From: Shelburn, Andrew
To: Shelburn, Andrew
Subject: Governor"s Office Daily Update - 8-23-22
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AG VALLEY CO-OP

Eustis, NE

Commodity	Delivery	Price	Basis	Date (as of)
Corn	Aug 2022	6.93	44.00	08:05
Corn	Oct 2022	6.30	-15.00	08:05
Milo	Aug 2022	6.24	-25.00	08:05
Milo	Oct 2022	5.85	-60.00	08:05
Soybeans	Aug 2022	14.06	-35.00	08:04
Soybeans	Oct 2022	13.76	-65.00	08:04
Wheat	Aug 2022	8.04	-75.00	08:00
Wheat	Jul 2023	7.84	-85.00	08:02

TV and Radio

NCN: Medical marijuana fails to make November ballot (no video)
KLKN: Special session proposed after Nebraska's medical marijuana petitions fall short

Governor

Nebraska Examiner: Ricketts meets with British insurers during trade mission prior to NU football game in Dublin
Nebraska Examiner: Advocates might push for recreational cannabis after medical marijuana drive fails
AP: Nebraska medical marijuana effort falls short on signatures
International Business Times: Nebraska Medical Marijuana Efforts Fail To Reach Election Ballot Due To Number Of Signatures
Kearney Hub: Holdrege recognized as Community of the Year
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OWH Public Pulse

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6. Questions for Republicans

LJS Letters

1. COVID not over for workers
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3. McConnell missed his moment

National/Federal

AP: Pfizer seeks OK of updated COVID vaccine booster for fall

Nebraska Examiner: Ricketts meets with British insurers during trade mission prior to NU football game in Dublin

LINCOLN — Gov. Pete Ricketts and representatives of Nebraska's insurance industry met Monday with their insurance counterparts in the United Kingdom.

The meeting with the Association of British Insurers in London is part of a trade mission led by the governor that will culminate with attending Saturday's Nebraska Cornhusker football game in Dublin.

The insurance meeting was designed to strengthen ties between Nebraska's insurance industry and insurance companies in the United Kingdom, according to a press release from the governor's office.

The UK is rebuilding its trade relationships after exiting the European Union in 2020.

Ricketts has said that the trade mission will also focus on increasing opportunities for Nebraska agriculture, especially for beef, ethanol and distillers grains.

This year, the governor signed Legislative Bill 863 into law, which was designed to clarify accounting rules for international companies doing business in the U.S. It should make it more attractive for insurance companies to do business in Nebraska, Ricketts said.

Nebraska has more than 120 domestic insurers and ranks first nationally in total capital, according to the governor's office. Domestic insurers in the Cornhusker State employ 16,000 Nebraskans.

By Paul Hammel

Nebraska Examiner: Advocates might push for recreational cannabis after medical marijuana drive fails

LINCOLN — The next petition drive to legalize medical marijuana may include permitting recreational use, an official with Nebraskans for Medical Marijuana said Monday.

Crista Eggers, who coordinated the medical marijuana initiative that fell short Monday of qualifying for the November ballot, said there definitely will be discussions about seeking legalization of both medical and recreational cannabis.

While medical marijuana has always been her group's focus, adding recreational marijuana for adult use would attract bigger donations, which are needed to succeed in getting a medical marijuana issue on the ballot, she said.

The lack of funds to hire paid, professional petition circulators was blamed, in part, for the failure of this year's petition drive by Nebraskans for Medical Marijuana.

"There is nothing off the table about how we get this done," said Eggers, whose son suffers from up to 100 epileptic seizures a day. "I'm a parent, and I will do whatever it takes, and go to the ends of the Earth, to help my child."

She said she's willing to endure the criticism of anti-marijuana groups, who have claimed that the push for medical marijuana is a forerunner for seeking all-out legalization.

Trying to find the words

On Monday, one of those groups, Smart Approaches to Marijuana, pointed out that a new National Institutes of Health report concluded marijuana use had reached the highest levels ever, with daily use by young adults doubling in the past decade.

This was the second time in two years that an initiative to legalize medical marijuana has failed to qualify for Nebraska's general election ballot.

