

\*Indicates written testimony submitted prior to the public hearing in accordance with the Legislature's guidelines on ADA testimony.

**MURMAN:** Good afternoon. Welcome to the Education Committee. I'm Senator Dave Murman from Glenvil, Nebraska, I represent the 38th district, and I serve as chair of the committee. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. The committee will take up agenda items in the order posted. If you wish to testify on the mic today, please fill out a green testifier sheet. The forms can be found at the entrances to the hearing room. Be sure to print clearly and provide all requested information. If you will testify on more than one agenda item, you will need a new green testifier sheet each time you come forward to speak on the mic. When it's your turn to come forward, please give the testifier sheet and any handouts you might have to the page as you are seated. If you have handouts, we request that you provide 12 copies for distribution. If you do not have 12 copies, please alert the page when you come forward. At the microphone, please begin by stating your name and spelling both your first and last names to ensure we get an accurate record. Observers, if you do not wish to testify but would like to indicate your position on an agenda item, there are yellow sign-in sheets in notebooks at the entrances. The sign-in sheets will be included in the official hearing record. We will begin with the test-- with the introducer giving an opening statement at the mic, followed by proponents, opponents, and those wanting to speak in a neutral capacity. The introducer will then have an opportunity to give a closing statement if they wish. We will be using a three-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you'll have one minute to wrap up your thoughts, and the red light indicates that you have reached the end of your time limit. Questions from the committee may follow off-the-clock. A few final items to facilitate today's hearing. Please mute your cell phones or any other electronic devices. Verbal outbursts or applause are not permitted; such behavior may be cause for you to ask [SIC] to leave the hearing room. Know that committee members may need to come and go during the afternoon for other hearings. I will now ask the committee members with us today to introduce themselves, starting at my far right.

**SANDERS:** Good afternoon. I'm Rita Sanders, representing District 45, which is the Bellevue/Offutt community.

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**MEYER:** Good afternoon. I'm Glen Meyer, representing District 17. That's northeast Nebraska, Dakota, Thurston, Wayne, and the southern part of Dixon County.

**HUNT:** Hello, I'm Megan Hunt, and I represent District 8, which is the northern part of midtown Omaha.

**LONOWSKI:** Good afternoon, Dan Lonowski from District 30. That is Adams County, Kearney County and rural Phelps County.

**JUAREZ:** Hi, I'm Margo Juarez, south Omaha, District 5.

**MURMAN:** Thank you. Staff with us today are, at my immediate right, research analyst Jack Spray, and at my far right, committee clerk, Diane Johnson. The pages who serve our committee today are-- and I'll let them stand up and introduce themselves, and tell us a little bit about what they're studying.

**RUBY KINZIE:** Hello, I'm Ruby Kinzie. I'm a third-year political science major at UNL.

**JESSICA VIHSTADT:** Hi, my name is Jessica. I'm a second-year political science and criminal justice student at UNL.

**SYDNEY COCHRAN:** Hi, my name's Sydney, and I'm a first-year student in business and history at UNL.

**MURMAN:** Thank you very much for-- ladies, for helping us out today. And with that, we'll begin today's hearing with LB691, and I will turn the chair over to Senator Sanders.

**SANDERS:** We will now begin the hearing on LB691. Good afternoon, Senator Murman.

**MURMAN:** Good afternoon, Senator Sanders, and members of the Education Committee. My name is Dave Murman, D-a-v-e M-u-r-m-a-n, and today I have the privilege to introduce LB691. If you go outside and take a look at the northwest corner of the Capitol, you will see an engraving depicting Moses with tape-- with tablets in hand, depicting the Ten Commandments. If you are able to visit our nation's Supreme Court, Moses sits atop the building's east side, also holding the tablets of the Ten Commandments, as well as inscriptions of the tablet within the

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court's inner chamber doors. Similar artwork can be found in statehouses and courthouses throughout our nation. So, why did the creators, creators of so many different state and courthouses, choose to include images of the Ten Commandments? Because the principles within the Ten Commandments are foundational values deeply tied to our political and legal tradition. Some of these are fairly obvious. If we have laws against murder and theft-- or, we do have laws against murder and theft. As a society, we teach children respect from a young age, and that includes showing their parents respect. We teach children "appreciate and be happy with what you have," and with that comes not coveting your neighbor. Even the first "companion"-- commandment, you shall have no other gods before me, is important to our national history. This itself teaches a lesson to our children, religious or atheists alike, that government is not the all-powerful ruler of our lives. LB691 requires each elementary classroom and each middle and high school building to post signage detailing the Ten Commandments. The bill aims to ensure Nebraska students are exposed to these commandments not on the basis of proselytizing them, but instead educating them with a historical source document which has served as guiding principles in the creation of our nation and legal system. I expect some in opposition today will make the argument that this bill is unconstitutional. While it's true that court cases in the past have not always been favorable to proposals such as this one, I point to the 2019 Supreme Court decision in American Legion v. American Humanist [SIC], a case decided by a 7-2 opinion. The majority opinion reads that the Ten Commandments have historical significance in our legal system, and that their display may have multiple purposes and represent a common cultural heritage. Under that context, perhaps it would be good for our courts to reexan-- reexamine the topic. In President Washington's 1796 farewell address, he argued "of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports." This is not to say everyone must be a certain faith, or, for that matter, any faith, because the goal of this bill is not to force any religion on our students, but instead to expose our students to the very historical wisdom that inspired our founders, like President Washington. To conclude, I will leave you with one final piece to think on. We, as members of the Education Committee, have all heard about a concerning rise in student discipline challenges in the classroom. A posted sign in the classroom emphasizing values such as respect and loving one's neighbor may not

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be the worst reminder for our kids. And thank you, and I'll take any questions you might have.

**SANDERS:** Thank you, Senator Murman. Are there any questions for Senator Murman from the committee? Thank you. Will you be here to close?

**MURMAN:** Yes.

**SANDERS:** OK. And, Senator Murman, I believe you had an invited guest as well, right?

**MURMAN:** Yes. David Barton.

**SANDERS:** Mr. Barton, if you'd like to--

**SANDERS:** Good afternoon. Welcome.

**DAVID BARTON:** Thank you. It's good to be here. Chair, committee members, I want to cover some things that Senator Murman just, just covered in a little greater detail. From a legal standpoint, I've been involved in 13 cases at the U.S. Supreme Court, and there clearly is a very definite change the Supreme Court has made between-- yes, ma'am?

**SANDERS:** Could you please say and spell you first and last name, please?

**DAVID BARTON:** Oh, I'm sorry. Barton-- David Barton, B-a-r-t-o-n. And house, house-- excuse me. LB691. I should have identified.

**SANDERS:** Thank you.

**DAVID BARTON:** So, from my standpoint, legally, there was a huge shift that happened in, in 2019, reaffirmed in 2022. It goes back to a standard the court erected in 1971 called the Lemon v. Kurtzman's standard, where there were so many cases coming before the court challenging religious expressions that they came up with what was called the three-prong Lemon test, and the first prong of that said in order for an activity to be constitutional, its primary purpose has to be secular. So, that was a standard that's been used from 1971 until 2019. There's over 7,000 citations of the Lemon case and decisions affecting religious liberty displays in that period of time. In 2019,

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in the, the case that Senator Murman mentioned about the American Humanists versus the American Legion, at that point in time, the U.S. Supreme Court openly criticized that case, said it was not reflective of constitutional history [INAUDIBLE], and it caused many traditionally historic displays to be taken down that the Founding Fathers themselves would have kept up and did put up. So, in 2022, they reaffirmed that first in, in Boston v. Shurtleff [SIC], and then in 2022, in Bremerton v. Kennedy [SIC], the court vacated the Lemon decision. And that is the primary opposition case relied on by the opponents who say you shouldn't display the Ten Commandments because of the Lemon decision. The Supreme Court vacated that in 2022. I'll read from what the court said, their new test, they said, quote, longstanding, religiously-expressive monuments, symbols, and practices require a strong presumption of constitutionality. So, if you can show that something has a longstanding traditional history practice, we're going to presume is constitutional, and that is the new standard. So, the hostility is gone, and within that, showing that this is something that is a longstanding practice, you go back to the New England Primers [SIC], the first textbook ever introduced into America, introduced in 1690. It was what we would call a first grade textbook, it was a beginner textbook. It was used here in Nebraska into the 20th century, and it starts in the first grade with 43 questions for first graders on the Ten Commandments. If you move to Founding Father Noah Webster, who was a soldier in the Revolution, judge and legislator afterwards, a great educator called the "schoolmaster to America," his textbooks written in early America, Ten Commandments are part of what he had for the students in those textbooks. If you move to the McGuffey Readers, sold 120 million copies, still in print today, the second reader has a long section, several lessons on the Ten Commandments. And by the way, the three best-selling books in American history are the Bible, and then Webster's works, and then McGuffey's works. All three of them have the Ten Commandments. So, those are the bestselling textbooks in American history. That's a longstanding history and tradition, practice. Is that accurate? Am I [INAUDIBLE]

**SANDERS:** It is. It actually is. I know you came a long ways and you're an invited testifier, so please continue your thought.

**DAVID BARTON:** OK. I'll go through as quickly as I can. So, federal and st-- we have several hundred cases where the federal courts cite the Ten Commandments prior to 1971, and [INAUDIBLE], and issuing rulings

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on cattle rustling and white-collar crime and defamation, election fraud. Eighth-grade-- eight-- eighth-graders often "trake"-- takes trips to D.C.; if they will go inside the U.S. Supreme Court, I have personally counted more than 50 depictions of the Ten Commandments inside the U.S. Supreme Court. There's one on the outside, there are two on the inside, and there's more than 50 that have the, the Supreme Court bar separated from the attorneys, and we never say that it's unconstitutional for the students to see what's in the Supreme Court. If they go next door to the National Archives, the same thing, ten commandments there. The same in the Library of Congress, the same outside the House of Representatives in the Capitol. All over D.C., we have Ten Commandments, we've never said it's unconstitutional for students to see, see the Ten Commandments. Then, in public entertainment, when the movie came out, Ten Commandments in 1956, Cecil B. DeMille got the Fraternal Order of Eagles, they put up 10,000 copies of the Ten Commandments in classrooms across the United States; no lawsuits, no problem. They erected 180 monuments across the United States: that's the one on the Texas Capitol, Montana Capitol, Oklahoma, Arkansas. They have had lawsuits, and they won. Perry v. Van Orden [SIC] 2005 challenged the Ten Commandments on Texas State Capitol; we won that lawsuit. So, logic also calls for displays of the Ten Commandments. The Ten Commandments mention God twice, people object to that; Declaration of Independence mentions God four times, and we don't say it's unconstitutional to have the Declaration, and it mentions God twice as often as the Ten Commandments do. And the same with Good Samaritan laws. All 50 states have Good Samaritan laws. That is not only a religious teaching, that is an explicitly Christian teaching that comes from Mat-- from Luke 10, that Jesus gave, and yet all 50 states have Good Samaritan laws, and we've never had challenges. Or, we have, but we win those challenges. So, the climate is very different now, it's a completely different day in America since 2019. And so, at this point in time, there's really no objection for having the Ten Commandments from a legal standpoint, and it certainly is a traditional historic practice that we've had in America. Thank you.

**SANDERS:** Don't-- hold on.

**DAVID BARTON:** Questions. I'm sorry.

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**SANDERS:** Thank you for your testimony, Mr. Barton. We're going to see now if anyone here on the committee has any questions for you. Any questions from the committee? Senator Meyer.

**MEYER:** Thank you, Chairwoman. Mr. Barton, from my educational background, when I was-- and it's been quite a while since I've been in school, quite frankly. We, we were taught that this country was founded as a Judeo-Christian country. You know, our founding fathers had a great deal of, of-- a great deal of background and a, and a, and a great affinity for the fact that this was founded, essentially, and, and an appreciation of God. What, what would be the background? You have an excellent historical background with regard to the founding, and once again, the Declaration of Independence and, and, and the Constitution, which-- I don't believe God was mentioned in the Constitution, but what-- can you just give me a little bit of background as far as the founding, as far as a Judeo-Christian background, with our founding fathers, please.

**DAVID BARTON:** I would point out that we have had thousands of nations across history with hundreds of constitutions, and the University of Illinois said, "what's the average length of a constitution?" Determined that 17 years of the average length of a national constitution. Ours is now in 238. So, the University of Houston said "Why? Where did our founders get their ideas? Where did it come from?" The University of Houston collected over 10,000 works of the founders between 1716 and 1805 to see the cited sources they used and, and creating what they did, and they found the single most-cited source was the Bible. 34% of all the quotes came directly out of the Bible in the founders' writings. Second-most-cited source was John-- was Montesquieu; the third-most-cited was William Blackstone, and the fourth was John Locke. But the Bible, by far, was 34%; the next one was 12%-- or next one, excuse me, was 8%, 8.3%, 7.9%, and 2.9%. So, the Bible is far away above anything else they cited at that point in time to indicate how they felt about that in the nation. In 1789, George Washington signed a law called the Northwest Ordinance. It is particularly of interest to you guys here in Nebraska, because Nebraska became a state under the Northwest Ordinance [SIC]. The provisions were given by Washington, and the first states that came in-- Ohio, Indiana, Illinois, then wis-- Wisconsin, Minnesota, et cetera-- it was applied for statehood here. Your enabling act [SIC] said that you had to teach three things: religion, morality, and

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knowledge. And that is the exact language of the law that George Washington signed in 1789 on the Northwest Ordinance. So, that is the pool from which they drew their ideas; that was the pool that they wanted passed on to people, and that's why religion, morality and knowledge was the responsibility of education in what became the state of Nebraska, not just the territory in Nebraska.

**MEYER:** Thank you very much. That-- you answered the question far better than I asked it, quite frankly. May I, may I, may I ask another question, Chairwoman?

**SANDERS:** Go ahead.

**MEYER:** We have discussions in this state regard-- regarding public schools and religious schools. Is, is-- I would assume, and you probably have a great deal more background on this-- in this than I do. Predominantly, is this-- is this prominently displayed in, in our religious schools or Catholic schools or whatever denomination private schools? Is this something that's, that's common to see, the Ten Commandments?

**DAVID BARTON:** It is no longer common after the Supreme Court issued what was called the Stone v. Graham ruling in 1980, in which the state of Kentucky had the Ten Commandments up, and the court told them to take them down. It's come down in education all, all over the United States. So, that 1980 was a bellwether case; that case was decided on the Lemon decision, which I mentioned, from '71. The court said having the Ten Commandments up has no secular purpose. Well, that's been disputed heavily by the courts since then, since cattle rustling or white collar crime, whatever, there's a secular purpose. So, I would say that since 1980, we've seen the Ten Commandments go down in public and private schools. It's still in a lot of curricula in private schools, as it had been in all American schools prior to that, which I alluded to earlier. But I would say that there is not a substantial difference between public and private schools and the display of the Ten Commandments, from my knowledge. It's not a national survey, just what I see with education, dealing with educators, that would be my, my response.

**MEYER:** Thank you. And if I just may ask one more, Chairwoman.



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**SANDERS:** We have a lot of people waiting.

**MEYER:** I know, and-- but I'm not going to get to ask this question because I'm introducing the next bill

**SANDERS:** Please. Ask the question.

**MEYER:** Do you think-- and, and this won't take you very long-- do you think there is a correlation between the 1956, the Ten Commandments movie and the fact that President Eisenhower signed, signed into law that "In God We Trust" would be in our Pledge of Allegiance?

**DAVID BARTON:** I would take you back three years earlier. Eisenhower, when he was inaugurated in his, in his autobiography and mum-- memoirs, said that as he was contemplating being the president, he's been elected, he said that he was concerned that America was becoming too secular, and he was concerned that we needed to do things to stop that. So, he himself, on that day, wrote out his own inaugural prayer and prayed his own prayer. I actually have that original. We have, actually, two museums, world-class museums in Texas, about 120,000 original historical items. And so, we have Eisenhower's own inaugural prayer that he wrote out. But he also added, "under God" to the Pledge of Allegiance; he added "In God We Trust" to all currency. Lincoln had done it in 1864 on two-cent pieces; he put it on all currency. He made it the national motto, he started the National Prayer Breakfast. First Thursday of February every year, about 8,000 gather in D.C. from across the nation, usually 140 nations. And then he also added a prayer chapel in the U.S. Capitol. So, he did a number of things to help America not become secular. But that is in the era of time when that Ten Commandments movie was done. Cecil B. DeMille did that himself, and no indication of any collaboration or, or contact with Eisenhower. But it is striking that that movie-- when it came out, everyone who went to see that movie in a theater got a handbill like you usually get-- if you go to a Broadway show, it gives, gives you the playbill, the actors, et cetera-- and that playbill that went to every American for that blockbuster movie, which is number seven on the total movie list at this point-- the, the viewings were that high for an old movie-- he-- in that, he talked about the fact that America has passed 32 million laws, but if we would live by the ten laws of the Ten Commandments, we wouldn't need the 32 million. And so, that

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was the analysis he had with that, and Eisenhower not necessarily connected that I've seen.

**MEYER:** Well, thank you very much. And I promise, Chairwoman, I'm going to zip it for the rest of the hearing.

**SANDERS:** Thank you, Senator Meyer. Senator Lonowski.

**LONOWSKI:** Thank you, Senator Meyer. Thank you, Chair Sanders. And, sir, thank you very much for being here. First of all, did you travel from Dallas for this?

**DAVID BARTON:** Yes, sir.

**LONOWSKI:** Thank you very much. So, there's an old saying there's-- "there are no atheists in foxholes." And when I was in Afghanistan, I believed that, but I believed it before that. How did we lose-- how did we lose prayer in school, or the Ten Commandments? Can you-- do you have that historical--

**DAVID BARTON:** Yes, sir. It, it was a progression of time. Legally, it started back in 1947, in a case called Everson v. Board of Education, where the U.S. Supreme Court used Jefferson's letter on separation of church and state. But for the first time, the court only used eight words out of that letter, a wall of separation between church and state. Every other time it had been used prior to that, back to the time that Jefferson wrote the letter, October 7, 1802-- his letter on separation of church and state was 233 words long, it was three paragraphs. The court used it in previous cases, like Reynolds v. United States and 19-- in 1885 [SIC], and when they used Jefferson's separation letter, they always used it to keep religion in public, not to take it out. And so in '47, the court said, no, no, we don't care about that context, here's what we're doing. Sep-- a wall of separation between church, church and state with no historical context. They repeated that frequently, and then in 1962, in Engel v. Vitale, they said, hey, we're not doing voluntary prayer in schools anymore, and the court in that decision said neither the fact that prayer is denominationally neutral, nor the fact that is voluntarily participated in serves-- free it from constraints that it is unconstitutional. So, they didn't care if it was voluntary, they didn't care if it's non-sectarian, we're just not going to do it

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anymore. The next year, in two more decisions, Abington (School District) v. Schempp and Murray v. Curlett in '63, they said and by the way, we're not doing Bible anymore, either. And so, in a 12-month period of time, '62-'63, the court-- and by the way, they said in their decision that their decision with was without legal or historical precedent, and they said that in the decision. So, they cited nothing historical; they just said, we're going to do something different in America now. And so it's that evolutionary, progressive kind of thing of "let's do something different." And so, since then, that's where people cite '62-'63, and there were so many cases that then showed up with the court saying, "well, let's take this religious activity out" that in '71 they said, let us make it easy for you, let us give you the Lemon test. And that's where that Lemon test came in, because there were so many attempts to remove religion after '62-'63. So, in that period of time, we've done the research on it, there-- in thousands of cases, the, the court, in talking about the First Amendment, only has quoted the First Amendment 3,000 times; it quotes the eight-word Jefferson phrase 4,000 times. It's more likely to quote that Jefferson phrase out-of-context than it is to quote the Constitution itself. So, that's kind of how we got here. That's kind of the, the historical progression of, of those decisions, and it is totally different today, and that's why the court said, look, historically, we're taking that stuff that has always been constitutional, and, and that's just judicial activism. We're going back to the longstanding historical, traditional practice. And so, that's the new standard now, and I'm grateful for that, because it takes us back to a constitutional position that we'd had for, you know, 160 years before the court got active.

**LONOWSKI:** Thank you, sir.

**SANDERS:** Are there any other questions from the committee? See none. Thank you, Mr. Barton, for your testimony. Are there any other proponents on LB691? Welcome.

**STEPHANIE SHADE:** Thank you. My name is Stephanie Shade, S-t-e-p-h-a-n-i-e; Shade is S-h-a-d-e, and I'm from Hastings. My husband, Chris, has served on the Hastings Public School Board since 2021. He's unable to be here today, so I'm testifying on his behalf as well. We both have master's degrees in education, and have over 30 years combined teaching experience. In 2016, I began a project to work

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to educate our community on our nation's founding. People need to understand that the United States is a constitutional republic, not a democracy, which means we are subject to a written constitution. John Adams called this a government of laws and not of men. Our founders were faithful men who recognized that God is the divine author of government and the giver of law. They structured a government that is based on a dual foundation of what they called the laws of nature and nature's God. The Declaration of Independence says this: to assume the separate and equal station to which the laws of nature and nature's God entitle them. So, in other words, something called the laws of nature and nature's God is what entitled us to become an independent and sovereign nation. Noah Webster defined these terms in his 1828 dictionary. He defines the laws of nature as a rule of conduct arising out of the natural relations of human beings established by the creator, and existing prior to any positive or written precept. In other words, the laws of nature is our God-given conscience; what we know intuitively to be right and wrong. The laws of nature's God is the moral law, which Webster defines as a law which prescribes to men their duties to God and to each other. The moral law is summarily contained in the Decalogue, or the Ten Commandments, written by the finger of God on two tables of stone, and delivered to Moses on Mount Sinai. This means that our nation is built on the foundation of law God has first written on our hearts, and second, given us in the Ten Commandments. If our Republic, our government of laws, is based on the Ten Commandments, then it follows that every American should know what they are. How can we obey a law if we don't know what it, what it is, or have never read it? The Ten Commandments should be posted in every government building, every courtroom, and every school, so that every child will know the framework on which his or her nation is laid. Ignoring our system of the rule of law based on the Ten Commandments has had dire consequences. Our courts have moved away from a fixed standard of law to a case law approach. So, rather than studying law as a fixed principle given to mankind by the creator and enshrined in our Constitution, law students study the opinions of judges, and these opinions are treated as if they were law. As a result, we the people are subject to the ever-changing whims of judge after judge. We substitute man's opinions for the truth, and there is no fixed standard; only a variety of opinions that contradict each other and leave us frustrated and confused. The only way to alleviate this confusion and achieve true justice for everyone in our nation is to

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return to a standard of fixed, unchanging law, one given to us by the creator and one that has produced the freest, most prosperous nation on earth. Post the Ten Commandments in our schools and let our state's children know that li-- the liberty they enjoy is the result of a nation built on the laws of the original law-giver.

**SANDERS:** Wow, right at three, three minutes?

**STEPHANIE SHADE:** Went fast.

**SANDERS:** Thank you very much for your testimony. Let's see if there are any questions from the committee. Senator Lonowski.

**LONOWSKI:** Thank you, Chair Sanders. Just a comment. Thank you for teaching the, the Constitution to every class, every year on a voluntary basis in Hastings. The, the city is much better because of you.

**STEPHANIE SHADE:** Thank you for saying so.

**SANDERS:** Thank you. Senator Meyer.

**MEYER:** Very, very briefly. I'll be--

**SANDERS:** Senator Meyer.

**MEYER:** Thank you, Chairwoman Sanders. You're teaching public school?

**STEPHANIE SHADE:** I have in the past, yeah.

**MEYER:** OK. I, I just-- I was just curious. The teachers you work with, whether it's in the, the parochial school, or if you-- if you're in public school, what are, what are the teachers' thoughts on posting this, in general? I, I would assume at some point in time you've had a conversation? What, what are the thoughts of the teachers?

**STEPHANIE SHADE:** Yes. So, so I'll be honest. I have been out of public education for about 18 years. In the time that I was there, I would say most teachers would be in favor of it, but would be frightened. Scared. I can tell you that-- and I'll-- I'm going to testify later, too-- I, I now teach-- I homeschool my children, and I also teach part-time in a, in a private school, and I have students in my private

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school who came from the public schools. Hastings Public, my husband actually brought an initiative to post the national motto, which failed at the board level, but they did say teachers could voluntarily post the national motto in the classrooms, and I have two students from Hastings Middle School in my private school now who say that those-- the kids are actually the ones bullying the teachers into taking them down. They're often defaced, and then teachers have to keep reposting them, and then they get graffiti written over them. So, it's a sad state.

**MEYER:** Thank you.

**STEPHANIE SHADE:** Yeah.

**SANDERS:** Thank you. Any other questions? See none. Thank you, Ms. Shade, for your--

**STEPHANIE SHADE:** Thank you.

**SANDERS:** --testimony. Any other proponents? Good afternoon. Welcome.

**DEB CARLSTROM:** Thank you. Hello. Oh, Deb Carlstrom, D-e-b C-a-r-l-s-t-r-o-m, and I live near Hastings. I have grandchildren that attend Adams Central School and Grand Island Central Catholic Schools. And, of course, I'm here to support the bill. I'm going to repeat a couple of the things-- just because I wrote them out-- that were already mentioned, but I think they're worth repeating. The Ten Commandments have a prominent and longstanding place in American education, such as the first textbook ever printed in America, the new-- the New England Primer, which included 43 questions on the Ten Commandments and was used up until the 20th century; the McGuffey Readers, which were also mentioned, which were later used in American education, and they contain the Ten Commandments; and Noah Webster's History of the United States, containing a long section on the Ten Commandments. The Ten Commandments have a longstanding place in our nation's founding, for example, the Ten Commandments on the Supreme Court building. Moses, the law-giver of the Ten Commandments, appearing as a sculpture holding the two tablets in three places on the U.S. succor-- the U.S. Supreme Court building. Therefore, displays of the Ten Commandments in public schools are constitutional and aligned with the historical and traditional precedent of the Ten

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Commandments in our society. Further, the Ten Commandments are the foundation of our morality. No society can exist or continue when separated from its moral foundation. Our founding fathers understood this. And then, a couple of the quotes that were already mentioned. John Adams saying our Constitution was made only for a moral and a religious people; it is wholly inadequate to the people of any other. George Washington, in his famous farewell address, said that "of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports." Freedom can only be built on a moral foundation, and there is no better standard for a basis of morality than the Ten Commandments. LB691 shares with students the guiding principles that have been part of America's education since its founding. Every student is entitled to their own religion and beliefs. This bill simply recognizes the longstanding role the Ten Commandments have played in our country's history and the standard of morality that is necessary to govern a free society. This bill would restore what was once normal practice in the American education system for hundreds of years, which is to have the Ten Commandments welcome in the classroom. My high school granddaughter stated this in a well-- stated this well in a recent essay, asking "do you think it's wrong to murder innocent people? If so, where did you get that belief? Do you think it's wrong to steal someone's belonging-- belongings? If so, where did you get that belief?" The foundation of our value system comes from the Judeo-Christian faith, using the Ten Commandments as its guide, so I urge your support of LB691.

**SANDERS:** Thank you, Ms. Carlstrom, for your testimony. Hold on, in case there's any questions from the committee.

**DEB CARLSTROM:** I don't--

**SANDERS:** I see none. Thank you very much. Are there any other proponents? Good afternoon. Welcome.

**MARILYN ASHER:** Hi. My name is Marilyn Asher, M-a-r-i-l-y-n A-s-h-e-r. As I have testified to this committee in past hearings, I spent 15 years as an employee of the Nebraska Department of Correctional Services as a religious and volunteer coordinator of the Nebraska Correctional Youth Facility. The youthful attenders who were housed at NCYF were young males, ages 15 to 21, who had been adjudicated as

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adults. If NCYF had not been available to them, they would have been sentenced to one of the adult penitentiaries in Nebraska for serious fellows-- felonies such as burglary, theft, assault, and homicide. Many of those incarcerated individuals would start their sentences at NCYF, and would be transferred to one of the big houses around their 22nd birthday. Some of the young men are still in prison today, and I think about that whenever I am able to exercise the freedoms they do not have. I vowed that I would do whatever I could to prevent children from coming to jail or prison when I retired in 2017. My first course of action was to volunteer for Child Evangelism Fellowship, helping with an after school Good News Club which was allowed in our local elementary school. At Good News Club, first through fifth graders would learn principles from the Bible that would help them make them why-- help them make wise decisions as they navigated through elementary and secondary school. Included in those principles were the Ten Commandments, which taught them how to respect authorities and how to teach-- treat other children. Another course of action is to now ask that the Ten Commandments and our national motto be posted in Nebraska's schools. If one investigates, we find that those principles are inherent in our national, state, and city laws. The principles of the Ten Commandments instill the respect that is needed for communities to peacefully exist. Those principles were exactly the ones that had been violated by the young men that I encountered at NCYF, and they were paying a high price for violating them. What if those same young men had been exposed to the Ten Commandments on the walls of their schools at an impressionable young age? I am not saying that the exposure to the Ten Commandments would have saved them from crime, but adherence to those commandments could have done that. Benjamin Rush, largely believed to be the father of public schools, once said "if we were to remove the Bible from public schools, we would be wasting so much time punishing crimes and taking so little pains to prevent them." That exactly describes our society today. I think of the number of times that volunteers and organizations donated Bibles and other religious literature to the young men in prison, but it was after those young men had committed heinous crimes for which they are still paying the price. We, as a state, are obliged to give our children a headstart into life by bringing attention to the Ten Commandments and national and state mottos in places of learning, so that God-consciousness will challenge the negative impulses that can lead our precious children to a dead end. Vote to advance LB691.



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**SANDERS:** Thank you, Mrs. Asher, for your testimony. Are there any questions from the committee? See none. Thank you. Any other proponents? Good afternoon. Welcome.

**RICHARD FRENCH:** Thank you. Richard French, R-i-c-h-a-r-d F-r-e-n-c-h, from Hastings, Nebraska. I'm an actual doctor of medicine, but I'm also a history buff. Schools in the United States taught the Ten Commandments and posted them routinely for well over 200 years, until just 40 years ago, when the Supreme Court decided that perhaps that was an establishment of religion. Interestingly-- so, the Ten Commandments go back 3,500 years; they were Jewish to begin with, and I don't think anyone would ever honestly suggest that seeing a display of the Ten Commandments in a school ever produced any Jewish converts. Jews are 1.5% of our population, and I don't think the Ten Commandments have ever increased that proportion of Jews in our country. Well, so in 1980, the Supreme Court asked the state of Kentucky to remove displays of the Ten Commandments from the schools. The court statement is rather puzzling to me, and I'll read it to you. They said this: "if the posted copies of the Ten Commandments are to have any effect at all, it will be to induce the school children to read, meditate upon, perhaps to venerate and obey, the Commandments." This is not a permissible state objective under the Establishment Clause, so the court said it would be impermissible to induce school children to obey admonitions to honor their parents, to respect human life or property, to respect marriage vows and sexuality, or to honor truth, or to be content with what is theirs. And did the Supreme Court justices notice the Ten Commandments carved on their own chamber doors? How ludicrous to suggest that obeying the Ten Commandments has no benefit to the objectives of the state or our society. The objectives are peace and order, and that's exactly what the Ten Commandments have tried to accomplish for 3,000 years. And it is not too surprising to me that in the past 20 years, we have witnessed over 570 school shootings, over 200,000 teenage deaths from suicide and drug overdoses, as well as widespread sexually-transmitted disease epidemics, widespread divorce, teenage anxiety, depression, and substance abuse. And is there any common denominator to all these social issues? For one, we no longer teach that there's any universal moral law. And when there is no absolute standard of right and wrong, when children are taught that it is up to them to decide what is right and wrong for them individually, well, look out. When millions, when

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millions of individuals consider themselves mini-gods, making their own rulebooks, you have a blueprint for chaos. The Ten Commandments harm no one and may give many students a necessary reality-check and a dose of good historical advice, and perhaps our society would see less crime, violence, and social disruption if these were again seen publicly, especially in schools, and if they were taken to heart by more of us in every generation. So, I've given you some quotes from the Nebraska State Constitution, which states that general religious principles and morality may and should be taught with courses of knowledge in our public schools in Nebraska. This is a matter that should be left entirely up to the states, in my opinion.

**SANDERS:** Thank you, Dr. French, for your testimony. See if there are any questions from the committee. Seeing--

**JUAREZ:** I have a question, please.

**SANDERS:** Senator--

**JUAREZ:** I wanted to ask you a question about the-- this comment here that you have. "Schools until the 1980s routinely display the Ten Commandments." So, you know, I don't recall seeing in my public high school a display of the Ten Commandments. Do you know what states that-- you found these displays?

**RICHARD FRENCH:** I, I would say it was commonplace, but not necessarily universal.

**JUAREZ:** Commonplace even in public schools?

**RICHARD FRENCH:** I believe so.

**JUAREZ:** OK. Thank you.

**SANDERS:** Thank you, Senator [INAUDIBLE]-- I'm going to say that wrong. Thank you very much, Dr. French, for your testimony. Are there any other proponents for LB691? See none. Any opponent for LB691? Good afternoon.

**DEBRA McKNIGHT:** Hi, Senator.

**SANDERS:** You're welcome to start.

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**DEBRA McKNIGHT:** OK. My name is Debra McKnight, D-e-b-r-a M-c-K-n-i-g-h-t. I'm the founding pastor at Urban Abbey, a United Methodist Church in the Old Market. I have a master's degree in education with an endorsement in social studies for secondary school, and I have a master's of divinity. I'm very concerned about this bill and the notion of having it in place, and I am concerned as a person who does care about teaching the Ten Commandments. I believe that belongs in the hands of clergy and clerics and in religious institutions, and with families. I also want to echo that some of the sources cited earlier, like the Northwest Ordinance of 1787, also identifies a citizen as a free white man. There are things about our history that maybe we have grown in new ways so that we can include others. First, I would also like to name that this bill presents a particularly Protestant, King James Version of the Ten Commandments; there are Catholic versions, there are different variations within denominations, and putting this on a poster takes it out of context. You will even find two different versions in your Hebrew Bible or Old Testament: one in Exodus and one in Deuteronomy. This belongs in a context, not on a poster, and the thing that is missing from the Ten Commandments on this poster and on most monuments is the most foundational phrase. "I am the Lord your God, who brought you out of bondage, out of slavery in Egypt." This is the foundation for everything. It is about liberation from oppression; it is about divine love, the value of sacred souls. We can value the Ten Commandments in a diversity of ways, but there is no certainty that putting them on the poster will lead to anything of value. Folks have named, as Christians, this importance to them, and I would say to you, if you want to be a Christian, and you want to explore this as Jesus would, then we should ask questions like, why do we invest time and money into posting ten commandments instead of buying school supplies? Why are there no early childhood education opportunities that are vastly available? Universal childcare, student loan reform, health and wellbeing, school lunches-- why are we unwilling to deal with gun violence in our schools and allow kids to live in fear with trainings about an active shooter? If you care about Christianity, if you care about reading the law through the eyes of Jesus, I believe he would say to you, as he does in Matthew, woe to you, hypocrites, for you tithe mint and dill and cumin, but have neglected the "latier"-- weightier matters of the law: justice and mercy and faith. These are what you ought to have been practicing. Thank you.

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**SANDERS:** Thank you, Reverend McKnight, for your testimony. Check to see if there are any questions from the committee. Senator Meyer.

**MEYER:** Thank you, Chairwoman Sanders. I just had one brief question.

**DEBRA McKNIGHT:** Hi, Senator.

**MEYER:** With your theological background-- and you mentioned very-- a, a number of different versions of the Ten Commandments. Essentially, do they follow the same tenets about--

**DEBRA McKNIGHT:** Well, I mean--

**MEYER:** --regardless of the, the wording and that?

**DEBRA McKNIGHT:** Certainly, there are different orders to how the numbers are lined up.

**MEYER:** Is that, is that material?

**DEBRA McKNIGHT:** Coveting is frequently separated. It does have an indicator of what different people have nuanced in terms of values for what they want to present. I also think that the King James language is not something I would use to teach young people in my church. You have the language of manservant, maidservant. I can see no reason to put this in a school. Having been a teacher, I think this leads to all kinds of inappropriate and hilarious commentary, and I think, frankly, it devalues the Ten Commandments.

**MEYER:** Thank you. I appreciate that very much.

**DEBRA McKNIGHT:** Thank you.

**SANDERS:** Any other questions? See none. Thank you for your testimony. Are there any other opponents? Good afternoon and welcome.

**TYLER LEMBURG:** Good afternoon. My name is Tyler Lemburg, T-y-l-e-r L-e-m-b-u-r-g, and I live in Lincoln, Nebraska. And I'm here to speak in opposition to LB691. You know, proponents of this bill would say that the Ten Commandments were foundational to the formation of American law, important as a source of moral guidance in the history of the country, or otherwise part of Americana as a whole. That's

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simply not the case. At the Constitutional Convention, the framers looked to the examples of antiquity; they looked to the Greeks and the Romans. They weren't interested in being bounded by their religious heritage. The Ten Commandments may have been an inspiration, but it was one of dozens of inspirations, from John Locke to common-sense philosophers in Scotland to their old British common law. The articles of the Constitution and the laws of this country were born from reason, not religion. Indeed, as Nebraska's excellent public education taught me, the United States of America was founded in part to escape religious persecution, and the founders codified this idea in the First Amendment, which states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." I suspect all this is known, however, by the proponents of this bill, and I also suspect that the goal is not so much to educate about American history, but also to put God back into schools. However, legislation like this is unconstitutional because of the First Amendment. The First Amendment exists not only to give citizens the freedom to practice their religion, but also the freedom to-- the freedom from it, if they so choose. Reasons-- regardless of the reasons for introducing this bill, it's clear that a law which forces public taxpayer-funded schools to publish the Ten Commandments violates the separation of church and state. It establishes a religion in a state institution which the First Amendment forbids. But don't take my word for it. Last November, an almost identical copy of this law was-- which was previously passed in Louisiana, was blocked by a federal judge as unconstitutional. If passed, this bill will almost certainly meet the same fate. Which means that I think we're pretty much wasting Nebraska's taxpayer time and money just talking about this in this hearing. But look, even if this bill weren't doomed constitutionally from the start, this bill isn't right for Nebraska. I have seen Nebraska consistently ranked in the top ten states in public education. If we pass this bill, it's likely Nebraska falls out of those rankings. Lastly, we as a state shouldn't be spending time on an issue like this, which is essentially trying to instill a culture war. The bill is disrespectful to the hundreds of thousands of non-Christian Nebraskans who attend or want their children to attend public schools. Nebraskans have a choice: if they want the Ten Commandments at school, they can send their kids to private school. Religion belongs at church, not a public school. It's really that simple. So, to summarize, the Ten Commandments are no more an American

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institution than something like the Code of Hammurabi, and they have no place in American public education. This bill, if passed, would definitely be blocked by law or blocked as law by the First Amendment, and lastly, this bill is not inclusive, and shows that its proponents are not really interested in bettering Nebraska, but in playing a political game. I would-- I'd call on the committee to kill this bill before it goes to General File. Thank you.

**SANDERS:** Thank you, Mr. Lemburg, for your testimony. See if there are any questions from the committee. See none. Thank you. Any other opponents on LB691? Good afternoon. Welcome.

**CHARLES RIEDESEL:** Thank you. Senators, members of the Education Committee, I'm Dr. Charles Riedesel, C-h-a-r-l-e-s R-i-e-d-e-s-e-l, professor emeritus at UNL, and currently serving on the Beatrice School Board. I'm here today in opposition to LB691 on behalf of NASB and STANCE. I'm speaking today because of my extensive work with students of faiths other than my own. We have a pluralistic society which needs to be recognized and respected. This is part of the constitution, and proclaimed by our nation's founders with their selection of the motto "E Pluribus Unum," meaning "out of many, one." My comments about LB691 are as follows. Point. This is yet another unfunded and micromanaged mandate that does not provide a real solution to a real problem, which was part of my campaign slogan. Point. The wording is exactly specified as being in the English as found in the King James Bible, which is antiquated, and it is not allowing of additional languages or translations as would be preferred or even required by some denominations. Point. It is mandated for all schools, including parochial, that receive state funding. Now, to my knowledge, none currently do, other than incidentally. But if they would, there's no consideration for non-Christian religious schools. Point. It shows favoritism to one religion, and more so to one specific conservative theology, which is not as universally accepted as some want to claim. Families of other religions should constitutionally have similar access, and could sue their school to similarly post their comparable document of instructions for the faithful. Point. Knowing human nature, the expected impact on students exposed to the posters is minimal. They will be ignored by all other than those who either monitor for compliance or rue the mandate. There is no impetus to make them part of the curriculum, which could be of some value depending on how it is done. Therefore, this is a waste of

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time. I am unaware of any research that would indicate otherwise. Bottom line, a poster hanging on a classroom wall displaying the Ten Commandments is a poor substitute for a teacher who has internalized the greatest commandment: "You shall love the Lord your God with all your heart, and with all your soul, and with all your mind. This is the great and first commandment. And the second is like it: you shall love your neighbor as yourself. On these two commandments depend all the law and the prophets." In closing, using the excuse that the document is just a traditional historic symbol as was raised in the opening, belies its religious purpose and value. Thank you for listening.

