



ABOUT
AFP NEBRASKA

AFP-NE exists to recruit, educate, and mobilize citizens in support of the policies and goals of a free society at the local, state, and federal level, helping every American live their dream.

107TH LEGISLATURE FIRST SESSION PROGRESS REPORT



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Dear Concerned Taxpayer,

Thank you for checking out our Taxpayers' Progress Report, a labor of love by the Americans For Prosperity - Nebraska (AFP-NE) team to show you how your legislators voted in key policy areas. Citizen involvement is the most important part of the legislative process. I encourage you to learn more about the the legislative process and our growing chapter here in Nebraska.

For Freedom,

Jessica Shelburn, Nebraska State Director



SCORING METHODOLOGY

AFP-NE's Legislative Progress Report is our good faith effort to inform citizens about the performance of their elected representatives. There is no better barometer by which to measure lawmakers' allegiance to fiscal responsibility, economic freedom, and breaking down barriers so every Nebraskan can live the American Dream than to evaluate their votes on important legislation. Simply put, their votes are their record.

Of course, no legislative progress report can take into consideration every bill affecting taxpayers. Each of AFP-NE's legislative priorities is included in this progress report, as well as any additional issues we communicated support for or opposition to during the regular session. This will be the foundation for the 107th Legislative Scorecard which will be released after the 2022 session.

Each legislator is scored based on the legislative votes they took. All votes scored are key votes - legislators were notified in writing of our stance.

SCORING KEY:

- ✓ Voted with the Taxpayer
- ✗ Voted against the Taxpayer
- Present Not Voting
- Not Present for Vote

PNV represents Present Not Voting; these votes are included in the average - the senators were present for these votes and chose not to take a position.

LEGISLATIVE BILL EXPLANATIONS



TAX AND SPENDING

LB 147 **Change provisions relating to retirement systems for Class V school districts** **AFP Position: Oppose**
Sponsor: Senator Mark Kolterman

LB 147 is introduced to a transfer of management of the Class V School Employees Retirement System to the Public Employees Retirement Board.

It establishes the transfer of duties and responsibilities for management of the Class V retirement system to the Public Employees Retirement Board effective September 1, 2024. Describing the planning and tasks that must be completed to accomplish the transfer and identifies the school district of the Class V retirement system as the party responsible to pay all related costs of the Public Employees Retirement Board for its services and expenses related to the transfer of management.

It also establishes that beginning September 1, 2024, the State of Nebraska, the Public Employees Retirement Board, the Nebraska Public Employees Retirement Systems and their respective officers, members, employees, and agents are indemnified and held harmless by the Class V school district from all liabilities, claims, suits, losses, damages, and costs that arise from, or are reasonably related to, the conduct, decisions, actions, inactions, or omissions of the board of trustees, the Class V board of education, or the Class V school district or any consequences arising during the course of performing their respective duties and responsibilities for, or actions or services related to or in support. **Result: Passed not withstanding the objections of the governor May 26, 2021**



PROPERTY TAXES

LB 644 **Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax funds.** **AFP Position: Support**
Sponsor: Senator Ben Hansen

LB 644 to adopt the Property Tax Request Act for the purpose of increased transparency for impacted political subdivisions to raise their property tax levies. LB 644 recommends public notifications and hearings for the public whenever the need for justification is necessary to raise the property tax over the pervious years. LB 644 requires a postcard be mailed to all constituents in relation to the political subdivisions request for higher levy rates that cannot exceed the previous years request. **Result: Signed by the Governor on May 24, 2021**

LR 22CA **Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions** **AFP Position: Support**
Sponsor: Senator Lou Ann Linehan

LR 22CA would cap the real property tax revenue of a political subdivision at 3% of the amount raised in the prior fiscal year. A political subdivision may exceed the 3% cap by a specific amount at a special election if approved by a majority of legal voters of the subdivision. The 3% cap would not apply to property tax requests that either: 1) pay for the principal or interest needed to retire bonded indebtedness of the political subdivision, or 2) are property taxes raised from real growth of a political subdivision. The constitutional amendment would be placed before Nebraska voters on the November 2022 general election ballot. **Result: Revenue Committee**

LEGISLATIVE BILL EXPLANATIONS



PROPERTY TAXES (cont.)

