal year 2026-27 and \$18.5 million in FY2027-28.

The bill passed on a vote of 36-13.

### Retention, hiring incentives for merging businesses approved

Lawmakers passed a measure April 10 intended to incentivize major companies to stay and grow in Nebraska after a merger.

LB1165, introduced by Elkhorn Sen. R. Brad von Gillern on behalf of Gov. Jim Pillen, creates the Grow the Good Life Act.

Under the proposal, a qualifying large employer that merges with an out-of-state company will receive tax credits of up to \$50 million over 10 years if it retains its headquarters and most of its base year employees in Nebraska.

The bill also creates a grant program to help with employee retention and recruitment during a business merger and allows companies to use ImagiNE Nebraska Act credits to pay up to 50% of employees' child care costs.

Additionally, LB1165 increases credit percentages for companies that

meet certain job creation and investment thresholds under the ImagiNE Nebraska Act.

During select file debate April 7, von Gillern introduced an amendment that he said reduced the measure's cost by applying those credit enhancements only to future projects, not existing ones.

Under the bill, the credit percentages will increase by an additional point if a qualifying large employer hires 500 or more full-time employees within seven years of a merger. New employees must be paid an average annual wage of at least \$100,000.

Originally, for the increased percentages to apply, new employees would have to have met certain residency requirements.

Von Gillern's amendment struck those provisions. He said the change ensures that Nebraska residents may qualify as new employees for purposes of the credit bonus.

LB1165 also allows the state Department of Economic Development to use the Site and Building Development Fund to award grants to an employer for capital improvements related to employee retention and recruitment.

Under von Gillern's amendment, grants may be used for capital improvements made during the two-year period prior to a merger through the end of the fiscal year in which the grant was received.

The department also may award grants or interest-free loans to certain first class cities that have been affected by a "sudden and significant private-sector entity closure or downsizing." A grant may be used to acquire land, infuse infrastructure or otherwise prepare large sites and buildings for industrial development.

Both types of grants are limited to \$2.5 million per year for two fiscal years.

After adopting von Gillern's amendment on a vote of 33-0, sena-

tors advanced LB1165 to final reading by voice vote.

Also included in the bill are provisions of LB1191, sponsored by Sen. Bob Hallstrom of Syracuse, and LB1192, introduced by Lincoln Sen. Jason Prokop.

Under Hallstrom's measure, companies with active agreements to receive tax incentives under Tier 6 of the Nebraska Advantage Act have up to nine years rather than six to meet required employment and investment levels.

For the extension to apply, a company must make a one-time election and pay a \$90,000 fee. The provision applies only to projects approved on or after Dec. 1, 2020.

Under Prokop's measure, facilities with seating capacities of greater than 16,000 seats located in primary class cities are eligible for assistance under the Convention Center Facility Financing Assistance Act. Lincoln is the state's only primary class city.

The state Department of Revenue estimates that LB1165 will reduce state General Fund revenue by \$4 million in fiscal year 2026-27 and \$5.7 million in FY2027-28.

The measure passed April 10 on a vote of 42-7 and took effect immediately.

### Clawback protection for ABLE accounts strengthened

Lawmakers gave final approval April 9 to a measure intended to encourage participation in the state's Achieving a



Sen. Bob Hallstrom



Sen. Jason Prokop



Sen. R. Brad von Gillern

Better Life Experience program.

The ABLE program, administered by the state treasurer, provides tax-advantaged savings accounts used to pay for the qualified disability expenses of a designated beneficiary.

The state is prohibited from reclaiming money that remains in a beneficiary's account after their death to pay for medical assistance received by the beneficiary or their spouse or dependent under the state's Medicaid program.

LB1240, sponsored by Glenvil Sen. Dave Murman, expands that prohibition, ensuring that funds distributed from an ABLE account upon a beneficiary's death may not be reclaimed.

The bill passed 49-0.