The Nebraska Secretary of State's Office said Monday that two petitions submitted by Nebraskans for Medical Marijuana failed to collect the necessary, valid signatures of 86,776 voters and fell short of another requirement — gathering at least 5% of registered voters in 38 of the state's 93 counties for its two petitions.

Eggers said she was trying to find the words to inform her 7-year-old son, Colton, who suffers from multiple seizures, that the initiative had failed again.

"He asks me every single night, 'Did we get enough signatures so I can get the medicine I need?' " Eggers said.

She said the pro-medical marijuana forces will launch a new petition drive as soon as possible.

"We're going to regroup, we're going to hurt and we're going to cry and we're going to be angry, but then we're going to take the anger we feel today and turn it into action," Eggers said.

"There's no giving up," she added

Both petitions fell short

The Secretary of State's Office said both petitions submitted fell short. A petition to legalize marijuana collected 77,843 signatures and qualified in 26 counties. A companion petition to set up regulation of medical marijuana turned in 77,119 valid signatures and qualified in 27 counties.

Unlike two other initiative petition drives this year, which turned in more than 160,000 signatures each and used paid, professional petition circulators, Nebraskans for Medical Marijuana utilized primarily volunteers.

The marijuana group's last campaign spending report listed about $146,000 in expenditures, compared with spending of $1.77 million by Citizens for Voter ID and $1.49 million for Raise the Wage Nebraska.

A leading anti-marijuana group said Nebraskans "were not duped by the marijuana industry's trojan horse attempt to commercialize drug use under the guise of 'medicine,' " said a statement from

Smart Approaches to Marijuana.
“Today’s high potency, bioengineered marijuana and THC products such as edibles, vapes, and concentrates serve one purpose: to hook a generation of addicts to a commercialized drug for profit,” the statement added.
As of February, 37 states, three territories and the District of Columbia have legalized the use of cannabis as medicine, according to the National Conference of State Legislatures. That includes the neighboring states of Colorado, South Dakota and Missouri. Iowa and Wyoming have legalized low-dose cannabis and CBD medical products.
Marijuana for recreational use is allowed in 19 states, two territories and the District of Columbia.
Plenty of signatures in 2020
The petition drive failure was a bitter defeat for the medical marijuana group, which had gathered more than enough signatures two years ago to qualify a single initiative for voters. But it was knocked off the ballot by the Nebraska Supreme Court, which ruled that the ballot language violated the state’s “single subject” rule.
Eggers said that now about a half million Nebraskans have signed petitions to allow a vote on medical marijuana.
“I hope the elected officials are paying attention,” she said. “They have the power to do something.”
Eggers said she hopes that the Legislature will hold a special session this fall to pass a medical marijuana law.
That would seem to be a long shot. State lawmakers have failed to advance any proposals to legalize medical cannabis, and Gov. Pete Ricketts — who leaves office in January due to term limits — is a staunch opponent of legalization.
Eggers said that despite falling short in 2022, she was very proud of the effort, which resulted in more than 90,000 signatures collected.
By Paul Hammel

AP: Nebraska medical marijuana effort falls short on signatures

LINCOLN, Neb. (AP) — Proposals to legalize medical marijuana in Nebraska will not appear on the November general election ballot after the efforts failed to collect enough signatures, the state’s top elections official said Monday.
Nebraska Secretary of State Bob Evnen said in a news release that the Medical Cannabis Patient Protections Initiative and the Medical Cannabis Regulation Initiative failed to meet signature requirements to get either proposal on the ballot.
Each proposal needed nearly 87,000 signatures — or a total of 7% of registered voters — as well as 5% of registered voters in at least 38 of Nebraska’s 93 counties to put the proposals to a vote of the people.
The Patient Protections initiative collected 77,843 valid signatures, and the 5% threshold was met in only 26 counties, Evnen said. That proposal would have legalized the use of up to 5 ounces of marijuana for qualifying medical reasons.
The Cannabis Regulation initiative collected 77,119 signatures, and the 5% threshold was met in 27

counties. It would have legalized the possession, manufacture, distribution, delivery, and dispensing of marijuana for medical reasons and would have established a commission to regulate a state medical cannabis program.
The failure did not come as a surprise. Organizers announced in early July that they would likely miss the signature goal needed to make the November ballot, citing the death of one of the effort's top donors. That forced organizers to rely primarily on volunteers.
Nebraska Gov. Pete Ricketts and other prominent state Republican leaders have actively fought the effort to legalize medical marijuana.