**SANDERS:** Thank you Dr. "Ressel." [SIC] Check to see if there are any questions from the committee. See none. Thank you for your testimony. Any other opponents on LB691? Good afternoon. Welcome.

**CHRIS JORGENSEN:** Good afternoon. My name is Reverend Chris Jorgensen, C-h-r-i-s J-o-r-g-e-n-s-e-n. I have been a United Methodist pastor for ten years, but before that I had a number of other careers, including a librarian and stay-at-home mom. And I come to you today as a pastor, a parent, and a citizen of what I hope and pray continues to be a democracy in which individuals can choose how and when to practice their religious faith. As you probably know, there are 168 hours in every week, and assuming eight hours per night for sleep and 40 hours per week for school, that leaves 72 hours per week in which parents have the opportunity to educate their children in the religious tradition of their choice. During that time, we parents can choose to teach our children the version of the Ten Commandments we'd like, or even teach our children scripture or ideas about God we would choose to put on the walls of our homes. For me, it actually wouldn't be something like the Ten Commandments from the Hebrew Bible, which many call the Old Testament; I might choose to post something like the words of Jesus himself from the Sermon on the Mount, or "Love thy Neighbor," which Senator Murman referenced, which actually is not part of the Ten Commandments, but is part of Jesus's words. But I don't get to decide that for you or for your children, and I'm simply asking that the state not decide that for me or my children, or anyone else in the state. Even looking at LB691, we've already heard that the version of the Ten Commandments that is required to be posted is actually a Protestant version of the Ten Commandments, and I would wonder how our Catholic siblings in this room feel about that choice

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being made for them. A bit uncomfortable, I would imagine, and I certainly wouldn't be comfortable having the King James Version of the commandments be the one that would be posted, nor would most United Methodists, since that is not the version of the Bible many United Methodists typically use. So, here's the, the main point, is that I don't think anyone needs to be made to feel uncomfortable or marginalized because of their faith in this country. And there's one simple way to do that, which is to uphold the constitutional requirement of separation of church and state. I hope everyone will choose to teach their children, if they want, all about Jesus and the Ten Commandments during the 72 waking hours they have to do so. But I'm asking, please do not allow the government to dictate religion to you or to me or anyone else. It is dangerous and un-American, and frankly, it undermines the very heart of Christianity, which is that people freely come to Jesus, not by coercion or indoctrination by the state. So, as we Christians might say, let us worship in freedom and in truth. Let the church and parents do their job. Keep the state out of our children's religious education. So, I urge you to vote against any bill that seeks to insert religious ideas, educations, or ideologies into our public schools, including LB691. Thank you.

**SANDERS:** Thank you very much for your testimony, Reverend Jorgensen. Check with the committee to see if there are any questions. See none. Thank you for your testimony. Any other opponents on LB691? Thank you. Welcome.

**JAMES MATTHEWS:** Thank you. Thank you for having me. My name is James Matthews, J-a-m-e-s M-a-t-t-h-e-w-s. I'm just a citizen of Lincoln, Nebraska. The displaying of the Ten Commandments is a complicated issue that intersects constitutional law, religious pluralism, and the role of education in a secular democracy. Proponents of this legislation may argue that commandments provide a moral foundation. However, their presence in state-funded educational institutions raises profound legal and ethical concerns. Given the constitutional mandate for the separation of church and state, the religious diversity of the United States, and the pedagogical applications of public schools, the display of the Ten Commandments in these settings is both inappropriate and unconstitutional. First and foremost, displaying the Ten Commandments in public schools directly violates the Establishment Clause Act [SIC] of the First Amendment, which prohibits the government from endorsing or promoting a specific



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religion. The Supreme Court has consistently ruled that government institutions, including public schools, must remain religiously neutral. Given that the Ten Commandments are a foundational text of Judaism and Christianity, their display in public schools would amount to a government endorsement of a particular religious tradition, thereby infringing upon the constitutional rights of students and families who do not adhere to those beliefs. The judicial precedent sent by the United States Supreme Courts in *Stone v. Graham* reinforces this principle. The religious texts, even if framed as moral guidance, cannot be constitutionally mandated in secular educational institutions. Public schools serve a student body comprised of individuals from a diverse array of religious and philosophical backgrounds. The endorsement of one particular religious doctrine over others risks alienating students who do not subscribe to the specific beliefs represented by the Ten Commandments. Such an action would create an environment of exclusion, suddenly reinforcing the idea that a certain belief system is more valid or culturally-dominant than others. In a society that values religious freedom, public institutions must remain neutral in matters of faith to ensure that all students feel equally respected and included. The primary function of public education is to equip students with critical thinking skills, intellectual curiosity, and a comprehensive understanding of subjects such as science, mathematics, history, and literature. While ethical instruction is undeniably valuable, the inculcation of specific religious doctrines is a role best left to families and religious institutions. Mandating the display of religious texts in public schools conflates education with proselytization, undermining the principle that public schooling should be free from sectarian influence. A secular educational environment does not preclude the study of religion as an academic subject, but rather ensures that no single faith is privileged over others. The display of the Ten Commandments in public schools is constitutionally indefensible, ethically problematic, and educationally misplaced. It contravenes the Establishment Clause, marginalizes students of diverse faiths and beliefs, and distorts the intended role of public education. In a pluralistic society committed to both religious freedom and secular governments, public institutions must remain neutral spaces that respect and accommodate the diverse worldviews of all citizens. As such, preserving the integrity of public education necessitates the exclusion of sectarian religious symbols and texts from

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government-funded schools. Senators, this bill has a tangible lack of empathy for all Nebraskans who do not hold a religious affiliation. This only serves to reinforce the notion that Nebraska truly is not for everybody. The mandated display of a doctrine that's first commandment threatens eternal damnation to non-Judeo-Christians will only further divide our communities. It is reprehensible, and must be stopped. Thank you.

**SANDERS:** Thank you. That was a great wrap-up. I thought maybe there were pages to go.

**JAMES MATTHEWS:** Thank you. I tried, I tried.

**SANDERS:** Let me see if there are any questions for you from the committee. I see none. Thank you very much for your testimony.

**JAMES MATTHEWS:** Great, thank you. Thank you for having me.

**SANDERS:** We, we can read the rest of it, and we will.

**JAMES MATTHEWS:** Absolutely. Sure.

**SANDERS:** Thank you very much for your testimony. Any other opponents on LB691? Good afternoon and welcome.

**CAROL WINDRUM:** Good afternoon. My name is Reverend Carol Windrum, C-a-r-o-l W-i-n-d-r-u-m. The way of Jesus has been a central part of my life since I can remember. I went to seminary and graduated with a master's of divinity degree, and have served the United Methodist Church for well over 40 years. My spiritual path guides me in my daily life, and I'm grateful for my parents who took me to church, my pastors as a child, and all the Sunday school teachers I had. Church camp at Camp Comeca near Cozad was a highlight of my summer. All those people and lessons I received were critical to my discipleship. That being said, I would never presume that a Christian path or a Jewish path or a Hindu path or a Muslim path is the one and only path. I would never presume that the sacred texts from any one of these world religions has any place in a state-funded public school, unless, of course, there is equal representation of the many religions, and then, only to be studied in a historical or cultural context, not in any kind of proselytizing manner. This bill is yet another attempt-- example of trying to impose explicit religious tenets into secular

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settings. Where have we lost the commitment of the separation of church and state? I suppose some will argue that the Christian faith is the dominant one in our state, so majority rules. This doesn't sit well with my life experiences relating to and honoring those of the Jewish faith, the Muslim faith, or no explicit religious faith for that matter. We don't live in a theocracy. Although there are more and more attempts to impose a Christian ideology upon our children, this goes against the First Amendment of the U.S. Constitution, which includes the Establishment Clause that prevents the government favoring one religion over another. Our U.S. Constitution is under threat on so many levels, from the federal to the state to the local. Please do not support LB691, and instead, uphold our U.S. Constitution. Thank you.

**SANDERS:** Thank you very much, Reverend Windstrom [SIC]. Let's see if there are any questions from the committee. See none. Thank you very much.

**CAROL WINDRUM:** Thank you.

**SANDERS:** Any other opposition on LB691? Good afternoon.

**CHRISTIAN OLSON:** Good afternoon. My name is Christian Olsen, C-h-r-i-s-t-i-a-n O-l-s-o-n. I am a sophomore electrical engineering and religious studies student right here at UNL. As well, I am a full communicant of Saint Mark's On The Campus Episcopal Church, and I also work towards evangelization towards young people. I come here to oppose this bill because not only would it impose a burden on those of us who try to spread the gospel of Jesus Christ, but also misses major questions. Firstly, I agree with Senator Murman. Christian values do relate to a good society, but only if they're done right. Which Christian values are the Christian values? That's an individual question. God does not force himself upon us; he calls us to him. That is a major difference. This is confusing the problem. America was not founded as a Judeo-Christian nation in the context they give. The context given is that of the First Great Awakening, which was a religious movement in 1810, long after the founding of the nation, which led to the imposition of so-called Judeo-Christian values on our society. Many members of our Founding Fathers were not Judeo-Christian in the modern context. They were deists and members of other religious minority sects, such as Quakers, which did not hold the things that,

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that you hold today. Lastly, I would like to bring up the question of which Ten Commandments do we mean? As you pointed out earlier, Senator Meyer, there are different ones, and you asked the question "do they emphasize different things?" They do. The way that they are written between the Oriental Orthodox and the Catholic version actually cuts out two commandments. And, and the version between most Protestants use and between the ones that the Catholics use combines two commandments and adds another. Secondly, the King James Version is not even in use by the church that used it. The Anglican Communion no longer uses the King James Version as its primary version. It's misleading, it's a bad translation, and no major group uses it. Second of all, you brought up the use of Ten Commandments by Jewish people. The truth is that Jewish people don't hold that just ten commandments were given at Mount Sinai; 361 mitzvahs were given. Should we teach all 361 as the foundations of our modern laws? And that's actually all I have. Thank you.

**SANDERS:** Thank you, Mr. Olson. Let me check to see if there are any questions from the committee. Seeing none. Thank you. Any other opponents on LB691. Good afternoon. Welcome.

**LUKE SCHROER:** Hello. My name is Luke Schroer, L-u-k-e S-c-h-r-o-e-r, and I wanted to start off-- it's nice to see a lot of my districts represented. Previously, I was in your district, and yours, and I'm from-- I grew up on a farm and ranch south of Lawrence, Nebraska in a district currently represented by Senator Murman. So, at least three representatives here. I went to school at Sacred Heart School first through eighth grade. We had all-school mass every single day before school, Monday through Friday. I participated in every part of the mass from server boy, readings, petitions, et cetera. I dipped my hand in holy water entering every doorway. October was Rosary month, so every Friday, we did all-school rosary. We had religion class every day. I am today a proud non-believer; an atheist, if you will. All the indoctrination is a fool's errand. Most of the bills today are designed to support a theocratic fascist government movement. Genuinely, the Beatitudes and corporal works of mercy would be better for our school kids than the Ten Commandments, but that promotes "woke" things like being merciful and meek, feeding the hungry, having compassion for the imprisoned. This entire movement is feeding off of people's struggles. The government works for corporations and the donor class. We all feel it and are frustrated, so we coddle ourselves

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with bills pushing church morality on vulnerable youth. How does that help health care? How does that support our local ecosystems and biodiversity? How does that build community? It's genuinely not designed for that, and we all know it in our gut. But we need to move that feeling to our spine and grow them. Please stop trying to be the next Texas, Florida, Tennessee. We are aggressively unique. I'm literally speaking in front of the only Unicameral in the United States. Lots of talk about seeing the Ten Commandments all over government buildings, but it doesn't seem to make a difference. Our politicians are as corrupt as ever. It is not an issue of historical value or morality; it's a Citizens United issue. The best way to become an atheist is to read the Bible. The best way to become a theist is to have someone else read the Bible for you. This bill should have died in the ink pen it was written with, but here we are, and I ask you to let it die here in committee and let our democracy live. Unfortunately, God couldn't be here today to testify; that could have cleared up a bunch of stuff, if he would have been. Do you have any questions for me?

**SANDERS:** Thank you, Mr. Schorer [SIC], for your testimony. And-- are there any questions from the committee?

**LUKE SCHROER:** OK.

**SANDERS:** I see none. Thank you very much for being here. Any other opponents on LB691? Welcome.

**MICHAEL DAUGHERTY:** Thank you. Hello. My name is Michael Daugherty, it's M-i-c-h-a-e-l D-a-u-g-h-e-r-t-y. I've heard some arguments that the Ten Commandments is a foundational document for our country. I don't know, I've always thought that the Constitution was foundational to our document-- to our country, and it has a list of ten great ideas in the Bill of Rights. And some of the great American values that we have are the freedom of worship, the freedom of expression, and really importantly, the freedom of thought. I'm not saying they're all in the Bill of Rights, but those are very American values. If we look at the Ten Commandments, I think it kind of-- nobody's really looked at many of the commandments particularly, but if we look at the very first one that says you, you, you, you can't have any other gods, that's pretty much very anti-worship-as-you-choose, the way I look at it. The second commandment about graven images really puts the kibosh on artistic

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expression. The third commandment about taking the Lord's name in vain is-- restricts-- is a restriction on freedom of speech and, and really, taken it to its extreme, could lead to blasphemy laws. Even the 10th one about coveting is really the violation of freedom of, of our-- freedom of thought. And I mean, America-- the history of America is really, unfortunately, for better and worse, built on-- was built on coveting, not that I'm advocating that. You know, and we can talk about the seventh commandment, about adultery. I mean, do we have to explain to kids what that is? I, I think that America was based, really, on the ideas of equality and, and striving for equality, and, and I love the first words of the preamble to the Constitution, "We the People." That-- our country is based on that, on the people. The Ten Commandments, on the other hand, is really based on authority, submission and obedience and conformity, and all that. I'd also like to point out, although there's some different versions of the Ten Commandments, there's also some editing done in these-- in a lot of the Ten Commandments that are posted, including in this one. They've taken out discussions of slavery, or they've modified that. The, the punishment of innocent children down to the third and fourth generation; that's, that's-- that was removed, I noticed, so. I guess I'd just close real quick by saying that we-- maybe we should post the the Bill of Rights in the original English, and if we have to post to the Ten Commandments, maybe we could post them next to it in the original Hebrew. That's all I have. Thank you.

**SANDERS:** Thank you, Michael Daugherty, for your testimony. See if there are any questions from the committee. See none. Thank you very much.

**MICHAEL DAUGHERTY:** Thank you.

**SANDERS:** Are there any other opponents for LB691? Welcome.

**DYLAN SEVERINO:** Good afternoon, Vice Chair Sanders, and the Education committee. My name is Dylan Severino, D-y-l-a-n S-e-v-e-r-i-n-o, and I am policy counsel at the ACLU of Nebraska here in opposition to LB691. We urge lawmakers to reject LB691 because it's blatantly unconstitutional. LB691 would require all public schools and all private schools that receive state funds to display a Protestant version of the Ten Commandments in every elementary school classroom and every middle and high school building. However, longstanding

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"Supleme"-- Supreme Court precedent in *Stone v. Graham* prohibits public schools from displaying the Ten Commandments in this manner. Indeed, in *Roake v. Brumley*, a federal district court recently held that a similar Louisiana law violates the Establishment and Free Exercise Clauses of the First Amendment under *Stone* and other binding Supreme Court precedent. The court explained that by imposing scriptures on students, the law would result in unconstitutional religious coercion because students are a captive audience in schools during the school day, pressuring them to adopt and follow the state's preferred religious doctrine. Moreover, the court held that the Louisiana statute would impermissibly usurp the right of parents to decide what religious doctrine, if any, is instilled in their children. LB691 goes even further than the unconstitutional Louisiana law, requiring private schools that receive state funds, including denominational and parochial schools, to post the state's preferred version of the Ten Commandments. Not only would this result in state-induced religious coercion of private school students and interfere with parental rights, but it would additionally violate the religious freedom of private schools whose faith, or lack thereof, do not include the Ten Commandments, or who teach a version of the commandments that differs from the Scripture mandated in LB691. The Ten Commandments are sacred scripture for many people of faith, but many religions, such as Hinduism, Buddhism, Sikhism, some indigenous faiths, among others, do not consider the commandments to be part of their faith traditions. And of course, non-religious families also do not venerate such scripture. In fact, even among those who adhere to the Ten Commandments, as we've heard before, there is significant disagreement as to their specific text and meaning, resulting in different versions among the Protestant, Jewish, and Catholic faiths. Legislators have no business taking sides on such deeply spiritual and personal questions, or mandating that public or private schools post a state-prescribed version of the Ten Commandments. Nebraska schools serve students of all faiths and those of none, and all of those students and their families should feel-- excuse me-- should feel welcome in their school communities. If LB691 is enacted, it will announce that the state has a favored brand of Christianity and marginalize those who do not subscribe to it; it will interfere with schools' ability to carry out their educational missions, and no doubt lead to costly litigation for the state and school districts. Accordingly, we urge you to protect religious freedom for all

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Nebraskans by opposing LB691 and postpone it indefinitely. I'd be happy to take any questions.

**SANDERS:** Thank you, Mr. Severino. I'll check to see if there are any questions from the committee. See none. Thank you very much.

**DYLAN SEVERINO:** Thank you.

**SANDERS:** Any other opponents on LB691? Welcome.

**MAEVE MCGARRY:** Good aftern-- good afternoon, Senators. My name is Maeve McGarry, M-a-e-v-e M-c-G-a-r-r-y, and I'm here as a citizen in opposition to LB691. It is my understanding that this bill is attempting to copy the very controversial bill which Louisiana passed last year, and it is also my belief that this bill is unconstitutional as per the Establishment Clause of the Constitution. While I understand that there have been many cases which softened the Establishment Clause recently regarding the Ten Commandments in schools, such as Van Orden v. Perry and tangentially, Kennedy v. Bremerton, which this, which this committee dealt with last year, I would still like to ask if any reasonable observer could look at this bill and say that it does not give state preference to one religion. The bill does not simply allow individual schools or teachers to exercise their religion towards their students. No, it forces schools to promote a single religious text. If I'm not mistaken, it would un-- it would be com-- sorry. It would be unconstitutional for a teacher to go in front of their class each morning and read from the Koran or the Buddhist canon, or the sacred texts of Hinduism, et cetera, so why would it be OK for the religious texts of Christianity to be presented? I understand that there is historical value in the Ten Commandments, as was argued by Van Orden v. Perry in 2005, but these are not being taught in history or philosophy classroom. They would be-- they would be posted on the walls for any child to see as if they were the rules. The Ten Commandments are not rules for the students of Nebraska; they're the rules for Christians and Jews in the context of their religion. I went to a Catholic grade and high school, and I was even made to memorize the Ten Commandments. And the very first one is condemnation of any other religions. "I am the Lord your God, and thou shalt have no other gods before me." A child reading that next to other signs on the wall, like "be quiet in the hallways" would, would be confused. And what about a kid who doesn't follow a



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monotheist-- monotheistic religion? What are they supposed to think? As the laws will have it, it appears as if the school is endorsing the Ten Commandments and therefore a single religion. I don't think that the state of Nebraska should institute a law which is likely unconstitutional, and goes fully against the spirit of the separation of church and state. Thank you.

**SANDERS:** Thank you very much for your testimony, Maeve McGarry. I'll check to see if there are any questions from the committee. See none. Thank you very much.

**CONRAD:** Senator Sanders has to attend to some other business, so I'm going to fill in here for a minute. Any other opponents? OK. And then after we conclude our opponent testimony, we'll call up neutral testifiers, and then Senator Murman to close. Hi, welcome. If you would please state and spell your name for the record.

**CHRIS WICKHAM:** Yeah. Good afternoon, Senators. My name is Chris Wickham, C-h-r-i-s W-i-c-k-h-a-m. So, as you guys have already heard, this bill is a breach of the Establishment Clause, so I'm just going to kind of move on past that. First of all, not all religious people are Christian, and not all people are religious or believe in a god. And there are too many times when I hear public testimony or statements from government officials or senators on the floor or in committee using religion as an excuse for a bill or political values, and that is not what our government stands for. And I just want to reiterate the fact that this bill is a clear breach of the Establishment Clause, and if I had to go to school every day with the Ten Commandments being displayed, I would be very uncomfortable. As a gay student, I often see my peers and even people in the Legislature, like I said, using religion as a shield for their homophobic beliefs. And now you, now you guys would want me to go to school and be reminded of this every single day. Now, some of the proponents said that we need to have this because it's a set of rules, and it reminds us of our values and morals. But, Senators, when I was growing up, I was never raised religious, and I know not to murder people. I know-- I, I have values and morals. I don't need the Ten Commandments or religion to tell me this. And another proponent said that they, they tried this and students were graffitiing the Ten Commandments, and I think what that shows is students do not want this, and that is why this should not make it out of committee. Thank you, Senators.

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**HUGHES:** Thank you. Sorry. Just jumping in. So, we're still on the first bill, clearly. Do we have any questions? And I didn't catch your name. Any-- nope. OK. Thank you for coming in.

**CHRIS WICKHAM:** Thank you.

**HUGHES:** Appreciate it. And I will say-- I'm Senator Jana Hughes, District 24, Seward, York, Polk, and a little bit of Butler County. OK, so, next opponent for LB691.

**SPENCER RICE:** My name is Spencer Rice, S-p-e-n-c-e-r R-i-c-e. I'm here in opposition to LB691, speaking for myself. Many of the things that I've thought of saying, others have already said. One thing I'd like to add on to, as many bring up the US Constitution and its First Amendment, but also, Nebraska has a Constitution. Article I and Section 4 is a religious freedom, and part of that is "nor shall any interference with the rights of conscience be permitted." And that's what this bill would do, is put one, one group's set of a fraction of some commandments of the historical part above what they may be taught at home. In particular, I also want to go to the "covet thy" and part of that being manservant and womanservant. And let's not be mistaken, this-- these were slaves. And Article I, Section 2 in Nebraska prohibits slavery, so it seems kind of strange that we'd want to talk about something that is illegal here. Sorry, my notes are kind of all over. But one of the other things that I find interesting is, in all these conversations, we talk about the Ten Commandments, but we don't talk about what the ten punishments are, and the punishments, generally, are death or damnation or genocide, cursing, more death, more death, death-- well, "shall not kill," that's kind of ironic, considering that all these commandments result in death and, you know, the flood. Adultery, death; stealing or enslaving people-- or, stealing can lead to your enslavement or death. It just seems kind of talking out of both sides of your mouth when you're like, let's talk about these rules that will make society great, but then not talk about, well, how do you enforce them? I mean, how many people do you know have killed their kids because they dishonored them? And usually, whenever you do see that in the news, it's because God told them it was OK. Of course, our history refers to Moses. Christian culture has dominated our history for 2,000 years. But what is legal is not always what is right. Should we be doing this just because we can? These rules were not for us; they were for the Israelites in the Exodus,

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according to the stories. And finally, as Jesus said in Matthew, do not be like the hypocrites who pray in the streets and the public to be seen, but do so in private, so the Lord will know your secrets and reward you. And--

**HUGHES:** Are you-- your time's up, but are you--

**SPENCER RICE:** I just like to say one more thing.

**HUGHES:** OK.

**SPENCER RICE:** I think Senator Lonowski owes atheist veterans an apology for his comment about no atheists in foxholes. Thank you.

**HUGHES:** OK. Thank you. Do we have any questions for Mr. Rice? All right. Thank you. Thanks for coming in today. Next opponent. I'm assuming we've done proponents? OK.

**\*SHANNON CORYELL:** It is highly inappropriate to display religious imagery in public schools. Not everyone follows the same beliefs and some of us follow no religion. School is for education and church is for religion.

**HUGHES:** Who would like to testify in the neutral capacity? Is there anybody in the neutral? All right. Well, that wraps it up--

**JACK SPRAY:** You've got to read it, that red part.

**HUGHES:** I need to-- this--

**JACK SPRAY:** And then do the pro-- or [INAUDIBLE] the ADA.

**HUGHES:** OK. Oh, I see. Yeah. So, we had online ADA written testimony. The Education Committee received online written ADA testimony from Shannon Coryell of Omaha in opposition to LB691. This testimony will be included in the hearing transcript, and she will be listed as an opponent on, on the committee statement if one is generated. And then, as far as just other online position comments, we had 94 proponents, 323 opponents, and 1 neutral. All right. Senator Murman, you can wrap things up.

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**MURMAN:** OK. The Establishment Clause was referenced several times. And actually, that document [SIC] was Jefferson's letter to the Danbury Baptists, and that was to keep government out of religion instead of religion out of government. In other words, there shouldn't be a established religion by the government. But, but the founding fathers definitely supported-- and the historical record shows that religion and the Ten Commandments are a big part of the history, all through the the history of the United States. And I think it was the the last testifier referenced the Nebraska Constitution, and on Article I, Section one-four [SIC], religious freedom, "religion, morality and knowledge, however, being essential to good government, it shall be the duty of the Legislature to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction." So, with the history that we have and that piece in our Constitution, it's important that we have that historical reference as much as possible in our schools. And, and also, of course, our legal system is based on the Ten Commandments, also. Not only, only our history, but our legal "systrum"-- system. I've brought bills having to do with discipline and control of the classroom all through my tenure in the Legislature, and I think this posting of this historical document can only encourage the better discipline and control of classrooms in our state. It was referenced that there-- this, this bill is modeled on the Louisiana law that was passed, and there is a stay, end of-- on that law, but there's only five parishes in Louisiana that aren't following-- that are against the law; 72 are actually posting the Ten Commandments. I think those figures are right. Either that, or there's 72 total and only five are fighting it. But our-- actually, our attorney general has joined the states that are supporting Louisiana in that stay-- or, or, to fight that stay, actually. And, and then, it's been mentioned that it's an un-- it's an unfunded mandate. It actually isn't, because the schools can take funding to put the posters in the schools, or the-- if the posters follow the font that is in the bill, they, they can use that. So, with that, I will take any questions you might have. Follow-up.

**HUGHES:** Do we have any-- oh.

**MURMAN:** Yeah, go ahead.

**HUGHES:** Any questions for Senator Murman?

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**JUAREZ:** Yes. I'm sorry.

**HUGHES:** Oh, yes. Go ahead. Yep, Senator Juarez.

**JUAREZ:** OK. Thank you. So, one of the things I wanted to know-- I actually found all the testimony quite fascinating today, and-- do you actually know how many states in their public schools display the Ten Commandments? Do you know the answer to that?

**MURMAN:** No, I don't. I know the bill that, that-- or the law that this is-- bill is modeled on was passed in Louisiana. But I can get that information to you.

**JUAREZ:** OK. Thank you. Because I do want to know-- I do want to know that number.

**MURMAN:** Sure.

**JUAREZ:** And the other thing I wanted to know is-- you mention in your bill that there would be no funding provided to display the Ten Commandments; that we could use, use donations to have the displays done.

**MURMAN:** Yes.

**JUAREZ:** OK, so my question is, if we enacted this, when would the schools-- like how long would they have to do this? What if they don't get any donations to put up the display of the Ten Commandments. Then, are there going to be considered in violation of this law?

**MURMAN:** If they-- the-- they can either-- the schools can either take the funding to make the posters, or a poster could be donated that would fit the size and font in the bill. If there was not funding provided, it-- I assume it would be the responsibility of the school, but the cost would be very minimal. They're, they're simple posters.

**JUAREZ:** But the, but the funding is only supposed to happen from donations. Is that correct?

**MURMAN:** Yes.

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**JUAREZ:** OK. So, if-- let's just say it takes the school five years to get the money. Then, they're not going to be in violation of the law for all the years it takes them to get the donations?

**MURMAN:** There-- from the information we've received, there would be no issue in the schools getting enough funding to do it. And like I said, it would be very minimal. But I, I don't know the exact technicality of if it-- you know, how much time it'd take. But I, I assume it'd be very minimal.

**JUAREZ:** OK. So, another question I have, is what if a teacher is asked questions by a student who has no idea about the Ten Commandments? OK? Now, obviously we're in an educational setting, so are teachers going to be trained to make sure that they provide a historical perspective and not a religious perspective?

**MURMAN:** The bill does not reference that situation, but the-- it, it says that it's because of a-- the historical perspective. So, the teacher would not be obligated to go past the historical perspective.

**JUAREZ:** OK. And I also wondered-- in regards to the version that is shown in the bill of the commandments-- would you be open to allowing the schools to choose what version of the Ten Commandments that they want to display?

**MURMAN:** The way the, the bill is written, it would be the version in the bill. The-- it was mentioned-- I meant to bring that up in my close-- there is some slight differences in wording between the, the Jewish, Catholic and Protestant versions, but the ideas are exactly the same. The numbers might be a little bit different, but the actual text is-- the text is a little bit different, but the ideas are exactly the same.

**JUAREZ:** OK, so I just want to clarify that a school is not going to be in violation if they put up their version of the commandments, or it has to be the one in this bill?

**MURMAN:** No, according to this bill, they would have to put up the version in this bill. But, like I said, they're, they're very similar, no matter what version you look at.

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**JUAREZ:** Do you think that you would be open to an amendment to allow some flexibility for a school to choose their version?

**MURMAN:** Oh, I-- I'd certainly be open to discussion on that. Certainly.

**JUAREZ:** OK. Thank you.

**HUGHES:** Other question-- yes, Senator Hunt.

**HUNT:** Thank you, Chair Hughes. So, would-- you're talking about-- the posters would be paid for by donations, right?

**MURMAN:** Yes.

**HUNT:** Is WallBuilders interested in funding posters for all the schools in Nebraska?

**MURMAN:** Well, I haven't asked them. I, I-- not that I know of.

**HUNT:** Do you know if they've done that in other states?

**MURMAN:** No, I don't know.

**HUNT:** Do you know any of these Christian nationalist organizations that have funded posters in other states?

**MURMAN:** I'm not sure what a Christian national organization is, but no, I don't know of any.

**HUNT:** OK. Imagine what you think-- what you think I mean. You know the gist of my question. Do you know any other organizations that have funded these posters in other states?

**MURMAN:** No, I don't.

**HUNT:** I think that, as the introducer of this bill, you should know that, and you should do some research about that. Would you be--

**MURMAN:** It's open to anyone can fund it.

**HUNT:** OK. Well, I think you should be aware of what's happened in other states then, just as the introducer of this concept. Would you

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be open to an amendment saying that none of these posters would have what could be interpreted as an advertisement, or a "paid for by," you know, you know, paid for by the, the Omaha Church of Satan, paid for by Megan Hunt for Legislature, paid for by WallBuilders? Like, nothing like that on the poster?

**MURMAN:** No. The, the way the legislation is written, it's prescriptive as to what would be on the poster.

**HUNT:** OK. Because that has happened in other states. And so, I don't think that we can think it wouldn't happen here. So, thank you.

**HUGHES:** Other questions for Senator-- yes, Senator Conrad.

**CONRAD:** Thank you. Thank you, Senator Murman. I just had a kind of a quick technical question. I, I think the advocates on all sides of this did a great job of presenting their perspective, and I appreciate it. These issues aren't new to our public dialogue by any means, but it's, it's always good to hear present thinking on them. But you mentioned, and other testifiers mentioned-- and we're well aware of the fact that there's, there's literally pending litigation on almost identical legislation from other states that is moving its way through the process. Nebraska has joined that litigation. Is there any reason to move forward this bill at this time, or could we all agree that let's let the court see if indeed there is a new legal test, because we know the existing legal tests; this wouldn't be allowed. And that would perhaps save Nebraska taxpayers of goodwill some, some hard-earned dollars in waging those legal battles if, if we don't need to wade into them ourselves by, by passing this while the question remains open. Do you, you see where I'm headed, just time-wise and technically?

**MURMAN:** Yes. It-- it's true Nebraska has joined the other states to allow this. I, I don't think it's a big issue as to the cost. I, I think it's important that if this is what Nebraska-- that the people of Nebraska want, that we move on it as soon as possible, just like other states are doing, as you mentioned.

**CONRAD:** OK. OK. That's a, a fair answer. I, I do just want to note that-- I mean, perhaps it's not on the record here today, but-- that when Nebraska is unsuccessful in defending civil rights legislation,



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many times, there's either a settlement or fee-shifting provisions. So, the Nebraska Legislature has written check after check to civil rights organizations when they challenge unconstitutional laws. So, I just want to make sure that that component is in the record, and maybe we could think through the, the timing of this to save taxpayers needless expenditures, if, if there's already a, a train out of the station, so-to-speak.

**MURMAN:** Sure.

**CONRAD:** OK. Thank you.

**MURMAN:** I think-- I, I do think it's important that we teach history in Nebraska, and--

**CONRAD:** Mm-hmm. No disagreement.

**MURMAN:** --you know, we, we do spend a lot on education in Nebraska, and the better-- more we can do to teach history, the better.

**CONRAD:** Very good. Thank you. Thank you. Thank you.

**HUGHES:** Yep. Other questions? So, I just have one, and I have to apologize. I was introducing another bill in another committee, so if this was answered already, I apologize. So, for private schools that already have the Ten Commandments up in their classrooms, but either don't have it the size that is required, or the exact verbiage that's required in the bill, what happens for those schools?

**MURMAN:** Actually, I would-- I'd be open to an amendment to remove private schools, if that's necessary. I do think private schools have taught-- done a good job of teaching history-- not that public schools haven't either, but they don't have-- private schools don't have the historical timeline clear back to the founding of our country that public schools do. So, a little more historical precedent in public schools.

**HUGHES:** OK. Thank you for that. Anything else? All right. I think this wraps up the hearing. Oh, go ahead--

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**MURMAN:** Well, I should say thank you for all the "testimoters" and-- testi-- testifiers. It was a great hearing, and thank you for the committee for sitting through the long hearing. Appreciate it.

**HUGHES:** All right. So, LB691 is finished. Did we want to do a break yet, or-- no? Well, OK. Let's keep going. Senator Murman will be back to do the next bill, which is LB122. Is that you?

**MEYER:** That would be me.

**HUGHES:** All right, Senator Murman's up.

**MURMAN:** OK. We will open the hearing on LB122, and Senator Meyer.

**MEYER:** Thank you, Education Committee. I don't know, I-- maybe we should cut to the chase and just say "what they said," and then I can close. Might move things along a little quicker. I appreciate the opportunity to address the Education Committee today. LB122 deals with our national and our state mottoes, and which I'm proposing to be posted in our schools. The national motto is "In God We Trust." "In God we Trust" was first suggested as our national motto by Sir Francis Scott Key, and-- in the fourth verse of his national anthem, the Star-Spangled Banner. Francis Scott Key wrote "and this be our motto, 'In God is our Trust.'" "In God we Trust" first appeared on U.S. coins in 1964 and on paper money in 1957. The national motto "In God We Trust" was created by an Act of Congress in 1956. The bill was signed into law on July 30, 1956 by President Dwight D. Eisenhower. I am of an age where I can remember seeing someone wearing "I like Ike" stickers on their-- or little, little, little deals on the-- during the election of 1956. This kind of dates me, how old I am. The national motto "In God we Trust" was affirmed in 2002, and then again in 2011, when the U.S. House of Representatives overwhelmingly-- 396 to 9-- passed a resolution reaffirming the national motto and encouraging the public to display this model [SIC] in all public buildings and public schools. Numerous state legislatures have passed similar laws and are encouraging schools and state offices to place a poster with the national motto in every classroom. The national motto is inscribed in gold letters above the Speaker's rostrum in the U.S. "vitters"-- visitors center-- or, pardon me, the U.S. House of Representatives, on the walls of the United States Senate chambers, and in the visitors center of the Capitol Building in Washington, D.C.

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More than 600 cities and counties nationwide display the national motto in their offices, chambers, official seals, and even outside on police and sheriff cruisers. The national motto is prominently displayed on all of our nation's coinage and paper money. The Nebraska state motto is "Equality Before the Law." The Nebraska state motto was influenced by the outcome of the Civil War. In 1867, Congress rejected Nebraska's original application for statehood because of the proposed state constitution contained a provision that only white men could vote. Nebraska-- the Congress rejected that based on that particular clause in the original constitution. Nebraska responded by changing its state constitution and reapplied for statehood. President Andrew Johnson vetoed the statehood bill, arguing that Congress had no right to tell states how to conduct their own elections. Congress overrode the President's veto, and Nebraska became the state on March 1, 1867. Soon afterwards, the Nebraska State Legislature adopted the state motto "Equality Before the Law," and Governor David Butler signed the bill into law on June 14, 1867. The very next day-- June 15-- the Nebraska State Legislature ratified the Fourteenth Amendment to the U.S. Constitution, which guarantees to all Americans equal protection under the law. Why is this bill needed? This bill is needed because the national motto and the state motto are not being taught or displayed in Nebraska's public schools, yet both mottoes play an important and integral role in understanding our nation's and our state's history and heritage. LB122 is a simple, inexpensive bill requiring Nebraska's public schools to display in a prominent place the national motto and state motto, like these two posters that I will hand out. The fiscal note ignores the fact that compliance with the bill only requires two pieces of paper, some ink, and a little bit of Scotch tape. And so, I do have examples of all that is required-- and if you would pass those out. Thank, thank you, Sydney. I'm bringing this bill today, and I've given it a great deal of thought prior to offering this bill, prior, prior to carrying this bill in, in the 109th Legislature. I feel that it's important that we reestablish the values that I believe this country was founded on, and, and that is the principles that I believe our Declaration of Independence certainly was, was written on; the ideas and some of the influences of-- that it was written. I had heard in one of the previous testimonies, previous bill, that in, in public schools that-- in, in their personal experience-- that had the national motto posted that it is-- have-- has been defaced by students, and, and in some cases,

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wanting to be taken down. I think that is a prime example of why we need it in our schools, exactly. So, the fact that they realize the importance of our national motto and our state motto in, in the values and what this country was founded on, and what we need to continue to make this country as good as it possibly can be. So, with that, I will welcome your questions.

**MURMAN:** Thank you. Any questions for Senator Meyer? Senator Hunt?

**HUNT:** Thank you, Chairman Murman. Thank you, Senator Meyer. I assume-- I presume by now you've already seen some criticism of your bill in the media and press, and people's takes on it. Are you-- you are aware, right, that you have the state motto incorrect in the text of your bill?

**MEYER:** It's "Equality Before the Law."

**HUNT:** That's right.

**MEYER:** Yeah. Did I misstate that?

**HUNT:** That's not what it says in the bill. It says "equality under the law."

**MEYER:** Well, then I stand corrected. It is "Equality Before the Law."

**HUNT:** OK.

**MEYER:** Thank you.

**HUNT:** That's right. So, an amendment would be good for that.

**MEYER:** OK.

**HUNT:** Thank you.

**MEYER:** We certainly could. Thank you.

**MURMAN:** Any other questions? Senator Hughes?

**HUGHES:** Yes. Thank you, Chair Murman. Thank you, Senator Meyer. So, I'm just curious, and I, I guess specifically, it states it has to be like a poster, but all our schools do have the Nebraska flag somewhere

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in the building. Because you-- you're saying either in a classroom or in a prominent place--

**MEYER:** Prominently displayed, certainly.

**HUGHES:** And, and our motto does have this as part of the logo of our, you know, the blue Nebraska flag. But you want it separate, too? I mean, is it both/and?

**MEYER:** The, the intent--

**HUGHES:** Because I would argue this is in a prominent place in every school.

**MEYER:** When was the last time anybody took a look at the logo on our state flag? And, and quite frankly, if you have that posted in a prominent spot-- and, and the suggestion in the bill is every classroom or a prominent place in the school. And so, in an entryway so that it can be posted on a wall, so it stands out, so people can see it and read it. And, and it's-- I think it's important that we understand where we came from, and, and-- this is for the students, but it's for the teachers, and actually, as important as anything, it's a-- it's for the, the community. It's for the people. When they walk in the school, it's a remembrance, it's a notification; it is just a reminder of where we started, where we are, and, and hopefully, given some of the, the situations we have seen in our schools, and some of the things we have seen in my personal opinion, the deterioration in, in, in some of our society values, that maybe we can get back to some of our original values. And, and so, yes, it's for the students, but it's also for the teachers, the administration, and it's for the people in the community. And so, that's my intent.