Sen. Dave Murman

## TRANSPORTATION & TELECOMMUNICATIONS

### DMV cleanup measure, black license plates approved

Fees from a new alternative license plate will help support Nebraskans with developmental disabilities under a state Department of Motor Vehicles cleanup measure passed April 10.

LB972, sponsored by Omaha Sen. John Fredrickson, includes changes requested by the DMV to improve customer service and protect against fraud.

Among other changes, the bill allows qualified licensees to renew their Class O or



Sen. John Fredrickson

M license electronically or in person, requires insurance companies to electronically transmit proof of liability coverage to the department and clarifies requirements for the display of In Transit placards or stickers.

Beginning in 2027, the measure also requires the department to issue Choice Color Plates with a solid blue or green background and white characters. Associated fees will be credited to the Department of Motor Vehicles Cash Fund.

LB972 includes provisions of nine other measures considered by the Transportation and Telecommunications Committee this session.

The provisions of LB738, introduced by Sen. Victor Rountree of Bellevue, require the DMV to design and issue Honoring Women Veterans license plates. The state Department of Veterans' Affairs will use the associated fees to fund events focused on women veterans.

The provisions of LB769, sponsored by Niobrara Sen. Barry DeKay, require the DMV to issue University of Nebraska State Museum License Plates. The measure requires the Board of Regents to use fees generated by the license plates to support research, public education and outreach at state museums.

The provisions of LB786, introduced by Sen. Rita Sanders of Bellevue, direct some of the proceeds from Military Honor



Sen. Victor Rountree



Sen. Barry DeKay



Sen. Rita Sanders

Plates to a new Military Department Aid Fund. The adjutant general will use the fund to award need-based grants to Nebraska National Guard and Air National Guard members.

The provisions of LB922, sponsored by Plymouth Sen. Tom Brandt, increase caps on application fees for various licenses issued by the Nebraska Motor Vehicle Industry Licensing Board.

Under the provisions of LB1005, introduced by Kearney Sen. Stan Clouse, all-terrain vehicles or utility-type vehicles may be operated within city or village limits between the hours of sunset and sunrise, as long as their use is authorized by the city, village or county and they meet certain headlight and taillight requirements.

The amended provisions of LB1099, sponsored by Sen. Ben Hansen of Blair, require the DMV to design and issue Scarlet and Cream License Plates. Associated fees are directed to the Department of Motor Vehicles Cash Fund.

The provisions of LB1104, introduced by Norfolk Sen. Robert Dover, authorize the DMV and the state Department of Revenue to make a determination that a resident owner of a motor vehicle or trailer is avoiding



Sen. Tom Brandt



Sen. Stan Clouse



Sen. Ben Hansen



Sen. Robert Dover

state motor vehicle taxes and fees, registration fees or sales or use taxes.

The amended provisions of LB1121, sponsored by Sen. Beau Ballard of Lincoln, authorize the Nebraska Motor Vehicle Industry Licensing Board to issue licenses to dealers, manufacturers and distributors of new recreational vehicles and regulate franchise agreements between manufacturers and dealers.



Sen. Beau Ballard

The amended provisions of LB1092, introduced by Lincoln Sen. Eliot Bostar, require the department to issue two additional types of license plates.



Sen. Eliot Bostar

A portion of the fees from new Back the Blue License Plates will be credited to a cash fund administered by the Nebraska State Patrol. The agency will use the fund to provide grants to injured law enforcement personnel or the spouse or child of any injured or deceased law enforcement officer.

Blackout License Plates will have a solid black background and white characters. Seventy percent of the associated fees are directed to the Department of Motor Vehicles Cash Fund, and 30% must be credited to a new cash fund administered by the state Department of Health and Human Services.

The department will use the fund to award grants to developmental disability service providers to improve their transportation fleets and infrastructure, as well as to increase capacity for additional clients.

LB972 passed on a vote of 48-1.