LB 408

Adopt the Property Tax Request Act
Sponsor: Senator Tom Briesse

AFP Position: Support

LB 408 would limit the annual increase in property taxes, excluding approved bonds, for all political subdivisions to three percent. The voters of the political subdivision could override the limit with a majority vote at an election. The limit would not apply to real growth value. **Result: General File**

HEALTH CARE

LB 400

Change requirements related to coverage of telehealth by insurers and Medicaid
Sponsor: Senator John Arch

AFP Position: Support

LB 400 would change provisions with respect to telehealth. Under the bill, the definition of telehealth for the purposes of domestic insurance companies and the Nebraska Telehealth Act, is amended to include audio-only services for the delivery of behavioral health services. LB 400 would amend the Nebraska Telehealth Act to allow for a patient to have the option to give verbal consent, in lieu of written consent, during a telehealth consultation that the patient understands information provided by a practitioner regarding the telehealth consultation. If the patient gives verbal consent during the initial telehealth consultation, a signed statement shall be collected within ten days. The bill would allow the patient to sign the consent statement via electronic signature. LB 400 would also eliminate a requirement that insurers demonstrate compliance with the signed written consent requirement under the Nebraska Telehealth Act. Finally, LB 400 prohibits insurers from excluding coverage solely because a service is delivered through telehealth, including services originating from any location where the patient is located. **Result: Signed by the Governor on April 21, 2021**

HEALTH CARE (cont.)

LB 390

Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act
Sponsor: Senator Dave Murman

AFP Position: Support

LB 390 would allow holders of medical licenses from other states to more easily receive a license to practice in Nebraska. The bill addresses the shortage of credentialed health care practitioners and applies to the following professions regulated by the Uniform Credentialing Act: - Acupuncture; - Advanced Practice Nursing; - Alcohol and Drug Counselors; - Audiologists and Speech Language Pathology; - Chiropractors; - Dental Hygiene; - Dentistry; - Dialysis Patient Care Technicians; - Emergency Medical Services; - Hearing Instrument Specialists; - Medical Nutrition Therapy; -1- - Medical Radiography; - Medicine and Surgery; - Mental Health practitioners; - Nursing; - Nursing Home Administrators; - Occupational Therapy Practice; - Optometry; - Osteopathy; - Perfusion; - Pharmacy; - Physical Therapy; - Physician Assistants; - Podiatry; - Psychology; - Respiratory Care; and - Surgical First Assistants. **Result: Signed by the Governor on April 21, 2021**

REGULATIONS

LB 213

Provide for an efficiency review of state agencies
Sponsor: Senator Tom Briesse

AFP Position: Support

LB 213 would require the Department of Administrative Services to contract with an outside entity to carry out an efficiency review of all state departments, agencies, board, and councils. The review would focus on keeping or making government services more cost effective, eliminating outdated practices, increasing efficiencies, and increasing accountability to taxpayers. **Result: Government, Military, and Veterans Affairs Committee**

LEGISLATIVE BILL EXPLANATIONS



FREE SPEECH

LB 88

Protect free speech rights of student journalists and student media advisers
Sponsor: Senator Adam Morfeld

AFP Position: Support

LB 88 allows students to exercise their speech rights and refine their skills in an open educational environment. Protecting student journalists from censorship enables them to freely seek out and report on stories and, in doing so, enrich discussion happening in their schools and universities. **Result: Select File**

EDUCATIONAL CHOICE

LB 364

Adopt the Opportunity Scholarships Act and provide tax credits
Sponsor: Senator Lou Ann Linehan