**HUGHES:** Thank you.

**MURMAN:** Any other questions at this time? Senator Conrad?

**CONRAD:** Thank you, Chair Murman. Thank you, Senator Meyer. Good to see you as always. I just wanted to note that while I, I think that we may have some disagreements about the technical aspects of the measure that you brought forward, I heard a lot of really strong themes about improving civic participation and building a sense of history and encouraging good citizenship for those who work or attend our schools,

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and, and I think those are laudable goals. And I just wanted to note, for the record, as the conversation continues forward-- and you might be aware of this from your time on the school board as well. But, you know, there is a, a very comprehensive process that Nebraska went through a few years ago taking input from, gosh, everyone who wanted to participate to update our social studies standards in Nebraska. And starting in Kinder-- they make recommendations at the state board level starting in kindergarten and going all the way through 12th grade with very specific recommendations for teaching the Pledge, teaching about the U.S. Flag, teaching cultural songs and patriotic songs, et cetera, et cetera. So, anyway, I just wanted to, to let folks know that, that there is a broader context for the bill that I think-- just wanted to provide that information and then just perhaps provide a counterpoint to the fact that-- and maybe you misspoke in your opening, but you mentioned that Nebraska schools weren't teaching some of these things, and I, I think that they actually are. Now, whether or not they have a display of the poster is a different question, and I think that's the, the point of your bill. So, we can, we can talk more about it, too, offline, but--

**MEYER:** Sure, sure.

**CONRAD:** I just wanted to lift that point.

**MEYER:** I-- you know, I'm coming from a, a-- the context of a-- and, and once again, I have a couple of years on you as far as educationally and where I came-- where I came from educationally, in our, in our rural schools, and then, and then on into as, as we invest in education. There is absolutely no comparison to the quality of-- in my opinion-- the quality of our history teaching, compared to when I was in school. And, and quite frankly-- and yes-- I, I, I was not there at the signing, although I may appear to be old enough to have been there, but it, it just seems that we have lost our way, to a certain extent. And certainly, some schools are doing very, very well in this regard. But as exhibited by some of the behaviors and some of the activities-- and many times with what we deal with in these committees, in Education Committee and other committees, and what we deal with on the floor of the Legislature-- is the discipline or lack thereof in our schools. And how do we deal with that? And to me, it's just-- it's, it's just a prime indication, a prime example of we have lost our way on values, and, and right and wrong. And, and even if you

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know right and wrong, it doesn't appear to make a, a difference or have any consequences to many of the activities that happen in our schools nowadays. You know, we've got, we've got teachers that are, are concerned and, and afraid for their personal well-being simply by being in a classroom? And so, where have our values gone? And so the-- to me, this, this isn't about putting God in school, and we-- I've heard a lot about the Establishment Clause, and, and quite frankly, it has absolutely nothing to do with Senator Murman's, Murman's bill, or this one; that's been well-decided on any number of, of Supreme Court decisions. So, this is not any violation of the, of the "establiment"-- Establishment Clause, as been indicated by many, many court cases. But it's just an indication to me, as, as I see what happens in society and the things we hear everyday on the news, everything in the newspaper, we've lost our way. And for me, this, this is-- what I'm trying to accomplish is to have a first step, a reestablishment of realizing what we stand for in this country--

**CONRAD:** Yeah.

**MEYER:** --what that flag is, what that flag is, how we're supposed to treat people.

**CONRAD:** Yeah.

**MEYER:** And right alongside of this, we could put the golden rule. We, we can-- I, I had a suggestion. I was at a, a, a town hall on Saturday, and, and had-- was discussing this very thing. And one person suggested, well, maybe we should have a plaque up in every school room that says "be kind." Hey, I got no problem with that. And so-- but I think it all goes hand-in-hand, so.

**CONRAD:** Sure. No, I, I appreciate that, and thank you for expounding. I know that we in-- I, I attended public school kindergarten through college and grad school, and I know that we were taught these values and these ideals and these components of our history. And I'm the mom of two young kids here in the Lincoln Public School system, and I know that these discussions are a big part of their curriculum as well. So, I think there's probably a lot of common ground on the, the bigger issues there, but maybe a different track on the solution. Appreciate your time.

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**MURMAN:** Any other--

**MEYER:** I thank you very much. And I realize that many schools are doing a good job, but some aren't, and maybe this will give them a little jumpstart to improve in that regard.

**CONRAD:** Very good. Thank you.

**MURMAN:** Any other questions for Senator Meyer at this time? If not, thank you very much.

**MEYER:** Thank you.

**MURMAN:** And we will ask proponent David Barton to come up first. I think he's got the award for traveling the farthest. And anyone else that's only testifying on this bill and has come a long ways, move up toward the front. We'll try and get you done first. Welcome back, David.

**DAVID BARTON:** Thank you, Chairman, committee. David Barton, B-a-r-t-o-n. And I think the, the bill here with both mottoes is such a good idea, and it really incorporates much of the historical background on how Nebraska got its motto. Senator Meyers [SIC] covered part of that, the territorial days. So, let me just quickly go through some background that I think helps on, on both of those. Any opposition to this, legally, is going to have the same flawed position on the Ten Commandments in that things have changed. There's just a whole different thing since 20-- since the '22 standard. So, with that, mottoes-- the first motto America had was on July 4, 1776; they appointed a committee of Thomas Jefferson, Ben Franklin and John Adams to come up with the national seal. They came back, and the motto was "Rebellion to tyrants is obedience to God." That was the original motto, and Jefferson actually made that his personal motto that he used both as governor and as president. Past that, in 1782, we had gone through six committees on what the Great Seal should look like, and they came back with the final approval, which we now have, is the Great Seal which appears on our currency. But above-- in, in that currency, in the Great Seal, at the top and Latin, it says "annuitis coeptis" [SIC], and that is Latin for he-- God-- has blessed our undertakings. So, again, another God-centered motto on, on our national seal. Mentioned earlier, Star-Spangled Banner, Francis Scott



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Key wrote the poem "A Defence of Fort M'Henry" in 1814, and the fourth verse is: and this be our motto, is God at our trust [SIC] which then became federal law. In 1864 is when it was first added to coinage; it was placed on a two-cent coin by Abraham Lincoln directive and Secretary Salmon Chase, Secretary of the Treasury. We talked earlier about how "under God" was added by Eisenhower in '54, and then in '55, "In God We Trust" became the official national motto, and then in '56, that appeared on all currency. But the aspect of where Nebraska is with this, if you go back early, your territorial documents were pro-slavery or pro-, pro-white particularly, and there's a great debate in the Kansas-Nebraska act, in which Sam Houston stood and defended Nebraska as being an, an equality state because of their belief in God. And so, that was part of where that shift occurred, where Congress came and back mandated a change. And then, as you get into the Civil War, beginning in 1864, and the civil rights in '64, '65, '66 and '67 tied equality to that belief in God. The Declaration of Independence, there is a creator God; he gives inalienable rights, it's the purpose of God-- of government to protect those rights. And from that God-given inalienable rights is where equality came from. And so, vigorous debates leading up to Nebraska's official constitution in '67 tie Nebraska's motto back to the national motto "In God We Trust." So, I think it's a wonderful bill, a wonderful proposal; ties the two together. You've talked about the lack of historical knowledge and context that's out there, and this is a great way to help restore some of that tone.

**MURMAN:** You've got the red light, but if you have any more historical perspective, we'd love to hear it.

**DAVID BARTON:** Yes, sir. That's a little background. Thank you Senator.

**MURMAN:** Thank you. Any questions for Mr. Barton?

**CONRAD:** I-- just a--

**MURMAN:** Yes, Senator Conrad.

**CONRAD:** Thank you, Mr. Barton, for being here. And, and just to clarify, for the record, I think I'm-- I think your biography is well-known through some simple research. But just to clarify, do you have any academic credentials when it comes to Nebraska history?

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**DAVID BARTON:** No, ma'am.

**CONRAD:** OK. Are you an attorney, Mr. Barton?

**DAVID BARTON:** No. I am a legal educator.

**CONRAD:** OK. Very good. Thank you for your time.

**DAVID BARTON:** I write textbooks for law schools, I do continuing legal education, I write law reviews, enter participate as a legal expert in court cases.

**CONRAD:** OK. Thank you for your time. Appreciate that.

**DAVID BARTON:** Sure.

**MURMAN:** Any other questions for Mr. Barton? If not, we really appreciate you coming to Nebraska and telling us-- felling us-- educating us more on the history of our country and our state.

**DAVID BARTON:** Thank you, Mr. Chairman. Appreciate that.

**MURMAN:** Thank you. Other proponents for LB122?

**RICHARD FRENCH:** Again, I am Richard French of Hastings, Nebraska. Richard, R-i-c-h-a-r-d; French, F-r-e-n-c-h. Speaking in support of LB122. Again, a little bit of brief history. The idea of our nation trusting in God goes back to the Declaration of Independence in 1776. We all know that it starts out saying all men are created equal, endowed by their creator with certain unalienable rights. But the document, if you read it to the end, the last sentence says, quote: And for the support of this Declaration with a firm reliance on the protection of divine Providence-- God-- we mutually pledge to each other our lives, our fortunes, and our sacred honor. End quote. The end of our declaration basically is saying the 56 signers said in God, we are entrusting everything. Then, in 8-- or 1795, 20 years later, "In God We Trust" was actually put on some coins during George Washington's presidency, reflecting the country's faith and gratitude for the successful war of independence and the founding of our free nation. Then, this bill that I put into your folder from 2011 was a major act of the U.S. Congress called House Resolution 13 [SIC], and the summary, again, said, "Reaffirming 'In God We Trust' as the

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official motto of the United States and supporting and encouraging the public display of the national motto in all public buildings, public schools and other government institutions." That's a directive from the U.S. Congress to you all. It was passed 396 for, 9 against. Have you heard of anything that unanimous from our Congress in recent years? But this was only 14 years ago during the Obama administration. So, what do we do with it? Well, let's send it to the courts, because it's been challenged in the courts seven times in U.S. Circuit Courts of Appeal, and seven times the question has been answered by the courts; all seven cases ruled that the national motto "In God We Trust" is acceptable under the First Amendment. The courts concluded that it establishes no particular religion, and is merely a patriotic or ceremonial use of the generic word "God." So, the results of this particular act-- well, Adams County, Nebraska, where I live--

**MURMAN:** You've got the red light, but--

**RICHARD FRENCH:** Oh, OK.

**MURMAN:** --as a student of history, we'd like you to continue.

**RICHARD FRENCH:** My county board said that we are going to put this national motto in our courthouse. It's in big letters. You have a picture of it in your little folder. "In God We Trust" has been in our courthouse for 14 years because of this act of Congress in 2011. Our public schools, our private schools in Adams County, they are posting posters of the national motto and the state motto. They've been doing this before this ever came here, for you to consider for the rest of the state. But the conviction "In God We Trust" is deeply embedded in our history. The courts say it's not religion, and if this motto is not already in our state Capitol building, it should be, according to this resolution of Congress from 2011. Thank you.

**MURMAN:** Thank you. Any questions for Mr. French? I have one. You referenced several times in history-- and, and you and I have been around for quite a while-- that when there's a crisis such as a war or something like that, the-- every president I can remember always goes back to prayer and, and it's-- to God.

**RICHARD FRENCH:** Well, look at it this--

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**MURMAN:** Any, any comment on that?

**RICHARD FRENCH:** Yeah. Look at it this way. So, we put "In God We Trust" on our coins in 1864, before the Civil War was ended. We didn't know how it was going to end, or Lincoln didn't. But that motto "In God We Trust" at least gave people who saw it a sense of hope that somehow we're going to find peace and an end to that terrible war. Then, in the 20th century, we went through World War I, World War II, Korea, and then, our Congress in 18-- or 1954 said let's make this our official national motto, because "In God We Trust" has gotten our country through two world wars, Korea, a great depression. It's a word of hope. If students or teachers on a bad day at school have exhausted all their personal resources, the principal doesn't know what to do. If they see a motto "In God We Trust," at least it, it lifts their minds a little bit, you know, where maybe they can cope with the rest of the day and the rest of the week. It helps our mental health to have that hope. There was a recent poll that said that only 47% of American high school students have any hope in their personal or the country's future. Where are we going to get hope? "In God We Trust."

**MURMAN:** Thank you.

**RICHARD FRENCH:** If they see that in school once in a while, teachers and students alike may find a sense of hope.

**MURMAN:** Great answer. Any other questions for Mr. French-- French? If not, thank you for testifying. Other proponents for LB122?

**STEPHANIE SHADE:** Good afternoon. I'm Stephanie Shade, S-t-e-p-h-a-n-i-e S-h-a-d-e. I introduced myself and my husband earlier. I'd like to take a few minutes and introduce you to our youngest son. His name is Evan. Evan is actually Middle Eastern; he's from Egypt, specifically. Evan's birth parents timed their visit to the US in 2018 so that Evan would be born here. They were not able to bring their three other children with them, however, so they knew they would have to return to Egypt at some point. What they did not know was that Evan was carrying an extra 21st chromosome, which means he has down syndrome. It also meant that they would not be able to return to their Muslim community with this baby. According to Evan's birth parents, in Islam, a child who is born with any kind of disability is considered a curse from Allah on his or her family. These families

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become pariahs in their communities and are shunned in all aspects of society. The parents could even lose their jobs. Therefore, Evan's parents decided to leave their youngest child in the US and cut all ties to him. They told their family that he died shortly after birth. They returned to Egypt with empty arms and, I assume, empty hearts. I cannot imagine being faced with such a decision, and Lord willing, I won't have to, because in the United States, in God we trust. The Declaration of Independence states that all men are created equal, that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men. In this nation, we recognize that our rights are given to us by God, and that it is the government's job to protect the God-given rights of its citizens. This formula has produced the freest, most prosperous nation on Earth, and it's why Evan's parents wanted to bring their family here. A nation under God will protect the God-given rights of all its citizens, including the right to worship as one's conscience dictates. My husband made a proposal to the Hastings Public School Board in 2024 to post our national motto in the schools of our district. It was voted down 7 to 2. The reasoning went along the lines of "well, not all the students in our district worship God, and we need to be respectful and inclusive." And while I respect and appreciate the school board members as individuals, I was appalled at their collective ignorance. Nowhere in the history of the world has the tradition of freedom of religion been more important and more closely guarded than in the United States. Think about this. If I were to go to live in Egypt, would I be free to practice my Christian faith? Just ten years ago this month, ISIS extremists in Egypt rounded up 21 Coptic Christian men, tortured them, then line them up on a beach and beheaded them one by one. So, no, I don't think I could go to Egypt and be free to practice my Christian faith. But here, in a nation whose motto is "In God We Trust," not only would Evan's family have been free to practice their Islamic faith, they would have been free to raise their son as they did so.

**MURMAN:** You have the red light, but we'd like you to thank you.

**STEPHANIE SHADE:** All right. I don't have much more.

**MURMAN:** Thanks.

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**STEPHANIE SHADE:** Founding Father John Jay, who was our first-- nation's first Chief Justice, said this: "Every member of the State ought diligently to read and to study the constitution of his country, and to teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated, and be better prepared to defend and assert them." You have the opportunity to assist in the teaching of this rising generation. Posting our national and state mottos in Nebraska schools is a small but important step toward pointing our young people to their nation's heritage, teaching them to be free. We are not asking them to adopt any certain set of religious beliefs, we are simply directing them toward the truth about the nation in which they are fortunate to live. Thank you.

**MURMAN:** Thank you. Any questions for Stephanie? If not, we really appreciate your testimony, Stephanie.

**STEPHANIE SHADE:** Thank you.

**MURMAN:** Other proponents for LB122.

**DEB CARLSTROM:** Hello. My name is Deb Carlstrom, D-e-b C-a-r-l-s-t-r-o-m, and again, I live near Hastings, and my grandchildren attend Adams Central Schools and Grand Island Central Catholic Schools. And I had a different thought process about this when I heard that there would be perhaps people against it, but the way I looked at it-- and this is short-- that, you know, we're fortunate that we live here in Nebraska. We enjoy the privileges of our beautiful state, and as you know, our country. We love and we take pride in our state and our country. We have a state flag, we have a national flag, which we proudly display in all our homes and schools and businesses. We start many events and activities singing our national anthem, reciting the Pledge of Allegiance, and we bring our fourth graders here to the Capitol to tour and learn about our state. We, we even take them to Memorial Stadium and we cheer on the Husker teams and wear red whenever they're playing. And simmer-- and in similar fashion, when I intend the activities of one of my children or grandchildren, we proudly wear the colors of our schools. You know, the band plays and the-- and they play the school song, and the cheerleaders and the dancers perform special routines when the school song is played, and we all proudly cheer. Therefore, I'm truly confused by opposition to displaying our state and national mottos,

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which are another expression and representation of who we are as Nebraskans and Americans. This is who we are, and these are the symbols that represent us. And, as was mentioned, "In God We Trust" has been the national motto since 1956, although it-- the saying first appeared on the coins during the Civil War and is still on your coins and your currency today. It's been-- appeared on the postage stamps and on the official seals and flags, and, as was mentioned, the star-- in the Star-Spangled Banner, in verse four, it says, "and this be our motto, 'in God is our trust.'" And Nebraska's motto, "Equality Before the Law," which says to us that all men are create-- are equal before the law. "Equality Before the Law" is actually inscribed on the state flag, which we proudly display. So, I don't know why it would be a problem to also display another thing that represents us. So, let's not shy, shy away from our heritage. Who are we to filter history? Our obligation is to teach students the truth. Factual history. Let's help our children learn about the symbols of their state and country, and also let them study and learn the history that surrounds them. They have a right to learn about and be proud of their country. So, I thank you for your time, and urge you to support this bill.

**MURMAN:** Thank you. Any questions for Deb? If not, thank you for testimony.

**JEANNE RIEGLE:** Chairman Murman, Education Committee, I'm Jeanne Rieggle, J-e-a-n-n-e R-i-e-g-l-e, and I am here on behalf of the Nebraska Republican Party. During my K-12 education, our citizenship classes were just about as important as reading, writing and arithmetic. It was during those times that I learned the importance to practice my right to vote, and they instilled in all of us the need to become leaders in our community and at a state level, and I, I really value those classes. So, I guess-- although I am so very much for Senator Meyer's-- for, for LB122 and Senator Andersen's LB426, I guess I'm a little puzzled why they're coming to light, because the Legislature, to Senator Conrad's point, enacted the Nebraska Americanism law in 1949 that requires school boards to appoint a committee to ensure that schools promote patriotism and democracy. State statute 79-724 already requires public schools to develop respect for the American flag. State law requires every school board to have a civics committee become patriotic, responsible, and civil citizens. And so, I guess I just question is that what has happened? Are these school boards just no longer complying with these

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regulations? And so, I think that might be a good question to ask of-- you know, before we start enacting new bills. So, I just wanted to bring that forward, and I'm open to any questions, if you have any.

**MURMAN:** Any questions for Jeanne? Senator Hughes.

**HUGHES:** Yes. Thank you, Ms. Rieggle. Thanks for coming in. I was on school board and I was part of that civics committee. It is very much going on.

**JEANNE RIEGLE:** Good.

**HUGHES:** We had to have two separate meetings. So, I am going to be asking the same questions you're asking of why, like, LB426 is coming. We don't do the specifics of it, like, the actual folding a flag, but these things absolutely are happening in every single public school. And I don't know, I get my hackles up when accused that we're not, so.

**JEANNE RIEGLE:** OK.

**HUGHES:** I will be asking these questions as well. I think maybe people didn't do their research. Thank you.

**MURMAN:** Any other questions? If not, thank you for your testimony.

**JEANNE RIEGLE:** You bet.

**MURMAN:** Other proponents for LB122?

**DALLAS ASHER:** My name is Dallas Asher, D-a-l-l-a-s A-s-h-e-r. And I-- back in the 1960s, I did serve two tours in Vietnam with the Marine Corps. And I highly support this bill of the motto "In God We Trust," and I also really appreciate the comments on the, on the Ten Commandments. And I would like to just read a short portion from a third-grade McGuffey's Reader that my grandfather had, and it's-- kind of shows you how far we have come, I think. It says: come, let us praise God, for he is exceedingly great. Let us breast-- bless God, for he is very good. And this is from a third-grade reader. He made all things; the sun to rule the day, and the moon to rule by night. He made the great whale and the elephant; and the little worm that crawleth upon the ground; and the little birds that sing praises to God when they warble sweetly in the green shade; and the brooks and



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rivers that praise God, when they murmur along the smooth pebbles. I will praise God with my voice, for I may praise him. Though I am but a child, a few years ago I was but an infant, and my tongue was dumb in my mouth. I did not know the great name of God for my reason had not yet come unto me. But I can now speak, and my tongue shall praise him. I can think of all his kindness, and my heart shall love him. Let him call me, and I will come unto him. Let him command me, and I will obey him. When I am older, I will praise him. I will never forget God, so long as my life remaineth in me. The Lord is a great God and a great king above all gods. In his hands are the deep places of the earth; the strength of the hills are his also. The sea is his, and he made it; and his hands formed the dry land. O come, let us worship him and bow down; let us kneel before the Lord our maker. I love the Lord, my strength, and I will praise thee, O Lord, with my whole heart. And it's been a well-read book. My grandparents passed it down, and we have really enjoyed it.

**MURMAN:** Thank you. Any questions for Mr. Asher? If not, I appreciate you bringing that book. That's very enlightening to be reading from that. There's some big words in there. You said that was third grade?

**DALLAS ASHER:** Third grade.

**MURMAN:** I, I think in third grade-- I think we were past Dick and Jane, but not very far, as I recall. So, thank you very much.

**DALLAS ASHER:** Thank you.

**MURMAN:** Any other proponents for LB122?

**WARD GREISEN:** Good afternoon. My name is Ward Greisen; that's W-a-r-d G-r-e-i-s-e-n, and I'm definitely in favor of this bill. I'm not going to repeat a lot of things that were already said, so I'll be pretty short. I mean, there's a long history of this motto, and it keeps reoccurring every time our nation gets into, you know, its darkest times, as already said, and quite honestly, it's acknowledged in all 50 states' state constitution. It's just embedded throughout, and I, I don't see the problem with displaying it. In fact, I kind of wonder why we're trying not to, to be completely honest. It should just be out there, very, very prevalent for everybody to see and to

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acknowledge our, our history regarding it, so. Anyway, that's all I really have to say about it. I'm just really in strong support of it.

**MURMAN:** Thank you. Any questions for Mr. Bryson [SIC]? If not, we appreciate you testifying.

**WARD GREISEN:** Thank you.

**MURMAN:** Other proponents for LB122? Any opponents for LB122?

**JOSEPHINE LITWINOWICZ:** Hi, my name-- oh. Good afternoon, Senator Murman, and members of the committee. My name is Josephine Litwinowicz, J-o-s-e-p-h-i-n-e L-i-t-w-i-n-o-w-i-c-z. You know, I wouldn't have the-- I guess when we-- when we're-- when our currency wasn't backed in gold or silver, I don't know why we didn't have that. Anyway, I'm just-- first of all, I got to start-- an incident just happened, because I don't want it to-- I'm here a lot. I was in the committee and I, I got mad about, you know, how they got rid of the black guy and the woman. And-- but yeah, I said the "N" and the old broad. Now, I offended Senator Spivey. That's fine. She should have grabbed the mic-- she's new, maybe-- and just said, you know, please don't do that, and I would have apologized. I-- but she kicked me out and took my voice on the next bill. Yeah. You know, Archie Bunker, he was such a dirtbag. And listen to what-- when you-- look, look at the clip, what makes America great? And you see just what a piece of-- just do YouTube what makes America great. Archie Bunker. Norman Lear was a hero. Weezy Jefferson told George, don't be an "N." Right? And, and, and it's, it's, it's the language. You know, because I wouldn't do it. I've never been physically, emotionally, spiritually, sexually of abuse anyway. And so, so when my-- I went into my senators' office. I want to-- I want that out in the open, because I'd gotten mad, probably more mad that-- and I thought they were on my s-- well, I should have-- anyway, you know, I'm not above getting rid of-- you know, people should watch their language. But I come from a generation where Norman Lear, what he did-- I mean, this is what we need. We need to call out this garbage. And a dad-- I, I would like to have-- I just-- I can't see-- I mean, equality before the law is great, but it's just how far it would go if we put in the national motto-- oh, I was going to-- that would be, you know, I, I was-- I'm a seeker. You know, I, I grew up Catholic, you know, on all Father Joe's homilies. You know, he-- and then, you know, Native American spirituality. The

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Ojibwe tribe in Michigan. I was invited to a sweat lodge and I couldn't go. And I, I read the, the Baha'i Faith, I became a Baha'i. It's interesting, they-- that's pretty neat. They believe Jesus is Christ, basically because he said he was. And then, like, Muhammad, all the, the divine teachers. I mean, and the glad tidings kind of sucked me in. And so-- but I, I oppose-- I don't know why we don't have some ethicists-- eth-- eth-- eth-- I don't know. I'm not against religion at all. I just-- I wish it wasn't against me, I'll tell you that. Anyway, I just wanted to share that other thing because I don't want-- I will not abide any rumor. Thanks.

**MURMAN:** Thank you. Any questions for Josephine? Senator Hunt?

**HUNT:** Thank you, Chair Murman. Ms. Litwinowicz, I don't have a question for you, so you don't need to respond. But Senator Spivey was not--

**JOSEPHINE LITWINOWICZ:** But I will.

**HUNT:** No, you won't.

**JOSEPHINE LITWINOWICZ:** Or I'll go.

**HUNT:** Then you can go.

**JOSEPHINE LITWINOWICZ:** OK.

**HUNT:** But I'll tell you, Senator Spivey was not offended because she's new. The language you used was reprehensible, and you should be ashamed, and you should not be using the N-word ever again in your life.

**JOSEPHINE LITWINOWICZ:** I want-- I, I, I wouldn't. I wouldn't. OK.

**HUNT:** Thank you.

**JOSEPHINE LITWINOWICZ:** I won't. But--

**HUNT:** That wasn't a question. Thank you. Goodbye.

**JOSEPHINE LITWINOWICZ:** But you know what? You didn't grow up in the '70s and how-- you know, I-- fuck. I can't get along--

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**HUNT:** Goodbye.

**JOSEPHINE LITWINOWICZ:** -- with anybody in this place.

**MURMAN:** OK. Thank you.

**JOSEPHINE LITWINOWICZ:** Democrats, independents-- all right.

**MURMAN:** Other opponents for LB122? Good afternoon.

**CHRISTIAN OLSON:** Good afternoon. My name is Christian Olson, C-h-r-i-s-t-i-a-n O-l-s-o-n. I was originally actually going to testify neutral on this bill, because I agree with everybody that civic education is important. It's one of the things I do as part of the Husker Vote Coalition that we work on, is civic education for college students. However, and I, I do believe that our national motto is a historical document which sets out some certain things, is important, and should be discussed in the wider context of American history. However, when hearing the proponents of this measure, aside from Senator Murman and Senator Meyer, I didn't hear someone actually propose it on those grounds. They seem to be proposing it on the grounds that it would bring back some sort of great religiosity or moral goodness, or other things. The truth of the matter is, when we keep going down this line, it's going to do more harm than good. We're not going to be able to bring back the 1950s by forcing religion down people's throat again. What we did during the Red Scare is what is causing the current problems today. We forced the church down people's throats. We put "In God We Trust" on everything; we demonized atheists as terrible people. We made it so that the only way you could be a good, upstanding member of the society [INAUDIBLE] you were a member of a church. That did no good. That created the crises of today. It created the-- in conjunction with clerical sexual abuse in churches, preaching hate. We're not going to be able to legislate our way out of it. Secondly, on the topic of civic education, I would push back against notions that these things are not taught very well. I went to Millard Public Schools; in fourth grade, we had an entire two days on the flag, where we broke down every single part of the flag and we learned about it. And I still remember-- and I actually still have the notes from that class in a box in my garage. Lastly, I would just like to push back against some testimony that was previously heard by the committee of confusing the difference between-- cultural institutions

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as the same as religion. I study religions; it's my major, it's eventually what I would love to become a lecturer in. However, the idea that Islam is somehow this terrible thing that says that if you have a messed-up child, that that's cause for badness and they should be mistreated, is actually directly contradicted in the Qur'an on multiple occasions in multiple surahs. It says that, number one, the children are not responsible for the sins of their parents, and two, that just because somebody has something physically wrong with them doesn't mean anything against them. And the fact that we were bringing up the violence against these supposed people and violence against Christians in other countries, I don't see the relevance, but I would point out that in this country, we had the worst massacre of Jew-- Jews before the October 6th massacre in Pittsburgh, Pennsylvania. Thank you.

**MURMAN:** You had a -- yeah. Thank you. Any questions for Christian? I have one. I know it is true that some Muslims-- at least some Muslims; I don't know if it's all Muslims, but-- will abandon a child if it, for instance, has Rett syndrome, some-- or not Rett syndrome. Down's syndrome, some kind of a physical--

**CHRISTIAN OLSON:** So, there is a--

**MURMAN:** --or a-- physical or mental disorder.

**CHRISTIAN OLSON:** There is a cultural practice most prevalent in Pakistan, I would say, and it's not abandonment. Commonly, what they end up doing them is living-- is leaving them at religious community sites. I think the Ahmadi community might be one of the ones that practices this more prevalent. And it's not about abandoning them, it's-- they think by leaving them there, it will get God to heal them. So, it-- I would push back against the notion that it's abandonment, as in trying to get rid of them; it-- it's their last, best prayer for healing.

**MURMAN:** OK. Any other questions for Christian? If not, thank you for your testimony.

**CHRISTIAN OLSON:** Thank you.

**MURMAN:** Other opponents for LB122.

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**LUKE SCHROER:** Hello, my name is Luke Schroer, L-u-k-e S-c-h-r-o-e-r. I'm in opposition. I'm sporting a mustache today to signal to you I'm a member of the elite donor class. Hopefully, this will help you listen to-- intently to my testimony. Money is how things in this current government works, and I have ten bucks burning a hole in my pocket come next election cycle. But in all serious now, I am the product of a Catholic school education. I understand I hold no real power in this dynamic. Most things we do here are nothing more than a lesson in futility. Constantly, bills we don't want or need make it to the legislative floor. But here we are, on one of the most beautiful days and months, pouring our hearts out. I will recommend an amendment to the bill to strike the words related to displaying our national motto. I've already seen "In God We Trust" in schools, namely, on money, when we learn U.S. currency. Conversely, let's continue to be proud of our unique state and display only our state motto, "Equality Before the Law." During opening as a vexillology nerd, my ears perked up. I would love to revisit our state flag design, as Senator Sanders well knows, because I spoke with her on that topic years ago when I lived in her district. Several years ago, Crayola changed the name of a crayon because it didn't make sense for many people. That color was flesh, and it would have matched my skin tone, but many people looked at their own skin and it did not make sense why that color was named that. I read the national motto and I have no connection to it. There is no evidence for a god or gods, so I am justified in dismissing those claims until sufficient evidence is presented. A private crayon company can understand that the historic color name was not inclusive. I'm sure you have the same mental capacity to see the national motto is not inclusive. I'm not even here trying to change the motto; I'm only here to say "stay out of the indoctrination of our youth." A proponent spoke about Egypt and getting killed for being Christian in a Muslim country. Most religions foster hatred of others while pretending to be loving. Ask Emmett Till's family how our motto protected him and Southern African Americans. Ask Matthew Shepard how "In God We Trust" protected him from homophobia in Montana [SIC]. Many people are dead today because of religious ideology and stoking hatred. The arrogance and superior-- superiority complex of Christians is staggering and shameful. At the end of the day, if religion wants to participate in public school systems, they should fully participate by paying taxes. Tax the churches. Thank you for allowing my mustache and me to partake in today's testimony. Do you have any questions?

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**MURMAN:** Any questions for Luke? If not, thank you for testifying.

**JUAREZ:** Thank you for coming.

**MICHAEL DAUGHERTY:** Hello. Hello. Thanks. My name is Michael Daugherty, M-i-c-h-a-e-l D-a-u-g-h-e-r-t-y. I'm just representing myself, and I'm here to oppose the bill. I do like the state motto, I have to say. I did not-- was-- wasn't really familiar with it. I hear a lot that it's on the coin-- that, that the "In God We Trust," our national motto, is all over on coins and on dollar bills, but relegated to the back of our coins is the motto "E Pluribus Unum," which kind of is an unofficial, traditional motto of our country. I, I really like it. It means from many-- out of many, one. I was surprised our guest historian didn't bring that up. I like that motto because it's, it's positive, it's unifying; it describes this great country. There's talk about putting our national motto in the schools because we've lost our way, or we're concerned about values. Well, I think "E Pluribus Unum" kind of fits that bill a little better, in my, in my opinion. It's, it's, it's not religious, it's not divisive, and I think the national motto does fit, fit the description of being divisive and, and religious, too. So, I really don't have a lot more to say.

**MURMAN:** Thank you. Any questions for Michael? I have, I have just a quick one. Did you say our national motto is not divisive or is divisive?

**MICHAEL DAUGHERTY:** Our national motto, our current national motto, I think it's divisive.

**MURMAN:** OK. Thanks.

**MICHAEL DAUGHERTY:** I think it's divisive because I think it is religious.

**MURMAN:** Any other questions? If not, thank you very much.

**MICHAEL DAUGHERTY:** Thank you. Thank you all.

**MURMAN:** Other opponents for LB122?

**COLBY COASH:** Good afternoon, Senator Murman, members of the Education Committee. My name is Colby Coash, C-o-l-b-y C-o-a-s-h. I represent

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the Nebraska Association of School Boards, and I'm going to share with you some of my thoughts that I didn't get a chance to chair-- share with Senator Meyer earlier this session. Our opposition is the same and it has-- as it has been in previous years on bills like this, and it's really not about the mottoes; it's really about who's making this decision and at what level of government these decisions are being made. We do see this bill as a mandate that's really unnecessary. School boards can do this already. I've seen these mottoes in classrooms. It is being taught, it is being displayed, and it's being discussed by board meetings. And bills like this, when they hit the media, they're just going to cause more discussion, and that-- and that's a good thing. As you heard from a previous testifier, this-- displaying this was put in front of a board; it was voted down. That's democracy. But it, it illustrates my point that this is a-- an issue that can be decided at the local level, which is where we would prefer that these decisions be held. It's a board decision; we'd like to keep it that way, and it can-- also, I would mention this-- can also be handed-- handled through the state Board of Education. Senator Conrad, I think, mentioned earlier the, the state board runs through all their standards, all the, the, the curriculum, the teaching that schools must follow. Years ago-- I kind of remember this-- when the Pledge of Allegiance was kind of brought in front of this body, the state board said, hang on, we got this, and they developed standards on that. And so, we believe that a local board can handle this; state board can take it on if they wish. And would I encourage you to leave it at-- leave it to them. And I'll conclude my testimony.

**MURMAN:** Thank you. Any questions for Mr. Coash? I have one. Are there school boards that are afraid of a lawsuit if they put up the national motto, or--

**COLBY COASH:** Well,--

**MURMAN:** --or even the Ten Commandments, as far as that--

**COLBY COASH:** Well, on both of those issues, I think when these are brought by individual school board members, as was previously identified in testimony, one of the things a, a smart school board is going to do is they're going to look-- they're going to go to their school attorney, and they're going to say, help me understand what the pros and the cons and the pitfalls are. I think the fact that it is in



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schools, that it has been there tells me that there are plenty of districts out there who don't, don't fear that. There are some districts who have kind of a, a blanket statement, if we're going to do something for one, we're going to do it for all. We've kind of seen those kinds of things happen. But to answer your question directly, I think there are-- is some fear by schools that would color their decision in this regard because they're doing the right thing and they're trying to figure out if, if it's a-- if it's a fear that-- it's a risk, I should say, that it's worth taking or not, and many school boards have taken that risk.

**MURMAN:** That being the risks-- or, that being the case, would it be helpful to local school boards and, and teachers and administrators if we would pass legislation like this?

**COLBY COASH:** Well, I suspect that if this bill was, was passed in some form, as it is written, it might, it might give some school board members a little more confidence in their ability to do that. But my testimony today is they don't need that, they can still do it.

**MURMAN:** OK. Senator Hughes.

**HUGHES:** Yeah. Thank you. Chairman. Thanks for coming in, Mr. Coash. Offhand, do you know how many schools have something like that? And if they do have it, do they have the Nebraska motto up? Which I would argue is on all the flags anyway, so maybe that doesn't count. Or do they have the "In God We Trust?"

**COLBY COASH:** I don't know.

**HUGHES:** OK.

**COLBY COASH:** And I, I was kind of thinking about maybe getting that question. I can tell you I was doing a presentation in a classroom in a district shortly after this bill was introduced, and it-- and I looked around, I was like, oh my gosh, there it is. It was in the classroom now, albeit [INAUDIBLE] believe it was a government classroom, or maybe a history classroom, but they had these-- they had the, the two mottos posted as a teaching tool. And I think that was appropriate.

**HUGHES:** Thank you.

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**MURMAN:** Any other questions? Senator Lonowski.

**LONOWSKI:** Thank you, Senator Murman, and thank you for your testimony, Colby. So, I try to think of all the walks of life I've been in. I've been in the Supreme Court, I've been-- I worked in Washington, D.C. for a summer, and every government building I saw had some form of "In God We Trust" or, or, or a picture of Moses, or the Ten Commandments. And, and even in Afghanistan, we had a-- we had a chaplain every day for the entire year. We didn't miss a prayer. And in Fort Hood, we were there during the shooting, and we had extra prayer times and, and all these things. My question is, how did we get schools separated, but no other form of government. Can, can you-- do you have something for that? I just don't-- I don't follow the, the trail, I guess.

**COLBY COASH:** Well, I'm not sure I can, I can follow, follow the trail either. I think the difference in what you described and, and maybe-- to the extent where we are here today is that when it's at the courthouse, that was a-- at some point, maybe a local county decision or a city council decision; as it relates to the military, it was a military decision; when it comes to the school, it becomes a school board decision. Maybe they're a little slower behind the times, if that's, if that's where you-- where things seem to be headed. But what I can tell you is just by the makeup of my own organization and how they see-- how a, a lot of my members see the world is-- they're very supportive of these types of things, however, they, they believe the decision is still best made at that local level, and they'll continue to try to, to exert themselves at that level, as was mentioned earlier. Just didn't, didn't happen in that testifier's experience. It was a 7-2 vote, I think she said, so.

**LONOWSKI:** OK.

**COLBY COASH:** I think times are, times are changing a little bit.

**LONOWSKI:** All right. Thank you.

**MURMAN:** Senator Conrad.

**CONRAD:** Thank you, Mr. Coash, for being here. And just to follow up on Senator Lonowski's line of questioning, would you say that your discussions have also centered around the distinctions between

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children in public school versus general governmental buildings? I know that there's a significant body of case law in regards to different approaches, in regards to age, the distinction with compulsory attendance laws, the list goes on and on. If you'd like to expound.

**COLBY COASH:** Well, I-- obviously, I-- those were part of our, our, our discussions internally. I couldn't say the other thing. And we were very-- I mean, this bill is very simply written, so it's-- this isn't about what's being taught, it's about what's being displayed. And our members, frankly, are more concerned with what's being taught, and they have standards that they're following and that-- through the state Board of Education that really guide that. And our, our collective, through a, a real robust process is, the return on investment just really isn't here in this, from the school board's perspective. But it still leaves that op-- we still believe it's open to any school board that would want to do that, and I believe there are some that do.

**MURMAN:** Any other questions? I, I just got another quick one. It, it seemed like when I was on the school board, just about anything that we would do that would be not just what everybody else is doing, we'd be afraid of a lawsuit.

**COLBY COASH:** Mm-hmm.

**MURMAN:** And that was always a big fear. It seems like it would be helpful from the state level or even national level, wherever, to have support that the school boards, even though they want to do something-- or even the administrators, teachers-- to take away some of that fear of lawsuit.

**COLBY COASH:** Right. Well, this isn't-- to you-- to-- I think this may help answer your question, Senator Murman. If we look at this bill, I believe it says "shall." Right? Which is a different construct that some of the bills you'll see today, which is a "may." And so, a permissive approach versus a prescriptive approaches is, is different in our view.

**MURMAN:** Thank you. Any other questions? If not, thank you for your testimony.

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**COLBY COASH:** Thank you.

**MURMAN:** Other opponents for LB122. Good afternoon.

**DEBRA MCKNIGHT:** Hello. My name is Debra McKnight, D-e-b-r-a M-c-K-n-i-g-h-t. I'm the founding pastor at Urban Abbey, a United Methodist church in Omaha, Nebraska. I am here in opposition to this bill as a PTO-- parent and chair of the PTO, I would argue that the notion that this bill is that we can accept contributions does not make it funded; it makes it work to find contributions, and that honestly, in every school right now, just having to use a few pieces of paper and some tape is still an expense. Omaha Public Schools has more than 100 school buildings, and I have no idea how many classrooms. Just asking for a little bit of paper and a little bit of tape is still asking for something. As a United Methodist pastor with a master's of divinity, I would challenge that this is an important notion to put on the walls "In God We Trust." Having been a historian and a history teacher, I see this as something that came into play in the 1950s. Much earlier, symbols and images employ-- deploy the "E Pluribus Unum" phrase-- "out of many, one"-- and I feel like that is a far better cry for connection among differences among states, as it was originally, and among communities into this single purpose of life and liberty and justice for all. I wonder if perhaps our desire to not lose our way, to find our way, and echoing back to the nostalgia of 1950 and mid-century America-- it is important for us to remember that that time wasn't a safe time or an equitable time for everyone. And while there were many widespread advancements, particularly for white male Americans in the 1950s, maybe our nostalgia for that time would be better deployed if we thought about returning to the tax codes of the 1950s, when the wealthy paid their fair share. Maybe it would be a time when the workweek was really fif-- 40 hours a week, or perhaps there was more space for organizations like Rotary and bowling leagues and church groups. Our people are busy. They are working hard, often multiple jobs. I think what we see in those needs for the past is really the social support that came along with that time, and the way we could make it better is by expanding it to every American. Thank you.

