

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT (CORRECTED)**  
**LB705**

---

**Hearing Date:** Tuesday February 21, 2023  
**Committee On:** Education  
**Introducer:** Murman  
**One Liner:** Change provisions for the distribution of lottery funds used for education, transfer powers and duties, create new acts and funds, and change education provisions

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

---

**Vote Results:**

**Aye:** 8 Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne  
**Nay:**  
**Absent:**  
**Present Not Voting:**

---

**Testimony:**

**Proponents:**

Senator Dave Murman  
Mike Baumgartner

Heath Mello  
Ben Welsch  
Bryce Wilson  
Treva Haugaard  
John Skretta

Edison McDonald  
Courtney Wittstruck

**Opponents:**

Jeff Cole

**Neutral:**

J. Ritchie Morrow

**Representing:**

Introducer  
Coordinating Commission for Postsecondary Education  
University of Nebraska System  
Nebraska State Education Association  
Nebraska Department of Education  
Council of Independent Nebraska Colleges  
Educational Service Unit 6, Educational Service Unit Coordinating Council, Nebraska Association of School Boards, Nebraska Council of School Administrators, Nebraska Rural Community Schools Association, Lincoln Public Schools  
The Arc of Nebraska  
Nebraska Community College Association

**Representing:**

Beyond School Bells, Nebraska Children and Families Foundation

**Representing:**

Coordinating Commission for Postsecondary Education

\* ADA Accommodation Written Testimony

---

**Summary of purpose and/or changes:**

LB 705 would; change provisions relating to the distribution of lottery funds used for education; adopt the Behavioral Intervention Training and Teacher Support Act; establish a mental health training grant program; change provision of an innovation grant program; provide duties to the Coordinating Commission for Postsecondary Education; change provisions of the Nebraska Opportunity Grant Fund; adopt the Career-Readiness and Dual-Credit Education Grant Program Act; change provisions of the Excellence in Teaching Act; adopt the Door to College Scholarship Act.

---

**Explanation of amendments:**

AM 1468 incorporates the provisions of multiple education bills into LB 705. The bills and amendments included are: LB 153 (as Amended by Committee, AM 1421), LB 356, LB 372 (as Amended by AM 1231), LB 385 (as Amended by Committee, AM 1397), LB 414 (As Amended by AM 689), LB 516 (As Amended by AM 1442), LB 520, LB 603 (As Amended by Committee, AM 1392), LB 632 (As Amended by 1208), LB 647, LB 648 (As Amended by AM 814), LB 698, LB 703 (As Amended by AM 1409), LB 708, LB 724 (As Amended by AM 1235), LB 762 (As Amended by Committee, AM 1399), LB 787 (As Amended by Committee, AM 1453).

The Committee voted to adopt AM 1468 on a 8-0-0-0 vote.

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

**Changes to LB 705:**

AM 1371 to LB 705 directs funds in 2023-24 to the Nebraska Education Improvement Fund by percentage to:

- 1 percent - Expanded Learning Opportunity Grant Fund
- 17 percent - Innovative Grant Fund
- 9 percent - Community College Gap Assistance Program Fund
- 8 percent - Excellence in Teaching Cash Fund
- 62 percent - Nebraska Opportunity Grant Fund
- 3 percent - Distance education initiatives pursuant to 79-1337

In 2024-29 such funds are directed by percentage to:

- 8 percent - Behavioral Training Cash Fund
- 2 percent - College Pathway Program Cash Fund
- 7 percent - Community College Gap Assistance Program Fund
- 10 percent - Department of Education Innovative Grant Fund
- 3 percent - Distance education initiatives pursuant to 79-1337
- 1 percent - Door to College Scholarship Fund
- 8 percent - Excellence in Teaching Cash Fund / Career Readiness and Dual Credit Fund
- 1.5 percent - Expanded Learning Opportunity Grant Fund
- 1.5 percent - Mental Health Training Cash Fund
- 58 percent - Nebraska Opportunity Grant Fund

2029-30 and thereafter shall be allocated as the Legislature may direct.

AM 1468 also amends or introduces other programs found in LB 705, to include:

The College Pathway Program Act and the College Pathway Program Cash Fund are created to serve low-income and underrepresented students by providing grants to service providers who help qualifying

applicants in a variety of services such as completing applications for college, completing the FAFSA, choosing correct course work to pursue a particular field of study.