AFP Position: Support

LB 364 would create the Opportunity Scholarships Act. Under the Act, individual and corporate taxpayers would qualify for a non-refundable tax credit equal to the amount the taxpayer contributed to a scholarship-granting organization. No taxpayer may receive tax credits in an amount exceeding 50% of their state income tax liability. Each nonprofit, scholarship-granting organization certified by the Nebraska Department of Revenue shall provide education scholarships to assist eligible students to attend a qualified, nonprofit, private elementary or secondary school. The Act defines an eligible student as a dependent member of a household that qualified for free or reduced lunch during the year prior to the granting of the scholarship. The credits are available for tax years beginning or deemed to begin on or after January 1, 2022 and are capped annually at \$10 million. Credits are awarded in the order in which they are received. If the cap is reached during the year, the credits will be allocated. **Result: General File**

DONOR DISCLOSURE

LB 370

Adopt the Personal Privacy Protection Act
Sponsor: Senator Rita Sanders

AFP Position: Support

LB 370 would prohibit state and local governments from requiring any nonprofit organization from providing personal information regarding their donors and, if in possession of personal information, such agency would be prohibited from releasing it. It does not prohibit any report or disclosure currently required under the Nebraska Accountability and Disclosure Act or matters related to the criminal justice system. **Result: Judiciary Committee**

LABOR

LB 684

Allow public school employees to join or terminate membership in a labor organization as prescribed
Sponsor: Senator Robert Clements

AFP Position: Support

LB 684 allows public school employees to join or terminate membership in a labor organization at any time. It prohibits labor organizations representing school employees from placing any restrictions on when a public school employee may join or terminate membership in a labor organization. Currently, public school labor organizations include arbitrary opt-out dates restricting school employees' constitutional right to free association. LB 684 allows freedom of choice for public school employees regarding membership in labor organizations. LB 684 would apply to contracts entered into after the effective date of the bill. **Result: Business and Labor Committee**



NEBRASKA LEGISLATOR RATINGS



TORCHBEARER OF FREEDOM (Legislators with a score of 85-100%)

Steve Erdman	A+	100%
Mike Groene	A+	100%
John Lowe	A+	100%
Joni Albrecht	A	91%
Tom Briesse	A	91%
John Arch	A	90%
Bruce Bostelman	A	90%
Robert Clements	A	90%
Suzanne Geist	A	90%
Ben Hansen	A	90%
Dan Hughes	A	90%
Mike Moser	A	90%
Dave Murman	A	90%
Julie Slama	B	89%
Tom Brewer	B	86%

TAXPAYER DEFENDERS (Legislators with a score of 80-84%)

Michael Flood	B	82%
Curt Friesen	B	82%
Brett Lindstrom	B	82%
Myron Dorn	B	80%
Tim Gragert	B	80%
Mike Hilgers	B	80%
Lou Ann Linehan	B	80%
Mike McDonnell	B	80%
Rita Sanders	B	80%
Tony Vargas	B	80%

TAXPAYER NEUTRAL (Legislators with a score of 70-79%)

Raymond Aguilar	C	78%
Steve Halloran	C	75%
Justin Wayne	C	75%
Tom Brandt	C	70%

TAXPAYER FOES (Legislators with a score of 60-69%)

Rich Pahls	D	64%
Wendy DeBoer	D	60%
Mark Kolterman	D	60%
John McCollister	D	60%
Terrell McKinney	D	60%

TAXPAYER ZEROES (Legislators with a score of 0-59%)

Steve Lathrop	F	56%
Adam Morfeld	F	56%
Patty Pansing Brooks	F	56%
Lynne Walz	F	56%
John Cavanaugh	F	50%
John Stinner	F	50%
Matt Williams	F	50%
Anna Wishart	F	50%
Michaela Cavanaugh	F	40%
Robert Hilkemann	F	40%
Eliot Bostar	F	36%
Carol Blood	F	29%
Megan Hunt	F	29%
Matt Hansen	F	22%
Jen Day	F	14%