### Transportation omnibus measure passed

An infrastructure development investment program will provide state loans for city and county transportation projects under a measure passed by lawmakers April 10.

Under LB1126, sponsored by Sen. Mike Moser of Columbus, the State Highway Commission will administer the new revolving loan program with assistance from the state Department of Transportation.



Sen. Mike Moser

The program may provide loans or other financial assistance to political subdivisions and certain other entities to construct, improve or enhance roads, bridges and other eligible transportation infrastructure.

Among other changes, the bill also:

- authorizes a public-private partnership delivery method for transportation projects deemed appropriate at the discretion of the department director;
- allows political subdivisions to enter into public-private partnership contracts and receive unsolicited proposals under the Political Subdivisions Construction Alternatives Act;
- requires the department to include procedures for receiving and evaluating unsolicited proposals in currently required guidelines for entering into certain alternative contracting methods; and
- increases maximum fees for certain permits for oversized or overweight vehicles and creates a superload vehicle category with associated maximum permit fees.

Additionally, LB1126 includes pro-

visions of three other measures heard by the Transportation and Telecommunications Committee this session.

The amended provisions of LB1073, sponsored by Lincoln Sen. Carolyn Bosn, require commercial motor vehicle driver training to include at least 30 minutes of human trafficking training beginning in 2027.



Sen. Carolyn Bosn

The measure requires the state attorney general to prescribe the curriculum and training materials and to review and update them at least once every three years.

The provisions of LB1107, introduced by Sen. Glen Meyer of Pender, update the Rural Road Improvement District Act. The measure requires county resolutions on proposed road improvement projects to state whether the improvements will be a general cost to the county or paid for by levying special assessments.



Sen. Glen Meyer

Among other changes, the measure also extends the maximum term of county road improvement bonds from 10 to 20 years.

The amended provisions of LB1180, sponsored by Bennington Sen. Wendy DeBoer, modify the licensure process for carriers seeking to provide intrastate Medicaid nonemergency medical transportation services.



Sen. Wendy DeBoer

As amended on select file, LB1126 also includes provisions of LB576, introduced last session by Sen. Myron Dorn of Adams.

Wireless carriers are required to collect a surcharge from postpaid wireless customers to fund the state's 911 service system. Previously, the surcharge was capped at 70 cents per month, except in a county containing a metropolitan class city, where a 50-cent limit applied. Omaha is the state's only metropolitan class city.



Sen. Myron Dorn

Dorn's measure eliminates the 50-cent cap.

The state Public Service Commission holds an annual hearing to determine the amount of revenue needed to fund the 911 system and then sets the surcharge accordingly. LB1126 requires the commission to maximize operational support for the state's public safety answering points when making that determination.

LB1126 passed on a vote of 42-7.

utilities are allowed to enter into certain contracts without advertising for bids. Minimum contract amounts increase depending on a utility's gross annual revenue from retail sales.

LB797 creates additional tiers for utilities with revenue in excess of \$20 million, \$30 million and \$75 million.

Senators voted 49-0 to pass the bill.

Under LB798, also introduced by the committee, planning commissions for second class cities and villages may have three regular members. Previously, they could have only five, seven or nine regular members.

The bill also allows second class cities that elect city council members by ward to elect some members on an at-large basis if the method is first approved by voters at a general election.

At least two members may be elected on an at-large basis, and no more than one-half of the city council may be at-large members.

LB798 passed on a vote of 49-0.

**Veto of accessible housing requirements sustained**

An attempt to override the governor's veto of a bill intended to meet the housing needs of Nebraskans with disabilities failed April 17.

Under the Municipal Density and Missing Middle Housing Act, metropolitan, primary, and first class cities with a population of at least 20,000 are required to submit biennial reports to the Urban Affairs Committee.

The reports provide details on cities' efforts to address the availability of and incentives for affordable housing through zoning, ordinances and regulations.