**MURMAN:** Thank you. Any questions for Debra? If not, thanks for your testimony.

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**DEBRA McKNIGHT:** Thank you, Senator.

**MURMAN:** Other opponents for LB122.

**CHARLES RIEDESEL:** Senator Murman, members of the ed-- Education Committee. I'm Dr. Charles Riedesel, C-h-a-r-l-e-s R-i-e-d-e-s-e-l, professor emeritus at UNL, and currently serving on the Beatrice School Board. I'm representing myself and stance in opposition to LB122. Part of my slogan when running for the board was "real solutions for real problems." Lack of appreciation for our state and nation may be a real problem, but putting up plaques is not a real solution. First, a couple of comments, and I'm going to cut this down to avoid repetition of what other people have been saying. "In God We Trust" became the national-- official national motto in 1956. The resolution passed both the House and Senate unanimously, and without debate. This was during the height of the Cold War, in signal opposition to the feared atheistic ideology of communism. In that McCarthyist environment, who could possibly vote against it? Now, "Equality Before the Law," Nebraska's state motto, is unique among the 50 states. Only Wyoming's motto, "Equal Rights," expresses a similar idea. Both mottoes date from the post-Civil War years of the 1860s, and both relate to the granting of political and civil rights previously denied to certain Americans, most black men, free and/or slave, and women of whatever racial background. Here's the point I wish to make on LB122: this is yet another unfunded mandate that usurps the traditional authority of local boards. It might be understandable if its implementation would really make a difference in education. But knowing human nature, the expected impact on students exposed to the plaques will be virtually non-existent. They will be ignored by all, other than those who wish to either monitor schools for compliance or rue their mandated existence. To imagine otherwise defies realities I've been hearing other people talk about. I am unaware of any research that would indicate otherwise. Now, Nebraska's "Equality Under the Law" [SIC] motto is more profound. It's worthy of elucidation, and not of just being displayed. But that should be a matter for local boards and teachers, not legislatures. Please. Thank you for listening.

**MURMAN:** Thank you. Any question for Charles? Senator Hughes.

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**HUGHES:** I, I don't want to make a question. I just wanted to maybe say thank you for serving on the school board. We need all the people, so.

**CHARLES RIEDESEL:** I've been enjoying myself immensely.

**HUGHES:** Wonderful.

**MURMAN:** Thank you. I have one question.

**CHARLES RIEDESEL:** Yes.

**MURMAN:** You're on the, the Beatrice School Board. Have you ever considered "In God We Trust" or Ten Commandments on the school board?

**CHARLES RIEDESEL:** I'm not aware of it. I-- I've just been on the school board. This is my third year, and that's not a topic that's come up. But do-- we do definitely have an Americanism committee, and--

**MURMAN:** Oh, good.

**CHARLES RIEDESEL:** Yeah.

**MURMAN:** And then, you also mentioned "In God We Trust" was-- became the national motto in 1956 during the Cold War.

**CHARLES RIEDESEL:** Right.

**MURMAN:** Because of the fear of communism, is--

**CHARLES RIEDESEL:** Yes.

**MURMAN:** --that was a big part of it?

**CHARLES RIEDESEL:** That, that was an influence for that.

**MURMAN:** Yeah. And communism was something to be feared, correct?

**CHARLES RIEDESEL:** Right.

**MURMAN:** Yeah.

**CHARLES RIEDESEL:** Right.

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**MURMAN:** OK. Thank you very much. Appreciate it.

**CHARLES RIEDESEL:** Thank you.

**MURMAN:** Other opponents for LB122.

**CHRIS WICKHAM:** Good afternoon, senators. My name is Chris Wickham, C-h-r-i-s W-i-c-k-h-a-m, and I'm just representing myself. I oppose specifically the "In God We Trust" part of this bill. Perhaps maybe we could replace that with the golden rule; I thought that was kind of a good idea. But while this phrase does not establish a specific religion, it's still establishing that there-- that the government is of a religion, and I would just like to direct your attention to Engel v. Vitale for that. I would also like to remind you that not everyone believes in or trusts a god. Also, the introducer said that this might be good because it can be a reminder or a notification when you walk in the building for original values, but America's original values don't quite align with where we are today. I-- kind of curious of what he thinks those original values were, because to me, when I think of America's original values, I think of racism, sexism, and homophobia. And also, to me, I just see the irony of introducing this bill with "Equality Before the Law" when there's LB89, another bill that is literally segregating cisgender, cisgender people from transgender people into bathrooms. To me, that's just insanely ironic. But I just want to leave you with the facts of-- as we move on-- as-- more generations are slowly becoming less and less religious. According to the americansurveycenter.org, Gen Z is the least religious generation. About a third or 34% of Gen Z is religiously unaffiliated; with Millennials, it's 29%; Gen X is 25%. So, we are getting less and less affiliated with religion. So, I don't really see why we need "In God We Trust" in our schools. Thank you.

**MURMAN:** Thank you. Any questions? I've got one. Do you realize that the United States was one of the first countries to eliminate slavery?

**CHRIS WICKHAM:** Yes, and we still had it when we found-- when we were-- became a country.

**MURMAN:** Yes. That's true. At least in part of the country.

**CHRIS WICKHAM:** Right.

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**MURMAN:** And let's see-- I forgot my other question. So, any other questions? If not, thank you for testifying.

**CHRIS WICKHAM:** Thank you.

**MURMAN:** Other opponents for LB122? Good afternoon.

**SPENCER RICE:** Good afternoon again, committee. My name is Spencer Rice, S-p-e-n-c-e-r R-i-c-e. I'm here speaking on behalf of myself in opposition of LB122. I love the state motto, and I'd appreciate it if everyone I talked to and asked them, you know, if you-- do you know what the state motto is, that they could actually tell me, but alas, I must be their teacher. I'd like it to be in schools, for the people to know it. It's a great phrase, it's part of our local culture. In God and trust, I can take it or leave it. A lot of people have said enough about that. The big thing for me is, why by law? It's being taught. Why do we need to use the violence of the state-- which is what laws are-- to tell people to put these up? I'm a former Republican, current independent. I believe in small government, but what does that mean? To me, it kind of analogizes to my programming and engineering. It means that you want to create your parts to be the proper size and power for what their intention is. So, to that, as others have mentioned, this should be left to schools, to school boards, to local communities, if they're going to force it. Some of the proponents had talked about trying to fight some kind of moral decline. I don't want to accuse anyone of any particular view, but whenever I hear people such as my own father mention this kind of thing, what I hear is I don't like the fact that gays can be out, that women can vote, that blacks can use the same facilities I can. I know that's not what they're saying. I, I know that because I remember being a child and how I saw the world; you didn't see those things. But now that I'm an adult who has been around, encountered many people, that's what I hear now. And I just want people to be aware of that, when they say things like "moral decline" and "the way it used to be." But how does this in any way get us there? If you want to make people proud of America, don't force it; make America worth loving. For Nebraska, my main-- I really agree with "Mr. Mustache"-- I'm sorry, I don't remember your name-- we really need a new flag. The-- it's just lost in a sea of others that look just like it. I couldn't find it when I graduated from boot camp. That's all I have. I-- yeah. My final thought is-- or, sorry. One more thing is, as, as you guys have mentioned with school



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boards and being afraid, the thing I would consider is an alternate bill, where, as they'd mentioned, instead of being a "shall" an optional so that if there's any legal troubles the state can deal with it first and, you know, make it safe for them to do it. But thank you.

**MURMAN:** Thank you. Any questions for Mr. Rice? If not, thank you for your testimony.

**SPENCER RICE:** Thank you.

**MURMAN:** Other opponents for LB122. Are there any neutral testifiers for LB122?

**AUBREY RUWE:** Hello. My name is Aubrey Ruwe, A-u-b-r-e-y R-u-w-e. I wasn't going to testify about this one, and I'm coming out as neutral because I really feel that the chicken has already flown the coop on this one. I would like to point out that according to the proponents of this bill and the last, all sorts of societal ills should be solved based on adding God and the Ten Commandments into public life. But they point out that it's already on our money, in our pledge, at our state and courthouses while simultaneously complaining that our society has lost its way. So, the track record isn't good on the effectiveness of this strategy. Maybe it takes more than a few displays of Christian words to solve the problems of our society. This may be more about signaling than solving a problem.

**MURMAN:** Thank you. Any questions for Aubrey? I have one. Do you think Christians are perfect?

**AUBREY RUWE:** No, not at all.

**MURMAN:** Thank you. Thank you.

**AUBREY RUWE:** Thank you.

**MURMAN:** Any other neutral testifiers for LB122? If not, Senator Meyer, you're welcome to close. And while he's coming up, online, we had 76 proponents, 120 opponents, and zero neutral.

**MEYER:** Thank you to the committee. I took a few notes while I was listening to testimony, and I took a few notes prior. Boy, I had a great closing. Many of the things that I thought would be problematic

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with these mottoes evidently does not appear to be a problematic, quite frankly. I had anticipated I'd hear the Establishment Clause of the First Amendment repeatedly; I didn't hear it very much. We've got a number of court cases that have established that there is no violation of the Establishment Clause, certainly with the "In God We Trust." I'm not going to take a lot of time. I do want to point out-- and I, I thank Senator Hunt for, for catching the typo, quite frankly. We have a state motto which is on our state flag. I can't read it from here because all the flags are draped as is-- which is how it's normally draped. The Bill Drafters included the state motto in this particular legislation, and they got it wrong. I think that's maybe a prima facie case that we need to teach the state motto in our schools so we know what the heck it is. Seems pretty reasonable to me. Maybe we should put "E Pluribus Unum" right alongside, or maybe bracketing "In God We Trust" and "Equality Before the Law," and have e-- "E Pluribus Unum" in the middle. I, I, I don't think that's probably a bad idea, either. There was a question here in one of the last testifiers about my inclination and my desire to get back to basic values of what this country was founded on; he, he listed some very negative things that, that he says is what it represents to him. And yes, those things did exist. And hopefully, over the course of the years from our founding that we've learned from that, and we're doing better, and we have a ways to go yet. But I'm back to these mottoes demonstrating, being a, a, a testament to what our values were, what we should aspire to. One is an article of faith, the other is an aspirational idea. I thought I'd hear a lot more pushback on, quite frankly, on "Equality Before the Law," because there's a, there's a certain sentiment, quite, quite-- a quite noticeable sentiment in our country today that there is no equality before the law, and yet I heard absolutely nothing for the, for the most part, pushing back on "Equality Before the Law." So, once again, I'm going to keep this brief. I, I had probably a great deal more to say. I welcome the time of the Education Committee, and I would welcome any final questions or observations from anybody on the committee, and it's an opportunity for us to move on.

**MURMAN:** Thank you. Any questions for Senator Meyer? Senator Lonowski?

**LONOWSKI:** Thank you, Chair Murman. And thank you for bringing this. I apologize that I missed the beginning of it. Kind of more of a comment, I guess. There was a Supreme Court justice by the name of

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Hugo Black, and he's the one that actually brought this. Somewhere in the '40s, he started bringing this idea of separation of church and state. Well, once he became a Supreme Court justice, he could push his weight around. But what many people don't realize was that he was a member of the KKK before he was a member of the Supreme Court justice, and so I just want people to understand the history of it. And the other part is, I can't help but think-- there's kids leaving public schools right now for various reasons, but I can't help but think if, if God were placed simply back on the wall somewhere, that maybe public schools would, in a pragmatic way, begin to kind of retain some of those people. I don't know. You have any thoughts on that?

**MEYER:** Well, I certainly don't think it would hurt. You know, it-- we-- it seems to me, from my perspective-- you know, your perspective influences your perception, and for-- I perceive, from my perspective, that we have, we have somewhat lost our way on values. And, and, and I don't, I don't know what the root cause of that is. We, we have communities that have a very, very acute, very defined sense of value; we have communities where it seems almost to the point where there's no values at all. And, and I don't know what the common denominator is, Senator Lonowski, but I think by posting these, it is a start. If, if nothing else, it's initiated a conversation at our level, it's initiated a conversation in the general community. We've gotten a number of emails and people weighing in on it. I was-- I had mentioned I was at a, a town hall yesterday, and this was something that came up, and, and a suggestion of maybe some other motto or some other truisms that could be placed on the wall of our schools for the betterment of, betterment of our students. And, and actually, something that's probably as important as anything-- perhaps the most important-- is to stimulate the conversation and stimulate the ideas so that we do have that conversation. So, once again, I don't know if I answered your question or if I just gave you an opinion, but--

**LONOWSKI:** More to think about. Thank you.

**MEYER:** More to think about. Thank you.

**MURMAN:** Any other questions for Senator Meyer?

**JUAREZ:** I have one, please.

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**MURMAN:** Yes.

**JUAREZ:** So, I have a question similar to the last bill that we were listening to. In regards to the cost that you're saying we could have, a school board can accept contributions to defray the cost. So, if it takes a while, hypothetically, for a school board to receive funding to implement this for all buildings, especially a large school district, like in Omaha or even Lincoln, they won't be considered in violation of this? Are [INAUDIBLE] going to allow a certain time frame for it to be achieved?

**MEYER:** I appreciate that, that comment, Senator Juarez. I passed out both of those, both of those models on a piece of paper previously,--

**JUAREZ:** Mm-hmm.

**MEYER:** --and you're welcome to copy those and distribute. I'll, I'll pay for the copy paper and the, and the Scotch tape, and I think for a \$20 bill, we could probably do every school in Omaha. I mean, it-- the, the, the, the fiscal note is, is, is nonexistent in this, quite frankly. And, and if you want to do something that's rather grand, and you want to have a, a wooden plaque engraved, burned in with a branding iron, whatever your desire is, depending on what part of the state you're in, go for it and perhaps, perhaps get donations for that. But the simp-- the simple fact is the, the mottoes that I passed out on a piece of, piece of copy paper-- and we didn't pass out any Scotch tape, but if that's in short supply, I can provide that too. But the--

**JUAREZ:** Well, I think--

**MEYER:** So, so the cost is, is essentially nonexistent in-- to regard to, to provide for these to be posted in the schools.

**JUAREZ:** Yes. And I did note in your bill that you have that it could be in each classroom or in another prominent place in each building,--

**MEYER:** Sure.

**JUAREZ:** So, that even also, you know, can drastically reduce any expense of doing something like this, since it does say "or."

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**MEYER:** Well, the-- it wouldn't necessarily have to be in every classroom if a school decided not to. But as you walk into the entry doors of any school, if you walk into even the cafeteria, or you walk into a gymnasium to have these posted. And once again, two pieces of copy paper and some Scotch tape, if, if, if that's problematic from, from a cost standpoint for most school districts, we got a lot bigger problems than posting these, these mottoes in schools, quite frankly.

**JUAREZ:** OK. Thank you.

**MEYER:** You bet.

**MURMAN:** Any other questions for Senator Meyer? If not, thank you very much.

**MEYER:** Thank you.

**MURMAN:** And that will close the hearing on LB122, and we will open the hearing on LB549. Senator Lippincott. Welcome, Senator Lippincott.

**LIPPINCOTT:** Thank you sir.

**MURMAN:** Yep.

**LIPPINCOTT:** Good afternoon, Chairman Murman, and the Education Committee. My name is Loren Lippincott, that's L-o-r-e-n L-i-p-p-i-n-c-o-t-t, and I'm here representing District number 34. LB549 would give individual school boards the right to hire chaplains, or to allow for volunteer chaplains to perform various duties at the school, including providing academic, career, emotional and behavioral health support to students. The bill requires school boards to set standards and parameters before hiring a chaplain or allowing for a volunteer. Four states, Texas, Florida, Louisiana, and Arkansas have all passed a bill to allow chaplains paid or volunteer in their schools. There are 15 states-- Alabama, Arizona, Illinois, Iowa, Indiana, Kansas, Kentucky, Maryland, Missouri, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, and Virginia-- are all having the same conversation in their houses or their state senates. And it's interesting to note-- I'll go off script here for a moment-- that there are 33,000 schools that currently have chaplains in 23 different countries, with 30 million students participating. That's-- consists of-- 75% of the chaplains are schoolteachers, 14% are parents, 6% are

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school administrators, 5% church leaders. It's interesting, too, to note in one of your handouts that 34% of the school chaplains are male and 66% are female. According to the Center for Disease Control, in 2022, suicide is the second leading cause of death for teens and young adults ages 10-34, and I don't need to tell this committee how important our children and their mental health are, and I don't have to tell you about the shortage of teachers in Nebraska across the board. It's interesting to note that between the school years of 2022 and 2023, there was an increase of vacancies of school teachers by 60%. That is notable. Chaplains are used in many places already in society, like the military, hospitals, correctional facilities, as well as mental health facilities. They serve in the House of Representatives, in the U.S. Senate, as well as the FBI and CIA, and if chaplains are entrusted with our firefighters and law enforcement, I think they can be of use in our schools. One of the benefits seen by the National School Chaplains Association is a reduction in discrimination and bullying when diverse chaplains are present. A chaplain as defined in the bill would be someone who is trained to work in secular environments. They are not there to proselytize their religion. According to the research of Dr. Lisa Miller-- who is Jewish-- at the University of Columbia [sic], not providing spiritual care as provided by chaplaincy does, in fact, cause mental illness. According to her clinical evidence, healthy children and teachers go to school and come home with mental health issues if their spiritual needs are not met. Dr. Lisa Miller is well-documented and on the Department of Health and Human Services website at the federal level. Chaplains are not just a resource for the student, but also for the spiritual care of teachers. And by the way, Dr. Miller, her research showed that having chaplains in schools led to a decrease by 40% of substance abuse. It also showed a reduction of depression in students by a factor of 60%. That's considerable. And overall, it showed an increase of 80% of emotional well-being of people in the arena of having a chaplain in their schools. The National School Chaplain Association has found that in their 15 years of existence in 23 different countries with 27.5 million students, they've never had a student commit suicide. Now, that's an amazing statistic. It also goes on to show that graduation rates increased by 30% and teen pregnancies decreased by 80%. If we truly want to afford children and teachers of Nebraska every opportunity for the best outcome, I think that allowing school boards

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the ability, if they so choose, to be able to hire chaplains as another tool in the tool boat-- belt. So, what does this bill do? Now, any school may employ a chaplain or let a chaplain volunteer in their school, and if they do employ a school chaplain, the school board shall, prior to hiring a chaplain, develop a policy relating to employing an uncertified individual. So, in essence, what this bill does, is it sets a floor for the criteria of the chaplain, but then the local school boards then can build upon that floor once they select a person as a chaplain for their schools. The policy shall include provisions relating to the hiring, discipline, and termination of employment of a chaplain. Background checks and normal hiring policies would still be in place. The fiscal note that's inc-- also included in your package does have a \$12,500 up-front cost to set an application process and to adjust the Nebraska State Patrol's computer systems for the submission of work authorizations and background checks pertaining to school chaplains. I have before you a couple of letters that help outline some of the legality, and I also have others behind me who are experts in this that may be able to answer, answer any more questions. I'd want-- add one additional note, and that is they polled school principals that have chaplains in their schools, and overall, the principals in those schools, there was a 93% positive response in terms of having chaplains in their school. Happy to entertain any questions, sir.

**MURMAN:** Any questions for Senator Lippincott? You mentioned a floor for, I guess, training, or I don't-- not training, but qualifications of the chaplain.

**LIPPINCOTT:** Yes, sir.

**MURMAN:** Does-- what is that floor?

**LIPPINCOTT:** Well, very briefly, they-- first off, they must have a clean legal record; they can't be pedophiles or anything like that, so that has to be checked, verified. They also have to be a certified pastors. And overall-- and again, these statistics are worldwide-- 91% of these chaplains are Protestant, 7% Catholic, and 2% other. But they have to go through screening in their professional level before they can be entertained to be a chaplain.

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**MURMAN:** OK. Is there anybody behind you that could maybe go into a little more detail [INAUDIBLE]

**LIPPINCOTT:** Yes, sir, there is.

**MURMAN:** Thank you.

**LIPPINCOTT:** Mm-hmm.

**MURMAN:** Any other questions for Senator Lippincott? Senator Hughes.

**HUGHES:** Yeah. Thank you, Chairman Murman. Thank you, Senator Lippincott, for bringing this. I'm still digesting. You gave us a lot of information. One of the sheets you handed out, every week, chaplains have 81,200 formal conversations, plus 32,490 in-class Bible studies with students, and maybe that's some of the information-- like, I'm not-- like, do these chaplains kind of hold their own classes, then, during the school day? Or-- like, when-- I don't understand when the Bible study would happen in class.

**LIPPINCOTT:** It's just like when we went to school, we have school counselors, right?

**HUGHES:** Yeah.

**LIPPINCOTT:** And you would go,--

**HUGHES:** And we still do have school counselors.

**LIPPINCOTT:** --and you would see them. This is-- I'm sorry?

**HUGHES:** We still have school counselors in our schools, right?

**LIPPINCOTT:** Yeah. Right. Correct. Right. And by the way, chaplains do not, I repeat, do not replace school counselors.

**HUGHES:** Right. They're praying-- no, there's a clear delineation between them.

**LIPPINCOTT:** We, we know that-- that's-- there was a, a misunderstanding on that last year. But just like you would see a school counselor as needed,--



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**HUGHES:** Uh-huh.

**LIPPINCOTT:** --that would be the same thing here.

**HUGHES:** OK.

**LIPPINCOTT:** So, it's not like he's conducting a class or anything like that.

**HUGHES:** Right. OK.

**LIPPINCOTT:** You know, boyfriend/girlfriend break ups, those kinds of things. This would just give you an option to go see the chaplain. I heard something a long time ago by a guy whose name was Gary Smalley, and he-- I heard-- he gave this acronym: L-U-V-- listen, understand, validate. And every time you hear about a suicide or a school shooting or something like that, I can't help but think, did that kid have somebody that listened to him, understood their concerns, and validated things that were going on in their life? Because oftentimes, just simply listening to another person is adequate to diffuse the frustrations that they feel, and that's something that a, a chaplain can do. Camp-- counselors can do that as well, but they're overworked and they need help, and I think this is one way that can offer help.

**HUGHES:** OK. And then I have a follow-up, if that's OK.

**MURMAN:** Sure.

**HUGHES:** OK. You have four states that have passed the bill already, and I-- somewhere else in here, I, I think I saw like-- oh, here it is. Texas signed it in 2023; Florida, 2024; Louisiana, 2024. But you had a lot of statistics on the differences it makes when a chaplain's there. I guess, where did-- where were those schools-- or, were-- was some of this happening without--

**LIPPINCOTT:** Well, the-- well-- a lot of these numbers come worldwide. Down in South America, Central America, they do have a lot of school chaplains.

**HUGHES:** OK.

**LIPPINCOTT:** And of course, a lot of their schools are Catholic, so--

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**HUGHES:** Right.

**LIPPINCOTT:** --it's just very natural to have somebody that's of the Catholic faith also serve as a chaplain. And so, a lot of the statistics, I believe, come from--

**HUGHES:** From--

**LIPPINCOTT:** --international.

**HUGHES:** OK. Yeah, that-- I was just like, wow, they have a lot of statistics, and this stuff's only happened since 2023.

**LIPPINCOTT:** Yep. Right.

**HUGHES:** So. That's all. Thank you.

**MURMAN:** Any other questions? If not, thank you.

**LIPPINCOTT:** Thank you, sir.

**MURMAN:** You'll be here to close, I assume?

**LIPPINCOTT:** Yes, sir.

**MURMAN:** Proponents for LB549.

**MARILYN ASHER:** Hello again. My name is Marilyn Asher, M-a-r-i-l-y-n A-s-h-e-r. As I have testified to this committee in the previous hearings, I spent 15 years as an employee in the Nebraska Department of Correctional Services as religious and volunteer coordinator of the Nebraska Correctional Youth Facility. The youthful offenders who were housed at NCYF were young males, ages 15 to 21, who had been adjudicated as adults. Thanks to the foresight of the Department of Correctional Services, each secure facility in Nebraska has one or more religious coordinators based on the population of the facility. The job of each of those coordinators is to make sure that internet-- that incarcerated individuals have access to spiritual leaders from the community in accordance with the individual's faith preference. Each religious volunteer or clergy visitor who is approved by the religious coordinator must pass a security check in order to have contact with one or more of the incarcerated individuals. LB549 has

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similar security requirements. In my time as religious coordinator, I was considered an administrator, but much of my time was spent in listening to the conservative individuals-- concerns of individuals, encouraging them to develop their education and talents, and in providing religious resources that they requested. I was often called a chaplain by those on the outside looking in, but my job was not faith-specific. LB549 states that the employment of a chaplain shall not be construed as an endorsement [INAUDIBLE] any particular religion. It is impossible for a chaplain to divorce his or her religious convictions from their persona, but that faith is a key ingredient in helping the chaplain support "academic, career, emotional, and behavioral health," as specified in the bill. Especially during adolescent years, a student's spirituality can be significantly related to his or her decision-making process. Having someone to express those ideas to is crucial. The United States military provides chaplains for our soldiers, sailors, and Marines. Our correctional system provides religious coordinators to facilitate the faith practices of their [INAUDIBLE] incarcerated. These spiritual leaders are deemed necessary because both arenas can pres-- come-- can become pressure cookers due to the nature of their organizations. In recent years, we have seen elementary and secondary schools likewise become pressure cookers for Nebraska children who are expected to learn math and reading while battling a plethora of social and family issues that distract them from their purpose at school. If we can provide chaplains for our prisons and our military, can we not make allowance for our volunteer chaplains to be available for our most precious resource, our children? Please pass LB549. Thank you.

**MURMAN:** Thank you. Any questions for Ms. Asher? If not, thanks for your testimony. Other proponents for LB549? Good afternoon.

**JOHNNY DAVIS:** Hi. Good afternoon. My name is Johnny Davis, J-o-h-n-n-y D-a-v-i-s, chief development officer with the National School Chaplain Association. The information that you guys received from Senator Lippincott was from our operations overseas, and we are in 33,000-- over 33,000 schools, and we have the data that you guys were provide-- provided. Schools-- school chaplaincy legislation is a critical and bipartisan initiative that seeks to address the urgent challenges facing students, teachers, and schools across the state, including escalating mental health concerns, rising violence, and teacher burnout. Chaplaincy isn't a new or experimental idea, and the results

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aren't anecdotal; nearly 250 years of case studies show its effectiveness. Chaplains are uniquely equipped to bridge critical gaps. They provide trauma care and crisis intervention, which is why they're brought in by the federal government and local governments to-- after tragedies and "crises" occur. Our data from over 33,000 schools in 23 countries with certified chaplains show that they make schools safer. They provide preventative care, allowing individuals to unburden themselves from trauma and anxiety before critical incidents occur. Chaplains are skilled and trained to work in secular environments, providing care for individuals of all walks of life, regardless of race, belief, and culture. This skill set has made them invaluable in U.S. institutions such as the military, hospitals, prisons, professional sports teams, corporations, and even universities, like here in Lincoln; you guys have chaplains at the universities here. And today, their unique skills are critically needed in our schools. Stress, anxiety and burnout among teachers is at an all-time high. Teachers are commonly tested at the same stress levels as first responders, yet, unlike first responders, teachers do not have access to chaplains. And all of this data that I'm providing, including that statistic, is from the NEA, which is the largest teacher union in the nation, so, this is all their data. And to me, that really strongly suggests [INAUDIBLE] discrimination of teachers, which I think is about 70% female. When we talk to teachers, and when I talk to teachers-- I was in Missouri just a couple of weeks ago with a teacher who had recently gone into private schools, and she won't go back to public schools. She's got to become the disciplinarian, the parent, the problem solver, the counselor, and then she's got to try and teach the students. So, she has no support; if she has a problem with someone there at the-- another staff member, she can't go and talk to the counselor there. It could be the difference with her job. So, she's very limited in the-- who she can have to support her, so this bill is a very much in supporting of, of teachers and educators. All of these challenges that public schools have been-- all of these challenges in public schools have been proven to dissipate with the presence of chaplains.

**MURMAN:** You have the red light, but you have a lot of information, so, go ahead.

**JOHNNY DAVIS:** OK.

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**MURMAN:** Go ahead. Keep-- continue.

**JOHNNY DAVIS:** Thank you. Our data shows a dramatic decrease in anxiety, in depression, in violence, in teen pregnancies and absenteeism, as Senator Lippincott shared. Our results also show an increase in graduation rates, goal-setting, respect for authority among students, and a profound effect on teachers that reduce stress and anxiety and creates higher job satisfaction. Our data was so compelling, in fact, that state legislators used it to support the first chaplain bill, which was the Texas Chaplain Act [SIC] that was signed in June of 2023. As Lippincott referenced, our results were mirrored by the studies conducted by Dr. Lisa Miller, a leading clinical psychologist at Columbia Universities [SIC], that showed that the same results that individuals who had regular interactions with chaplains were more effective and did better in every single thing that they did. In fact, her data is used by the U.S. Army in their Chaplains Initiative and published on the U.S. Army's website. This empirical data is also observed by the U.S. Department of Defense, who, as a matter of fact, does not allow Satanic chaplains on the basis of the U.S. Constitution. And just on a statistical note, 91% of chaplains in the U.S. are Protestant; 7 are-- 7% are Catholic; and 2% are everything else that does include Buddhists, Muslim, and Jewish. And there is not a single Satanic chaplain in the U.S. working in any institution, let alone a school. So, this means that all of the mountains of peer-reviewed evidence that we have to show the effectiveness of chaplains, none of those benefits come from any made-up terms like a Satanic chaplain. One last thing. Chaplains are skilled and trained in situational awareness. Our chaplains are also trained in behavioral threat assessment, active shooter and stop-the-bleed, so they make school premises safer. And one last thing. I, I used to-- I used to be of the belief that most schools-- and I think we've heard this statistic-- most school shootings were known-about before they happened, but nobody said anything. I was recently talking with the top director of the National Association of Resource Officers, and he told me that that was incorrect. He said 100% of school shootings were known-about before beforehand. But no one did anything about it. So, the signs are there, but you need someone that's trained to look for them, and someone that students can trust. And so, I ask you today to support this bill for school chaplains. And if you have any questions about certifications, if you

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have any questions about how they work along licensed professional counselors, I'd like to-- I could provide information on that, as well.

**MURMAN:** Thank you. Any questions for Mr. Davis? Senator Hughes?

**HUGHES:** Thank you, Senator Murman. Thank you for coming in. Can you tell me-- and the other-- the few other states-- Texas, Louisiana-- that passed this legislation-- is our legis-- did they do the same thing? School boards are allowed to do it, they don't have to do it? Like, is the verbiage--

**JOHNNY DAVIS:** Yes. Very similar language, yes.

**HUGHES:** OK. And then, in two minutes, explain how a chaplain works alongside a counselor. Because I'm just going to be real. Like, part of me is like-- I agree, the more positive adults in a kid's life, the better. I think it was Senator Lippincott's L-U-V thing; listen, understand-- whatever the V is. Value, or something. It doesn't-- in my opinion, it doesn't have to be a certain person. If a school has extra resources, maybe they need to have-- hire another counselor. Maybe they need to hire another teacher. Any adult that will value kids, listen to kids, whatever. So, I guess I want to know why specific to chaplain versus some other-- another counselor or another teacher.

**JOHNNY DAVIS:** Yes. And the reason for that is a, is a chaplain's role. They provide spiritual care. And I know that term kind of sounds weird to some people. I think the best way to look that it is, is issues of the heart. Like, I, I would like to ask everyone here, where do you-- where does mercy and compassion come from? When you have mercy and compassion on someone, maybe you give somebody money who's asking for it on the side of the street, does that come from your brain or does that come from your heart? These are all deeper issues that kids deal with, and so a chaplain is specifically trained and skilled to deal with spir-- spiritual care and provide spiritual care. And we have-- and I could send this to you-- we have reference letters from superintendents in schools in Texas where our chaplains are currently working now. The LPCs love the chaplains. I mean, throughout this last couple of years, the mainstream media trying to paint this picture that we're some extremist group that's trying to replace LPCs with

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street preachers. Chaplains have a longstanding role here in the U.S., and they support the LPC. At this school, it's a five-day school with 1,400 students, there's one LPC on staff. She can't see hardly, I mean, 5% of the student body. She loves our chaplain that's there. He's gone through our certification process. She sends a lot of students to him that, that don't need her assistance. And, and in answer to your question, I, I just want to make some points here. Chaplains offer a trusted and approachable presence to students who may be hesitant to seek formal counseling. And like I said about the school shootings, a lot of times-- and I remember when I was in school, I didn't want to go see the, the, the, the, the counselor because, you know, they're sitting behind a desk, everything that you say is going on your permanent transcript, and so you may be afraid to tell them of things that's going on that you heard about. The second thing is chaplains address non-clinical concerns, and so they also refer-- acquainted with referral agencies. So, if there's something that they're-- they can't deal with or that are must-report items, they refer them to specialists. And so, they have a longstanding-- again-- history of-- while counselors handle diagnosable mental health conditions, chaplains assist with grief, stress, family struggles and moral guidance. Hopefully that answer your question.

**HUGHES:** OK. No, that helps. Yeah. Thanks.

**MURMAN:** Any-- Senator Juarez.

**JUAREZ:** Thank you. OK, so, I would like to know about allowing diverse chaplains to be in our schools. You know, how do you go about deciding what represents that diverse body? I mean, do you-- how many religions are represented to assist a school in order to say that it's diverse?

**JOHNNY DAVIS:** Well, the-- I would answer that, it-- the-- a chaplain is trained to operate in a secular environment. A real chaplain, as I mentioned. And there's-- I could-- I'm going to reference the Department of Defense and the chaplains that they recognize. Like I said, 91% Protestant, 7% Catholic, and 2% everything else. And the-- again, a chaplain is trained to-- while they hold true to their own beliefs, they're able to help and support people of other beliefs or no belief at all. So, it's, it's just in the training. Now, the other thing is-- I don't think it was mentioned-- is an ecclesiastical letter of endorsement. All agencies, government agencies, even-- I

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don't know if you have a-- most capitols have chaplains, even the VA. When you apply to become a chaplain, they require an ecclesiastical letter of endorsement from your faith group or your pastor, which is basically a stamp of approval saying that you are ordained clergy, that you meet their requirements, and that you have good character. And they're, they're basically backing you as a individual and someone to work as a chaplain.

**JUAREZ:** OK, so, what about, like, in Texas, like where this is occurring. What if a parent doesn't want their child to interact with the chaplain?

**JOHNNY DAVIS:** Then they don't have to.

**JUAREZ:** Does a school-- I mean--

**JOHNNY DAVIS:** Some schools-- some schools will--

**JUAREZ:** Will the school have a record of that?

**JOHNNY DAVIS:** They can have a policy of that. But again, the interactions are not overtly-- they're, they're not talking about specific religious things; it's-- how, how are you doing today? What's troubling you? A lot of times, when a child asks a question, like, if they-- there's, there's things behind that question, like, there's something that's troubling that child that is not really the basis for that question. And so, they're there to-- if something is bothering that child or if they're, they're isolating themselves, they're, they're there to try to help provide a solution. And in an instance-- now I'll give you a scenario. Maybe-- because we're a Christian organization, but we respect other beliefs, other faiths. And so, if a child is maybe Islamic and we-- they're asking specific questions that are religious-based, then we would refer them to someone of their belief, or we would talk with their parents and refer them to that-- someone of their belief. But general items like spiritual care, trauma, and crisis and, and grief and all these type of things are pretty general in nature, and it, it doesn't go into anything specific as far as, like, quoting a Bible verse or anything like that. And also, back to the point where-- in the data that you guys had, it showed Bible studies; that's, that's a roll-up of data, so there's a lot of things in there. Those were after-school programs and it's just



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kind of rolled up into one deal. Now you-- from me, you guys got a packet which is a packet that we give to schools, superintendents, and it's got the training and certifications of our chaplains; it's got a copy of their bill, which-- if you had it here, it would have a copy of your bill. It has a copy of another, where they have the funding allotment in another bill. And it also has a model policy. In that model policy, it states that chaplains are not allowed to proselytize. And, and-- with another-- now, the schools can adopt that policy or they can modify it and then use it, and then those are the-- how the chaplain is to operate there on the, on the campus.

**JUAREZ:** OK, so, what if there was a scenario that a chaplain was impressing religious views? I mean, do you think that-- I mean, you make it sound like that, that never happens, and that you're quite confident that it doesn't. But I'm not confident, and that's, that's what my concern is.

**JOHNNY DAVIS:** And I, I understand your concern, but based on historical evidence in this nation, that's not really a concern. I, I can give you a 2022 Gallup poll. Among 1 in 4 Americans-- and you can look this up-- about 1 in 4 Americans have had an interaction with a chaplain; most of them are in hospitals. Of those individuals, 95% of them claim or say that their interaction was highly valuable. Because a chaplain, a real chaplain-- I'm not-- I think we're getting-- what gets mixed up here is, like, a, a preacher or a pastor. A chaplain is not a pastor. A pastor has a different agenda and a goal than a chaplain. A pastor's goal and agenda is to get you to come to church because they feel that's what's best for you. A chaplain does not have that agenda. They represent the institution that they serve at. They're not try-- they don't represent the church. They may go to a church, and that's why the Establishment Clause upholds chaplains, and they have for over 250 years, even though chaplains predate the Constitution, is they don't violate any of that. So, they're trained specifically with-- they're not preachers, they're not pastors; they're chaplains, and so, they're not trying to push a religion on you, and they're not trying to promote something to you that you're not accepting. They're trying to help you manage anxiety and grief and stress and all of these type of things.

**JUAREZ:** Thank you for that clarification. But the only final thing that I, I guess I would want to say is that, you know, to me, it's

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quite different having a chaplain in an environment such as a college or a hospital where, you know, there's a lot-- you're dealing with a lot of adults, right? Versus children. That's my only concern, is about the difference in the ages, who it is that they're interacting with.

**JOHNNY DAVIS:** Can I make one more statement?

**JUAREZ:** Sure.

**JOHNNY DAVIS:** According to the U.S.-- this-- and all this data, by the way, comes from the-- all government. CDC, NIJ, DoD, NEA, U.S. Army, Bureau of Labor Statistics, National School Counselor Association, all of this. Right now, depression, anxiety, and hopelessness are at the highest recorded levels among school-aged children that they've ever been in this country. I would just like to say that. And we-- when we, we have a utility, something that's been around for so long that you-- have you ever heard someone complaining about a chaplain? Now, I'm not-- I'm sure that there's cases like that. But a, a trained chaplain, someone who's a real chaplain, is there to help-- help you and care for you and listen. A big part of what they do is listen, right? A lot of things, when, when a child can voice-- like, say you have someone who's suicidal or they're thinking about hurting someone or something. When they voice something and they get it out and they hear themselves, it helps with that. Now, again, like I said, chaplains do not take the role of LPCs. They have completely different roles. They support one another, and chaplains are acquainted with ref-- with referral agencies. If something comes up that a chaplain is not equipped to deal with, they get that individual to the professional that they need.

**JUAREZ:** OK. Thank you.

**MURMAN:** Senator Hughes.

**HUGHES:** Sorry, that-- Senator Juarez's questions-- thank you, Chair-- just triggered another thought. Are typically these chaplains in more of a high school environment, or are they K-12?

**JOHNNY DAVIS:** We have it-- now, in the U.S., this is a-- this is pretty brand new.

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**HUGHES:** In the U.S.--

**JOHNNY DAVIS:** Oh, in the U.S. Not in this-- not in international.

**HUGHES:** Yeah. Like, in these other states that are doing it, are they typically in high school, or are they doing K-12?

**JOHNNY DAVIS:** Right. As far as what we-- our organization, we have them in middle school and in high school.

**HUGHES:** OK.

**JOHNNY DAVIS:** And there are some that are starting in elementary as well.

**HUGHES:** Thank you.

**MURMAN:** Your-- like, statistics, do they come from just the United States school counselors? Or are you-- like, 80% reduction in pregnancy, that's [INAUDIBLE]

**JOHNNY DAVIS:** That-- those statistics are from our international operations. That-- those were-- are from 2023. And so, that's the data that was used in Texas first, and then Florida and Louisiana.

**MURMAN:** And, like, no suicides, that's [INAUDIBLE]

**JOHNNY DAVIS:** And there's an asterisk there. That's after-- that data is sourced after two years of having a chaplain on campus. So, that's what we-- that's how we can prove that data.

**MURMAN:** But that's international also?

**JOHNNY DAVIS:** Yes. Yes.

**MURMAN:** OK. And the states that have approved chaplains, do you train most of the chaplains in those states? Or about what percent do you train?

**JOHNNY DAVIS:** Well, we don't know the exact percent. We're, we're pretty much the go-to right now. And so, we have a lot that are training and, and certifying, you know, in those states. But there are-- you know, there's lots of chaplaincy organizations that provide

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for all kinds of, you know-- like we said, all kinds of institutions. And they're, they're also including, including additional training for schools.

