**For Release Wednesday, April 10, 2024**

**Capitol View  
Commentary by J.L. Schmidt  
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**Crunch Time in Lincoln, It Has Ever Been Thus**

It’s easy to understand but hard to remember that the one task of the Nebraska Legislature is to pass a balanced budget during the 90-day session and to make adjustments to and pass that budget again in the 60-day session.

Mission accomplished again by the 2024 Legislature which has a little more than a week of session left. The simple task often gets lost in the shadow of high- profile issues such as this year’s struggle to find a solution for skyrocketing property taxes. With all eyes on “the proposed solution” (LB388) it’s also easy to forget that other measures have passed into law this session.

Governor Jim Pillen has added urgency to the drama by promising to call a special session to address just the tax issue if one isn’t passed before the scheduled April 18 adjournment. Incumbent lawmakers seeking another term don’t like special sessions which often give their opponents sound bytes to use against them.

I like special sessions, even though they are costly, because it forces senators to focus on a single issue and deal with it. Pillen claims his plan, to raise the state sales tax and eliminate exemptions on soda pop and candy and increase the tax on vaping products and tobacco, is simply tax restructuring. Others, me included, see that as a tax shift to an income group that cannot afford it.

We’ll see how all that plays out. For now, let’s look at some of the things that have passed so far this session.

**[LB1412](http://nebraskalegislature.gov/bills/search_by_number.php?DocumentNumber=LB1412&Legislature=108th" \t "_blank" \o "Link to the webpage for LB1412)**, introduced by Speaker John Arch of La Vista at the request of Pillen, is the mainline budget bill. The measure provides, changes and eliminates appropriations for the operation of state government, postsecondary education, state aid, capital construction and federal funds allocated to the state from the federal American Rescue Plan Act of 2021. It reflects a 3.1% increase in state spending and leaves approximately $20 million to fund legislative proposals this year.

**[LB1004](http://nebraskalegislature.gov/bills/search_by_number.php?DocumentNumber=LB1004&Legislature=108th" \t "_blank" \o "Link to the webpage for LB1004),** sponsored by Blair Sen. Ben Hansen, allows a Nebraska resident who is 21 or older and received a Class M license prior to May 1, 2024, to operate a motorcycle or moped on Nebraska

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highways without a helmet if they complete a three-hour online motorcycle safety course and submit proof of completion to the state Department of Motor Vehicles. Riders who are 21 or older and receive a license after May 1, 2024, are not required to wear a helmet if they complete the full basic motorcycle safety course and submit proof of completion to the department. Nonresidents who are 21 or older and ride without a helmet no longer are required to show proof of motorcycle rider course completion to a law enforcement officer upon request. They are required to have a motorcycle license issued by another state.

**[LB894](http://nebraskalegislature.gov/bills/search_by_number.php?DocumentNumber=LB894&Legislature=108th" \t "_blank" \o "Link to the webpage for LB894)**, introduced by Sumner Sen. Teresa Ibach, requires county sheriff candidates to possess a diploma issued by the Nebraska Commission on Law Enforcement and Criminal Justice before running for office.

The measure also requires newly elected and appointed county sheriffs to obtain certification within eight months of taking office. County sheriffs elected to office before July 19, 1980, are exempt from the bill’s provisions.

**[LB1313](http://nebraskalegislature.gov/bills/search_by_number.php?DocumentNumber=LB1313&Legislature=108th" \t "_blank" \o "Link to the webpage for LB1313)**, sponsored by Norfolk Sen. Robert Dover, says health benefit plans sponsored by certain nonprofit agricultural organizations which provide benefits under a self-funded arrangement administered by a licensed third-party administrator are not subject to insurance regulation.

Such organizations must have been created primarily to promote programs for the development of rural communities and the economic stability of Nebraska farmers.

**LB253** introduced by Gordon Sen. Tom Brewer, establishes a veteran justice program.

Brewer said the program would not be a “free ride” for veterans to commit crimes, but simply would ensure that the criminal justice system acknowledges how a veteran’s service can lead to criminal behavior and attempt to address those issues. A veteran must be eligible for probation to participate in the veteran justice program, which would use deferred judgments.

Upon successful completion, a veteran would be entitled to request that the court dismiss the action without entry of judgment. Courts also would be required to consider veteran status as a mitigating factor at sentencing. Judiciary Committee chair Omaha Sen. Justin Wayne said the bill essentially would put “probation on the front end” and allow veterans a chance to overcome their struggles if they commit crimes related to the lingering effects of their service.

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Stay tuned. Crunch time is better than the Final Four and it is certainly more relevant to Nebraskans than any game of sportball.

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*J.L. Schmidt has been covering Nebraska government and politics since 1979. He has been a registered Independent for 25 years.*