Under LB839, introduced by Bellevue Sen. Victor Rountree, cities also would have been required to report the number of multifamily housing units within city limits that have

been designed and built in accordance with the federal Fair Housing Act's accessibility requirements since Jan. 1, 2021.



Sen. Victor Rountree

A city also could have reported the number of multifamily housing units that meet accessibility requirements under the 2018 edition of the International Building Code.

The bill includes provisions of two other measures sponsored by Rountree this session.

The amended provisions of LB840 would have prohibited the state Department of Economic Development from approving a multifamily rental unit project for assistance from the Affordable Housing Trust Fund unless at least 5% of the project's units are accessible for people with mobility impairments, and at least 2% are accessible for those with hearing or vision impairments.

Under the amended provisions of LB1041, the biennial reports also would have included details on cities' efforts to expand the use of accessory dwelling units, any obstacles to the construction of additional ADUs and areas where they are allowed by right.

The measure also would have required reports to include recommended actions the state could take to assist cities in the construction of affordable housing.

LB839 passed April 10 on a vote of 34-15. Gov. Jim Pillen vetoed the bill April 16.

In his veto letter, Pillen said requiring housing developers to build an "arbitrary" percentage of accessible dwelling units would force them to forgo state assistance or spend additional funds to build units that might go unrented or be rented to those without physical impairments.

**URBAN AFFAIRS**

**Public works bid requirements updated, at-large election measure approved**

A pair of bills intended to benefit Nebraska's smaller communities received final approval from lawmakers April 9.

Previously, first and second class cities and villages were required to approve and advertise for bids for certain public works contracts of over \$30,000. LB797, introduced by the Urban Affairs Committee, increases the minimum amount to \$90,000.

The bill also raises the minimum amounts at which municipal electric

Rountree filed a motion to override the governor’s veto. The bill’s requirements match those for federal housing programs already used by most Nebraska housing developers, he said, meaning LB839 would create no additional regulatory burden.

The motion failed on a vote of 19-28. Thirty votes were needed.

**Urban Affairs omnibus measure expanded, approved**

Lawmakers passed a package of bills related to urban affairs April 10 after amending it April 7 to include a measure intended to help Nebraska cities attract workers from other states.

LB1114, introduced by the Urban Affairs Committee, revises eligibility provisions that allow for the expedited review of community redevelopment plans under Nebraska’s Community Development Law.

As amended, the measure includes provisions of several other bills considered by the committee this session, including LB981.

Also introduced by the committee, the measure requires a housing agency in a metropolitan class city to submit reports that include details on pest control management activities, as well as evictions and complaints filed during the reporting period, among other information.

Omaha is the state’s only metropolitan class city.

During select file debate April 7, Omaha Sen. Terrell McKinney, committee chairperson, introduced an amendment that he said includes changes to the measure requested by the city of Omaha and the Omaha Housing Authority.

Under the amendment, a housing agency is required to submit the report to the committee annually rather than every six months.

In addition to that requirement, the provisions of LB981 allow a metropolitan class city to regulate any housing agency.

McKinney’s amendment modified those provisions, allowing city regulations to provide for code enforcement, complaint-based inspections and monthly updates to the city council that include information about pest control issues and any mitigation efforts completed by the housing agency.

LB1114 includes amended provisions of LB915, sponsored by Sen.

Loren Lippincott of Central City, which update the Municipal Inland Port Authority Act. They increase the number of inland port districts that may be designated from five to eight and revise eligibility requirements for counties.



Sen. Loren Lippincott

McKinney’s amendment also would have authorized inland port authorities to designate a portion of any bond issuance as community revenue bonds.

Lincoln Sen. Carolyn Bohn opposed the amendment, saying the bonding proposal had not had a public hearing.

McKinney later offered an amendment, adopted 44-0, to strike the provision from the amendment.