**MURMAN:** So there are other chaplain organizations that would train for, say, middle school through high school?

**JOHNNY DAVIS:** Sure.

**MURMAN:** And, and they are doing that training now, in,--

**JOHNNY DAVIS:** Oh, yeah.

**MURMAN:** --in some of the states that it passed?

**JOHNNY DAVIS:** Yes.

**MURMAN:** OK.

**JOHNNY DAVIS:** These are-- and these are things that, that-- I mean, I'm not, I'm not sure how many teachers you guys have heard-- teachers are wanting this. We're hearing this from teachers everywhere. They're overwhelmed. I mean, this is not the only state that has a shortage of teachers. Not only that, there's a, a nationwide shortage of licensed professional counselors. Now, stating that is not saying that we're, we're saying that, that we're going to replace them. Again, I know I-- I've already made myself clear, but I think there's been this narrative painted that we're trying to replace LPCs, and we are not. But LPCs great-- from what we've seen, [INAUDIBLE] schools in the U.S.-- and I have letters from these schools-- is they're highly supportive and they, they love the school chaplain there, because they can help support them when they're just overwhelmed. Again, when you have schools-- 1,400 students and one LPC, you're-- you-- you've got all kinds of problems that you're just never going to get to.

**MURMAN:** And one more question. Your organization does train chaplains not only for schools then, but also like hospitals, and--

**JOHNNY DAVIS:** We're, we're only schools.

**MURMAN:** Military, maybe?

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**JOHNNY DAVIS:** No. We're, we're only schools.

**MURMAN:** Only schools. OK.

**JOHNNY DAVIS:** That's correct.

**MURMAN:** Thank you. Any other questions? Senator Lonowski?

**LONOWSKI:** Thank you, Chair Murman. And sir, thank you for doing this. Maybe I missed this because I had to step out. So, is a chaplain typically in the school for the entire day, or one period a day, or does it depend?

**JOHNNY DAVIS:** It depends. We-- there's different-- again, because this is brand new in schools in the U.S., some chaplains have dual roles. They're doing other things, or even a teacher. And the-- they're-- they go through our training, they become a chaplain as well. Some are part-time, some are full-time. So, it's-- yeah.

**LONOWSKI:** OK.

**JOHNNY DAVIS:** We, we feel the best is to have a full-time, because the more that someone is there, the more that the students and, and, and, and teachers interact with them and build trust, and they're able to confide in them. And also, most of the interactions with a, with a chaplain are informal. And so, there's a lot that people will say informally rather than sitting down and feeling like there's, there's pressure on them.

**LONOWSKI:** Thank you.

**JOHNNY DAVIS:** Thank you for--

**MURMAN:** Just one more quick question. How many-- how much time, training is, is needed for a middle school and high school chaplain?

**JOHNNY DAVIS:** So, with our certification, what we do is we have a baseline. So, we require-- actually, our requirements are higher than schools to be one of our chaplains. So, we have a-- first off, your standard national background check, then we have social media background check, then you have to have at least 2,000 hours of min-- a verified ministerial service, recommendation letters from employer

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or near-recent employer from, from non-family members; then, you have to have a letter of ecclesiastical endorsement from your pastor. That's just to get in the program. Once you're in the program, we have an 80-hour coursework on the academic level that is an accredited program through Oral Roberts University-- which is a top-ranked national university-- and our chaplains have to be qualified with three safety certifications, which are active-shooter, stop-the-bleed, and behavioral threat assessment. So, very qualified individuals.

**MURMAN:** Yeah, that's very impressive, the training. I assume your chaplains must almost all be paid, with that much training.

**JOHNNY DAVIS:** Not all of them are paid. I mean, the, the, the thing is, is-- now, I can only speak on our org-- organization and our beliefs as, as Christians, is we have a lot of people that want to volunteer and do this, and maybe they can't do it full-time, but they can do it part-time. But they're willing to do this and step into these roles. And we've already had phenomenal results. We already have, like I said, letters from superintendents that situations were averted.

**MURMAN:** Sounds great. Any other questions? Senator Hughes?

**HUGHES:** Sorry, one more question. Just-- we have a shortage of teachers, everything else. In my-- I'm Lutheran, we've got a shortage of pastors, too. Is there not a shortage of pastors and chaplains as well, just across the nation?

**JOHNNY DAVIS:** No. There's a-- there's over 9,000 federally, federally-employed chaplains right now.

**HUGHES:** OK. Thank you. That's it.

**MURMAN:** Any other questions? If not, thank you for your testimony.

**JOHNNY DAVIS:** Thank you.

**MURMAN:** Other proponents for LB549? Opponents for LB549.

**LEVI HAND:** Thank you. Honorable legislators, members of the public, my name is Levi Hand, that's L-e-v-i H-a-n-d. I am a Nebraska resident, a disabled eight-year Army veteran, and a proud member of the Satanic

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Temple. I'm here today to strongly oppose LB549, a bill that threatens the religious neutrality of our public schools by allowing chaplains to provide academic, emotional, and behavioral support to students. In effect, LB549 gives unlicensed religious figures undue influence on students in our public schools. When I was in the military, I used chaplain services from multiple faith traditions, Jewish, Muslim, and even humanist chaplains, all serving by my side. The First Amendment guarantees that the same standard of religious inclusivity must apply here. If chaplains are allowed in public schools, then Satanic chaplains in my congregation will have the same right to serve. There are thousands of children in Nebraska from Satanic temple families, and they would benefit by having access to guidance rooted in our religious values, which include a belief in bodily autonomy, critical thinking, and views rooted in science. Our ministers of Satan are highly qualified to provide guidance. Despite this, as a Nebraskan, I'm very concerned about the implication for my tax dollars. Instead of paying for trained mental health professionals, public funds will be used to fend off religious discrimination lawsuits when schools refuse to allow minority religions to participate. Last year, Texas faced costly legal challenges over a similar policy. Let's be honest about the religious bias at play here. This bill is not really about student well-being; it's about forcing religion into public schools. The legislation invites intimidation, discrimination, and alienation for students who do not share the dominant religious beliefs of their school district. I fear students who seek help will be coerced to conform to someone else's faith. Even worse, students in need may fail to seek that help because they do not believe a certain way. If the goal is to help students, invest in licensed and trained counselors and mental health professionals. Students seeking guidance deserve help from qualified experts, not unaccountable religious figures. Religious neutrality in schools is not just a principle. It protects every child, every family, and every belief system. Nebraska has a long history of upholding religious neutrality in public institutions. Article I, Section 4 of the Nebraska Constitution guarantees that no one shall be compelled to support or participate in any religious practice against their will. This ensures that no faith imposes itself on others in our public institutions, not even under the guise of providing student support. If you truly value religious freedom and the well-being of our children, vote no on LB549 and keep religion out of public schools. Thank you.

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**MURMAN:** Thank you. Any questions for Mr. Hand? Senator Hughes?

**HUGHES:** Thank you, Chairman Murman. Thank you for coming in, Mr. Hand. So, with your experience being prior military-- and you said you did have experience with chaplains in that capacity-- when you had these dealings with the chaplain, did you find-- like, could you tell a chaplain was maybe of a Catholic descent, or Lutheran, or was it truly just spiritual guidance, regardless of what, you know, your religion was?

**LEVI HAND:** I saw lots of proselytizing coming from our chaplains--

**HUGHES:** OK.

**LEVI HAND:** --in, in the military.

**HUGHES:** OK. That-- thank you.

**MURMAN:** Any other questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. So, thanks for serving. Did it-- did you get to your 20 years, or did that not work out, or?

**LEVI HAND:** I did, I did eight years and then got out because of two back surgeries and nine concussions.

**LONOWSKI:** OK. So, have you heard of Fellowship (of) Christian Athletes?

**LEVI HAND:** No.

**LONOWSKI:** OK, that's just, like, maybe like a teacher inviting kids into her lunchtime or his lunchtime to just talk about religion and God. But I was going to ask you if you thought they were proselytizing, but if you haven't heard of that, then I'll skip my second question. Thank you.

**MURMAN:** Any other questions for Mr. Hand? I've just got one personal question. Do you believe in God?

**LEVI HAND:** No. I don't.

**MURMAN:** OK. Thank you. Only Satan, then.



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**LEVI HAND:** No, actually. I'm an atheist.

**MURMAN:** Oh, OK. I thought you're Church of Satan.

**LEVI HAND:** Temple. The, the Satanic Temple.

**MURMAN:** Temple of Satan.

**LEVI HAND:** Seven tenets. Not, not LaVeyan.

**MURMAN:** OK.

**JUAREZ:** Interesting.

**MURMAN:** Any other questions? If not, thanks for your testimony.

**LEVI HAND:** Thank you.

**MURMAN:** Other opponents for LB549?

**MALINDA JEAN BAPTISTE:** Good afternoon-- almost good evening-- Senator Murman and members of the Education Committee. My name is Melinda Jean Baptiste, M-a-l-i-n-d-a J-e-a-n B-a-p-t-i-s-t-e, and I reside in Lincoln, Nebraska. I'm in my 13th year as a high school counselor here in Nebraska, and an assistant executive director of the Nebraska School Counselor Association. I strongly oppose LB549, which would authorize the school district to hire a chaplain, perform various duties at the school, including providing academic, career, emotional, behavioral health supports to students without a certificate issued by the Commissioner of Education. In terms of providing academic support, who in a school already does this work? Teachers, personnel with at least a four-year degree and often an advanced degree, teach, reteach and challenge Nebraska students. Principals or administrators, all of whom were teachers with degrees and now have at least one advanced degree as well, work to make sure that quality teaching is occurring. School counselors partner to help support struggling students, teach academic skills to all students, and help connect gifted students to additional learning opportunities. They also hold four-year and advanced degrees. All of these individuals are certified with the state to help maintain quality educational experiences. Non-certified individuals without training in the learning process could hurt Nebraska students and decrease their time with school staff with

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specialized training. Career pathways, clusters, and theories, future workforce needs, Holland codes, administering, interpreting career assessment-- very many things-- are all part of the post-secondary training options. This is all work being done in the career development field in schools. School counselors possess training specifically in this area, and also partner with classroom teachers in the career and technical education classes to expose students to the broad career opportunities available to them. Nebraska students are at risk of not being aware of these opportunities if they are supported by chaplains who are not specifically trained in these skills. Lastly, behavior and emotional supports. In schools, this work is done by administrators, classroom teachers, special education teachers, counselors, school psychologists, and others, all of whom have training and degrees in supporting students who are struggling. With mental health concerns in schools increasing, it is incredibly important that Nebraska students have access to professionals to possess the training to address their needs. The majority of school personnel supporting the mental health of students hold advanced degrees and certifications. The potential for harm to Nebraska students is high if there are individuals supporting them without the appropriate background in education and counseling theories and practices. You may ask, but what about the portion of this bill that allows for chaplains in a volunteer role? I would challenge the committee to consider why would we need a bill to authorize chaplains as volunteers? In fact, many community members actively volunteer their time in schools, reading to students, serving as teammates or mentors, or telling students about their careers. Is there a need to formalize this one group as a special category volunteer? And it's been talked about that they are spiritual care of individuals. Placing chaplains or other non-credentialed personnel who do not know the academic or Korean [SIC] college domains into schools hurts Nebraska students. School personnel, including counselors like myself, use data to build preventative and early intervention programs that are uniquely positioned to support the whole student across each domain, impacting every single child on their caseload. I ask that you oppose LB549 so that every student in Nebraska continues to be served by school personnel with appropriate training in these domains, and that we minimize the potential for harm to these same students by not placing uncertified individuals in domains in which they are not

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specifically trained with the skills to appropriately support the wide range of student needs. Thank you.

**MURMAN:** Thank you for your testimony. Any questions for Mr. Baptiste?

**MALINDA JEAN BAPTISTE:** Jean Baptiste.

**MURMAN:** I have a-- I have one. I have--

**MALINDA JEAN BAPTISTE:** It's all part of my last name.

**MURMAN:** Oh, Bap-- Baptiste?

**MALINDA JEAN BAPTISTE:** Jean Baptiste is all part of the last name.

**MURMAN:** Jean Baptiste.

**MALINDA JEAN BAPTISTE:** Sorry. Yep. Jean goes with it. It's a tricky name.

**MURMAN:** OK. Well, thank you. I have friends and family members that are counselors, school counselors--

**MALINDA JEAN BAPTISTE:** Absolutely.

**MURMAN:** --so I appreciate what you do. I know it's a challenging job.

**MALINDA JEAN BAPTISTE:** Thank you.

**MURMAN:** And career. But, the-- you know, suicides are high in our schools. Teen pregnancy's high. A lot of issues, emotional issues, and so forth in our schools. Do you think maybe we should try something, you know, that help-- be helpful to counselors, not, not replace counselors.

**MALINDA JEAN BAPTISTE:** Sure. I think the thing that'd be most helpful will be funding school counselors at the suggested number of 250 to 1 in schools. Right now, that is not being met. Most counselors in Nebraska are closer to 350 to 1; that does not meet national guidelines. And in some states, that doesn't even exist, and we're seeing the situations like the 1,400 to 1. If you appropriately placed the professionals at the suggested amount-- 250 to 1-- you would see that additional decrease, and then these would be the trained

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professionals with a master's degree in school counseling. A master's degrees in school counseling is typically a 48- to 60-hour program, much above a traditional master's degree. They are highly, highly-- they're much higher in terms of their standards; they're closer almost to the number of credits needed for a doctorate, in order to become a school counselor. And so, I think if we funded them at that appropriate rate, you would see those same things as a, as a chaplain, because you'd actually just be providing the bodies that are necessary, but now you have skilled people in those roles.

**MURMAN:** So, the, the counselors we have in Linc-- in Nebraska, are they-- do they have those credentials that you just talked about? Those, those high credentials?

**MALINDA JEAN BAPTISTE:** Yes, sir. To be employed as a school counselor in the state of Nebraska-- now, there's a provisional license for a short term. If a counselor in a school potentially needs to be hired because-- we'll be real, our rural schools sometimes struggle to find qualified candidates in those. They may be hired as a provisional, but there is a timeline for which they do need to complete that education, and they do need to have a certain percentage of their education done. But everybody has to have that point to become a fully-credentialed school counselor in the state of Nebraska.

**MURMAN:** So, in your opinion, we have high enough requirements, credentials for--

**MALINDA JEAN BAPTISTE:** Absolutely.

**MURMAN:** --counselors, but the shortage is the problem.

**MALINDA JEAN BAPTISTE:** The shortage is. And I think some of that comes back to even looking at some of the, the funding that has been cut, even to create educators. There's a recent bill that when they cut a program that was for creating teachers and building their own. That was cut, so students are not getting that funding. When you don't have the funding to pursue that higher education-- and I'll be honest, school counseling does not increase your pay. Most people who are becoming school counselors probably had a master's degree already, which I did. It did not move me over that much. People who are becoming school counselors do so because they care deeply about the

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students. They want to do that "LUV" that was brought up: listen, understand, value. That is what we do, and we don't do it for pay. But it does cost a great deal to do that, and that can become a barrier to people who maybe want to be counselors if there's a lack of funding out there for them to do so. I do believe that there are people that could serve in that position, and again, it comes sometimes back to the funding to help create those.

**MURMAN:** Are there states that have the high credentials like we-- Nebraska does, and also have a better ratio of students to counselors?

**MALINDA JEAN BAPTISTE:** So, ASCA--

**MURMAN:** Not the-- not so much of a shortage, I should say.

**MALINDA JEAN BAPTISTE:** Sure, sure, sure. The American School Counselor Association, ASCA, is our, is our parent body. Their guidance is 250; they also know that, realistically, most states right now are not able to get there because of school funding measures. The majority of ASCA would ad-- would advise that those counselors are certified with the master's in school counseling. That is a very specific degree that is for the position that we do.

**MURMAN:** Thank you. Any other questions? Senator Lonowski?

**LONOWSKI:** Oh, thank you, Chair Murman. And so, in your estimation, if there's a shortage of, of counselors, would volunteers that can take care of minimal counseling or at least just give a little spiritual pat on the back-- wouldn't they help you out, or am I missing something?

**MALINDA JEAN BAPTISTE:** And I think now you're confusing two different things. You said counseling, which is one thing; spiritual guidance is separate. That is not in our domain to advise. If a student comes in with questions, we're going to work with them to refer them back to their family of origin or supports of their religious background to have those questions answered. We do not [INAUDIBLE]

**LONOWSKI:** You wouldn't want that person in your school to answer those questions?

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**MALINDA JEAN BAPTISTE:** I believe that our students have access to those through their families of origin. There are plenty of youth groups, there are plenty of pastors that exist out there, and we are happy to partner and help kids access those, if that's what they would like. That's a lot of what we do, is connecting students to the extra supports that they need, whether that is additional mental health, in-depth-- so, school counselors are not for in-depth therapy. We do short-term, brief counseling that is meant to address a short-term issue. If there are longer term issues, our goal is to refer them out to a licensed professional counselor for in-depth-- if it's an economic need, we refer those to community organizations. So, really our role is to help mediate, take what the student needs, and if we can't provide that in a setting with some short-term solutions, then we're referring them to a specialist in that area. That is true of faith; we're not going to refer on-- we're not going to talk about faith with them in terms of giving them guidance. We're going to ask questions, and if they feel that they need that support, we'll refer it to the expert which exists in our communities already.

**LONOWSKI:** Thank you.

**MURMAN:** Any other questions? Senator Juarez.

**JUAREZ:** I just have one quick question. I wondered, what is the trend for people take-- completing the program for school counselors? Has it been-- do you see it rising? Is it declining? Is it staying the same?

**MALINDA JEAN BAPTISTE:** Since I-- I've been involved with the Nebraska School Counseling Association, when I went through the program, there were not very many programs in Nebraska that certified school counselors. At the time, it was UNL, UNO, Chadron, UNK; and now, there are multiple other programs, all master's levels programs that have increased. Doane, for-- I can speak a little bit more to Lincoln because I reside in Lincoln. Doane has become a program that is pumping out great candidates; we still have UNL that's doing great work; Creighton has added a program; there are some other programs that have been added, and students are coming in and joining those programs, and we are seeing an increase in the number of counselors that are available to serve as counselors. But certainly, just like any educator, there's still a need there, and I think that goes back to funding. It honestly always goes back to when we respect our

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certified, trained individuals financially, you will get certified, trained, educated individuals into those positions.

**JUAREZ:** OK. Thank you.

**MURMAN:** Any other questions? If not, thanks for your testimony.

**MALINDA JEAN BAPTISTE:** Thank you very much.

**DEBRA McKNIGHT:** Hello. My name is Reverend Debra McKnight. I'm the-- a United Methodist pastor. I serve at Urban Abbey United Methodist Church. I have a master's degree in education and a master's degree in divinity, and neither one of these qualify me to be in a school alongside a guidance counselor or other professionals who have experience and knowledge, in particular, developmental needs of different ages. Clergy credentialing varies depending on the denomination and the religious affiliation. Clergy are not university-- universally accredited. Some have master's degrees or even doctoral degrees, while others may have a bachelor's degree or even just a few weeks of training. Chaplains in the military-- as I considered this when I lived at Ramstein Air Force Base-- and in the hospital, have deep and additional training, and even then, folks experience some evangelizing from these, these professionals. Clergy are not trained as therapists. We at best have a few classes that remind us to not do harm and to help people in the moment of crisis, and then to pass them along to the people who can better serve them as therapists with training. This also starts a dangerous possibility of violating the separation of church and state, and as a parent who sends a daughter to public school, I do not want another clergy, another chaplain informing her religious views or visiting with her. I've had plenty of conversations with other folks who do not think I should be a pastor, who say women can't be pastors. And I say "I'm not a unicorn. You don't have to believe in me." I do not need folks to inform my daughter in that way. And I've had enough conversations with Senator Murman to know that we disagree, and agree to disagree, as he says, that you probably don't want me counseling your grandchildren and children. I also was a participant in FCA and in Navigators, and I had many harmful interactions with them, and great, hilarious stories for my sermons now. But I do think there is a real danger between this fuzzy mix of religious presence in our public schools, and I would be opposed to my daughter participating in it in any way. If chaplains--

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if, if clergy want to participate in public schools or be supportive, or clergy around us, there are far better avenues like Teammates; there are avenues of care, not conversion, there are avenues to volunteer. I hand out ketchup at Liberty Elementary School every Friday, and am well-loved and known for my skills of handing out ranch, hot sauce, and ketchup. There are ways for us to be supportive and come alongside schools.

**MURMAN:** Thank you. Any questions for Reverend McKnight? Senator Meyer.

**MEYER:** Thank you, Chairman Murman. I sense a theme on the opponents of, of this particular bill. There seems to be an understanding, or perhaps a misunderstanding, that talking to a chaplain is mandatory. It, it-- I, I-- what I take from this, that it is a voluntary for someone to approach an individual-- and, and, and perhaps I'm reading-- I might be reading the room wrong, but it seems like there's an assumption that talking-- a student talking to a chaplain is going to be mandatory. And, and it appears to me this is on a voluntary basis.

**DEBRA MCKNIGHT:** Sure. I, I think that it-- I understand is not mandatory, but when someone's in a vulnerable position and they go to seek help from someone that the school identifies as a safe person, but say that person just isn't the right person to be in that conversation, or hasn't been trained. I think this is very potentially dangerous, even as it's choice. The difference between a hospital chaplain-- they have additional CPE credits, they have additional training, and, and I would be curious about the previous accreditation that was mentioned, but I don't feel like what Mr. Davis was sharing was at all sufficient. And his website just kind of has the fundamentalist pamphlet on it from the 1920s. I, I think this-- whether it's voluntary or not, like, you're talking about children, and they are easy to be influenced. I, I disagree with my school allowing FCA to be hanging around when I was growing up in middle school and high school. And certainly, the goal of teaching some of those values about taking care of your body or about being safe with drugs or sexuality-- I can understand why parents and schools would want that. I think that it can be really dangerous and harmful, and I see plenty of people who've experienced significant religious trauma, and I, I don't think the schools need to be adding that, even if it's on accident, in any way to a child's experience of school.



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**MURMAN:** Any other questions? If not, thank you. Oh, Senator Conrad.

**CONRAD:** Just one quick question. Thank you for being here, Reverend. Good to see you, as always.

**DEBRA McKNIGHT:** Thanks, Senator Conrad.

**CONRAD:** You know, we hear a lot in our education policy debates about the role of parental rights in guiding and controlling their students' education and education offerings, and I think that, you know, it's really important that we apply that consistently when we think about issues like this, and the fact that different Nebraskan families have really a diversity of religious traditions and beliefs, and, you know, those are, are really precious and shouldn't really be subjected to any sort of manipulation or influence by the heavy hand of government.

**DEBRA McKNIGHT:** I agree.

**CONRAD:** So, I, I don't know if you want a chance to respond to that or not, but--

**DEBRA McKNIGHT:** I-- oh. I would say-- like, for me, as a-- individually, I would be very opposed to having my daughter talk to any, any person from a different denomination and even some of my Methodist colleagues, right? We all know that I'm pretty far on a spectrum of progressive faith tradition, and I feel that deeply as a part of, of my Christianity. And we have active conversations at my house and in my church, and I, I don't-- I, I don't need another place to have those conversations, or to even have those debates or, or spaces for questioning. I do that all the time at Urban Abbey. We have all kinds of debates and questions with our youth and young people, but those parents have chosen to bring them to the abbey for religious literacy. And I think that's what really dangerous is that a lot of folks today are avoiding church or religious programming because of the harm that happened in the past, and I think that the potential for manipulation is even higher when folks don't have a foundational sort of just religious literacy; that, that it can be-- you know, charismatic folks can be really persuasive, especially when you're vulnerable, especially when you're a tween or teen. And so I, I just-- I cannot stress enough that I would be 100% opposed to pastors being in schools, clergy being in schools. And I don't have faith in a

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credentialing system to keep them from evangelizing folks in whatever way it is.

**CONRAD:** Thank you. Thanks.

**MURMAN:** Any other questions? Senator Lonowski?

**LONOWSKI:** Thank you, Chair Murman, and thank you for your testimony. And I appreciate that you have the talks with your daughter. That tells me that there's probably a solid home. That's not the case with all of our kids. I was a teacher in public schools for 35 years, and a lot of kids came to me pregnant, on drugs, decided that they were homosexual, and they came to me to entrust in me. Not one time was I really equipped, and the, the, the head of-- the heavy hand of government is what put us here 50 years ago. The-- there was a vote in the Supreme Court, saying we should never, ever talk about religion. So, from the first 15 years of my career, I made it a point to stay apart from that, until one day, my son says, "dad, why do we talk about this at home?" or "why do you pray with me before wrestling me, but not the other kids?" And it kind of made me realize that I needed to just let my guard down and open up more. And I didn't have to tell them that I was Catholic or Baptist or anything, but kids started coming to me as a, as a trusted source--

**DEBRA McKNIGHT:** Sure.

**LONOWSKI:** --to tell me their, their trouble. And as I said, I have, I have zero counseling hours. Just the years of being a parent and being a teacher. But when kids started coming to me, they didn't say, "hey, I want your religious belief on this;" they would say, "Mr. Lonowski, I have a problem and I don't know where to go." So I could either get them to the right--

**DEBRA McKNIGHT:** Yeah.

**LONOWSKI:** --place or convince them that, hey, I'll go and talk with your parents with you, and we'll go together, or whatever. So, I guess to me, it's just another source that maybe kids can learn to trust. If they don't trust that person, they won't go to them. I've seen both sides of that, but I guess--

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**DEBRA McKNIGHT:** Sure. I think you were in the school in, like, a certified way and, and clearly had a relationship with students that they would want to come and speak with you. And when I taught social studies, I, I can understand that that happens. And as a pastor, I see that happening casually, too, with students. And so, I think there is that, like, casual space of important conversations. But an official, like, denoting of someone as a chaplain I think is much different than a casual conversation with someone that you feel is really safe to-- and has your best interests at heart.

**LONOWSKI:** All right. Well, thank you for your testimony.

**DEBRA McKNIGHT:** Yeah. Thank you.

**MURMAN:** Any other questions? If not, thank you.

**DEBRA McKNIGHT:** Thank you.

**CHRIS JORGENSEN:** Hi, I'm Reverend Chris Jorgensen, C-h-r-i-s J-o-r-g-e-n-s-e-n. I'm a United Methodist pastor, I've been that for about ten years, and I apologize that what I'm going to talk about today is not what I'm handing out, because I've recently come to the awareness of the existence of the National School Chaplain Association in just this last hour. I just want to encourage the members of this committee to really look into this organization. I am a big fan of chaplains. One of my very good friends was a hospice chaplain for many years, one of the people I would trust the most in the world. And the kind of, of training and organization that he was a part of, is-- seems to be vastly different from what this organization is. And the first thing I'm going to say out loud-- and I hate to be cynical because I am a clergy person, but I understand that this National School Chaplain Association probably has a significant financial motivation to have these kinds of bills passed in all the states in the union so that there will be an influx of people to be-- participate in their programs, in their credentialing programs. I did not click far enough to see how much it would cost me to become a school association certified chaplain, but I do believe that there is a, a major financial motivation here. The other thing that I'm really concerned about is the beliefs that are listed on the National Chaplain Association [SIC] website, which are very explicitly Christian. And they're not just very explicitly Christian, they are

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very explicitly a very particular type of Christianity. There are things listed in here that says "we believe in the personal salvation of believers through the shed blood of Jesus Christ." This is a very particular language of a very particular type of Protestant Christianity. "We believe in divine healing through faith and that healing is included in the atonement," "we believe in world evangelism and missionary work," just a number of things that have very particular resonance with very types-- I'm going to guess a Pentecostal Christianity, especially considering their association with Oral Roberts University. I would encourage you to look into the agenda of this association as you look at this bill. As a-- in contrast, chaplains who are truly inclusive have a vision statement, and the Association of Professional Chaplains would say things like strengthen the multi-faith and multicultural professional capacity-- competency of chaplains, empower chaplains to demonstrate quality outcomes to those they serve. Basically, chaplains who are actually trained as chaplains as we understand them in this country right now have this multi-faith, very inclusive approach which, which possibly would not be a problem with the separation of church and state. Training chaplains through this National Chaplain-- School Chaplain Association-- I do not see how an organization with these kind of stated values are not going to end up proselytizing to our kids. And as a, as a main-- mainline Christian, I would find that wholly unacceptable, and I'm sure as a, a non-Christian or a nonbeliever, it would be unbelievably offensive for, for children to be exposed to people who are going to have that kind of influence over them.

**MURMAN:** Any questions for Reverend Jorgensen? Senator Meyer?

**MEYER:** Thank you, Mr. Chairman. Are you against any chaplain at all in school?

**CHRIS JORGENSEN:** You know, I don't know. It's kind of interesting. As I heard this conversation, I thought about if chaplains were trained in the way my friend who I was telling you about was trained, where they genuinely are about not proselytizing and being open to people of all religious traditions, I don't know. I mean, I do tend to err on the side of the people who say, if we're going to put school resources into support for students, let's put those resources into school counselors. That--

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**MEYER:** Unfortunately, we don't have enough school counselors, and it doesn't appear that even-- I don't think-- personally, I don't think money is the issue. We simply can't get enough into training programs to get enough school counselors. And just taking a look at the bill, I don't believe that particular business is included as being a requirement to hire them as part of the program.

**CHRIS JORGENSEN:** Well, no, but-- and help me understand the bill. And maybe it's Senator Lippincott who could help me understand this. In the bill, I didn't see any requirements listed as far as what the training would be. It was-- as my understanding is, it was sort of nebulous, like, there should be some kind of certification required, but it wasn't articulated. Maybe I missed something in the, in the bill.

**MEYER:** And if I may, just, just briefly--

**MURMAN:** Sure.

**CHRIS JORGENSEN:** Yeah.

**MEYER:** Would you be willing to work with Senator Lippincott and, and come up with a-- some type of guidelines to identify a, a chaplain program that would be acceptable to you in schools? I don't know if Senator Lippincott would be [INAUDIBLE]--

**CHRIS JORGENSEN:** [INAUDIBLE] perhaps.

**MEYER:** But, but I guess I'm trying to reach out and say, OK, is,--

**CHRIS JORGENSEN:** Yeah.

**MEYER:** --is perhaps a particular type of chaplain program is not acceptable, but--

**CHRIS JORGENSEN:** I mean, I think--

**MEYER:** --but maybe there is a program that would be.

**CHRIS JORGENSEN:** I mean, the, the, the gold standard is the Association of Professional Chaplains. And, and it would be-- if you were to ask me, I would say people would have to be approved through

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there. And that's going to be an extensive amount of training that is possibly as difficult or more difficult than becoming a fully-licensed counselor in a school would be. And so, that would be-- I mean, if you want to be creative about this, I would wonder about why not-- you know how we have behavioral technicians in, in hospitals? Are-- could there be technicians who could help out and have the-- some of the listening skills that, that counselors have, that maybe didn't need as much training, or, or didn't have to go to school for as long? I mean, I'm, I'm open to creative solutions. I don't think inserting religious professionals into school that-- frankly, again, you think about vulnerable children and teens. These aren't adults who can say, oh-- I mean, imagine an eight-year-old to say, oh, no, thank you. I-- you know, my family doesn't go to church. I don't want you to talk to me. To imagine a child being able to assert themselves in that way is, is a pretty unbelievable possibility, I think.

**MEYER:** Well, I'd have about five more questions, but due to the limitations of time, I will respectfully decline. So, thank you.

**CHRIS JORGENSEN:** OK. Thank you.

**MURMAN:** Any more questions? I, I don't see it in your-- what you handed out, but it-- when you ended, you said something about as a mainline Christian,--

**CHRIS JORGENSEN:** Mm-hmm.

**MURMAN:** --I don't think these counselors-- I would-- wouldn't want them to counsel my child. And you don't have to answer this if you don't want to, what does a mainline Christian believe?

**CHRIS JORGENSEN:** Well, you know, so I'm delineating between denominations. So, the mainline includes United Methodists, Episcopalians, Presbyterians, the Evangelical Lutheran Church of America, and the Disciples of Christ, and we tend to have a, a less narrow understanding of, say, how we read Scripture than, say, Pentecostal or more fundamentalist denominations. So, that's what I-- when I say mainline, that's what I mean. If, if you would like me to theologically go through each of the points on their website and tell you how I would differ, I would do that, but I feel like nobody wants that right now. Is that-- raise your hand if you want that.

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**JUAREZ:** Thank you.

**CHRIS JORGENSEN:** OK. All I'm saying is, the, the reason I am a proponent for the separation of church and state is because I do so believe in the importance of faith, because I do believe that people should be able to teach their children the particularities of their faith. If you believe in, in faith healing and you want to teach your children about that at home and go to a church that believes in that, I think that is wonderful. I don't think any child should be-- should feel like they are being proselytized in a school in any sort of direction. Or if it's mine, frankly.

**MURMAN:** OK. Thank you. Any other questions? If, if not, thank you very much.

**CHRIS JORGENSEN:** Thanks.

**CAROL WINDRUM:** My name is Reverend Carol Windrum, C-a-r-o-l W-i-n-d-r-u-m. If you were to check my credentials as a clergyperson, you would find that I studied for three years at Saint Paul School of Theology in Kansas City, I went through rigorous probationary and elder process to become fully ordained in the United Methodist Church, and then served a congregation in eastern Nebraska. When I was at seminary, I took classes in Old and New Testament, preaching, teaching, administration and counseling. When parishioners came to me needing a listening ear and some guidance, I framed my responses in the context of the Christian faith. That's why they came to me. But beyond that context, I had no business counseling others in any official capacity, especially not under the auspices of a public school. Students in public schools are there from many religious backgrounds-- you know that-- or, none. When a child or youth needs counseling, she or "nee"-- she or he needs to have a credentialed counselor through the state, not the church. And I'm sorry, I think it was like 80 hours to get this credential to become a chaplain? That just doesn't cut it for me. As I understand the bill, clergy could be retained without any specific non-religious certification or training. Really? And they could provide counseling about academics, career choices, emotional issues, or behavioral health? My understanding is that to become a credentialed counselor in Nebraska, a person must earn a graduate degree with a counseling focus, they've got to complete supervised, supervised practicum, they have to pass a

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required national exam, and then they get a license by the state. As a clergy, I do not have these credentials. The school is not a church. Clergy should not be retained in any kind of counseling capacity. And I really, really took offense hearing a, a while back the implication that school counselors had, had kind of cerebral skills and chaplains would bring their heart to it, as opposed to-- like, counselors don't have the heart. I really took offense at that, because I know school counselors who have given their lives and their hearts to serving in the public schools. So, in my view, once again, we're seeing an effort to ignore the U.S. Constitution. To me, this is merging church and state. Please let we clergy do our jobs within the church, and state-certified counselors do their jobs in the schools. I urge you to oppose LB549. Thank you.

**MURMAN:** Any questions for Reverend Windrum? If not, thank you for your testimony.

**CAROL WINDRUM:** Thank you.

**LUKE SCHROER:** My name is Luke Schroer, L-u-k-e S-c-h-r-o-e-r. I just wanted to start out with communism was our enemy and that's the reason God has been shoved down our throats since the '50s. It's too bad fascism doesn't terrify more people today. We've run so far from communism, we've ended up a theocracy. What's the point of going to a chaplain versus a guidance counselor? Instead of having chaplains in schools, I propose an amendment, and I think this might clear up a lot of people's problems with this, because it's the encroachment of church into our public schools. Let's just staff farmers and ranchers in these school positions. They would have the same prerequisites for dealing with mental health situations, many are great listeners, and it would still help relieve the overworked guidance counselors. Schools would still be able to set standards for qualifications to apply, and I would argue farmers and ranchers would be more effective at helping kids in distress. My way to de-stress has always been going outside and connecting with the local ecosystem. The bill hopes to help in four areas. I will explain why a farmer or rancher would equally benefit and fulfill these needs. In the area of behavioral health. Outdoors, understanding your place in an ecosystem, having a purpose because you are part of the birds and bees, the fungi and all the things around you helps with depression. Understanding different sexual characteristics of other animals and plants can help when



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you're trying to grow as a youth. Emergency situations. We talked about having adequate tools to help with bullet wounds. Who better to deal with catastrophic injuries in a, in a survival situation than farmers? I have sewed up all kinds of injuries on cattle and, and given shots and things. Prolapses, all that. Like, that is part of being a farmer and a rancher is dealing with medical situations. The area of academics. Farmers and ranchers are problem-solvers. If you have a breech calf and you see that tail hanging out, that is a huge problem, and it's hard to get two arms inside of a vagina to try to grab the back legs of a calf. Farmers and ranchers have a, have a solution to that; we use a toilet plunger because you can push that calf forward and get your arm in to pull legs back. You're literally problem-solving constantly on the farm. In the area of career, work ethic. Who has some of the highest work ethic in our community? It is farmers and ranchers. That is the kind of person that I would want my kid going to to get career advice. Emotional is the fourth one. I have seen my parents sobbing at the death of cattle. May I continue?

**MURMAN:** Yeah, yeah. Go ahead.

**LUKE SCHROER:** Sobbing at the death--

**MURMAN:** I'm [INAUDIBLE] by the farmers and ranchers stuff.

**LUKE SCHROER:** Yeah. So-- and I, I-- my parents live in your district to this day, so we have that connection there, but-- tragedy on the farm is constant. I've watched a cow eating afterbirth after having a calf, and she started choking on it, and we knew to go get mom and dad, and I watched my dad jumping on a cow to get her to cough up afterbirth. That cow would have died had us farm kids not been out there in it. And we are problem-solvers, and when things do go wrong and there is death, I have seen my parents sobbing because we put in so much time and effort, so we know how to deal with loss. That is a person that I think would fit in our schools. We can pay them, potentially. I'd rather the resources go to guidance counselors, but my grandfather is an old farmer. He needs to retire, but he loves it so much, he is still able-bodied and he will probably farm until the day he dies. Put him in a school. He'd be a great volunteer to help out with kids. And it doesn't muddy the waters, introducing religion into a public space. You'd just have bad-ass farmers going in there and helping our kids out, so.

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**MURMAN:** Well, thank you for--

**LUKE SCHROER:** That's the end. Sorry.

**MURMAN:** Thank you, and I, I appreciate you describing my life, that-- I, I wasn't always sitting in a suit back here behind a desk.

**LUKE SCHROER:** Yeah. I haven't always had this much [INAUDIBLE].

**MURMAN:** You described a lot of my life. But how about ex high school quarterbacks? They're born leaders.

**LUKE SCHROER:** Right. I'm saying we have so many fantastic people in our community that we could pick from. I don't understand why we are pigeonholing it to chaplains, because that brings in external problems. We have lots of fantastic people that we could coach up and just be good support systems for our kids. Chaplain, I draw the line there. I think that's muddying a, a water that we don't need to, so, yeah.

**MURMAN:** Thank you. Any questions? Senator Hughes.

**HUGHES:** No, I-- so sorry. We're getting punchy, right? It's 6 o'clock. Thank you, Chair Murman. Can I, can I coin-- can I use the "B-A-F" and then, like, make-- I think bumper stickers. "Bad-ass farmer."

**LUKE SCHROER:** Yeah. Absolutely.

**HUGHES:** T-shirts, like, I think we could do something with this.

**LUKE SCHROER:** Like, genuinely, Nebraska is such a cool state. Like--

**HUGHES:** No, it is. So true. You--

**LUKE SCHROER:** We have great people and--

**HUGHES:** They are, and--

**LUKE SCHROER:** Some of us are atheists, some of us are Satanic Temple members--

**HUGHES:** But when you're out there--

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**LUKE SCHROER:** --and some of us are Catholics. Yeah.

**HUGHES:** When you're out there, figure it out-- you just figure it out and do what you can, so. "B-A-F." I love it.

**LUKE SCHROER:** Yeah.

**HUGHES:** Thanks for coming in.

**LUKE SCHROER:** Thank you. I appreciate it.

**MURMAN:** Thank you. Any other questions? Senator Lonowski.

**LONOWSKI:** Thank you, Chair. And, and thank you for that new acronym, there, Senator.

**LUKE SCHROER:** Yeah.

**HUGHES:** I-- I'm seriously gonna make t-shirts [INAUDIBLE]

**LONOWSKI:** Yeah, I, I, I know you're kind of doing this tongue-in-cheek, but at the same time,--

**LUKE SCHROER:** Yeah.

**LONOWSKI:** --you realize that that's a possibility, and, and I would submit to you that I, I agree. We have to get them some sort of counseling so that they can-- I mean, some of them already are paras, when they're-- you know, when they have time in the winter and they're not quite as busy and such, but--

**LUKE SCHROER:** Right.

**LONOWSKI:** --yeah. I, I recommend that you-- to you, maybe start running-- you know, recommending to people, go be a para, see if you want to go on farther to, to help these [INAUDIBLE]--

**LUKE SCHROER:** Yeah. Yeah. That way we don't have to have this discussion about chaplains, because those areas are already being fulfilled. I agree.

**LONOWSKI:** But, but I submit to you that a lot of those farmers are also Christians, because I know they're praying--

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**LUKE SCHROER:** Oh, absolutely.