International Business Times: Nebraska Medical Marijuana Efforts Fail To Reach Election Ballot Due To Number Of Signatures

Falling short of the required number of signatures, medical marijuana proposals in Nebraska won't appear on the upcoming November election ballot, officials said Monday.
The Medical Cannabis Patient Protections Initiative and the Medical Cannabis Regulation Initiative both failed to reach the 87,000 signatures needed to put the proposals to a vote. The Patient Protections initiative collected 77,843 valid signatures and the Cannabis Regulation initiative collected 77,119 signatures.
Nebraska Secretary of State Bob Evnen announced the news in a press release.
"Today, the Nebraska Secretary of State announced that our effort to relieve the pain of so many suffering Nebraskans did not meet the minimum qualifications of verified signatures to end up on the November ballot. To say we are devastated would be an understatement," Nebraskans for Medical Marijuana posted on Facebook.
The efforts would have legalized up to five ounces of marijuana for medical users.
Organizers had said in July that they expected to miss the signature requirement.
Nebraska Gov. Pete Ricketts, a Republican, has adamantly opposed the legalization of medical marijuana.
"If you legalize marijuana, you're gonna kill your kids. That's what the data shows from around the country," Ricketts said in March 2021.
Nebraska has twice failed to legalize medical marijuana.
Most states offer medical marijuana for patients. Those who qualify for medical marijuana suffer from chronic pain, AIDS, amyotrophic lateral sclerosis, Alzheimer's disease, cachexia, cancer, chronic traumatic encephalopathy, Crohn's disease, epilepsy or another seizure disorder, fibromyalgia, glaucoma, hepatitis C, Huntington's disease, inflammatory bowel and other diseases and ailments.
By Ashley Palya

Kearney Hub: Holdrege recognized as Community of the Year

KEARNEY — The Nebraska Diplomats honored Holdrege with a Community of the Year award at its annual banquet Aug. 9 in Kearney.

"The award recognizes the benefits that flow to a community when everyone is pulling an oar, together," PCDC Executive Director Ron Tillery said. "One oarsman just goes around in circles; Holdrege is on a path forward and others are taking notice."

Gov. Pete Ricketts presented the award to Holdrege representatives Ron Tillery and PCDC Board President Phil Hinrichs. Several other PCDC and community representatives also attended the event to celebrate the award.

A Nebraska Department of Economic Development staff member nominated Holdrege for the award.

"Holdrege is an amazing community that is thriving. The community has more than 5,500 residents who are positioning themselves for growth," the awards emcee said.

Community highlights mentioned during the event include:

BD's recent $100 million investment and expansion and its celebration of calling Holdrege home for more than 50 years

Creation of new BD spin-off company, embecta, which is now its own publicly-traded company and is Holdrege's largest employer

Recent $8 million expansion by Allmand Inc./Briggs & Stratton

$634,000 in gap financing loans provided by PCDC for area businesses

PCDC commissioned the final engineering designs for Iron Horse Industrial Park and is actively marketing this site

Phelps Memorial Health Center being named a top critical access hospital for many years in a row and being named an exceptional place to work by Gallup

New Cobblestone Hotel

Recent $2 million expansion of the VA clinic in Holdrege

The Nebraska Diplomats is Nebraska's largest economic development organization. It works to provide a connection to Nebraska leaders without political, organizational or geographic restrictions. More than 286 business executives and community leaders are Nebraska Diplomats.

Washington Post: More trigger bans loom as 1 in 3 women lose most abortion access post-Roe

Two months after the Supreme Court overturned Roe v. Wade, about 20.9 million women have lost access to nearly all elective abortions in their home states, and a slate of strict new trigger laws expected to take effect in the coming days will shut out even more.

Texas, Tennessee and Idaho all have existing restrictions on abortion, but the laws slated to begin Thursday will either outlaw the procedure entirely or heighten penalties for doctors who perform an abortion, contributing to a seismic shift in who can access abortion in their home states.