LEGISLATIVE VOTES

SENATOR	District	Grade	Percentage	Votes with AFP	Total Votes	Change provisions relating to retirement systems for Class V school districts	Change provisions relating to retirement systems for Class V school districts	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds		Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act	Change requirements related to coverage of telehealth by insurers and medicaid	Change requirements related to coverage of telehealth by insurers and medicaid	Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act	Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act
						LB 147	LB 147	LB 644		LB 644	LB 644	LB 364	LB 408	LB 400	LB 400	LB 390	LB 390
						Final Reading	Motion to Override	Final Committee Action		General File	Final Reading	General File	General File	General File	Final Reading	General File	Final Reading
Raymond Aguilar	35	C	78%	7	9	✗	✗			✓	○	✓	✓	✓	✓	✓	✓
Jon Albrecht	17	A	91%	10	11	●	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
John Arch	14	A	90%	9	10	✗	✓			✓	✓	✓	✓	✓	✓	✓	✓
Carol Blood	3	F	29%	2	7	✗	✗			●	○	✗	✗	✓	○	✓	○
Eliot Bostar	29	F	36%	4	11	✗	✗	●		●	✓	✗	●	✓	✓	●	✓
Bruce Bostelman	23	A	90%	9	10	✗	✓			✓	✓	✓	✓	✓	✓	✓	✓
Tom Brandt	32	C	70%	7	10	✗	✗			✓	✓	✗	✓	✓	✓	✓	✓
Tom Brewer	43	B	86%	6	7	●	✓			✓	○	✓	✓	○	✓	○	✓
Tom Brieese	41	A	91%	10	11	✗	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓
John Cavanaugh	9	F	50%	5	10	✗	✗			●	✓	✗	✗	✓	✓	✓	✓
Michaela Cavanaugh	6	F	40%	4	10	✗	✗			●	✓	✗	✗	✓	✓	✓	●
Robert Clements	2	A	90%	9	10	●	✓			✓	✓	✓	✓	✓	✓	✓	✓
Jen Day	49	F	14%	1	7	✗	✗			●	○	✗	●	✓	○	●	○
Wendy DeBoer	10	D	60%	6	10	✗	✗			✓	✓	✗	✗	✓	✓	✓	✓
Myron Dorn	30	B	80%	8	10	✗	✗			✓	✓	✓	✓	✓	✓	✓	✓
Steve Erdman	47	A+	100%	10	10	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓

SCORING KEY:

✓ Voted with the Taxpayer

✗ Voted against the Taxpayer

● Present Not Voting

○ Not Present for Vote

LEGISLATIVE VOTES

SENATOR	District	Grade	Percentage	Votes with AFP	Total Votes	Change provisions relating to retirement systems for Class V school districts	Change provisions relating to retirement systems for Class V school districts	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds		Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act	Change requirements related to coverage of telehealth by insurers and medicaid	Change requirements related to coverage of telehealth by insurers and medicaid	Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act	Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act
						LB 147	LB 147	LB 644		LB 644	LB 644	LB 364	LB 408	LB 400	LB 400	LB 390	LB 390
						Final Reading	Motion to Override	Final Committee Action		General File	Final Reading	General File	General File	General File	Final Reading	General File	Final Reading
Michael Flood	19	B	82%	9	11	✗	✗	✓		✓	✓	✓	✓	✓	✓	✓	✓
Curt Friesen	34	B	82%	9	11	✗	✓	✓		✓	✓	✗	✓	✓	✓	✓	✓
Suzanne Geist	25	A	90%	9	10	●	✓			✓	✓	✓	✓	✓	✓	✓	✓
Tim Gragert	40	B	80%	8	10	✗	✗			✓	✓	✓	✓	✓	✓	✓	✓
Mike Groene	42	A+	100%	10	10	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓
Steve Halloran	33	C	75%	6	8	✗	✗			✓	✓	✓	✓	✓	○	✓	○
Ben Hansen	16	A	90%	9	10	✗	✓			✓	✓	✓	✓	✓	✓	✓	✓
Matt Hansen	26	F	22%	2	9	✗	✗			○	✓	✗	✗	●	✓	●	✗
Mike Hilgers	21	B	80%	8	10	✗	✗			✓	✓	✓	✓	✓	✓	✓	✓
Robert Hilkemann	4	F	40%	4	10	✗	✗			✓	✓	✗	●	✓	✓	✗	●
Dan Hughes	44	A	90%	9	10	✗	✓			✓	✓	✓	✓	✓	✓	✓	✓
Megan Hunt	8	F	29%	2	7	✗	✗			✗	○	✗	✗	✓	○	✓	○
Mark Kolterman	24	D	60%	6	10	✗	✗			●	✓	✓	●	✓	✓	✓	✓
Steve Lathrop	12	F	56%	5	9	✗	✗			✓	✓	✗	●	✓	✓	○	✓
Brett Lindstrom	18	B	82%	9	11	✗	✗	✓		✓	✓	✓	✓	✓	✓	✓	✓
Lou Ann Linehan	39	B	80%	8	10	✗	✗	✓		✓	✓	✓	✓	✓	✓	○	✓