Distance education initiatives shall be funded through 2023-24 from the Nebraska Education Improvement Fund. Such initiatives shall be funded from 2024-29 from transfers pursuant to section 1 of this act (lottery revenue allocations).

The Career Readiness and Dual Credit Education Grant is established and shall be administered by the Coordinating Commission for Postsecondary Education. Grants shall be provided to teachers enrolled in education pathways leading to qualification to teach dual-credit courses and career and technical education courses.

Expanded Learning Opportunity Grant shall receive one percent of funds from the Nebraska Education Improvement Fund for fiscal year 2023-24. Going forward, funding shall be 1.5% of funds from transfers pursuant to section 1 of this act (lottery revenue allocations).

8 percent will be used for training teachers in safe behavioral management strategies, tactics, and de-escalation procedures. Funding for the training courses will be in coordination with the Nebraska Department of Education's model behavioral management policy found in AM 1468.

LB 153 (as amended by AM 1421) Would create the Extraordinary Increase in Special Education Expenditures Fund which shall be funded by two million five hundred thousand dollars from the Education Future Fund for fiscal year 2023-24 to carry out the Extraordinary Increase in Special Education Expenditures Act.

Motion to include LB 153 (as amended by AM 1421) as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 153

Proponents:

Senator Wendy DeBoer, Legislative District 10

Jason Schapmann, Twin River Public Schools

Jack Moles, Nebraska Rural Community Schools Association, Greater Nebraska Schools Association

Dunixi Guereca, Stand for Schools

Colby Coash, Nebraska Association, of School Boards, Nebraska Council of School Administrators, Nebraska School Education Association, Greater Nebraska Schools Association

Edison McDonald, The Arc of Nebraska

Richard Hasty, Plattsmouth Community Schools

Opponents:

None

Neutral:

None

LB 356 Redefines terms under the Nebraska Opportunity Grant Act.

Motion to include LB 356 as part of AM 1468

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 356:

Proponents:

Senator Lynne Walz, Legislative District 15

Mike Baumgartner, Coordinating Commission for Postsecondary Education

Treva Haugaard, Council of Independent Nebraska Colleges

Opponents:

None

Neutral:

None

LB 372 (as amended by AM 1231) Allows homeschooled students to participate in extracurricular activities in the school district in which they reside and directs school boards in their policy to require a homeschooled student to enroll in not more and no less than five credit hours offered by the school in any semester.

Motion to include LB 372 (as amended by AM 1231) as part of AM 1468:

Vote Results: 7-1

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz

Voting Nay: Wayne

Testifiers on LB 372:

Proponents:

Senator Dave Murman, Legislative District 38

David Lostroh, Nebraska Christian Home Educator Association

Opponents:

Jay Bellar, Nebraska School Activities Association (NSAA), Nebraska Association of School Boards (NASB), Nebraska Council of School Administrators (NCSA), Nebraska Rural Community Schools Association (NRCSA), Schools Taking Action Nebraska Children's Education STANCE)

LB 385 (as amended by AM 1397) Creates the Nebraska Teacher Recruitment and Retention Act, which is funded by the Education Future Fund. The purpose of the act is to incentivize the recruitment and retention of new teachers and teachers with a high-need certification. New teachers would be eligible for a two thousand five hundred dollar grant at the beginning of years two, four, and six. Teachers with a high-need certification will be eligible for a one-time grant worth five thousand dollars at the beginning of a school year in which such high-need subjects are taught by the grant recipient.

Motion to include LB 385 (as amended by AM 1397) as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 385

Proponents:

Senator Lou Ann Linehan, Legislative District 39

Mike Lucas, Westside Community Schools

Edison McDonald, The Arc of Nebraska

Colby Coash, Nebraska Association, of School Boards, Nebraska Council of School Administrators, Nebraska Rural

Community Schools Association  
Courtney Wittstruck, Nebraska Community Colleges  
Luis Sotelo, Doane University  
Jeremy Ekeler, Nebraska Catholic Conference  
Andy Schmidt, Nebraska Farm Bureau  
Opponent:  
None  
Neutral:  
Tim Royers, Nebraska State Education Association  
Ben Welsch, Self

LB 414 (as amended by AM 689) Would provide standards and practices for public school's option enrollment program in order to ensure that children with special needs are not disqualified due to their special needs. AM 689 offers clarifying language to address standards by which a school district may determine the manner in which they manage option student applications, and also directs the school district in reporting requirements to the Department of Education regarding how option student applications are handled.