At least 11 other states have banned most abortions, prohibiting the procedure with narrow exceptions from the time of conception or after fetal cardiac activity is detected, at around six weeks of pregnancy, with legislation known as "heartbeat" laws. Five more states have similar bans

temporarily blocked by the courts. If those injunctions are lifted, abortion could soon be inaccessible for millions more — in total, 36 percent of U.S. women between the ages of 15 and 44 would be largely unable to obtain an elective abortion in the state where they live.

The rapid pace of change has shocked even the closest observers.

"I just thought there would be a little more time to help providers and patients cope with these changes," said Elizabeth Nash, who tracks abortion legislation in the states for the Guttmacher Institute, a nonprofit research center that supports abortion rights. "It was very clear that that sort of grace period was not going to be provided."

Advocates and doctors in favor of abortion rights fear that the newest trigger laws — which in Texas will carry a potential life sentence for doctors who perform an abortion — will have a chilling effect on helping people who either need an abortion because they are facing life-threatening complications or are trying to travel and get one elsewhere. The stiffer laws come as patients and providers navigate a confusing tangle of policies amid ongoing legal challenges that at times have made abortion accessible one day and completely illegal the next. Even more changes are on the horizon as lawmakers in South Carolina and West Virginia consider new bills during special legislative sessions.

Patients in states such as Tennessee have rushed in recent days to try to make last-minute appointments before they lose access to abortion completely — some only to be turned away, ineligible for an abortion because of the state's "heartbeat" law.

Kaydria, a 28-year-old from Jackson, Miss., started researching the changing abortion laws as soon as she found out she was pregnant in mid-August. With abortion already banned in her home state, she decided to drive three hours to Memphis.

She knew she'd have to hurry: On Aug. 25, all elective abortions would be banned there, too.

"I needed to go ahead and take care of it," said Kaydria, who spoke on the condition that only her first name be used to protect her privacy. "I knew I didn't have time."

'A very confusing landscape'

Roughly 14 states have bans outlawing most abortions, with varying exemptions and penalties for doctors. In all, nearly 21 million — about 1 in 3 girls and women in the United States between the ages of 15 and 44 — have lost access to the procedure, according to U.S. census data.

The states that bar abortion from conception tend to be located in the South and the Midwest, including Alabama, Arkansas, Kentucky, Missouri and Oklahoma. Wisconsin has conflicting laws that leave the legality of abortion uncertain, but clinics stopped providing abortions in the state after the Dobbs v. Jackson Women's Health Organization decision, effectively ending abortion within its borders. Georgia, Idaho, Ohio and Tennessee have bans that begin when fetal cardiac activity can be detected, which can occur before many people realize they are pregnant.

"This has been fast-moving and frightening," said Melissa Grant, chief operations officer for Carafem, which operates abortion clinics in several states including Tennessee, Georgia, Illinois and the D.C. region.

Antiabortion advocates were jubilant after the high court overturned Roe and are now setting their sights on building on their victory, including measures that would prevent out-of-state travel, remove exemptions for victims of sexual assault and provide legal rights for fetuses.

"When you say, 'Hey, we want to protect all of our unborn residents,' you want to make sure that that is effective," said Peter Breen, the vice president and senior counsel for the Thomas More Society, a conservative legal organization aiming to help state GOP lawmakers enact further restrictions.

Millions more live in states where abortion access is uncertain as legal challenges wind their way through the courts and lawmakers consider passing new laws. In some states, abortion access has changed day by day as courts have repeatedly blocked and unblocked bans.

North Dakota has an abortion ban from conception that has been temporarily blocked by the courts, but it could go into effect Friday if it is not enjoined this week. South Carolina has a six-week ban that was in effect for weeks until the state Supreme Court temporarily blocked it from being enforced last Wednesday. That same day, a district court judge reinstated a 1973 law that bars abortion after 20 weeks in North Carolina, although the state remains one of the few with first- and second-trimester abortion access in the South, where most of its neighbors have outlawed the procedure.

Three new laws triggered by the Supreme Court's decision to strike down Roe that are slated to take effect Thursday in Texas, Tennessee and Idaho will stiffen penalties for abortion providers or restrict access to even fewer potential patients.