**LONOWSKI:** --praying for the-- a good crop, and a, you know--

**LUKE SCHROER:** 100%. And some of them are atheists and, and all the above. I, I completely agree. But the problem is, like, chaplain is specifically a religious vocation, I will say. And that is the problem that a lot of us are having. So-- and that's why you keep kind of hearing that drum being beat, is that muddying of the waters is inappropriate for a lot of us. And I know it doesn't make as much sense to Christians because it's not your lived experience. So, I get it; it's a little bit harder to grasp.

**LONOWSKI:** Yeah.

**LUKE SCHROER:** But that's our experience.

**LONOWSKI:** Thanks for your testimony.

**LUKE SCHROER:** Thank you. Any other questions?

**MURMAN:** Any-- yeah. Any other-- thanks for your testimony.

**LUKE SCHROER:** All right. Thank you. I appreciate it.

**JOY KATHURIMA:** Good evening, Chairman Murman, and members of the Education Committee. My name is Joy Kathurima, spelled J-o-y K-a-t-h-u-r-i-m-a, and I'm a policy counsel at the ACLU of Nebraska, and I'm testifying on behalf of the ACLU of Nebraska in opposition of LB549. The ACLU of Nebraska protects the constitutional rights of all students to equal educational opportunities. We focus on ensuring that the public education system provides the right to an equal education for all students, including those who have been historically marginalized and under-resourced by the public school system-- such as students of color, LGBTQ students, and low-income students-- and that all educational decisions are centered on student need and student success. The primary role of chaplains is to provide pastoral or religious counseling to people in spiritual need. Even if a school district adopts rules prohibiting promotion of religion, chaplains don't have the necessary experience or training to ensure that they stick to our school's educational mandates and avoid veering into impermissible religious counseling and other promotion of religion.

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Requiring parental consent won't sweep away constitutional violations, just as parental consent for a public school to teach creationism to a child wouldn't make it constitutionally permissible to do so, or the risk that an on campus chaplain will interact with students without their parent's permission. Families and students in our state practice a wide variety of faiths, and many are also non-religious, and all of those people should feel welcome as public schools. School counselors are uniquely qualified and certified for the duties they perform, including mental health services and college and career planning. Chaplains don't possess the academic and professional credentials of a school counselor or other support staff. When a vulnerable student seeks mental health support at a school, that care must be provided by a qualified professional. Relying on un-- any uncertified individual to perform these duties could lead to harm to students. Even with the best intentions, uncertified and untrained chaplains may provide inappropriate responses or interventions that could harm our students. The best way to ensure adequate numbers of school counselors and support staff is for our state to invest in hiring more certified counselors and other staff who have professional training and experience in providing the specific services that students need. Our public schools are for education, not for evangelizing. For these reasons, we urge the committee to indefinitely postpone LB49-- LB549. Thank you, and I'd be happy to answer any questions.

**MURMAN:** Thank you. Any questions for Joy? If not, thanks for your testimony.

**JOY KATHURIMA:** I, I would also note-- sorry. The bill that was passed in Texas, only three school districts in Texas have even adopted the ability to employ school chaplains-- and I'm happy to send this article to the members of the committee-- but the 25 of the largest school districts in Texas chose to continue to have chaplains serve as volunteers versus employing them and using those dollars to employ chaplains in their schools, so I'm happy to send that article to the members of the committee as well.

**LONOWSKI:** So, I'm, I'm sorry-- oh.

**MURMAN:** Yep. Senator Lonowski's got a question?

**JOY KATHURIMA:** Yeah, that's OK.

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**LONOWSKI:** Thank you, Chair. Sorry about that. So, they're volunteers in Texas, or they're using money to--

**JOY KATHURIMA:** They're volunteers. So, the bill was passed in 2023 that said that the school districts could employ chaplains. Of those school districts, only three school districts chose to employ chaplains, and 25 of the largest school districts in Texas chose to continue to have the volunteer option for chaplains to serve.

**LONOWSKI:** So they-- OK, they have volunteer chaplains, or they just--

**JOY KATHURIMA:** Like volunteers in schools, like how you would be able to [INAUDIBLE]

**LONOWSKI:** OK. OK.

**JOY KATHURIMA:** --in any other situation, if you want to be a community member who's part of your school community.

**LONOWSKI:** All right. Will you send that to me, or at least--

**JOY KATHURIMA:** Yeah, yeah. No, I, I can send that article to the committee.

**LONOWSKI:** Thank you so much. I'd appreciate it.

**MURMAN:** And that brought up a question for me, too. I haven't read the bill close-- as closely as I should have, but it-- doesn't the bill say that they can either be voluntary or paid chaplains?

**JOY KATHURIMA:** The bill says that they're supposed to be employed.

**MURMAN:** OK. [INAUDIBLE]

**JOY KATHURIMA:** Yeah. The bill says that a school board may employ a chaplain. That's what Section 2(a) says.

**HUGHES:** [INAUDIBLE].

**JOY KATHURIMA:** And it-- the employment is pursuant to all of these things, endorsement-- no endorsement of par-- a particular religion. So I think that is also where it comes into play. If we're already going to be using taxpayer money, wouldn't it be better to be able to

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support students in a different way that doesn't necessarily have to pay for chaplains? If we have the money for chaplains, we should be able to find money to, as Senator Meyer was saying, recruit students who want to go into counseling to be able to fulfill some of those positions in our rural schools.

**MURMAN:** OK. Thank you.

**JOY KATHURIMA:** Thank you.

**MURMAN:** Other opponents for LB549.

**DONOVAN HANSEN:** Hello. My name is Pastor Donovan Hansen, D-o-n-o-v-a-n H-a-n-s-e-n. As a minister of Satan in Nebraska, I frequently hear from parents both within and outside of my congregation who are deeply concerned about LB1065 and now LB549, bills that allow school districts to hire chaplains to perform duties of school counselors. The most glaring issue is the bill violates the Establishment Clause of the U.S. Constitution, Article one, Section 4 [SIC] in the United-- and four of the-- of the Nebraska-- excuse me-- state constitution that schools do not accept interested chaplains of all faiths. If any group is excluded, lawsuits will follow; lawsuits that taxpayers and your constituents will have to pay for. In addition, these bills jeopardize student safety. Schools employed licensed guidance counselors because they have training, ethical oversight, and accountability to properly support students. This bill allows unregulated, unvetted religious figures into schools without those safeguards. Parents are rightfully concerned that vulnerable children will be subjected to unchecked religious influence, coercion, or even harm. If this bill passes, my fellow ministers and I will offer our services as school chaplains to ensure that Satanic families, secular families, and other minority religions have equal representation. Satanic chaplains are thoroughly vetted, trained, and fully qualified to provide guidance aligned with our deeply-held religious convictions without proselytization. Ministers from many other faiths who do not adhere to the same righteous-- or, excuse me, rigorous standards will also likely seek to have a presence. That means the already-overburdened administrators will be responsible for accommodating chaplains from numerous faiths, adding unsac-- unnecessary complexity and disruption to schools. This is a bad bill

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legally, logistically, and ethically. We urge you to vote no and keep religion out of public schools.

**MURMAN:** Thank you. Any questions?

**DONOVAN HANSEN:** I did want-- I did want to add that as a-- someone who works very closely with suicide survivors and depressed people, I think cherry-picking those to make your point about chaplaincy when a lot of people who experienced suicidal ideation or because of religious drama, I don't, don't think that's an accurate way to go about that. But I just wanted to add that, that that's also a contributor to suicide. And not, and not-- it's not a cause, but I'm just saying the correlation and causation doesn't work either way.

**MURMAN:** Thank you. I couldn't-- sorry, I couldn't hear you very well. Did you say you were a, a pa-- pastor of the Church of Satan?

**DONOVAN HANSEN:** I go by pastor, but I'm a minister of the--

**MURMAN:** Of Church of Satan? Is that correct?

**DONOVAN HANSEN:** No. The Satanic Temple.

**MURMAN:** The-- pardon me?

**DONOVAN HANSEN:** The Satanic Temple.

**MEYER:** Satanic Temple.

**MURMAN:** Oh, Satanic Temple. OK. Any other questions? If not, thank you for testifying.

**DONOVAN HANSEN:** And to, to clarify, we-- it is an atheist religion, just to be clear. We're secular, but we have a set belief system. We're a federally-recognized religion. Thank you.

**MURMAN:** OK. Thank you. Other opponents for LB549.

**CHARLES RIEDESEL:** Senator Murman and members of the Education Committee, again, I'm Dr. Charles Riedesel, C-h-a-r-l-e-s R-i-e-d-e-s-e-l, professor emeritus at UNL and former chief undergraduate advisor for computer science and engineering. I



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currently serve on the Beatrice School Board, and I'm speaking for myself and representing the NASB today. Beyond doing research and teaching, my career was dedicated to serving my students as advisor and counselor, not only academically but also personally. I take the role of advisor, counselor, or whatever you wish to call it very seriously. My experience leads me to oppose LB549. Point. This particular bill provides no effective accountability. The terms "licensed," "ordained," "endorsed," "trained to serve in secular environments" are totally the purview of the denomination, congregation, or sect of the supposed chaplain. Contrast this to the extensive requirements for all other staff. Point. The chaplain could supposedly be hired to provide academic, career, emotional and behavioral health support to students, but with no verifiable qualifications. Point. Chaplains might not be adequately trained or qualified to serve as mental health counselors, and they run the risk of proselytizing at school. Point. Without accountability, the school may be liable for any resulting damages by the chaplain, and the Unicameral itself may bear some of the embarrassment. Point. How would it not be construed by students that such a chaplaincy was not an endorsement of a religion? There is no prohibition that any particular faith practice not be part of the support being provided. Point. There are churches whose doctrines and practices are not in accord with recognized civil rights, scientific principles, roles in society, and pedagogies. Moral and ethical principles are not universally recognized across nominations. And point, just like my many advisees at UNL, students in public schools come from a variety of faith traditions and perspectives with vastly different notions of God. For students who do not share the theology or religious beliefs of the school's chaplain, seeking guidance from a chaplain in times of distress may increase student stress, confusion, and isolation. And point, the notion that a school chaplain is tapped to represent God's presence in the school and give spiritual care for a public school population may be well-intentioned, but runs afoul of the need to serve in a pluralistic society. OK, I had the privilege of helping and simultaneously learning from university students coming from Nebraska and all parts of the world, and having experiences far outside my own. I count as friends-- I'm, I'm sorry--

**MURMAN:** Yeah, go ahead and continue.

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**CHARLES RIEDESEL:** I count as friends students who are rejected by their families for various reasons. Students dealing with the consequences of integrity violations; students unhappy and struggling in computing but remaining because of family pressure; international students unable to focus on their studies while their families face persecution and war; and sleep-deprived students struggling to learn while also having to work long hours to pay tuition. In closing, the value of advising and counseling in education is special for me. My commitment was perpetuated a few years ago when I endowed the annual Dr. Charles Riedesel Outstanding Advising Award for the advisor at UNL who, among other qualifications, "seeks out opportunities to serve students, and the campus in ways that benefit students make students their top priority." Thank you for your attention.

**MURMAN:** Thank you. Any questions for Mr. Reisdell [SIC]? If not, thanks for your testimony. Appreciate all of your testimony today. And maybe you're going to stay around. That's-- that'd be great, too.

**CHARLES RIEDESEL:** Yeah. I'll stay around. And, and as far as late nights are concerned, I spent very late nights at the university.

**MURMAN:** Thank you.

**JAMES MATTHEWS:** Hi there. Once again, my name is James Matthews; that's J-a-m-e-s M-a-t-t-h-e-w-s. I'm just a resident of Lincoln, Nebraska concerned with local politics. In regards to LB459 [SIC], I believe the incorporation of chaplains into public schools presents significant constitutional, ethical, and academic concerns. While advocates may contend that chaplains provide moral guidance and emotional support, their presence within a state-funded educational system violates the constitutional principle of church-state separation, undermines the inclusivity of increasingly pluralistic student bodies, and supplants evidence-based psychological support with sectarian influence. Given these fundamental issues, the integration of chaplains into public schools is both legally unjustifiable and educationally inappropriate. The First Amendment of the U.S. Constitution enshrines the principle of religious neutrality in government institutions through the Establishment Clause, which prohibits any governmental endorsement of religion-- of any particular or general religion. The appointment of chaplains in public schools who are overwhelmingly affiliated with specific religious traditions

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constitutes an implicit endorsement of religion by the state, thereby violating this fundamental legal doctrine. The Supreme Court has consistently reinforced this principle in rulings such as *Engel v. Vitale*, which prohibited state-sponsored prayer in school, and *Lemon v. Kurtzman*, which established the titular Lemon test to prevent excessive entanglement between government and religion. Introducing chaplains into public schools would set a dangerous precedent, eroding the constitutional safeguards that ensure religious liberty and state neutrality. Public schools serve a diverse student population, encompassing a vast array of religious and non-religious worldviews. The introduction of chaplains, who by definition operate within a religious framework, risks privileging particular faith traditions while alienating those who adhere to different or non-religious belief systems. Even as chaplains purport to offer non-denominational support, their religious orientation inevitably influences their counsel, making true neutrality unattainable. Schools should cultivate an environment of inclusivity, ensuring that all students feel equally valued regardless of their religious or philosophical convictions. The presence of chaplains inherently disrupts this balance, subtly imposing religious norms within a secular institution. The primary function of school education is to foster intellectual growth and equip students with the critical thinking skills necessary for civic engagement and professional success. When students require emotional or psychological support, they should receive it from trained secular professionals such as counselors, psychologists, and social workers who operate under rigorous ethical and scientific standards. Unlike chaplains, these professionals provide impartial, evidence-based care that is free from religious bias. Replacing or supplementing such services with faith-based counseling not only diminishes the credibility of mental health in-- support in schools, but also risks imposing religious perspectives on students who may not consent to them. The imposition-- this imposition of faith-based guidance can be psychologically damaging to developing youth. The integration of chaplains into public schools is both constitutionally impermissible and ethically untenable. It contravenes the Establishment Clause, erodes the inclusivity that's essential to a diverse educational environment, and replaces professional, evidence-based support with sectarian influence. To uphold the principles of religious neutrality, academic integrity and equal representation,

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public schools must remain secular spaces, ensuring that all students receive the impartial education and support they deserve.

**MURMAN:** Thank you.

**JAMES MATTHEWS:** That's the end of my prepared statement. I apologize, I want to make sure I got through all of it. I do have a, a question for Senator Lonowski. So, a moment ago, you made a remark that in your personal experience as a teacher, you at times had students come to you who were, I believe--

**MURMAN:** Actually, you're not allowed to question the senators.

**JAMES MATTHEWS:** Oh, I'm so sorry. OK.

**MURMAN:** But you could give a hypothetical.

**JAMES MATTHEWS:** OK, so hypothetically, we are proposing, or rather operating under the assumption that these chaplains will not proselytize, you know, in their-- well, they will not impose their religious beliefs, specific religious beliefs upon students. I, I don't think that that is a fair assumption. I don't want to make any blanket statements about all religions, but I think it's-- you'll notice most religions include recruitment as a spiritual responsibility. That's very common in Christianity. We are expecting chaplains who follow strict religious beliefs to either forgo their obligations as theologians, to not try to recruit youth into their beliefs, or try to, you know-- they're either abandoning their spiritual obligations to recruit other students to their religion, or they're abandoning their secular obligations to provide impartial support. Does that-- does that make sense?

**LONOWSKI:** Yeah. So, thanks for your testimony.

**JAMES MATTHEWS:** Yeah. Of course.

**LONOWSKI:** You read faster than I'm able to. So, many years ago, I was in Afghanistan, and I just realized-- and I'm praying 24/7, you know, for the safety of my soldiers, for the safety of, of the units and, and everything else. And then when I came back, I'm like, we're supposed to teach these kids as if only Sunday morning matters as far as being a Christian. So, I didn't, I didn't tell them necessarily

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that I'm praying 24/7, but they started realizing, hey, Mr. Lonowski's kind of a safe guy to go to, he's-- he seems like he's less judgmental, which I became. I kind of was, like,--

**JAMES MATTHEWS:** That's good.

**LONOWSKI:** --they're probably the same kind of little turd I was, and so-- but I'll learn from it. But then-- you know, so we started-- I got to a point with my wrestling teams where we would pray together, and before I knew it, they were asking to lead the prayer. And that wasn't my goal anyway. And I accepted every kid, including kids who said "I don't know what to believe," and I just said, that's OK, you know, if you want to stand with us, that's fine; if you want to separate, that's fine. And it does put them in awkward positions and it does-- you know, but at the same time, you're right, I'm believ-- I believe that we, we all should-- we should be Christians, and I understand that some people aren't.

**JAMES MATTHEWS:** Sure.

**LONOWSKI:** And I guess I wish that I could have somewhere touched their life or helped them out. It might have backfired; it might not have. You know? I never once told anyone you should believe like I believe.

**JAMES MATTHEWS:** Sure.

**LONOWSKI:** But outstate Nebraska, we don't have quite the, the, the differences of all these, all these different thoughts and ideas. So, so I--

**JAMES MATTHEWS:** Sure.

**LONOWSKI:** --also admit that it might have been easier in my shoes than in a lot of people's shoes.

**JAMES MATTHEWS:** Absolutely.

**LONOWSKI:** And I don't know if that's answering the question--

**JAMES MATTHEWS:** I-- yes. I apologize, I wasn't aware I wasn't able to ask the questions, but--

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**LONOWSKI:** No worries. No worries.

**JAMES MATTHEWS:** I guess the concern that it does raise there is it is a spectacular opportunity. And no, it is not a requirement for students to speak to chaplains, but it is a privilege to have that open door, that invitation. And of course, these chaplains are going to be just demographically and statistically speaking, predominantly Christian, and I don't think that you would hold the same open arms to other religions. For instance, we had representatives here from Satanic congregations. That would be a terrific opportunity for them to have a chaplain in a, a public school with an open door and say, "Hey, I'm not going to talk to you about Satanism; I just happened to be Satanic. Let me offer you some more guidance." I think that proposition would outrage many people who would otherwise be a proponent of this bill, if that makes sense.

**LONOWSKI:** That makes a lot of sense.

**JAMES MATTHEWS:** Yeah. So, I, I think it, it does provide a privilege to, to these specific chaplains. And make no mistake, I do agree that there-- there's nothing more sensitive than struggling youth, especially when they're looking for moral guidance. I just-- I think that as, as everyone-- other, other propon-- or, other opponents have testified, I think they should be subjected to the same rigorous vetting as any medical professional. Anyway, thank you so much. It's been a pleasure [INAUDIBLE].

**LONOWSKI:** Thanks for your testimony. Appreciate it.

**MURMAN:** A good exchange. Any other questions? If not, thank you. Other opponents for LB549.

**MICHAEL DAUGHTERY:** Senator Murman and, and, and everybody else, my name is Mike Daugherty-- Michael Daugherty, M-i-c-h-a-e-l D-a-u-g-h-e-r-t-y, and I'm just representing myself and speaking in opposition to this bill. And it's been a long day and I've kind of trimmed my talk-- trim my talk, because I think a lot of what I was going to say was already-- has already been said, so just-- we were talking about public schools here, I believe. I, I think the children should get a secular education in a public school. And by that, I mean free from religious influence. And that-- I think that would it also

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include the counseling environment. Just two points I want to make. I-- I've listened to some of the testimony and I, I just don't see anything that a chaplain can contribute to the counseling of a student that a qualified counselor couldn't do. If the statistics are to be believed, well, that's, that's very interesting; maybe we should look into that and see what, see what the-- see where that magic's coming from. And so, I, I asked myself, what, what is the point of this legislation? I've asked myself about that-- that about the last two that we talked about earlier, and I, I believe that this is just one of those wedge issues that's, that's being used to inject religion into public schools. And once you get that in there, you can get more. You can have-- you have an opening for more, more religion into these secular schools, public, public schools, so. Anyway, I, I was surprised to hear that so many other states were bringing this particular legislation up. So, it kind of sounds like an organized effort. OK. That's all I have to say.

**MURMAN:** Thank you. Any questions for Michael? If not, thanks for your testimony.

**MICHAEL DAUGHTERY:** Thank you. Thank you all.

**MURMAN:** Yeah. Good evening.

**SPENCER RICE:** Good evening. My name is Spencer Rice, S-p-e-n-c-e-r R-i-c-e, here for myself in opposition to LB549. Going generally at the end means a lot of other people can say most of the stuff that I generally agree with. So, for me, I just want to say people talked about the teacher shortage and counselor shortages, and, you know, obviously we're not going to solve that overnight. But it does seem like we, we know the general direction we should be going in reducing those. But then, there's also-- you can have the smallest classes you want and a-- but if students have trouble at home, then that's not really going to help all that much. And so, I think other things we need to be addressing is, you know, fighting poverty. And, you know, it's not the purview of this committee, but I think it's just the things we need to be considering all the causes. But when it comes to the counselors, honestly-- or the, the chaplains, I think the idea is great, providing more resources in this sense. But I have to agree with a lot of the other opponents: why chaplains? I'm not going to say let's get all the farmers to do it because they're busy, but I think

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the idea is we, we should be exploring our-- creating, you know, possibly, a, a lesser position than your fully-qualified counselors to kind of fulfill these roles for volunteers and whatnot. Because it, it is great to be-- you know, to have adult figures to talk to growing up. I was privileged with my family; a lot of people aren't, and those are the kind of things that we should be addressing as a community. But as a-- some of the more specific concerns that people mentioned, like teenage pregnancy-- well, we know how to reduce that: teach safe sex. Kids-- teenagers have sex, people have sex; it's what they do, but we need to teach them how to do it safely. And to this regard-- in this regard, you know, we should probably be looking at removing religious exemptions to such classes, if that's really our concerns. Having chaplains, even with just the title, creates a perception, and that perception influences reality. Yes, it is voluntary, but if we create such a position that creates a resource that becomes available to some but not others, which can only-- you know, would further resource divides. And finally, I just want to say I, I take exception once again with Senator Lonowski's words earlier. People do not decide to be gay. I did not decide to be straight, and I don't think anyone here sat down and was like, yes, I am straight. I like women and I like men. We discover who we are, and that kind of language is outdated. Thank you.

**MURMAN:** OK. Any questions for Spencer? If not, thanks for your testimony.

**SPENCER RICE:** Thank you.

**MURMAN:** Other opponents for LB549? Any neutral testifiers for LB549?

**CHRISTIAN OLSON:** Good evening. My name is Christian Olson, C-h-r-i-s-t-i-a-n O-l-s-o-n. Before I get started, I'd like to clarify-- I, on my previous testimony, had said that the attack in Pittsburgh was the worst anti-Semitic attack since the Holocaust excluding the January 6th. I since found out I was wrong on that, there was an anti-Semitic attacks during communist Russia, so I'd just like to apologize and rectify that. I rise today because-- simply because chaplains in schools-- this specific bill, it is not a bad idea, but in my opinion it needs amended severely. The idea of putting people in school who are qualified, such as chaplains, is not a bad thing. It's actually, personally, something I have been looking into,



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is post-graduation, getting into prison chaplaincy through the Episcopal Church of the United States. However, in the context of this specific bill, there were many things missing. The first thing is letting them set the-- letting school districts set the standards themselves could cause inadequate standards. When we heard about the-- how the certification agency that got up to talk before, that certification would be wholly not accurate to be a minister in most denominations, much less be a chaplain. Chaplains receive additional training on top of ministers and priests and bishops. Additionally, there did not seem to be in this bill any sort of system for disciplining these people if they should violate their mandate to stay religiously neutral. If one should attempt to proselytize, there did not seem to be a way that the state could intervene to either fire them from their current position and/or prevent them from ending up in a new position for violating it. Additionally, in the trainings that the person from-- forgive me, I'm forgetting the name of the organization, but the national school chaplains organization, they did not mention doing any sort of safekeeping training, that anti-sexual assault and sexual abuse training. I don't know if he just failed to mention it, but I found that highly concerning. Additionally, I don't think that they made it clear and that there was enough of a distinction made between what the roles of a counselor would be versus the roles of a chaplain, and I feel like this bill needs to make it quite clear so that schools are not sending people to chaplains when they should be being sent to counselors. These are two extremely distinct roles. And that's it.

**MURMAN:** Thank you. Any questions for Christian? If not, thanks for your testimony. Any other neutral testifiers for LB549? If not, Senator Lippincott, you're welcome to come up and close. And while he's doing that, online, we had 38 proponents, 191 opponents, and 1 neutral.

**LIPPINCOTT:** Thank you, sir. Just a quick two items here as a housekeeping note. Page 2 of the bill, line 5, it talks about the chaplain as being a volunteer. First word, line five. So, this is not a mandatory thing. It's not-- has big fiscal impact, but it's a volunteer capacity. Drop down to line number 22. Senator Juarez asked about in case a chaplain would start coloring outside the line, so-to-speak, if I can use a figure of speech, and it does very clearly say that the employment, the discipline, the continued education of a

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chaplain, and the termination of employment of a chaplain, all that would be determined by the local school board. Let's just look very briefly at what the status quo is given us. Recently, a study was done by the Center for Disease Control [SIC], a ten-year look-back from 2011 to 2021, and they saw an increase in sadness and hopelessness of students increased from 28% up to 42%. Status quo is not working. And for female students, it actually increased to 57%. Those considering suicide, 22%; for female students, 30%. Status quo is not working. There's a 50-year look-back from 1970 to the year 2020, and it's interesting to note, some people would say, well, we need to throw money-- more money at the problem and hire more counselors. But in that 50-year look-back, student population has increased by 5% and employees of schools has increased 95%. So, just simply throwing money at this problem is not solving the problem. We know that students-- right now, 58% and these are national numbers-- that 58% of students come from broken homes. That has an impact. We have spent three times more money on education here in America than any other industrialized nation, but yet we end up last in terms of how the students do. The status quo is not working. Very briefly, wrap-up. The challenges that we are facing: teachers are experiencing stress, burnout, mental health issues; there's violence in our schools; there's a shortage of staff. Status quo is not working. The chaplain, what does it provide? It provides trauma care, crisis intervention, a safe space, school security, student support, teacher support. One time, I was-- a number of years ago, was going through a self-inflicted time of hardship in my own personal life, and a very good friend of mine-- he was a former Air Force Academy graduate, instructor pilot in the Air Force, got hired by Delta Airlines, pilot for Delta. Plus, he was a licensed counselor, and I confided in him at that time, and he told me this. This is very interesting. He says, "You know what? A lot of times, we don't need an answer. We just simply need somebody to walk alongside us." And I think that that's what a chaplain provides: somebody to walk alongside kids and listens to them, understands their plight, and just encourages them. That's what we need. Thank you, sir.

**MURMAN:** Thank you. Any questions on the close? Senator Lonowski?

**LONOWSKI:** Thank you, Chair. And it-- real quickly, I, I kind of like Christian's concern here about the difference between a chaplain and a

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counselor. So, would the chaplain answer to the counselor or to the principal, or?

**LIPPINCOTT:** I think they walk hand-in-hand. I'm kind of shooting from the hip on that one. But a counselor has-- you know, we've all went to school, we all probably had interactions with the school counselor, and a lot of that was to help career plan, find out your strengths and weaknesses, and help you determine what direction you're going. And chaplains are not so much that as they are just simply to walk alongside you whenever you've got issues.

**LONOWSKI:** Thank you, Senator Lippincott.

**LIPPINCOTT:** Yes, sir.

**MURMAN:** Any other questions?

**HUGHES:** I--

**MURMAN:** I, I-- Senator-- well, I do have one. I, I agree with you that quite often the, the teachers and everyone else in the school is too busy to spend as much time with the kids as-- that they would really like, and I think this chaplain-- chaplains could fulfill that role. Do you agree? I think you've said that, so--

**LIPPINCOTT:** Yes, sir.

**MURMAN:** Thank you. Senator Hughes has a question.

**HUGHES:** Thank you, Chair Murman. Thank you, Senator Lippincott. So, I just-- maybe we need the word "or" on that line 4, a school board may employ a chaplain or in a volunteer capacity, versus--

**LIPPINCOTT:** Correct.

**HUGHES:** --including, because it does kind of leave it that it-- it's an employee. But that aside, I agree, the more adults, positive adults in a kid's world, the better. When you're throwing out the stats of depression, loneliness, et cetera, there's a lot of other bills out there that I think we're also addressing it. It has skyrocketed since kids have had phones and social media, and there's a lot of data there, so I think there's other things we're doing aside that, that

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hopefully will help address it. And if we knew what the silver bullet was, that would be great, but we don't, so. Anyway, I just wanted to point out, so. Thanks for bringing this.

**LIPPINCOTT:** I agree with you completely. Social media has really been an issue. There was another-- if I can throw out another stat from the Rand Corporation. This is from just last year, 2024, and said that 60% of teachers are experiencing burnout and that 20% of them intend to leave at the end of this school year. So, we've got a real issue.

**MURMAN:** Any question-- any other questions? If not, thanks for bringing the bill.

**LIPPINCOTT:** Thank you, sir.

**MURMAN:** And that'll close the hearing on LB549, and we will open the hearing on LB426. Senator Andersen. Good evening.

**ANDERSEN:** Yeah. I modified my, my opening from good afternoon to good evening.

**MURMAN:** Appreciate that.

**ANDERSEN:** Yeah. Good evening, Chairman Murman, and members of the Education Committee. For the record, my name is Senator Bob Andersen, B-o-b A-n-d-e-r-s-e-n, and I represent District 49, which includes northwest Sarpy County and part of Omaha. Today, I'm introducing LB426, which strengthens, strengthens civic education in Nebraska by allowing schools to offer an American flag education program. This bill ensures that students in grades 5 through 8 have the opportunity to learn about the history and significance of the American flag, the United States Flag Code, and the proper flag etiquette as part of their social studies curriculum. A strong civic foundation is essential for preserving a constitutional republic and ensuring that future generations understand their role as informed and engaged citizens. Nebraska law already requires schools to provide civic education, but many students don't receive hands-on instruction regarding the American flag and its significance. LB426 allows schools to address this gap by offering a dedicated flag education program in partnership with local veterans organizations. This initiative is not just about teaching facts; it's about fostering an appreciation for

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the sacrifices made by those who have defended our freedoms. Many veterans and community leaders have expressed their support for this effort, recognizing the importance of instilling patriotism with civic responsibility in young Americans. School will be-- schools will be encouraged to partner with local veteran organizations such as the American Legion and the, the Veterans of fighting war-- Foreign Wars to help deliver the program, providing students with a direct connection to those who have served under the flag. As part of the program, each student participant would receive a three-by-five foot American flag and an accompanying flag etiquette handbook, "reinfirst"-- reinforcing their learning with a tangible symbol of what they are taught. One concern raised by LB426 relates to the funding. When this bill was drafted, we initially proposed funding the flags using a portion of the-- Nebraska's education lottery funds. However, we have since learned those funds are already allocated to other education programs. As a result, we are working closely with stakeholders to find a better solution. My office is hosting a meeting this Friday, February 28 with the ESUs, Nebraska Association of State School Boards, Commander Yoakum [PHONETIC] from the American Legion of Nebraska, and Commander Yount of the Nebraska VFW to identify alternative funding sources. I invite all of you to attend the meeting, if you can try to find a-- try to find a solution. Our goal is to secure private donations or other means to make sure that the schools have resources they need without imposing additional financial burdens on districts or the state. In closing, LB426 has strong support from Nebraskan-- Nebraska's veteran organizations, educators, and civic leaders. By providing students with a tangible connection to their nation's history and values, this initiative strengthens our civic education and fosters a greater appreciation for the American flag. Thank you for your time and consideration, and I'll welcome any questions from the committee.

**MURMAN:** Thank you. Any questions for Senator Andersen at this time? Senator Hughes.

**HUGHES:** Sorry. Yes. Thank you, Chairman Murman. Thank you for bringing this, Senator Andersen. What's-- I-- what is-- when is the meeting? Friday?

**ANDERSEN:** What's that?

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**HUGHES:** When was your meeting?

**ANDERSEN:** This Friday afternoon.

**HUGHES:** OK, you'll-- just invite us. Like, let us know.

**ANDERSEN:** Probably 4:00.

**HUGHES:** I'm happy to hear you're searching-- I, I served-- when I was on school board, I served on the civics committee that the school board had to have for overseeing, and there was a prior question at another bill asking, well, is that not happening? I assure you it's happening. But I think partnering with a veterans organization-- which is in all the communities-- and showing kids this, and, and I-- I'm going to guess-- and I don't know, but I bet some schools-- some do this. Not that every kid gets a flag, but they learn, you know-- I know they're learning about the flag and how to fold it. So, I appreciate you--

**ANDERSEN:** Right.

**HUGHES:** --going outside, because the fiscal note, as it-- like, I would be a little worried about taking some of the funds from the lottery putting toward this one. I think there's so many other needs as well. So, anyway, I'm happy to hear what's going on Friday, and we'll try to be a part of that, so.

**ANDERSEN:** So, there is an updated fiscal note. I don't know if you guys got that.

**HUGHES:** Oh, and maybe I don't have it.

**ANDERSEN:** The original one was--

**HUGHES:** 600, I thought?

**ANDERSEN:** The original one was 600.

**HUGHES:** Yeah, \$609,000.

**ANDERSEN:** 609, and the new one is 60. So, working with the ESUs, and they're looking-- you're putting together a, a, a video curriculum

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that would be far more cost-effective. And then, looking at cost sharing as far as the flags. So, really the, the fiscal note-- and we'll, we'll work through it on Friday, but [INAUDIBLE] a tenth of what it has in the original note.

**HUGHES:** Thank you.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. And thank you, Senator Andersen, for bringing this. So, would the veterans be the people who would come into schools and, and teach this? Is that how you see this?

**ANDERSEN:** I see it both as a, as a collaborative event. The veterans can come in-- you know, it's always a great exchange. Like, you, you being a veteran and, and, you know, a retiree from the guard, you got a lot of stories, and having the opportunity to share those stories and, and discuss what it means to be an American, and what it means to, you know, to, to, to have the flag and everything else. It just presents a tremendous opportunity to get them two-- those two together. I've got two sons and, you know, they're very well-versed in civics and the flag of the United States, and what it means to be free. But, you know, my sons kind of have the advantage of me being a veteran, right? There's a lot of kids out there could use that kind of advantage, and this program aims to do that and reinstill the civics and pride in America.

**LONOWSKI:** OK. Thank you. And then how many-- I-- maybe I missed it in the bill. How many hours do you see this?

**ANDERSEN:** One hour between age of-- the grades of, of fifth grade and eighth grade. That's the requirement. Or, that's what they're able to do.

**LONOWSKI:** One hour total?

**ANDERSEN:** Yes.

**LONOWSKI:** OK. Thank you.

**MURMAN:** Any other questions? If not, thanks for the open. And we'll ask for proponents of LB426.

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**KEN YOUNT:** Chairman Murman, members of the Education Committee, good evening. I changed mine. My name is Ken Yount; that's K-e-n Y-o-u-n-t. I am the department commander of the Nebraska Veterans of Foreign Wars. I'm here to testify today in strong support of LB426. The VFW is an organization deeply rooted in Americanism and patriotism, dedicated to honoring the sacrifices of our veterans and instilling the same sense of pride in the next generation. We believe this bill represents a meaningful opportunity to enhance the education of our young Nebraskans and the values that we have-- that have made this nation strong. As we approach the [INAUDIBLE] of the countless sacrifices made in defense of this country, it is crucial that we continue to foster a deep respect for the symbols of our nation, particularly the American flag. LB426 provides a vital framework for ensuring that students in Nebraska from fifth through eighth grade are not only educated on the historical significance of the flag, but also on the proper etiquette, care, and respect that it demands. The United States Flag Code, the 13 folds of the flag, the history behind its creation are more than just facts to be memorized; they are the embodiment of the principles of liberty, sacrifice, and unity that our country was founded upon. Through such education, students will better understand the sacrifices of those who have served in uniform, sacrifices made in defense of the freedoms and values represented by the flag. This bill for-- this bill's provisions for partnership with local recognized veterans organizations such as the VFW further ensures that the program will be grounded in authentic, firsthand knowledge of the flags meanings. Our members, veterans who have served in wars and conflicts across the globe are the living testament to the ideals of this country. We are committed to sharing our experiences and our reverence for the flag with the next generation, and LB426 allows for that through meaningful engagements in the schools. Additionally, the provisions provide for each student with an American flag and flag etiquette book to further reinforce the importance of learning not only about the flag, but also how it should-- how to show it respect, the respect it deserves. This practical aspect to the bill is essential in ensuring that students leave with more than just knowledge: they leave with the understanding that they have a responsibility to honor our nation's symbol in their everyday lives. The VFW-- excuse me-- the VFW strongly supports the inclusion of the flag education program in the social studies curriculum for Nebraska students. It is an investment in the future of this state and the



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nation, teaching young people the value of Americanism and patriotism in a "firt"-- firsthand and lasting way. We thank you, Chairman and the members of the committee, for considering this important piece of legislation, and urge your support for LB426. Thank you for your time and consideration.

**MURMAN:** Thank you. Any questions for Mr. Yount? Senator Lonowski.

**LONOWSKI:** Thank you, Chair. Real quickly, thank you very much for your service.

**KEN YOUNT:** And you as well.

**LONOWSKI:** And I think this is a tremendous idea that will make sure we don't lose some of our history for the next generation. So, just thank you so much.

**KEN YOUNT:** Thank you for your service as well, sir.

**MURMAN:** Senator Hughes.

**HUGHES:** Yes. Thank you, Chair Murman. Thank you for coming in. And I-- maybe you said it and I didn't catch it. What VFW-- where are you located? Are you, like, here in Lincoln, or?

**KEN YOUNT:** No, I'm, I'm the state commander, ma'am.

**HUGHES:** You're a state commander.

**KEN YOUNT:** So, yes, I'm here in Lincoln, the department headquarters is here in Lincoln. But my post-- my VFW post is in Ravenna.

**HUGHES:** OK. Your post is-- that-- I guess that's-- I didn't know the proper nomenclature [INAUDIBLE].

**KEN YOUNT:** That's OK.

**HUGHES:** I'm assuming your post does a, a thing with your local schools every Veteran's Day? Like-- and, and I'm assuming this is across the state, but in my district, each school does a-- on-- for Veteran's Day, they do a program, they have the schools come together. I mean, and it's wonderful. It's a wonderful program. I try to hit it every

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year. Do we see something like the-- I hate to dictate what different schools have to do to honor veterans and to learn just, like, the respect for the flag, the respect for our country. I, I feel like-- and, and maybe I'm wrong. I know in my district it's very strong, very well-attended, it's in the paper. I mean, it's all over. Is that not happening across the state? Or, maybe it is, and this can help complement it? What's your thoughts on that, I guess?

**KEN YOUNT:** So, when I was contacted about this bill, and, and just looking into the general consensus across the state through my travels over the past five years working through the chairs at the VFW, I can tell you it's, it's-- we have school districts that don't allow military recruiters, they don't allow veterans; they don't allow those people in their schools. So, there is a necessity to mandate it so that it's fair across the board, so that everybody's sort of getting that education and, and opportunity to understand what that flag is and, and the symbolism that it represents. Yes, well, you can come out to Ravenna and, and we have that same--

**HUGHES:** Yeah, it's amazing.

**KEN YOUNT:** --that same Veterans Day program, and it's wonderful. And the school has worked with me closely. I retired from active duty in the Army in 2012 and moved my family home with a ninth-grader. Well, she started ninth grade back home. So, the school and I have worked together consistently since then. With that being said, you know, they can pick up the phone and call me, and there's veterans around the community that will come and talk and, and do whatever. I don't-- I know for a fact, ma'am, that is not true in every school district. And I wish it was, but it-- it's just not. And our demographics, our, our, our ranks are thinning through, through age and nutrition, so I think that this is an awesome opportunity and, and-- well, just what a-- because it's not just veterans going into the school; that's just a great opportunity, but to teach young people about the importance of the flag.

**HUGHES:** OK. Thank you.

**KEN YOUNT:** Because a lot of people don't know. They have, they have no idea. So-- even our age.

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**MURMAN:** Any other questions? If not, I too want to give you a "thank you very much for your service."