Motion to include LB 414 (as amended by AM 689) as part of AM 1468:

Vote Results: 7-1

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Wayne

Voting Nay: Walz

Testifiers on LB 414

Proponents:

Senator Danielle Conrad, Legislative District 46

Elizabeth Eynon-Kokrda, Education Rights Council

Dunixi Guereca, Stand for Schools

Opponents:

None

Neutral:

None

LB 516 (as amended by AM 1442) Appropriates eight hundred seventy thousand dollars from the General Fund each fiscal year to carry out the School Safety and Security Reporting Act in order to continue serving Nebraska citizens via the Safe2HelpNE hotline.

Motion to include LB 516 (as amended by AM 1442) as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 516

Proponents:

Senator Lynne Walz, Legislative District 15

Diana Schmidt, Boys Town

Jason Wiese, Nebraska State Education Association

Erik Wilson, Norfolk Public Schools

Jeremy Ekeler, Nebraska Catholic Conference

John Skretta Educational Service Unit 6, Educational Service Unit Coordinating Commission, Nebraska Rural

Community Schools Association, Schools Taking Action Nebraska Children's Education, Greater Nebraska Schools Association, Nebraska Council of School Administrators, Nebraska Association of School Boards

Brian Halstead, Nebraska Department of Education

Opponent:

Scott Thomas, Village In Progress Nebraska

Neutral:

None

LB 520 Change provisions relating to high school graduation requirements and academic content standards and the Computer Science and Technology Education Act

Motion to include LB 520 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 520

Proponents:

Senator Lynne Walz, Legislative District 15

Mike Cassling, CQuence

Stephanie Howell, Nebraska State Educaiton Association

Lashonna Dorsey, Nebraska Tech Collaborative, Aksarben Foundation

Jason Buckingham, Ralston Public School

Jack Moles, Nebraska Rural Community Schools Association

Kyle McGowan, Nebraska Council of School Administrators

Opponents:

None

Neutral:

None

LB 603 (as amended by AM 1392) Would incentivize the recruitment of public-school teachers by allowing persons who possess a bachelor's degree and have been certified to teach through alternative organizations to become certified to teach in Nebraska after participating in a school district clinical experience for one semester in such individual's first semester of employment.

Motion to include LB 603 (as amended by AM 1392) as part of AM 1468:

Vote Results: 7-1

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Wayne

Voting Nay: Walz

Testifiers on LB 603

Proponents:

Senator Lou Ann Linehan, Legislative District 39

Melanie Olmstead, American Board

Andy Schmidt, Nebraska Farm Bureau

Jeremy Ekeler, Nebraska Catholic Conference

Nicole Fox, Platte Institute

Opponents:

Sara Skretta, Nebraska Association of Colleges for Teacher Education

Tim Royers, Nebraska State Education Association  
Jim Walter, Self  
DeLoris (De) Tonack, Self  
Neutral:  
None

LB 632 (as amended by AM 1208) LB 632 Would prohibit a school from suspending a student in Pre-K through second grade. Exceptions are granted if such student brings a deadly weapon on school grounds, or to a school-sponsored activity or athletic event, or in a vehicle being used for a school purpose or by a school employee.

Motion to include LB 632 (as amended by AM 1208) as part of AM 1468:

Vote Results: 7-1

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Wayne

Voting Nay: Walz

Testifiers on LB 632

Proponents:

Senator Terrell McKinney, Legislative District 11

Elizabeth Eynon-Kokrda Education Rights Counsel

Connie Edmond, Commission on African American Affairs

Anahi Salazar, Voices for Children in Nebraska

Rose Godinez, American Civil Liberties Union of Nebraska

Opponents:

None

Neutral:

Lisa Schoenberger, Self

LB 647 Change provisions relating to the purchase and loan of textbooks for children enrolled in kindergarten to grade twelve of a private school.