After voting 25-1 to adopt a technical amendment offered by Sen. Bob Hallstrom of Syracuse, senators voted 38-0 to adopt McKinney’s underlying amendment.

LB1114 also includes provisions of LB850, introduced by Omaha Sen. John Cavanaugh.



Sen. John Cavanaugh

They allow metropolitan and

primary class cities to use an economic development program for the purpose of building or rehabilitating affordable housing, workforce housing or housing for persons of low or moderate income under the Local Option Municipal Economic Development Act.

Previously, only first and second class cities and villages were allowed to create a program for those purposes. Lincoln is Nebraska’s only primary class city.

The provisions of LB976, sponsored by Sen. Bob Andersen of Omaha, update requirements for sanitary and improvement district elections.



Sen. Bob Andersen

The provisions of LB1129, introduced by Norfolk Sen. Robert Dover, allow a city to use tax-increment financing to develop underdeveloped parcels that have been within its extraterritorial zoning jurisdiction for more than 25 years.



Sen. Robert Dover

The amended provisions of LB1130, sponsored by Sen. Mike Jacobson of North Platte, create the Community Improvement District Act. The measure allows property owners to propose the formation of a community improvement district within a city or village for the construction, maintenance and repair of public infrastructure.



Sen. Mike Jacobson

Lincoln Sen. Beau Ballard offered a select file



Sen. Beau Ballard

amendment to include a modified version of his LB1152, which creates the New Taxpayer Recruitment Grant Act.

It authorizes the state Department of Economic Development to award grants to cities, Indian tribes and certain nonprofit organizations to be used for taxpayer recruitment programs that incentivize households to relocate to Nebraska from outside the state.

Ballard said the measure is intended to help cities fill job vacancies and stimulate state economic growth.

The department is required to disburse 50% of a grant when it is awarded and the rest when the applicant successfully meets half of its program plan's stated goal.

Applicants are required to demonstrate their ability to contribute at least 20% of a program's cost. No applicant may receive more than \$250,000 in grants in a fiscal year.

To qualify for taxpayer recruitment program incentives, a household must demonstrate an annual income of at least \$55,000 and meet certain other requirements.

The department will disburse grants from a new cash fund consisting of money transferred by the Legislature, as well as federal, public and private funding sources. The measure appropriates no state funding to the new program.

After adopting Ballard's amendment on a vote of 44-0, senators advanced LB1114 to final reading by voice vote.

The bill passed April 10 on a vote of 48-1 and took effect immediately.

### Municipal development package approved

An Urban Affairs Committee package that allows Nebraska cities and villages of all sizes to create stand-alone land banks cleared the final round of debate April 10.

LB1135, introduced by the commit-

tee, modifies land bank membership and reporting requirements under the Nebraska Municipal Land Bank Act.

The bill also prohibits a land bank from temporarily holding real property on behalf of a private entity for more than one year, unless the entity has entered into a community benefits agreement with the land bank and local community groups.

LB1135 includes provisions of six other bills considered by the committee this session, including LB799. Introduced by the committee, the measure creates the Service Contract Reporting Act.

Beginning in 2028, the proposal requires a metropolitan class city, counties with a population of more than 500,000 and state agencies to submit an annual report to the materiel division of the state Department of Administrative Services that contains information on service contracts above a certain amount that were awarded during the prior year.

The division will compile the information and submit it in an annual report to the governor, the clerk of the Legislature and the Urban Affairs Committee.

The amended provisions of LB811, sponsored by Sen. Robert Dover of Norfolk, authorize all Nebraska municipalities to establish stand-alone land banks, something only primary and metropolitan class cities previously were allowed to do.

The provisions of LB842, introduced by Bellevue Sen. Victor Rountree, allow first and second class cities and villages to enter into contracts with private entities for the operation, maintenance, management or enforcement of municipal parking facilities.



Sen. Victor Rountree

The provisions of LB1163, sponsored by Sen. John Fredrickson of Omaha, update how liens against delinquent assessments are recorded under the Nebraska Property Assessed Clean Energy Act.