**KEN YOUNT:** Thank you.

**MURMAN:** And I'm sure we all do.

**CONRAD:** Yes, thank you.

**KEN YOUNT:** Thank you, thank you, thank you.

**MURMAN:** Any other proponents for LB426? Any opponents for LB426? Any neutral testifiers for LB426?

**COLBY COASH:** Good evening, Senator Murman, members of the Education Committee. My name is Colby Coash, C-o-l-b-y C-o-a-s-h. I represent the Nebraska Association of School Boards. And we're here in a neutral capacity on LB426. As drafted, we might have had a different take, but we've worked closely with Senator Andersen-- I want to thank him publicly for working with us, and, and we'll certainly be participating in the meeting at the end of the week that he talked about. The bill really has two parts, right? The flag part that is being added to the list of things that are appropriate under the civics education statutes. I can tell you that many of the-- the flag folding ceremony is done in many districts. Senator Hughes described very well some of the things that happen across the state. We think it is a great thing to add that to the list. It kind of brings attention to that for schools to say, hey, here's one more option, you can, you can do a, a flag-folding ceremony, learn about flag etiquette. It just kind of brings attention to that. We're certainly supportive of that. We did have concerns about the source of the dollars, which Senator Andersen addressed, and we will continue to work with him. Our suggestion would be-- and, and I'll-- and I've shared this, is that, you know, we-- allowing for a donation but not requiring every student to get one, to get a three-by-five, three-by-five flag is kind of where our discussions went internally, making those flags available to students who want them, being donated to them makes sense. But our concern-- the, the concern that was brought by our committee-- and this was a concern by a school board member who is a veteran and participates in these activities in his own school-- is that that's a lot of flags. Every fifth grader-- fifth-- not every fifth, sixth,

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seventh, and eighth grader, but at one point during their career. That is a lot of flags. Those are three-by-five flags. I remember that, that talked to us about it-- and he would have been here today had it been on a different day-- was, was-- his VFW is also in charge of the appropriate disposal of flags and making sure that flags that aren't being used are, are treated properly and disposed of under very certain guidelines. And the concern was-- is with the, with the amount of flags and giving them to a fifth grader-- and we've all been fifth graders-- would they be treated well? Would, would we end up with so many flags out there that just didn't end up in a place of honor, where they should be because of the age of the student or something like that? And so, we certainly want to keep that in mind. That was a, a conversation we had, and we'll continue to have that with Senator Andersen. So, we appreciate him reaching out to us and working with us on this.

**MURMAN:** Thank you. Any question for Mr. Coash? I should have ask-- and you're probably not the right one to ask, ask-- ans-- answer this question, but I'm just wondering when, when they give out flags, are they in, like a-- some kind of a bag for protection?

**COLBY COASH:** I believe so. I believe they're appropriately-- they give-- I mean, the, the flag-folding ceremony as identified here is a really, really cool ceremony. There's, there's a lot behind it that the students learn, and certainly that's a good thing to add as part of the list. But then taking that flag, even if it's kind of protected and trusting a fifth grader with how it, how it ends up after that is something that should also be considered. And, and maybe the best way to do that is to make sure students who want that will-- and can understand that are the ones that are getting them on a donated basis. But whether it's privately-funded or state-funded, that's just a lot of flags statewide, because this is private, non-- or, excuse me, public, nonpublic education, I think, is in this bill. So, that's a lot of fifth graders, it's a lot of flags, and they should be treated appropriately, and that's, that's a concern as well.

**MURMAN:** Would be-- wouldn't it be over 25,000--

**COLBY COASH:** Yeah.

**MURMAN:** --per year?

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**COLBY COASH:** It'd be a lot of flags.

**MURMAN:** Across the state? Yeah.

**COLBY COASH:** And that's every year, right? And so that just-- that compounds, because we go quite a bit. Thank you.

**MURMAN:** Any other questions for Mr. Coash? If not, thank you. Other neutral testifiers?

**LUKE SCHROER:** I took the right-- I took the right day of work off, I guess. So, as I stated earlier-- Luke Schroer, L-u-k-e S-c-h-r-o-e-r. I am a vexillologist and a vexillographer, fancy words for a flag nerd or flag designer, and I-- I'm being neutral on this because it sounds like there might be some question about funding and things. And as somebody who owns a flag collection myself, I do know that flags do add up quickly. So, that is for-- hopefully committee to figure out how to fund it. But I, I just wanted to stress the importance of symbolism and having unifying symbols as somebody who sat behind a computer and designed for literal hours, packing meaning into every stripe. The United States flag is full of meaningful symbolism. And I look behind you, and I see the Nebraska flag. It has beautiful colors, but it's also a seal on a bed sheet, which kind of gets lost. Our symbolism doesn't translate well. So, when I sit down and I redesign Nebraska, I think of like goldenrods and our grains, our corn, our wheat, all of our different grains. So, I'm packing in the color yellow and making it more approachable. If we can get people to tattoo the United States flag on their body, or whatever municipality, you're doing a good job design-wise, because you're packing meaning in without spelling it out for people. But then therein comes with it, like, when do we lose that, that knowledge of what those colors mean? What those 13 stripes, those 50 stars mean? So, I do think it's very important. And as a flag nerd, I couldn't resist the urge to come up here and also give kudos to it. But hopefully that's something that can be worked out, like, funding-wise down the road. But I would have loved three-by-five flag as a fifth grader, but--

**MURMAN:** Thank you. Any--

**LUKE SCHROER:** That's it. Yeah.

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**MURMAN:** Any questions for Mr. Schroer?

**LUKE SCHROER:** All right. Thanks.

**MURMAN:** Thank you. Any other neutral testifiers for LB426? If not, Senator Andersen, you're-- ope. Got one. OK.

**SPENCER RICE:** Good evening. My name is Spencer Rice, S-p-e-n-c-e-r R-i-c-e. Never spelled my name out so many times in one day. Originally, I had marked opponent, but I changed it to neutral because I was rereading it and I realized it wasn't, like, an enforced thing, it was an optional for schools, which I like. I was an Eagle Scout-- or I guess I am an Eagle Scout, but that was many years ago when I got it. I was in the Navy. I really like the American flag; I like what it stands for. My main concerns with this is just kind of like with the mottoes bill, it's why does this need to be in a-- in, in law? And I mean, this is assuaged a bit by the fact that it's, it's optional. But I'm concerned basically with creating a kind of paper patriotism, and I just want to kind of [INAUDIBLE] what I said earlier, is that I, I want to create a country that I want to love rather than, you know, love a country because Stars and Stripes are everywhere and Washington Post March is playing all the time, which I did in band. So, I-- this one is a bit more rambly. Those are just kind of my thoughts on that. Thank you.

**MURMAN:** Thank you. Any questions for Spencer?

**CONRAD:** Thank you.

**MURMAN:** If not, thanks for testifying.

**SPENCER RICE:** Thank you.

**MURMAN:** Any other neutral testifiers? If not, Senator Andersen, you're welcome to close. And while he's coming up, online, we had 31 proponents, 20 opponents, and zero neutral.

**ANDERSEN:** Thank you, Chairman Murman. I'd like to address a couple of comments. Mr. Colby Coash said-- made the comment about that "wouldn't that be a lot of flags?" And I'd say, "Wouldn't that be awesome?" Every kid gets a flag, takes it home, puts it up in the house, and you drive through the neighborhoods and you see all the houses with flags

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on them. How refreshing would that be? The one question about the packaging-- typically, yes, it is in plastic, but I think that's another example of how it reinforces the respect for the flag, how you, how you maintain the flag; you don't put it on the ground, they get to demonstrate what they learned in transporting it. But I thank you, Chairman Murman, and the members of the Education Committee. I'd also like to thank Commander Yount for his patience, his service, and his testifying today. In my introducing LB426, it strengthens civic education in Nebraska by allowing schools to offer an American flag Education program. A strong civic foundation is essential for preserving our constitutional republic and ensuring future generations understand their role as informed and engaged citizens. This bill ensures students in grades five through eight have the opportunity to learn about the history and the significance of the American flag, the United States Flag Code, and the proper flag etiquette as part of their social studies curriculum. Schools will be encouraged to partner with local veteran organizations to help deliver the program, providing students with a direct connection to those who have served under the flag. As a member of the program, each student would receive a three-by-five-- a three foot by five foot American flag and a flag etiquette booklet, "reinfers"-- reinforcing their learning. As mentioned in my opening, we identified a potential funding source, however, it doesn't appear viable as a result of working closely with the stakeholders. And having a meeting on Friday afternoon in my office. Again, you guys are all invited to attend. I thank the committee for your time and attention, and I look forward to working with you to move this bill out of the committee and out to the floor for consideration of the full Legislature, and I'm happy to any final answer any final questions you might have.

**MURMAN:** Thank you. Any questions for Senator Andersen? Senator Juarez?

**JUAREZ:** I was just going to make the comment as far as the costs go, and depending on the amount of fund-- funding that you can get, obviously it'd be to reduce the amount of distribution and still, you know, meet the goals of your program. One note that I put down is that maybe we could distribute it to an elementary student their last year before they enter middle school, or middle school before they start high school. Just an idea, if you need that, to keep costs down.

**ANDERSEN:** Sure.

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**JUAREZ:** Thank you.

**MURMAN:** Any other questions? Senator Meyer?

**MEYER:** I just wanted to thank Senator Andersen for his service and continued service. Thank you.

**ANDERSEN:** My pleasure.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair. And thank you, Senator Andersen, for bringing this, and for all you've done. Have you looked at any federal possibilities, or is there anything that might be out there as far as a-- some type of civics grant, or anything?

**ANDERSEN:** That's a good point. No, we haven't looked at it. We only looked at within the state. But certainly, we can take a look at that. I'll have to get back to you.

**LONOWSKI:** Just a thought.

**ANDERSEN:** Thanks.

**MURMAN:** Any other questions? How about volunteers to, to pay for it? Any probable options there, or good options?

**ANDERSEN:** Yeah. That's really the-- that's really the purpose of the meeting on Friday, is to look at all options where available how to reduce the cost. As we all know, it's a fiscally-constrained environment we're in right now, so everything has a fiscal note. You know, it was a challenge. So-- and that's what we're going to do on Friday.

**MURMAN:** Thank you. That's why I asked. Thank you. Any other questions? If not, thanks a lot for bringing the bill, and thanks for your service.

**ANDERSEN:** Thank you, Chairman.

**MURMAN:** And I will close hearing on LB426 and open the hearing on LB213. Senator Holdcroft. Thanks for your patience.



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**HOLDCROFT:** I'm a member of the Judiciary.

**HUGHES:** Yeah, this is, this is nothing.

**MURMAN:** You're not--

**HOLDCROFT:** This is early.

**MURMAN:** You're used to it.

**HUGHES:** It's an early night.

**HOLDCROFT:** Yeah. Good evening, Chairman Murman, and members of the Education Committee. For the record, my name is Senator Rick Holdcroft, spelled R-i-c-k H-o-l-d-c-r-o-f-t, and I represent Legislative District 36, which includes west and south Sarpy County. LB213 tasks the Nebraska State Board of Education with adopting measurable academic content standards for human embryology as part of the statewide science curriculum. This instruction shall include biologically-accurate portrayals of human development as well as high-definition visual recordings of fetal development. LB216 [SIC] is basic biology, which is science. It is relevant and important to all human beings. However, most Americans remain unaware that when a human life starts, it is strictly scientific matter. It is not subject to conjecture or religious or worldview. Even worse, younger Americans are the least informed, as nearly 40% of young adults think that a human life starts and human reproduction occurs at birth. I believe that this is a major science education failure. Common sense should tell us that students should not know more about the lifecycle of a butterfly than they do about the stages of human development. The Carnegie stages of human embryonic development, first presented in 1942, codifies when a human life starts and the later onset of development milestones, milestones. The Carnegie stages is the gold standard of human embryonic-- embryological research, and should become an indispense-- indispensable-- as indispensable as the periodic table. The science education standards on human embryology in LB213 encompass fundamental facts about humankind that are currently not covered in Nebraska's science guidelines. The biological science of human embryology is the only science that specializes in when a human life starts, and his or her early development, particularly that of the human embryo and fetus. Nebraskan standards for science omit

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the biological science of human embryology, including when a human life starts, the human life cycle, the Carnegie stages of human embryonic development, and the continuum of human life. In fact, human biology, and more specifically human development, are largely excluded or buried among discussions about plants and animals. Students in Nebraska are learning about the development of life cycles of other species, just not our own. For example, third graders are expected to develop an understanding of the similarities and distant differences of organisms' life cycles from birth to death, and in one vetted source, the life cycle of a salmon is featured in great detail. Students could be and should be learning about the stages of human development in the same way they learn about the life cycle of a butterfly or a salmon. LB213 is about correcting a major gap in Nebraska science standards and ensuring students are learning fundamental science content knowledge about humankind. Scientific experts and educators have worked together to develop age-appropriate standards, resources, and materials. However, parents should always be the chief educator of their children and determine what learning material they should be exposed to. Under my bill, parents may always opt their students out of instruction about human development as well. Chairman Murman and members of the Education Committee, thank you for your consideration of LB213. In order for Nebraska students to be able to compete on a global scale, they need to be well-educated and well-informed in a host of areas, and I believe that human development from a scientific approach is a vital part of this. Thank you. I'm happy to answer your questions.

**MURMAN:** Thank you. Any questions for Senator Holdcroft at this time? If not, thanks for your-- oh, Senator Lonowski.

**LONOWSKI:** Oh, sorry. Thank you, Chair. I see that there's a fiscal note on it.

**HOLDCROFT:** \$10,000, isn't it?

**LONOWSKI:** Yeah. What is, what is that for?

**HOLDCROFT:** That is actually the estimate for the board of, of, of education, of what it would take to create the models or the visual, visual pieces to, to incorporate the, the, the curriculum into the, into the science curriculum.

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**LONOWSKI:** OK. Do you know if that's like a-- is that technolo-- or, computer software? Do you know?

**HOLDCROFT:** Well, I don't know the specifics,--

**LONOWSKI:** OK.

**HOLDCROFT:** --but I think, you know, it does specify that the, the displays are supposed to be 4-D; they're supposed to be, you know, a three-day with time. I mean, you--

**LONOWSKI:** But it-- that's really cheap, so--

**HOLDCROFT:** Yeah. So \$10,000 really is not-- I don't consider it to be a lot of money.

**LONOWSKI:** Not much of a fiscal note, right?

**HOLDCROFT:** Yes.

**LONOWSKI:** OK.

**HOLDCROFT:** But we did get that from the Board of Education, so--

**LONOWSKI:** OK. Thanks.

**HOLDCROFT:** --[INAUDIBLE] for accurate.

**MURMAN:** Senator Hughes.

**HOLDCROFT:** Senator Hughes?

**HUGHES:** Thank you, Chairman Murman. Good to see you again, Senator Holdcroft.

**HOLDCROFT:** I guess maybe I should have been nicer to you in the--

**HUGHES:** Yeah, maybe you should have. I don't know.

**HOLDCROFT:** --General Affairs Committee.

**HUGHES:** I'm just kidding. What grades are you specif-- is there certain grades this will specifically fit in?

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**HOLDCROFT:** That's really up to the Board of Education. However, we do say in every school. So, I expect there will be some in elementary school and junior high and high school. It'll be age-appropriate presentations on it.

**HUGHES:** And they'll just-- because-- I mean, you probably know this too, but NDE does set the standards for our science, math, the core curriculum. So, you're saying NDE will just have to encompass this in those standards for science, I'm assuming.

**HOLDCROFT:** Yes.

**HUGHES:** So, did you work with NDE on this at all, or--

**HOLDCROFT:** No.

**HUGHES:** Where did-- OK, so where did-- I didn't even know there was a Carnegie stages of human development. Like, where did that come from?

**HOLDCROFT:** That was developed back in 1942. It's, it's a standard that's widely, widely--

**HUGHES:** Accepted?

**HOLDCROFT:** Accepted. And in fact, I think if you look up most medical journals, medical books, you'll find it in there.

**HUGHES:** It's-- OK.

**HOLDCROFT:** It does-- it's interesting. I mean, I didn't know about it either, to be honest. But in my research--

**HUGHES:** [INAUDIBLE] like, I've been studying, like, sitting for myself, like, when [INAUDIBLE]--

**HOLDCROFT:** It, it really looks at the first 60 days of the, of the embryonic development and breaks it down into 23 stages, and, and kind of-- and so it's, you know, it's 23 stages over 60 days. So, it's not every day, but this is what occurs in day one, day two, and then 3 to 5, and then onward to--

**HUGHES:** Well, thank you for the graphic. That helps. Appreciate it.

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**MURMAN:** Any other questions?

**JUAREZ:** Yes.

**MURMAN:** Senator Juarez.

**JUAREZ:** OK. Page 3, where you have "The State Board of Education shall develop a plan to review and update standards for each subject area at every seven years," is that something that's already standard?

**HOLDCROFT:** I'm sorry, and where are we looking here? Page 3, what paragraph?

**JUAREZ:** So, line 8.

**HOLDCROFT:** Yeah, they-- line 8, since it's not underlined, that is an existing statute.

**JUAREZ:** It is existing?

**HOLDCROFT:** Yes.

**JUAREZ:** OK.

**HOLDCROFT:** If it was a change, it would have an underline under it.

**JUAREZ:** OK. Thank you for teaching me that. Let's see. So, I guess I have a concern about beginning this instruction at the elementary level.

**HOLDCROFT:** Well, that's a--

**JUAREZ:** So I'm wondering, how do you envision that we're going to teach an elementary student about this? What do you think we would be sharing? Do you have any idea?

**HOLDCROFT:** I do not. I mean, that's why I tasked the Board of Education to do this. But I would expect that, you know, fourth, fifth and sixth grade, they're ready to accept at least some of what's going on in, in, in human development. I mean, it's-- it'll be, it'll be age-appropriate. I expect that. But I don't think it's too early to start in elementary school.

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**JUAREZ:** I think that what I need to go and do is take a look at the science books of an elementary student and refresh me-- myself on, you know, the kind of topics--

**HOLDCROFT:** Well, as I mentioned, it is a gap in the Nebraska science curriculum. So, depending on what, what they're using for texts, I would-- you may not find it in there. But this is-- I think it's something that-- the gap should be filled.

**JUAREZ:** Yeah. I guess I'm probably going to have to do some research on maybe what-- how other states approach it at the elementary level. Are you familiar with how any other state--

**HOLDCROFT:** There are a number of states that have done this. They-- if you Google "baby Olivia," it will-- it is a, a video, essentially, that takes a young elementary school students through, through embryonic development. It-- that may not be what we want to use in Nebraska; that's why we're not real specific in the, in the bill about what needs to be done where. That's why we tasked the Board of Education.

**JUAREZ:** OK. Thank you.

**MURMAN:** Senator Lonowski.

**LONOWSKI:** Thank you, Chair. And thank you, Senator Holdcroft. And thanks--

**HOLDCROFT:** Should have been nicer, nicer to you at General Affairs today, too, probably, huh?

**LONOWSKI:** Yeah, I'm an Army guy. I, I know there's some fear, there. You made me lose my train of thought. So, I guess what-- right now, we're just missing this part of education. I think, I think it's wise to give it to, to the Board of Education. That's their job. But I would even submit that maybe we could do this at sixth grade, and then again at eighth or ninth?

**HOLDCROFT:** Yes, I mean, that's the experience--

**LONOWSKI:** I mean that sixth grade boys are going to laugh and giggle, and--

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**HOLDCROFT:** Yeah. I mean, it's not sex education. Let me be clear about that.

**LONOWSKI:** No, no, no, no. I get that. I get that, but--

**HOLDCROFT:** But it's, you know, like, yeah, there's going to be some--

**LONOWSKI:** I think you just as a-- as they grow older, they're-- they start to realize that, hey, if you remember this, this-- now we know what it's about a little bit more, so.

**HOLDCROFT:** Yeah. And this is not unprecedented. I mean, we did-- I mean, as far as tasking the Board of Education with inserting things into the, the curriculum-- the Nebraska curriculum. In, in in 2021, Senator McKinney had a bill that tasked them to, to include financial literacy in the curriculum. In 2022, Senator Day had them do education on the Holocaust and other acts of genocide, to-- again, tasked the Board of Education to put it into the curriculum. And then in 2022, Senator McKinney also tasked the Board of Education to include computer science and technology education. So, the Legislature tasking the Board of Education to include certain things into the Nebraska curriculum is not unprecedented.

**LONOWSKI:** Thank you.

**MURMAN:** Any other questions? Senator Conrad?

**CONRAD:** Thank you. Thank you so much, Chair. Thank you, Senator Holdcroft. Good to see you. Usually, I'm at home watching you on Judiciary, and so it's interesting to be here later tonight together. But I, I did just want to reaffirm the fact that the Nebraska Board of Education has adopted health standards that include information in our science curriculum about human growth and development. So-- and I appreciate that each school kind of figures out how to tailor that to meet their needs. And of course, parents retain the ultimate right to opt their kid in or out of any of those curriculum decisions as they see fit, and-- as has been part of our debate for the last few days. And policy directive measures from the Legislature to the state Board of Ed are nothing unusual. So, what exactly are you finding lacking in the existing science standards that needs to be supplemented by this proposal that you're bringing forward?

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**HOLDCROFT:** Well, I-- and like I said in, in my, in my statement, I think it was-- I'm gonna see if I can find that 40%--

**CONRAD:** I'm sure I have your statement.

**HOLDCROFT:** 40% of young adults think that a human life starts and human production occurs at birth.

**CONRAD:** Mm-hmm.

**HOLDCROFT:** OK? Life doesn't occur at birth. I mean, it is, you know, in the womb for nine months before that. So, what is going on in the-- in, in, in that development and that human development, I think our, our children should know that. And, and--

**CONRAD:** Yeah.

**HOLDCROFT:** Obviously, it's-- is age-appropriate. I mean, you need to-- you're not going to give them the full-blown Carnegie system in kindergarten. But you know, in, in elementary school, I think in late years of elementary school, it's appropriate. And then obviously, when, when they get to be into junior high and high school.

**CONRAD:** Yeah. Yeah. Well, I can tell you, I have two kids in junior high and-- well, middle school now, I guess they call it. And-- I always get that wrong. And elementary school, and you know, and our school at LPS does a really good job of keeping us apprised of what they're taking up in science or health. Like, weekly sometimes. And I know my third grader just went through embryology and that was a really exciting chapter for their class.

**HOLDCROFT:** Well, we, we could not find a-- this in, in the Nebraska science curriculum.

**CONRAD:** OK. OK. Well, I appreciate that. And maybe that would just be something that we can talk more about moving forward, just to kind of get a better handle on the landscape about what might be out there. OK. Thanks.

**HOLDCROFT:** Sure.



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**MURMAN:** Any other questions? If not, thank you. I assume you'll be here for open--

**HOLDCROFT:** I will be here for close.

**MURMAN:** --or, for close, I mean.

**HUGHES:** You better be.

**MURMAN:** Yeah. Oh. Proponents for LB213.

**MARION MINER:** Good evening-- excuse me-- Chairman Murman and members of the Education Committee. My name is Marion Miner, M-a-r-i-o-n M-i-n-e-r, and I'm here on behalf of the Nebraska Catholic Conference-- excuse me-- which advocates for the public policy interests of the Catholic Church and advances the gospel of life by engaging, educating, and empowering public officials, Catholic laity, and the general public. And I'm here to express the conference's support of LB213. LB213 is a very simple and, we think, common-sense bill that would ensure Nebraska students learn basic information about early human development. Senator Holdcroft mentioned the polling; I won't, I won't repeat that. But human development in its early stages is basic educational content that deserves to be studied in the objective, calm, and non-ideological atmosphere of the science classroom. It deserves much better than the off-hand treatment of the consequences of sex that are part of the standard sexual education presentation. LB213 is entirely non-ideological in content. Its text requires the State Board of Education-- excuse me-- to adopt measurable academic standards for human embryology under the science education standards. It goes on to say that part of the basis for these standards for human embryology must be the Carnegie stages of human embryonic development. As has been stated, the Carnegie stages are well-established; they're referred to as the periodic table of early human development and the gold standard in that field. We have in our office at the Catholic Conference always-- we always have the latest, the latest edition of Moore and Persaud's "The Developing Human." It's a standard textbook used in embryology classrooms and medical schools across the United States. That textbook is full of information from the Carnegie stages, and uses the images of the Carnegie stages to teach embryology to medical students. LB213 is different in several ways from so-called "Baby Olivia Bills" that have

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been passed in other states. I think this is actually really important. The source here is purely scientific, objective, longstanding, and not affiliated with any political movement or ideological organization. It also does not include requirements that any specific material be used other than the Carnegie stages, the strength and objectivity of which we have already mentioned. And it puts this material where it belongs: in the objective domain of the science classroom rather than in sex ed curriculum. And my time is running out, so I, I will just say-- I'll, I'll just wrap up there. Thank you for your time and consideration. Happy to answer any questions if you have them. And the conference supports LB213 and proposes that you advance it from committee. Thank you.

**MURMAN:** Thank you. Any questions for Mr. Miner? Senator Hughes?

**HUGHES:** Thank you, Chairman Murman. Thank you for coming in, Mr. Miner. I guess I don't-- I'm not informed on what "Baby Olivia Bills" are.

**MARION MINER:** Yeah.

**HUGHES:** So, what-- I mean, I read what this is, like, the science is--

**MARION MINER:** Yeah.

**HUGHES:** --whatever. It's pretty [INAUDIBLE] that the Carnegie is used in medical school, et cetera. What do these "Baby Olivia"--

**MARION MINER:** Yeah. So, the "Baby Olivia Bills"-- I think those have been passed in two states, as far as I know. They're kind of new. Excuse me. So, "Baby Olivia Bills" are bills that are based on-- pretty recently, there was, like, a very sophisticated and interesting, quite beautiful video, frankly, that was made by a group to show human embryonic and fetal development, and it was called-- they named the-- they gave a name to the, to the developing baby in this video and called her Olivia, the organization that produced this video. And so, I think it's North Dakota and Tennessee have passed laws that name that video and say, hey, you got to show stuff like this. Now, Sen-- Senator Holdcroft's bill takes a different approach. It's similar, of course, in that you want to expose students to information about human embryonic and fetal development, but the

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difference here is that it's not using any video produced by any particular organization as an example. It's just appealing to stuff that is just-- that is objective as you can possibly get, which is the Carnegie stages. So, that-- that's the difference: the-- these-- the, the North Dakota and Tennessee laws, you know, use as their reference point a particular video, and this just doesn't. And for that reason, I think it's a lot more objective and, and the-- you just don't have the same concerns about controversy and whether this is the kind of organization you want to bring in to schools, and things like that.

**HUGHES:** OK. So, so this says, like, high-def visual recordings that are at least four-dimensional quality, but it's-- I guess it's not referring to--

**MARION MINER:** Yeah, the-- so, the live action video is, is not actual-- I think, if I remember correctly, it's not a visual-- it's not a video recording; it's like-- it's a really sophisticated animation of what's happening in the womb.

**HUGHES:** Oh, I see. [INAUDIBLE] gotcha.

**MARION MINER:** Again, that's what's different here.

**HUGHES:** But this is saying it's an actual-- it's like a 4-D ultrasound.

**MARION MINER:** Exactly.

**HUGHES:** OK.

**MARION MINER:** Yep.

**HUGHES:** Thank you. Appreciate that.

**MURMAN:** Any other questions?

**JUAREZ:** Yes, a quick question.

**MURMAN:** Yes, Senator Juarez.

**JUAREZ:** I wanted to know, in the Catholic school education, are you discussing these topics at the elementary school level?

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**MARION MINER:** That's a good question. I don't know that for certain that that's happening in every school. I do know that they do, they do talk about human embryology-- embryological development in many schools. And I've actually been present on a number of occasions where they've actually done a live ultrasound so that kids in schools can actually see it live. They bring ultrasound equipment to the school, they have a volunteer mom who comes, and so I-- I've-- there have been a lot of kids in Catholic schools who have seen those images. Not just recordings, but actually live.

**JUAREZ:** So, I'm curious, do parents in Catholic schools have the option to have their children do-- get excluded from that type of topic if they choose?

**MARION MINER:** That's a good question that I don't know the answer to, but I'm happy to follow up with you on that.

**JUAREZ:** OK. Thank you.

**MARION MINER:** Sure.

**MURMAN:** Any other questions for Mr. Miner? If not, thanks for--

**MARION MINER:** Thank you. You're welcome.

**MURMAN:** --your testimony. Other proponents for LB213.

**SANDY DANEK:** Good evening, Chairman, members of the committee. You do this often?

**MURMAN:** I think this is latest we went this year.

**SANDY DANEK:** Wow.

**HUGHES:** Let's hope it's the record this year.

**SANDY DANEK:** I appreciate your dedication. My name is Sandy Danek, S-a-n-d-y D-a-n-e-k, and I'm the executive director for Nebraska Right to Life, and I'm here to testify in support of LB213. Nebraska Right to Life has a tri-fold mission: educational, legislative, and political. It is the educational component that I address today. School curricula already includes the science of growth and

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development at all stages of animal and plant life. Current science standards cover life cycles of plant life, butterflies and Simon--salmon. It is only logical that human life, part of the animal kingdom, be included in this type of scientific education. Students look forward to eggs being delivered in the classroom and observed until hatched. Candling day is particularly exciting, because they get to see if there is a chick embryo in the egg. I'm here to tell you that students from grade school through high school are fascinated by seeing the stages of human development in the womb, and I'm certain of this as I see it every year at the Nebraska State Fair. Nebraska Right to Life has sponsored a double booth at the State Fair for many years, and has devoted the last several years to human development education. On display are size-appropriate fetal models ranging from 8 to 20 weeks gestation, and when these people come to our booth, they are immediately drawn to the models, holding them and asking questions. The teenagers are especially interested. We also give away fetal models that depict a baby at about 11 to 12 weeks gestation, accompanied by a card explaining what the baby experiences at the various stages in the womb. For example, at the model stage, she is about three inches long, weighs about two ounces, is able to swallow, and can feel skin stimuli. She is-- she has every organ you and I have; all she needs is a safe environment, nutrition and time to continue developing, the same as every human outside the womb. In addition, we have a continuous-play DVD on a 65-inch screen that shows a 4-D ultrasound from 8 to 34 weeks gestation. Many booth visitors watch this DVD in amazement and react to the many facial expressions and movements of the tiny human being on the screen. I ask you, Senators, what kind of signal does this send to our youth when they are being taught the science of growth and development of plants and animals and not humans? It is a glaring omission, one that I hope will be rectified with the passage of LB213. We urge you to advance LB213 to the floor for debate. Thank you.

**MURMAN:** Thank you. Any questions for Sandy? If not, thank you--

**SANDY DANEK:** Thank you.

**MURMAN:** --for testifying.

**ELIZABETH NUNNALLY:** Good evening, Chairman Murman, and members of the Education Committee. My name is Elizabeth Nunnally, E-l-i-z-a-b-e-t-h

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N-u-n-n-a-l-l-y, and I am here testifying on behalf of Nebraska Family Alliance and all of the families we represent who believe that every person is fearfully and wonderfully made, and that students should be taught the truth about the intrinsic design of human life. This bill is an exciting opportunity to inspire young people to explore and understand where they came from, and the miracle of human embryology. LB213 will help foster a better understanding of the value and dignity of every human being, strengthen science education, and deepen students' knowledge of biology and human development through a comprehensive academic study of human embryology. And that's what this bill is about: embryology, not ideology. At the moment of conception, our gender, hair and eye color have been determined; at ten weeks, an unborn baby can suck their thumb, grasp an object, sigh, and stretch. These are incredible and eye-opening facts that can help students better understand their own unique value and humanity, and the dignity and value of their peers. Students in Nebraska today are future voters, lawmakers, scientists, teachers and doctors. Knowing the objective, scientific facts about human development could be the catalyst to inspire them to pursue these fields for the sake of human flourishing. We urge the committee to advance LB213, and ensure that every student in Nebraska is taught human development in a way that accurately portrays the bio-- biological science of human embryology. Thank you for your time.

**MURMAN:** Thank you. Any questions for Elizabeth? If not, thank you very much. Other proponents for LB213? Any opponents for LB213?

**CHRISTIAN OLSON:** Good evening, members of the committee. My name is Christian Olson, C-h-r-i-s-t-i-a-n O-l-s-o-n, and finally, the one I came for. I would urge you guys to oppose this bill as currently written. There are multiple reasons that this bill is flawed, but the most notable reason of why this bill is flawed is that it overly legislates the regulation around the teaching of embryology. While embryology could be considered a rational thing that we should want to understand-- it's very important for kids to understand human development. It's the reason it's part of most school districts in the state's curriculum as to human development. However, as to the Carnegie standard, while it is considered one of the gold standards, there are newer and better standards always being developed. By legislating a single standard in law that we must use, it prevents-- if there is an advancement in medical technology there-- from being a

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better standard established. Additionally, there are doctors who do criticize it-- that. Second of all, part of this education seems to be addressing more of a philosophical question than a scientific question. When life begins is a-- is inherently a philosophical question. Scientifically, life exists on a continuum. The sperm was alive, the egg was alive, the fetus is alive. The question they're really asking is when does it become a distinct life, and that is a philosophical question rather than a scientific one. And our curriculum should not be attempting to teach people what their philosophy should be instead of the science. Additionally, human embryology is not an appropriate topic for children in the elementary level to be learning, at least not on the Carnegie model. We don't even start teaching the life cycle of frogs-- which is far more simpler, with four stages-- until their fifth grade year here in Nebraska, at least in the Millard Public School District. It would seem wholly inappropriate to try to teach such a complex method to children who don't yet have the basic scientific understanding to understand what is being discussed. At best, it's unhelpful, and at worst, it would be misleading. Therefore, members of this Committee, I ask you respectfully to oppose this bill as written. Thank you.

**MURMAN:** Thank you. Any questions for Christian? I have one. I think I heard you say that life begins when the distinct characteristics are determined, or something like that.

**CHRISTIAN OLSON:** So, this is-- in the scientific community, when, when life begins is considered kind of a not-question, or at least not a question the way we question it on a political and a social realm. It's a philosophical question of when a life becomes-- AKA, in this case, an embryo or a fetus or whatever-- becomes dis-- a distinct form of life. That is a-- had inherently a philosophical and a political question, which affects issues such as abortion, different forms of health care. And it should be left as a philosophical and a moral question, not as a scientific one, because it doesn't involve science.

**MURMAN:** Well, when the sperm fertilizes the egg, all of the characteristics of the new life are there at that time,--

**CHRISTIAN OLSON:** Respectfully--

**MURMAN:** --other than the phenotype.

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**CHRISTIAN OLSON:** Respectfully, Mr. Chairman, that's not 100% true. I have hy-- geographic hypermobility, which is an interesting disorder, which means that only half of my body is hypermobile. That means that I had to have had that adaptation-- or in this case, mutation-- occur after I was formed. Additionally, twins split off after the original stages. As I said, there is a complex moral, theological, and social-- and political, for that matter-- discussion that should be happening and needs to happen over the issue of when a distinct life starts, or a distinct person starts [INAUDIBLE] be the wet-- better way of phrasing it. But that's not inherently a scientific question. As far as science and reproduction goes, reproduction is a cycle; it's alive the entire time.

**MURMAN:** Yes, it's alive the entire time. OK. Any other questions?  
Senator Meyer.

**MEYER:** Yeah. Thank you, Chair Murman. You know, it seems like, from my perspective, all we're trying to do is, is have a look at how a baby develops. As far-- it doesn't appear that this is addressing any philosophical or questions-- esoteric questions that it would appear that perhaps needs to be in a different academic discipline, quite frankly. So, it appears we're just looking at the development of a baby. And, and so, you know, I, I appreciate your philosophical look at it, but I really think we're overstepping probably in the weeds of what this actually represents, quite frankly.

**CHRISTIAN OLSON:** Respectfully, Senator Meyer, the language of the bill does mention life, and the minute you start mentioning life in that fashion, you're inherently stepping into the political realm.

**MEYER:** You just said that the sperm and the egg are both alive, so--

**CHRISTIAN OLSON:** They're both alive. But again, I think it needs to be-- again, as I said, I don't have a complaint about the teaching of embryology in schools. I think that we need a far more advanced scientific education. I was in the high-ability learner programs in the Millard Public School District, which is part of the gifted programs put on the state of Nebraska. They ran out of classes to teach me. We need a far more advanced, far better curriculum when it comes to science and math.



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**MEYER:** Perhaps you could work with Senator Holdcroft and work on a more complete description of what this is going to be.

**CHRISTIAN OLSON:** I would be willing.

**MURMAN:** Any other questions? Senator Lonowski?

**LONOWSKI:** Thank you, Chair, and thank you again for testifying. So, at one point you said there's a moral obligation. Aren't we in just as much danger if we neglect the teaching of it, rather than lay it out there, and-- on the, the second part of that, I know of teenage kids that are, that are getting pregnant, you know, in junior high and such. And sometimes I think maybe it's better if they have all this knowledge, so they exactly know why they're doing what they're doing and what, what could be the result.

**CHRISTIAN OLSON:** I agree, Senator, that everyone should be fully informed and that these resources should be available. I think the danger in this specific bill, and kind of on some of the stuff that it addresses, would be-- and kind of the way I see them wanting to frame this embryological education is it may overstep the idea of having them have the complete knowledge to make the decision, and may, with or without intention, be more towards indoctrinating them to one opinion on an open political, moral, and philosophical discussion. It's not the business of the state to tell people how they should raise their kids, what morals should-- they should still in their kids, and so forth. That's the parent's job, frankly.

**LONOWSKI:** You don't, you don't see the stages of embryology as science?

**CHRISTIAN OLSON:** I see the stages of embryology as science. I see some of the terminology around life as being the problem, not the, not the term embryology. I want to be very specific.

**LONOWSKI:** OK. Thank you.

**CHRISTIAN OLSON:** Thank you.

**MURMAN:** Any other questions? If not, thanks for your testimony.

**ELIZABETH WEEDIN:** Good evening.

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**CONRAD:** Did you want to testify in support?

**ELIZABETH WEEDIN:** What was that, Senator Conrad?

**MURMAN:** Is--

**ELIZABETH WEEDIN:** I'm sorry.

**MURMAN:** Are you an--

**ELIZABETH WEEDIN:** Oh, I thought you called for opposition.

**MURMAN:** --an opponent? Opponent?

**ELIZABETH WEEDIN:** Yes, opponent.

**MURMAN:** OK.

**ELIZABETH WEEDIN:** I apologize. Thanks, Senator Conrad.

**CONRAD:** I'm sorry. I just didn't hear it.

**MURMAN:** Yeah, we're on opponents.

**CONRAD:** Just wanted the record to be clear. Sorry.

**ELIZABETH WEEDIN:** Thank you, Senator Conrad. Good evening. Chairperson, members of the Department of Education [SIC] Committee, my name is Dr. Elizabeth Weedin, E-l-i-z-a-b-e-t-h, last name W-e-e-d-i-n. Thank you for allowing me op-- my opportunity-- this opportunity, excuse me, to express my opposition to LB213. I present to you this evening with planned testimony which I would like to share. I would also like to express that I'm a double board-certified OB-GYN in not only general OG-GYN, but also reproductive endocrinology and infertility as a specialty. I practice in our state. I also present to you today as a teacher, a mother, and a part-owner of our practice, which also includes an embryology laboratory. I would like to speak to some things that were mentioned today. I, in my testimony, intentionally avoided referencing any particular videos that are in current circulation with regards to education on embryology, but specifically mentioned by Dr.-- or, excuse me, by Senator Holdcroft-- is the Baby Olivia video. And I think, you know, at the outset, what I

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would like to share with you all is, as an infertility specialist, myself and my partners, our entire goal is to help people build families. And there is so much we do not know about human reproduction. I love the idea wholeheartedly of being able to bring forth stages and understanding on a level that you all also are sharing the passion for. You cannot study human embryos the way you can study butterflies and salmon. It is not possible for a number of obvious reasons. There is not live video footage of egg and sperm joining, creating an embryo that trans-- transitions down a tube to implant into a uterus, then develop into a fetus, to then go on to, to create a human embryo and eventually, a fetus and a, and a baby. That does not exist because it is not possible to track a single egg and sperm salt from that whole duration, for obvious reasons. We-- it is, it is unethical to study even stem cells in, in the setting of human embryologic development here in the United States. And so, while I think we all crave more knowledge about those stages, and referencing things like the Carnegie stages that, you know, is a-- is one of the very first described systems to describe morphologic features or, or change in embryos. That was, you know, crafted by a group of three gentlemen many years ago, starting in the early 1900s, based on fetal samples that came from women that were treated at a free hospital in Boston, that-- we don't know the context of how those embryos came to be, but then studied and assessed from development stages based on size. So, the data points that created those stages are meaningful; it is still utilized in embryologic training, but it is not a single standalone classification system that is universally used in medical schools today. I am-- have taken both osteopathic and allopathic board exams, which is the certifying board exam before you even get to residency training. I have taken both board exams, and that is not a sole, universally-accepted criterion. So, I know that I'm already at my time, and I'm happy to answer questions about those things. I'm happy to forgo my testimony, but I think it's also important if you would allow me another minute to share that.