SCORING KEY: ✓ Voted with the Taxpayer ✗ Voted against the Taxpayer
● Present Not Voting ○ Not Present for Vote

LEGISLATIVE VOTES

SENATOR	District	Grade	Percentage	Votes with AFP	Total Votes	Change provisions relating to retirement systems for Class V school districts	Change provisions relating to retirement systems for Class V school districts	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds		Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act, change dates relating to tax levies, and change provisions relating to property tax refunds	Adopt the Property Tax Request Act	Change requirements related to coverage of telehealth by insurers and medicaid	Change requirements related to coverage of telehealth by insurers and medicaid	Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act	Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act
						LB 147	LB 147	LB 644		LB 644	LB 644	LB 364	LB 408	LB 400	LB 400	LB 390	LB 390
						Final Reading	Motion to Override	Final Committee Action		General File	Final Reading	General File	General File	General File	Final Reading	General File	Final Reading
John Lowe	37	A+	100%	7	7	✓	✓			✓	○	✓	✓	✓	○	✓	○
John McCollister		D	60%	6	10	✗	✗			✓	✓	✗	●	✓	✓	✓	✓
Mike McDonnell	5	B	80%	8	10	✗	✗			✓	✓	✓	✓	✓	✓	✓	✓
Terrell McKinney	11	D	60%	6	10	✗	✗			✓	✓	✗	✗	✓	✓	✓	✓
Adam Morfeld	46	F	56%	5	9	✗	✗			○	✓	✗	✗	✓	✓	✓	✓
Mike Moser	22	A	90%	9	10	●	✓			✓	✓	✓	✓	✓	✓	✓	✓
Dave Murman	38	A	90%	9	9	●	✓			✓	✓	✓	✓	✓	✓	✓	✓
Rich Pahls	31	D	64%	7	11	✗	✓	✓		✓	✓	✗	●	✓	✓	●	✓
Patty Pansing Brooks	28	F	56%	5	10	✗	✗			✓	✓	●	●	✓	✓	○	✓
Rita Sanders	45	B	80%	8	7	●	✓			●	✓	✓	✓	✓	✓	✓	✓
Julie Slama	1	B	89%	8	11	●	✓			✓	✓	✓	✓	✓	✓	○	✓
John Stinner	48	F	50%	3	10	✗	✗			○	○	✓	●	✓	○	✓	○
Tony Vargas	7	B	80%	8	10	✗	✗			✓	✓	✓	✓	✓	✓	✓	✓
Lynne Walz	15	F	56%	5	7	✗	✗			●	✓	●	○	✓	✓	✓	✓
Justin Wayne	13	C	75%	6	11	✗	✗			✓	✓	✓	✓	○	✓	○	✓
Matt Williams	36	F	50%	5	10	✗	✗			●	✓	✗	●	✓	✓	✓	✓
Anna Wishart	27	F	50%	5	10	✗	✗			✓	✓	✗	●	✓	✓	●	✓

SCORING KEY: ✓ Voted with the Taxpayer ✗ Voted against the Taxpayer
● Present Not Voting ○ Not Present for Vote