Sen. John Fredrickson

The provisions of LB1168, introduced by Fremont Sen. Dave Wordekemper, allow a city's redevelopment authority to enter into a contract under which it issues conduit revenue bonds.



Sen. Dave Wordekemper

Finally, the provisions of LB1250, sponsored by Sen. Dunixi Guereca of Omaha, allow primary, first and second class cities and villages to sell or transfer any waterworks, sewer system or water system to an Indian tribe under certain conditions.

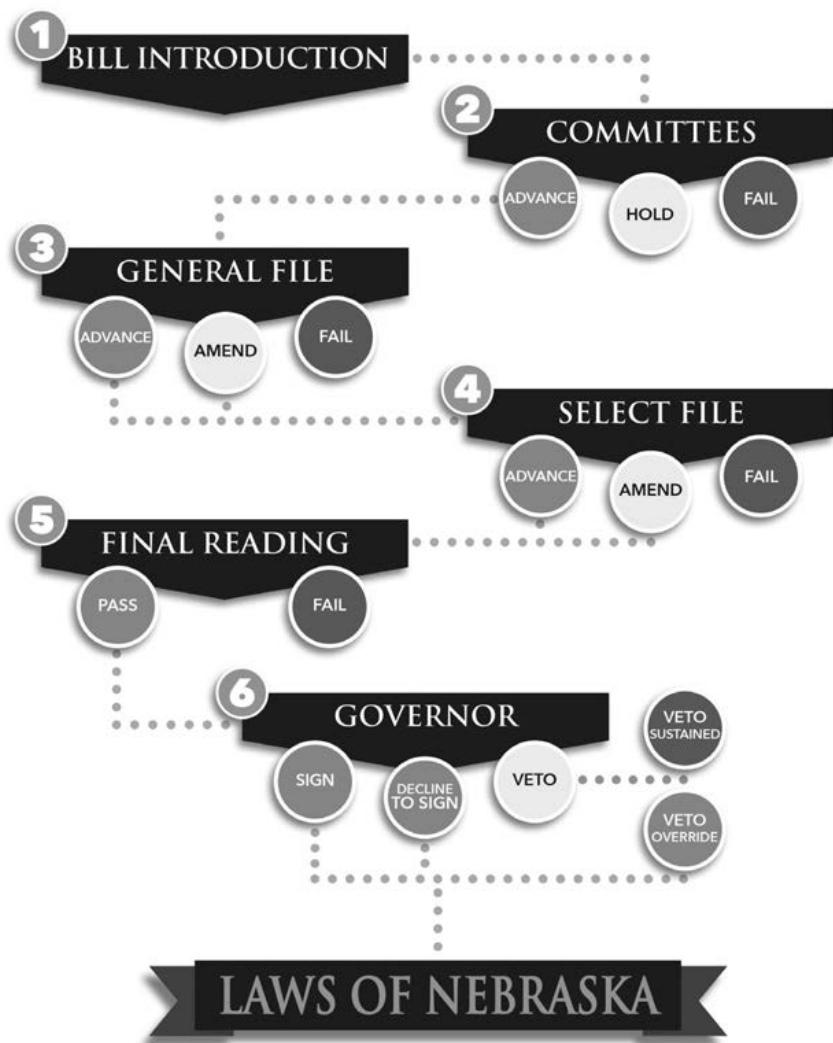


Sen. Dunixi Guereca

Senators voted 48-1 to pass LB1135. The bill took effect immediately. ■



# HOW A BILL BECOMES LAW



## COMING IN MAY

The Unicameral Update's 2026 Session Review special issue includes:

- articles summarizing the Legislature's work
- a listing of the final status of all bills introduced this session

## UNICAMERAL UPDATE



Session Review  
2026  
The 109<sup>th</sup> Nebraska Legislature • Second Session



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