Motion to include LB 647 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 647

Proponents:

Senator Mike McDonnell, Legislative District 5

Jeremy Ekeler, Nebraska Catholic Conference

Vickie Kauffold, Archdiocese of Omaha-Catholic School

Laurie States, Omaha Street School

Mark L'Heureux, Christ Lincoln Schools/Lutheran Schools of Lincoln

Kyle McGowan, Nebraska Council of School Administrators, Nebraska State Education Association, Nebraska Rural Community Schools Association

Jennifer Creager, Self

Lane Carr, Nebraska Department of Education

LB 648 (as amended by AM 814) Creates the High School Equivalency Grant Fund and appropriates seven hundred fifty thousand dollars from the General Fund to provide assistance to institutions that offer high

school equivalency programs and for expanding services and program to support the completion of the general education test.

Motion to include LB 648 (as amended by AM 814) as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 648

Proponents:

Senator Mike McDonnell, Legislative District 5

Brian Halstead, Nebraska Department of Education

Opponents:

None

Neutral:

Courtney Wittstruck, Nebraska Community College Association

LB 698 Change provisions relating to residency for enrollment in a public college or university.

Motion to include LB 698 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 698

Proponents:

Senator Dave Murman, Legislative District 38

Brad Dirksen, Nebraska Department of Education

Opponents:

None

Neutral:

None

LB 703 (as amended by AM 1409) Authorizes the Nebraska State College System, and the University of Nebraska System, to liquidate surplus property under its own authority.

Motion to include LB 703 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 703

Proponents:

Senator Dave Murman, Legislative District 38

Paul Turman, Nebraska State College System

Doug Carlson, University of Nebraska System

Opponents:

None

Neutral:



None

LB 708 Require the Office of Probation Administration, the State Court Administrator, the State Department of Education, and the Department of Health and Human Services to enter into a memorandum of understanding for the sharing of data regarding data relevant to students who are under the jurisdiction of the juvenile court.

Motion to include LB 708 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 708

Proponents:

Speaker John Arch, Legislative District 14

Deb Minardi, Nebraska Supreme Court AOCA

Larry Kahl, Department of Health and Human Services

Brian Halstead, Nebraska Department of Education

Opponents:

None

Neutral:

None

LB 724 (as amended by AM 1235) Addresses the on-going teacher shortage in Nebraska by removing basic skills testing from certification requirements, while retaining content knowledge testing requirements.

Motion to include LB 724 as part of AM 1468:

Vote Results: 6-1-1

Voting Aye: Senators Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: Albrecht

Not Voting: Briese

Testifiers on LB 724

Proponents:

Senator Tony Vargas, Legislative District 7

Joy Absalon, Self

DeLoris Tonack, Nebraska State Education Association

Sara Skretta, Nebraska Association of Colleges for Teacher Education

Opponent:

Linda Vermooten, Self

Francis Kuhlman, Self

Jeff Stallworth, Self

Neutral:

None

LB 762 (as amended by AM 1399) Creates the Nebraska Paraprofessional to Teacher Program in order to increase the number of teachers in Nebraska by assisting individuals employed as a paraprofessional or paraeducator. Such participants may receive a grant of up to three thousand dollars per semester to fund educational expenses such as tuition, books, or other materials as required to receive a teaching certification. The act creates the Paraprofessional to Teacher Program Fund and directs the legislature to

transfer one million dollars each fiscal year from the Education Future Fund to carry out this program.

Motion to include LB 762 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 762

Proponents:

Senator Wendy DeBoer, Legislative District 10

Stephanie Howell, Nebraska State Education Association

Katherine Regler, Nebraska State Education Association

Opponents:

None

Neutral:

None

LB 787 (as amended by AM 1453) Creates the STEEM (Science, Technology, Engineering, Entrepreneurship, Mathematics) Development Act using funds from the Department of Education Innovative Grant Fund. Such grants are to be used for developers to create learning platforms which provide game-based interaction to develop students in the fields of STEEM.

Motion to include LB 787 as part of AM 1468:

Vote Results: 8-0

Voting Aye: Senators Albrecht, Briese, Conrad, Linehan, Murman, Sanders, Walz, Wayne

Voting Nay: None

Testifiers on LB 787

Proponents:

Senator Justin Wayne, Legislative District 13

John Goodman, Plasma Games

Pam Petersen, Nebraska State Education Association

Michelle Eberhard, Quest Academy

Kathy Gope, Ultimate Quest

Opponents:

None

Neutral:

None

---

Dave Murman, Chairperson