**MURMAN:** Sure. Go, go ahead.

**ELIZABETH WEEDIN:** Thank you. The last mention I'll make about the Baby Olivia video, it is not a ultrasound. I think that was mentioned. That is not possible to have ultrasound of that stage, that our technology does not allow us that level of discrimination at that point. There's not even a visualized intrauterine pregnancy sign, even, until around

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the fifth week, and then at that point, we only see a gestational sac; we cannot see any fetal structures. The Baby Olivia video is an animation, which is where the 4-D question-- I think it was you, Senator Lonowski, you mentioned that comes into play. That is an, an animation technology that exists, much like any other animated show, and the Baby Olivia video, which-- I think there was a question of philosophical statements-- that is where that belief system is coming in, or the, the discussion point. The bill as it's written doesn't require that specific video, but I think that's where some of that discussion is coming from. So, with regards to my actual testimony, I just-- I think it's really important that you all know that my partners and myself and, and many physicians that are in both clinical treatment roles-- because that's what I do every day, all day. I also serve as adjunct faculty for medical training, both for medical students, residents, PA students, we have college students through our campus. You'll see them learning in our offices and exam rooms, gaining knowledge from us directly, from our gracious patients, textbooks and scientific journals. And while I don't actively teach in the classrooms of our elementary, middle, and high school students, it is with this fact in mind that I want you to know that the importance of ensuring scientific standards and sources are utilized when crafting curriculum is so important for our earliest learners. This is undoubtedly wholly supported by the educational community already. There is a huge gap, as already mentioned, but also with regards to sex education in our state, and these are tremendous gaps for the next generation, but also leads questioning for me to the desired role of implementing this mandate in LB213. As it's written, this bill does not make any mention of standards to-- which are utilized to-- or plan to screen, validate or verify that the mandated materials, in particular the required video mentioned, will meet scientific standards that are in current practice before being presented to our youngest community members. It does not outline any requirement or desire for expert consultations-- like myself or my colleagues, my lab director, for example-- to identify language suggesting those without proper medical background could be responsible for outlining this mandated video instruction curriculum. Other members of the community today, and I've referenced it a bit already, have spoken to other bills around our nation, which may have clear political undertones. I cannot speak to the depth of those discussions directly, but I wholeheartedly agree that the trending lack of support for

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reproductive access, education, and services in our state is not only concerning, but unsafe for our future children and the health of every Nebraskan. With 9% of NIH funding last year from the nation going to women's health, is not shocking that we're having these frustrations across the board from everyone. We want more education. I do, too. We need to be able to do it in a standardized manner. As a mother of three small children in addition to being a practicing physician, the topic of bolstering our reproductive education curriculum and ensuring comprehensive, age-appropriate sex education is developed in the state is very personally important to me. And while the mission of improving reproductive education is one that I always intend to support, attempting to do so through this bill as it's written with a mandate requirement for a video format with no clear delineation for a plan to ensure medically-accurate, scientifically verified will be delivered-- information will be delivered to our youngest learners. This is dangerous, short-sighted, and I urge you to oppose this bill as written.

**MURMAN:** Thank you--

**ELIZABETH WEEDIN:** Thank you for letting me go past my time. Yes, sir.

**MURMAN:** Any questions for Dr. Vegan, is it?

**ELIZABETH WEEDIN:** Weedin.

**MURMAN:** Weegin?

**ELIZABETH WEEDIN:** Mm-hmm [SIC].

**MURMAN:** Doc-- Senator Meyer.

**MEYER:** Thank you, Chair. So, we shouldn't teach anything about embryology till we know exactly how everything works? Because from my perspective, what this bill represents is a generalization of the development, not a specificity of "this is exactly how it is," and I have every confidence that you are as good as comes down the pike in what you do. I am-- and I appreciate your efforts, but it appears that you're looking for something in this presentation that is not the intent of the presentation. And so, what I-- what I'm inferring from your, from your testimony is until we have exactness of the exact process, right down to the second, minute, hour, day, we shouldn't do

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anything. To-- this is just a generality of basic development. So, what's wrong with that?

**ELIZABETH WEEDIN:** Respectfully, I appreciate you sharing your inference and, and that is fair. It's incorrect. I said, and I, I think very clearly, we-- there is a lot we do not know about human reproduction. I say this to my patients every day. I might learn why their infertility diagnosis is unexplained, meaning the rationale behind it, when their kids are going to college. I cannot wait for her 20 years from now to be able to have that information. So, I do wholeheartedly agree that we can't stop time. We shouldn't not teach our youngest learners about this because we don't have all the answers, but the way LB213 is written, it specifically states utilization of the Carnegie system only as a requirement for the mandate, and it does not source any potential reference for an expert guidance on scientific validation of the videos that would be used. That is my sole reference as far as why I do not think this should advance as it is written. This mention of the Baby Olivia video, for example, is not something I intended to introduce, but I think it's important that you all understand the context of that video is non-medical, from the standpoint of not ultrasound as a guidance, but it is rather an animation.

**MEYER:** So, if we put a disclaimer in it that this is a, a depiction and not specifically how it develops, just-- and, and this is-- which is actually indicated in the bill, that this is-- this specific-- since 1940, whatever, this has been in, in, in medical textbooks as the basic generality of development. But if we put a disclaimer in that this is just one depiction, would that, would that be adequate? Or?

**ELIZABETH WEEDIN:** I think there are two separate topics. I think if you're referencing just this-- the Carnegie stage, for example, specifically, I think if you opened some space for interpretation or different systems to be utilized, and then reference, you know, asking for, you know, scientific consultation with regards to curriculum development, that's something that seems a lot more reasonable, and I think you can really give some attention to what ages you're introducing this. It will open a can of worms of development discussions. Trust me, my kids know all about eggs, sperm, embryos, blastocysts-- but that's a bit unique because they hang out with a

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reproductive endocrinologist on most days. But I agree that I think there's room to improve it. The second portion about a requirement for a video mandate is a little bit more gray in some ways, because again, there is no statement about consulting an expert on, you know, which information to include. But I, I agree with you wholeheartedly that I think we should be teaching these things more than we are now. I think it's not true that it's not happening at all, though, because my very first exposure to being an infertility specialist was through chicken egg hatching as a first grader. I bought an incubator when I was ten and hatched chickens in my basement. My mother-- I live in-- grew up in Nebraska. I knew I wanted to be an-- a reproductive endocrinologist since that time of my life. This is what I've always wanted to do. So, the Carnegie stages, interestingly, are not simply for human embryos. It was very first created to describe vertebrate mammals-- and, and because vertebrate mammals actually look very similar up until a, a differentiation stage. So, I think there's a bit more of it than you might determine, and there seems to be a paucity in the literature because there's a paucity in the literature. There's a lot we don't know about human development, but I agree that I like the energy to forward education. I would ask you all to continue to advocate for reproductive health care and services and information; I just don't know how the bill as written right now is ready for that.

**MEYER:** Thank you.

**MURMAN:** Senator Hughes.

**HUGHES:** I know, like I can't remember your name. Thank you, Chair--

**MURMAN:** I was looking at Lonowski, I thought he had his hand up earlier.

**HUGHES:** --Murman.

**LONOWSKI:** I'm thinking.

**HUGHES:** No, I-- so, maybe piggybacking on what-- you guys just had a conversation. I'm curious if, if the part-- because it does not mention the Olivia video--

**ELIZABETH WEEDIN:** Correct. It does not.

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**HUGHES:** --in here.

**ELIZABETH WEEDIN:** Yeah.

**HUGHES:** If the part of leaving the, the stages of human development, or, or vertebrate mammals in and removing the high-def visual recording, or even-- I mean, I think-- it's been a little while since I've had babies, but I think they call them 4-D ultrasounds now, or is it just 3-D ultrasounds?

**ELIZABETH WEEDIN:** It kind of depends on, like, the, the level of, like--

**HUGHES:** Like, if it's just still pictures of a real ultrasound.

**ELIZABETH WEEDIN:** Mm-hmm. Yeah.

**HUGHES:** I mean, maybe that could go in. I-- would that make it more palatable, I guess, or?

**ELIZABETH WEEDIN:** I think-- you know, I mean, I think at the end of the day--

**HUGHES:** And I like keeping it open for other [INAUDIBLE]

**ELIZABETH WEEDIN:** Yeah, there are-- there's so much technology out there. You know, we are every day gaining more information, and, you know, there is such thing as, you know, ability to look with what are called hysteroscopic instruments. A lot of what we know about from miscarriage data is actually just from direct visualization of like non-viable fetus at the time of a DN-- what was previously a DNC, but now we can use a visual aid like a small telescope to look, and we see that maybe even a genetically normal fetus doesn't have all the morphology features or shapes and, and organ systems that we would expect. So, we are learning a lot, and I don't think it needs to be limited, for example, to a 2-D image. I just think as it's written right now, there's really no room for asking an expert with regards to making sure that our youngest learners are getting accurate information, and I think-- I'm sure you all would agree-- I know it was mentioned in prior hearings today. I've-- hang-- been hanging out with you guys for some time this afternoon. Canceled all my patients to be here. That our youngest learners are so vulnerable to social



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media and videos, and, I mean, this is the biggest rabbit-hole, right? For all of our kids. And so, to have-- and somebody said, well, couldn't we change the video as things-- yeah, of course. But I think the-- some of those early impressions, they are concrete for kids, and they formulate how something's going to happen. You know, Baby Olivia video, for example; I know that it isn't in here, but you should know that there are a lot of medical inaccuracies in it, if you watch it. And something that was said in, in one of the prior testimonies about everything being genetically set as soon as egg and sperm meet, that is also not accurate. Epigenetics and different mosaicism was mentioned. There are so many complexities. So, having that video describe that once something is an embryo that it now has an identity and all of these scenarios are medically set is not accurate. A lot of the reference points about gestational ages, for example, cardiac impulse or heartbeat being detectable, is not the same as a formed heart, and a baby is not necessarily going to survive in current NICU territory around 20 weeks, which is what the video states. So, that's my concern and apprehension to include this requirement for a video mandate without any qualifier to reference a scientific expert.

**HUGHES:** Thank you.

**ELIZABETH WEEDIN:** Mm-hmm.

**MURMAN:** Now, Senator Lonowski.

**LONOWSKI:** Thank you, Chair Murman. And, and thank you for your testimony. You're obviously over-qualified in this area. So, this was mentioned, the, the Carnegie stages of human development--

**ELIZABETH WEEDIN:** Yes. Yep.

**LONOWSKI:** --as the gold standard. So, is, is there something better out there? Or--

**ELIZABETH WEEDIN:** Not nece-- well, there's a Hamilton-Hamburger [SIC]-- excuse me-- qualification system, and it's used in some capacities, but in fact, actually it's not just one unified at this point. As we grow and learn and-- and for example, Carnegie was based on length measurements, initially. And then--

**LONOWSKI:** OK.

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**ELIZABETH WEEDIN:** --because at that point, you know, in the early 1920s to 40s, when they were starting to gather these data, the Carnegie stages actually came from around 260 fetuses that were measured from miscarriage, presumably, or some sort of termination sample. Right? You cannot study the same fetus that's there till it grows to an adult.

**LONOWSKI:** And I get that. Thank you, Doctor. But I, I do think it's kind of like a, a-- better than nothing.

**ELIZABETH WEEDIN:** I agree.

**LONOWSKI:** And I can't speak for the Board of Education or Senator Holdcroft, but would you be willing to be that expert if they needed to call someone?

**ELIZABETH WEEDIN:** I think myself and my partners would be happy to, you know,--

**LONOWSKI:** OK.

**ELIZABETH WEEDIN:** --continue education. That's what we're here for. You know, you've probably seen us roaming around these parts for the last couple of years. We're kind of, you know, a new thing with regards to reproductive efforts here, but we are educators at our core, and I would be more than happy to talk about it and try and find some sort of ground that felt reasonable for--

**LONOWSKI:** OK.

**ELIZABETH WEEDIN:** --early learners. Thanks.

**LONOWSKI:** Thank you.

**MURMAN:** Any other questions? I did-- your education is light-years ahead of mine, but I did take advanced genetics in college. And, and then I had a dairy herd for 40 years or so, and I artificially inseminated all of the cows, almost all of them, so-- and I'd find miscarriages similar--

**ELIZABETH WEEDIN:** Mm-hmm.

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**MURMAN:** --in these similar stages once in a while.

**ELIZABETH WEEDIN:** Yeah.

**MURMAN:** And-- but, going back to when I was in college, I, I did realize what you referenced, I think, early in your testimony, that animal genetics was like-- was ahead of human genetics.

**ELIZABETH WEEDIN:** Sure.

**MURMAN:** And there's good reason for that. You know, ethical reasons for that. But I, I always was kind of disappointed. It seemed like, to me, that human genetics, at least at that time in the '70s, didn't seem like it was where it should be.

**ELIZABETH WEEDIN:** Yeah.

**MURMAN:** So, when you were testifying before the question and answer period, I would have been confused as to which side you were on, really, because--

**ELIZABETH WEEDIN:** I-- interest--

**MURMAN:** --you know, we all want more education there.

**ELIZABETH WEEDIN:** Well, interestingly, I was going to present neutral testimony when I was starting to put this together last night, because as an educator, I-- it's hard for me to want to oppose a bill that advocates for education. But I think ultimately, I cannot endorse this bill as it's written, and I recommend opposing it because of the shortage of referencing scientific background. But yes, I think-- you know, we as mammals are the most inefficient at reproducing, in fact, when you compare us to any other mammal out there. But we are so much more complex. You don't see a bunch of rabbits sitting around here, right? So, it makes sense that it's harder to study human embryologic development. But I, I appreciate that addition as well, about animal science as well.

**MURMAN:** Thank you. Any other questions? If not,--

**ELIZABETH WEEDIN:** Thank you.

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**MURMAN:** --appreciate the testimony.

**ELIZABETH WEEDIN:** Appreciate your time.

**MURMAN:** Is he around here?. You know. Almost one hour going. So much for Other opponents?

**LUKE SCHROER:** Yeah. Hello. Luke Schroer, L-u-k-e S-c-h-r-o-e-r. This will be the first one I don't have anything written down. I wasn't necessarily planning to testify today, but here we are. I see that the proponents were pro-life and Catholic organizations. I have history with the Catholic Church. When I was in Catholic school as a first-grader, we were praying in pet-- in mass for petitions for an end to abortion before I even knew what that was. The word. I knew what abortion was before I learned about it in humans, because to artificially inseminate cattle, we would shoot them with Lutalyse, and it heats-- it, it syncs up the cycles for all the cattle. If the neighbor bull-- we had registered Herefords-- if the neighbor bull was Angus and jumped the fence and bred some cows, we would use Lutalyse to abort an unwanted pregnancy. I knew what abortion was before I knew what abortion was, and I was indoctrinated under the Catholic Church to pray for an end to something that I had no concept of. The fact that we keep talking about life, and-- that's, that's really the crux of it. Like, learning about embryos is not inherently a bad thing; it's that constant push to just weasel religion into our public school system and trying to get kids primed for later saying, OK, now we need to "opport"-- oppose abortion. I want to say here in front of everybody watching and the committee, I fully support abortion at all stages for any reason. Nobody is carrying a pregnancy to the third term and then just deciding, oh hey, you know what? I actually don't want this. I've gone through morning sickness. I've gone through medical visits. It is just not happening. So, I think that this language about when life starts is problematic, and it is setting people up to just, like, push a, a narrative later in their life. When life begins is debated in different cultures. There's the term "quickening"-- I believe it's when you draw your first breath-- is a perfectly reasonable starting point of life. I don't particularly believe in a human soul. Does that mean that my morals are shot? Absolutely not. Like, we have ways of finding a moral compass, and I do not attribute that just to being raised in a Catholic school system, because I reject a God and souls. We can be good human beings

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and still understand our place in ecosystems and things. Now I'm rambling, so. I guess-- that's me shooting from the hip and not writing anything down, but I wanted to be on the record in saying if I'm opposed to what the Catholic Church is here advocating for, I think I'm probably in a good position, but-- do you have any questions?

**MURMAN:** Thanks. Any questions for Mr. Schroer? Yes, Senator Lonowski.

**LONOWSKI:** Thank you very much. Sorry to keep asking questions. Thank you, Chair. So, it's important to teach embryology at some stage. What, what age would you recommend that we would do that?

**LUKE SCHROER:** I would recommend that we have those bad-ass farmers and ranchers come in instead of chaplains. And we can talk about things like what I just described, about using Lutalyse. Like, we are mammals at the end of the day; we're vertebrates. There is crossover there. It doesn't-- like, it's fascinating and interesting. So, I--

**LONOWSKI:** I understand. When you say, when you say stay away from this--

**LUKE SCHROER:** Yeah. Like, there's other ways of doing this.

**LONOWSKI:** --stay away from this whole topic until we're out of high school?

**LUKE SCHROER:** Yeah. If, if you're going to dilute it with religious-- a bend to it, I'd say get rid of it until we can come to the table as adults, and, like, there's nuance there, right? Like, XY chromosomes and, like, all the diverging, like, triple-X chromosomes and all that. Is that part of it? I don't know. But there's, there's so much ground to cover. I'd say until we can be intelligent about it, leave it up to where we're at. Like, we've all-- have OK sex education. I'd say if we wanted to do something, let's talk about consent. That's way more helpful. We talk about STDs and things. If we talk consent at a high school or, or grade school level, I think we'd be a lot further ahead with unwanted pregnancies. When can you give and, and take away consent in sexual situations. We'd be way farther ahead. But that's not the bill right in front of us. The bill in front of us, I think,

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is flawed because it's tainted in my perspective, and that's why I oppose it.

**LONOWSKI:** Thanks.

**MURMAN:** Any other questions for Mr. Schroer? If not, I appreciate you testifying today--

**LUKE SCHROER:** I appreciate your time, yes. This was probably the only day I get to come testify, so hopefully I'll see you in the future. But thank you.

**JUAREZ:** Thank you for coming.

**JOY KATHURIMA:** Good evening, Chairman Murman, and members of the Education Committee. My name is Joy Kathurima, spelled J-o-y K-a-t-h-u-r-i-m-a, and I'm policy counsel at the ACLU of Nebraska, and I'm here testifying on behalf of the ACLU of Nebraska in opposition of LB213. The ACLU of Nebraska protects the constitutional rights of all students to equal educational opportunities. We focus on ensuring that the public education system provides the right to an equal education to all students, including those who have been historically marginalized and under-resourced by the public school system, such as students of color, LGBTQ students, and low-income students. And that all-- and that all educational decisions are centered on student need and student success. LB213 would require the inclusion of human embryology as part of the state science education standard. The goal of this bill, as stated by Senator Holdcroft in multiple media interviews, is to replicate laws across the country that mandate the viewing of a video titled "Meet Baby Olivia," produced by a known anti-abortion group. This-- the classroom is not a place to spread anti-abortion, anti-sexual and anti-reproductive health disinformation. Live Action, the company who produced the Baby Olivia video, has a long history of spreading misinformation to promote anti-abortion policies. LB213 attempts to codify its propaganda into Nebraska's curriculum with no scientific or educational justification. LB213 undermines students' access to medically-accurate sex education. Decades of research show that comprehensive, fact-based sex education helps prevent unintended pregnancies, reduce the spread of sexually-transmitted infections, and foster healthy relationships. This bill does the opposite, replacing evidence-based education with

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same-- shame-based disinformation. Nebraskans deserve policies rooted in facts, not ideology. Young people should have access to accurate, science-based education that empowers them to make informed decisions about their health and futures, not politically-motivated propaganda. The ACLU of Nebraska urges the Education Committee to indefinitely postpone LB213, and combat efforts like LB213 that substitute propaganda for education. Thank you, and I'm happy to answer any questions.

**MURMAN:** Thank you. Any questions for Joy? If not, thanks for testifying.

**JOY KATHURIMA:** All right. Thank you.

**CHARLES RIEDESEL:** Hello again. Senator Murman, members of the ed-- of the Education Committee. I'm Charles Riedesel, C-h-a-r-l-e-s; Riedesel, R-i-e-d-e-s-e-l, professor emeritus at UNL and currently serving on the Beatrice School Board. Excuse me. I'm speaking on behalf of the NASB and Beatrice Public Schools. We are opposed to LB213. I'm speaking today because education has been my life. After hearing about this bill, my concerns center on pedagogy, appropriateness, effectiveness, impact on students, and upending local authority. I've taken a close look at what other states have been doing, reading their bills and viewing their materials, most notably the-- well, deceptive and inaccurate Baby Olivia video that is often cited. Based on this research, I can see two major flaws end up in our bill. One, like the other bills, LB213 displays a lack of respect and appreciation for teaching professionals and the educational support system that has been developed in the state. Skipping on. Number two, prescribed pedagogy described in this and similar bills in other states uses techniques and very graphic material that is not suitable for the highly-impressionable students in the affected grades. Use of shock and awe to impress lessons into memory is definitely inappropriate, and can be traumatizing. And it does remind me of the abortion protestors marching with their children who displayed posters of aborted fetuses. And some of you may remember the well-intended but extremely intense anti-dug-- anti-drug-use ads from the War on Drugs. This-- such as, "this is your brain; this is your brain on drugs," which uses the image of a-- breaking an egg in a frying pan and frying it. They simply did not work. Now, moving on for its-- the points that I want to make. Some states have centralized control of curriculum.

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Nebraska does not. Imposing this level of specificity would not be in keeping with precedent and current practice. The Nebraska Department of Education does not mandate curriculum. Moving on. Local school districts are responsible for selecting and developing curricula that meet the learning preferences in cognitive development in-- levels of their students. And again, continuing. Selection of instructional materials is the responsibility of individual teachers. Teachers are content experts who have pedagogical knowledge and skills. They are in the best position to determine the instructional and learning materials for their students. Nebraska teachers are trained to review--

**MURMAN:** You have the red light. Could you sum it up, and pretty quickly?

**CHARLES RIEDESEL:** Yeah. Just a couple of minutes.

**MURMAN:** You've got a long ways to go, so [INAUDIBLE] questions.

**CHARLES RIEDESEL:** I, I know. The-- OK. Yeah. Then, the standards of science are written to help students learn to think like scientists. They're expected to analyze and draw conclusions based on evidence. Instruction in the 23 stages of embryology as mandated in LB213 instead emphasizes memorization and knowledge level learning that's inconsistent with how current scien-- current science standards are written. And the standards of science do include standards and indicators that relate to prenatal development that mainly require students to use general knowledge of embryonic development. Embryology itself is not typically taught in K-12. You can check the standards on that. Human anatomy and physiology is typically taught at grade level 10 to 12. It gets into including human development, including infancy, childhood, et cetera. Now, I'm not going to read them all, but the detailed 23 stages of embryology-- since the topic has come up multiple times-- Carnegie stages are typically taught in human embryology class and medical school curriculum. OK, take a look at them. Do you seriously think that learning the following would be well-received and effective for K-12 students? They start out, one: fertilized oocyte, zygote, "proluna"-- pronuclei; two, morula cell division with reduction in cytoplasm-- you can read on with that, I'll-- but all 23? OK. And I do have a link on the other side with appropriate high school level videos, human embryology, and saying



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it's over, over-prescriptive having that 4-D type thing that's being specified. And I'd ask on whose authority is the specified recording format and content optimal and essential for sharing information with children, so much so that it has to be mandated by the state, contrary to precedent and established practice? Is the intent to provide an honest, effective education, or is it an urgency to impress heartfelt religious convictions on, on our youth? And even if we were to change to a centralized curriculum, at least get something that shows American College of Obstetricians and Gynecologists, the American Academy of Pediatrics, so you get some, some authority behind it. At bottom, this bill devalues the expertise of teaching professionals. There's a lot of pedga-- pedagogy that goes into teaching and being an educator. Please take all this into account in your consideration. Thanks for listening and the extra time. Appreciate it.

**MURMAN:** Well, thanks for being here. I got a question.

**CHARLES RIEDESEL:** Sure.

**MURMAN:** You, you mentioned centralized development of curriculum and, and--

**CHARLES RIEDESEL:** Right.

**MURMAN:** --I assume that's if the state Department of Education would do it? Like some other states.

**CHARLES RIEDESEL:** If it would change. Some states do have centralized;--

**MURMAN:** Yeah.

**CHARLES RIEDESEL:** --Nebraska does not.

**MURMAN:** So in Nebraska, we have the-- local school board does get to choose what curriculum to use, but the state Board of Education does approve certain--

**CHARLES RIEDESEL:** The Nebraska Department of Education has all these standards that they put together, that then the individual boards can then implement using whatever curriculum they develop. Yes.

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**MURMAN:** And as a legislature, we have given the state Board of Education direction before on what certain things--

**CHARLES RIEDESEL:** Yes, you certainly give them direction. But at what level of specificity? Leave it up to them to decide. They're the-- they know the educators. Let them figure out how to do things. Don't say, hey, you have to use a video with this quality as an example.

**MURMAN:** OK.

**CHARLES RIEDESEL:** And teaching the 23 Carnegie stages, it's--

**MURMAN:** Well, it's been a long-accepted.

**CHARLES RIEDESEL:** It has-- but not-- but at medical school level.

**MURMAN:** Well--

**CHARLES RIEDESEL:** You know, you can simplify it. Sure, we could go through more simplified stages, but-- yeah.

**MURMAN:** I, I, I, I, I think it could be taught sooner than it is, but-- but let's see what Senator Hughes has to ask.

**HUGHES:** Thank you, Chairman Murman. Thanks for sticking out today. It's been a long one. So, I just got to give you a pushback. The campaign, the war-- "this is your brain; this is your brain on drugs," like,--

**CHARLES RIEDESEL:** Yeah.

**HUGHES:** --was awesome, I thought. Like, I-- I'm sorry, and maybe it's because it was so traumatic to me, but it scared the tar out of me.

**CHARLES RIEDESEL:** Yeah, yeah, yeah.

**HUGHES:** And-- so, I don't know, I feel like I kind of worked. But I really appreciate the detail of this, and going into the, the very specifics of it. I-- I'm going to ask this when Senator Holdcroft comes back. I think he's still here. Oh, yes, there he is. Still here. When we're talking about the Carnegie model, which is used in medical books, that is--

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**CHARLES RIEDESEL:** Right. Right. Right.

**HUGHES:** Right? That's a way higher stage. I mean, I could see high school.

**CHARLES RIEDESEL:** Yeah, you can make--

**HUGHES:** And that's maybe some of the things we need to flesh out.

**CHARLES RIEDESEL:** You can extract from--

**HUGHES:** Something like this at elementary is--

**CHARLES RIEDESEL:** Yeah. Yeah.

**HUGHES:** --is too much. Anyway. But I just-- so, I guess I'm not asking a question. I very much appreciate you. The detail of what you gave us and handed out, and just the very specific-- the specifics of it, so. Thank you. And thanks for sticking with us.

**CHARLES RIEDESEL:** Thank you.

**MURMAN:** Senator--

**CHARLES RIEDESEL:** And my pleasure. Again, I stayed very late at night--

**MURMAN:** Got another question. Senator Lonowski.

**LONOWSKI:** Thank you, Chair. So, at one point, you-- doctor, thanks for your testimony. At one point, I thought I said-- I heard you say leave this to local school boards. But at the same time, our, our standardized testing, you know, the ACT at the state level--

**CHARLES RIEDESEL:** Oh yeah.

**LONOWSKI:** --is going to-- different people are going to have a different knowledge of it if it's-- if-- if they left up to that.

**CHARLES RIEDESEL:** And, and a cou-- and a couple of points on that that I did not read is that the goal of teaching the anatomy and physiology 10-12 is to meet certain standards so they could-- students can pass the CLEP exams to get into college, be able to get, get credit. So,

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everything that we do is in stages and intended for the next stage. So, each level knows and plans what we're going to do next. So, if we change how we set up curriculum, we're going to upend--

**LONOWSKI:** I was-- I, I understand that. Thank you. And then, I thought I heard Senator Holdcroft specifically saying that they were not using the Baby Olivia video.

**CHARLES RIEDESEL:** It's not specified in there,--

**LONOWSKI:** Yeah.

**CHARLES RIEDESEL:** --but--

**LONOWSKI:** Try-- trying to avoid-- I, I mean, he-- I think he's trying to stay as basic as possible just to, to not upset groups. But maybe I'm wrong.

**CHARLES RIEDESEL:** But out-- but in, in the last page, extra information that I have is a number of bills do-- like, five of the ten bills do mention that Baby Olivia, and the specificity of the criteria-- I mean, hey, what choices do you have? And I did do hunting, and you will see that I have a, an alternative-- some alternative sources where you could get some things that would be usable. That's on a point on the third page. I have a link to appropriate high school level videos that would involve embryology. So, take a look at these links and, and see what you think.

**LONOWSKI:** I will. Thank you.

**MURMAN:** Any other questions? If not, thanks, thanks for your testimony.

**CHARLES RIEDESEL:** Thank you.

**ANDI CURRY GRUBB:** Good evening. Good evening, Chairperson Murman, and members of the Education Committee. My name is Andi Curry Grubb, it's A-n-d-i C-u-r-r-y G-r-u-b-b. I am state executive director in Nebraska for Planned Parenthood North Central States. Our mission is to advance and protect sexual and reproductive health care for all. We do this through our health centers, public education, and community engagement. As a former health educator that taught human development

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and sexual health for years, I have long supported everyone-- including young people-- getting medically-accurate, age-appropriate information about their bodies and their health. Unfortunately, for years, the anti-abortion and anti-LGBTQ+ organizations have been working to prevent school districts from teaching this information unless it aligns with narrow religious ideals about relationships and sexual activity. The fact that these same groups are now aligned to mandate one small portion of sex education or human development should cause us all to pause and wonder about their motivation. The bill introduced by Senator Holdcroft is, by his own admission, very similar to other bills that have been introduced across the country in the wake of Roe v. Wade being overturned. The goal of this copycat legislation appears to be getting an animated propaganda video created by a drastic anti-abortion organization to be shown in schools across the country. And yes, I am referring to the Baby Olivia video, which I would argue is very permissible under this bill and actually is, is-- the bill is tailored in a way that makes it one of the only options available. The video in question has been widely denounced by the medical community. In a Stateline [SIC] article, the American College of Obstetricians and Gynecologists, the preeminent U.S. membership organization for OB-GYNs, issued a statement denouncing this video as designed to manipulate the emotions of viewers rather than to share evidence-based scientific information about embryonic and fetal development. The organization continued "many of the claims made in this video are not aligned with scientific fact, but rather reflect the biased and ideological perspectives of the extremists who created the video." Whether you call it sex education or human development, there is plenty of research to tell us that science-based, age-appropriate and medically-accurate information is the greatest way to protect young people's health. A metaanalysis by the Journal of Preventive Medicine, for example, showed the comprehensive risk reduction education that was factual and age-appropriate showed favorable results on all of the intended outcomes. The same review found that education containing biased and inaccurate information was at best inconclusive in its effectiveness, and at worst, caused harm by withholding factual information. Our youth deserve comprehensive sex education, not a medically-inaccurate and misleading video created by a known anti-abortion group. Young people deserve to receive the information and skills needed to take care of themselves and make healthy decisions for their lives, now and in the future; they do not

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deserve to have this misleading information shared with them. Mandating one small portion of human development while ignoring the broader health implications of withholding comprehensive and medically-accurate information is not in the best interests of adolescents or public health. And for these reasons, we respectfully request that the committee not advance this bill.

**MURMAN:** Thank you. Any questions for Andi? I have one. Do you, in your Planned Parenthood clinics, use ultrasounds?

**ANDI CURRY GRUBB:** We do.

**MURMAN:** OK. Appreciate that. Thank you.

**ANDI CURRY GRUBB:** Yeah.

**MURMAN:** Any other questions? Senator Lonowski.

**LONOWSKI:** Yeah, thank you. So, do you consider yourself pro-abortion?

**ANDI CURRY GRUBB:** I consider myself pro people having the information that they need--

**LONOWSKI:** OK.

**ANDI CURRY GRUBB:** --to make their own personal decisions.

**LONOWSKI:** OK. I-- I'm just curious. I heard you say anti-abortion, so I didn't know if there were different terms that were out there. Thank you for your testimony.

**MURMAN:** Any other questions? If not, thank you very much. Other opponents for LB213?

**SPENCER RICE:** Good evening for the final time. My name is Spencer Rice, S-p-e-n-c-e-r R-i-c-e. I'm speaking on behalf of myself in opposition to LB213. If you're listening to proponents, I find it quite interesting that many of them [INAUDIBLE] to say it's non-ideological. I think that's a little rude to the Nebraskan public, to think that we won't see that. Of course it's ideological. Teaching human embryology in this detail, serves no educational value in the primary setting. Its purpose is to try and create a, a generation of

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people amicable to increase in abortion restrictions. Its pur-- its, its primary location should be in secondary education, where you can do the full detail of all the detail-- full detail of all the nuances. For instance, one of the proponents said that our gender is determined at conception. This is wrong. All, all the men in here have nipples, but that's because when we are conceived, our first few weeks of development are as females until the SRY gene, I believe it is, triggers and begins the changes to our male forms. It's a lot more complex than this thing would indicate, and because of this-- because of these nuances, that is why the, the proponents for this-- sorry, losing track. It's because of this lack of nuances that we can know that this is ideological, to try and influence children when they're young and impressionable. You got to get them when they're young. As to a question about a use for teenagers getting pregnant and perhaps this could help them, I don't see how that follows. I don't need to know how gunpowder works to know that a firecracker is dangerous. Human growth and development taught me that if you have unprotected sex, you can have a kid, and that's a big financial burden. So, I didn't mess around. That's all my impromptu notes. Thank you.

**MURMAN:** Thank you. Any questions for Spencer? Senator Lonowski.

**LONOWSKI:** Thank you, Senator Murman. So, Spencer, thanks for your, for your testimony. So, are you saying that kids looking at this would be more likely to keep their child? Is that what-- is that what you meant by having these embryol-- embryology classes in high school or junior high or wherever?

**SPENCER RICE:** I think that the intent of these bills is to try and make this association of "here is this person," even though there's a difference between a human and a person. And, you know, that's why they have those bills-- or, not bills. That's why there are places that require, like, you need to look at things like those before you get an abortion, because their intent is to try and dissuade you. But like, I think it was Luke that said, you know, people don't get to the third trimester and then just change their mind. I think it's a highly personal medical thing in tho-- and in the case of an abortion, that should be left to people and their doctors. I, I don't want to interfere with heart transplants or surgeries, or any other part. And I think the best way to prevent-- to reduce and prevent abortion is better education and better quality of life for everyone so that

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people, you know, pick and choose when they want to have their kids and don't have to worry about-- you know, they don't have to deal with that tragedy. And as a, as a side note, life began about a billion years ago, and it's been going ever since. And when they introduced taxes, ugh, it's all downhill from there.

**LONOWSKI:** Thank you.

**MURMAN:** Any other questions? If not, appreciate your testimony today.

**SPENCER RICE:** Thank you. Thank you for your [INAUDIBLE].

**MURMAN:** Other opponents for LB213? Any neutral testifiers for LB213? Senator Holdcroft, you're welcome to come up and finish.

**HOLDCROFT:** OK, I think I'll be done by 9 o'clock. All right, let me clear up a few things, because I, I took us down a rabbit hole with Baby Olivia. My fault. Really, it did start with Baby Olivia. My AA, Tyona Alm, I don't remember, you might remember her-- she, she sent me a video of once-- she was surfing the web, and she sent me a, a video, a Baby Olivia advertisement, and she said, "why can't we do this in Nebraska?" And so, I, I started looking, going down that road. But then, you know, in conjunction with our-- my, you know, supporters, we decided to steer away from that and, and just focus on embryology. And with the Carnegie-Mellon-- or, not Carnegie-Mellon, the Carnegie stages being the piece that puts us back on science. So, that's what the focus is supposed to be, on science, and if you need me to add in the guidance "not Baby Olivia," I'm happy to put that in there, because that's not what we're looking for. We don't, we don't want to go down that road, because we do recognize that it is a, an ideological effort to, to, to, to influence people. But we do believe it's still important because 40% of, of, of peop-- people, high schoolers, believe, believe that our life begins at, at birth, not-- you know, you may not believe that it's going to be at conception, but it certainly is some-- somewhere before birth that life begins. So, let me see what else I wanted to say here. I-- this is what it says as far as guidance to the Board of Education. It says: instructions on human development that accurately portrays the biological science of human embryology, including, including the Carnegie stages of human embryonic development in the curriculum of elementary and middle school and high school students. It's not just exclusively the



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Carnegie. If, if there is a gold standard-- and I'm happy to work with the experts back here to give more guidance, I guess-- you want more guidance to the Board of Education? To me, this is minimal guidance to the Board of Education, and let them take it and, and, and develop the curriculum and put it into Nebraska schools. So, that is-- you know, if we need to put in there Carnegie, you know, stages of embryonic development, but not Baby Olivia, then, you know, I'm happy to add that. The next paragraph talks about the high-definition visual recordings, and a lot of people believe that drives us to Baby Olivia. If that's a problem, then I'm happy to take that out and just give the guidance of-- to the, to the Board of Education as stated there. Let me see if there's something else. This is not-- I mean, we-- this is not sex education, OK? Sex education is, is not science, in my opinion. So, sex "educrition" is not in the science curriculum. Embryonic development should be in the science curriculum. I think there is social studies or social teaching that-- that's, that's where you cover, you know, sex education. So, this is not meant to drive or increase the amount of-- or decrease the amount of sex education that's in the curriculum. It's just to put embryonic development in the science curriculum. OK. I think that's about it. I-- you know, and again, I just emphasized, and, and the Nebraska Catholic Coalition said it; you've got a statement. It said LB213 is different in several ways from so-called "Baby Olivia Bills" that have been passed in other states. The source is purely scientific, objective, longstanding and not affiliated with any political involvement or ideological organizations. That's, that's what we're trying to do here, is just to increase the, the curriculum-- the science curriculum on embryology. And with that, I'll be happy to answer any questions.

**MURMAN:** Any questions for Senator Holdcroft? Senator Hughes.

**HUGHES:** Thank you, Chairman Murman. I think you've answered it, but the-- using the Carnegie, since it is in a medical book, that is probably more applicable to-- at a high school level. And when you just say including it doesn't mean you have to use that at the elementary--

**HOLDCROFT:** Absolutely correct. I mean, it's-- again, and it's up to the Board of Education to, to establish the curriculum and impose it where they see it fit.

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**HUGHES:** Yep.

**HOLDCROFT:** Now, the bill does say elementary school. It does say that.

**HUGHES:** So, maybe that's--

**HOLDCROFT:** But maybe that's-- if that's--

**HUGHES:** If it's confusing--

**HOLDCROFT:** --too, too, too young, well then certainly, you know, I'm willing to take that out and decrease, you know, the, the guidance that-- to the Board of Education. I was just-- we're just looking for more, because we, we perceive a gap in the Nebraska science curriculum when it comes to embryology.

**HUGHES:** OK. Thank you.

**MURMAN:** Any-- Senator Juarez.

**JUAREZ:** I just would like clarification here of why you're-- it says here "to declare an emergency." Why does that say that in this bill?

**HOLDCROFT:** That would make it go into effect essentially immediately.

**JUAREZ:** What's the emergency?

**HOLDCROFT:** Well, I think we want to get this into the curriculum as quickly as possible. Otherwise, you're waiting until October.

**MURMAN:** Any other questions? Senator Lonowski.

**LONOWSKI:** Thank you. Thank you, Senator Murman. And I'm going to try to keep you here until midnight,--

**HOLDCROFT:** OK.

**LONOWSKI:** --Senator Holdcroft. I'm still confused why some people think that, that it would be a tragedy if this picture caused some woman to keep her baby. I, I understand this is embryology and, and-- I don't know, I'm, I'm dumbfounded why some people think, well, that's going to cause young people to maybe keep their baby rather than have, have this choice of abortion. And in-- and yet it's still that woman

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and that-- and her boyfriend or her husband's choice. So, I, I-- and I just-- I'm still just confused. I know it's not really a question, but-- thank you.

**HOLDCROFT:** Well-- well, you know-- and, and we're, we're not really-- again, we're not, we're not being pro-life or pro-abortion here. We are-- we're talking about science curriculum. And we're trying to increase the education of, of, you know, Nebraska's students in, in an area where, again, we see a gap. We see a gap in the science of, of this-- of embryology. So, you know, it's-- it does-- I mean, they, they, they brought up a good point about life, and I-- and we mentioned li-- understanding where life begins. We aren't making a statement life begins at conception, we're not making a statement it appears on stage, stage-- it begins at stage 23, but we're-- what we're saying is life begins before birth. OK? And here is how it is developed. And you can draw your own conclusions of when that occurs, but right now, again, 40% of, of high school students believe life begins at, at birth. And so, it's-- this is to try and change that perception.

**LONOWSKI:** Thank you.

**MURMAN:** And any other questions? Senator Conrad.

**CONRAD:** Thank you, Senator Holdcroft. And I appreciate your candor as the committee's kind of trying to sort through it, because, you know, it-- and maybe it's just a reflexive reaction in this moment in our politics, but it seemed like we were litigating or relitigating some of the abortion wars on, on this bill. And it sounds like your intent is not to do that, but rather to focus on increasing science education.

**HOLDCROFT:** That's correct.

**CONRAD:** OK. All right. That is helpful to know. And it sounds like you're working perhaps with others if you decide to move forward with this on making some language changes to ensure it's not special legislation, or so it doesn't have an ideological bent?

**HOLDCROFT:** Yes.

**CONRAD:** OK. Very good.

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**MURMAN:** Any other questions? If not, thank you very much, and that'll end the hearing.

**HOLDCROFT:** Where's the pizza?

**MURMAN:** I guess I didn't read the-- online, 203 proponents, 99 opponents, zero neutral. And that'll close our hearing on the LB213 and end the hearing for the day.