Immediately after the Supreme Court's decision in June, abortion was almost completely outlawed in Texas under a statute that predated Roe, and clinics closed their doors to patients.

On top of those restrictions, Texas legislators passed a trigger law in 2021 that makes providing an abortion a first-degree felony, which can result in a life sentence, and raises the civil penalty to a $100,000 fine. There are no exceptions for rape or incest in the Texas abortion ban.

"The criminal penalties will further chill the provision of care to women who need it," said Elisabeth Smith, director of state policy and advocacy for the Center for Reproductive Rights, a legal advocacy organization that represented the clinic at the center of the Supreme Court case.

In Idaho, the state's "heartbeat" ban on abortion went into effect this month. Now a near-total abortion ban is expected to kick in, further limiting access and imposing criminal penalties of up to five years' imprisonment on providers. The ban slated to take effect Thursday includes exceptions for rape, incest and the life of the pregnant person — but not when their health is at risk.

The Justice Department has filed a lawsuit against the ban, arguing that the state's law violates a federal requirement to provide medical care when a patient's life or health is at stake. A federal judge said he would issue his opinion by Wednesday.

"It's a very confusing landscape," said Caitlin Gustafson, a family physician and abortion provider in rural Idaho, who is suing the state over three different abortion laws that took effect at different times after the Supreme Court struck down Roe.

Tennessee will also see a trigger law completely ban abortion Thursday, with no exception for victims of rape or incest.

'A generational push'

For some antiabortion activists, the current restrictions in many states do not go far enough, and they are itching to narrow the limited exceptions for victims of rape and incest as soon as politically possible.

"I drafted the heartbeat law, and it was a tough pill to swallow when we had to make that compromise to create the exceptions for rape and incest," said Blaine Conzatti, the president of the Idaho Family Policy Center. "And so that's something that I would like to fix in the future."

Yet he acknowledged that doing so will probably be an uphill battle — even in Idaho, where Republicans control both the governor's office and the legislature.

"I think that's going to be a generational push," Conzatti said, adding that it will take time to convince some reluctant lawmakers as well those who belong to the Church of Jesus Christ of Latter-day Saints, a key constituency that supports some exceptions in the cases of rape and incest.

Republican state Rep. Brent Crane, chairman of the Idaho House committee overseeing abortion

legislation, said he isn't planning on pushing bills further restricting abortion in the upcoming session, believing that the state needs to move "slowly and deliberately." He said he's comfortable with the current exemptions in the law and predicted that if removing the exception for rape and incest were brought up, it would not pass his panel.

Even in some Republican strongholds, antiabortion lawmakers and activists have run into opposition in trying to push through no-exemption bans, finding there is a limit to how far even many conservative voters are willing to go. This month, voters in Kansas resoundingly rejected a ballot measure that would have stripped protections for abortion from the state constitution. Days later, Nebraska's governor announced that he would not call a previously anticipated special session to pass an abortion ban.

Lawmakers in West Virginia and South Carolina are pushing new bans in legislative sessions that could stretch into late summer. Republicans in those states are bitterly debating whether those bills should include exceptions for victims of rape or incest.

Meanwhile, a slew of new restrictions in several states is probably coming before the end of the year.

Next month, Indiana will join the states with near-total abortion bans after legislators passed a law set to take effect Sept. 15. That ban includes exceptions for rape, incest or lethal fetal abnormality, or to save the life of the pregnant person.

Several states, including South Carolina, Utah, Wyoming, North Dakota and West Virginia, have pending court cases that will decide the fate of abortion bans that were triggered by the fall of Roe. If all of those bans prevail, at least 23.2 million women will live in a state where abortion is banned from conception or around six weeks.

'Get here now'

As soon as Roe was overturned, staff members at Choices, an abortion clinic in Memphis, began preparing for the courts to lift an injunction on a six-week abortion ban, a change they knew could come at any time and would outlaw most abortions in Tennessee. Within hours of the Supreme Court decision, staff started calling patients scheduled for the following week, urging them to get to the clinic as soon as possible.

"They told me, 'Get here now,'" said Jacretia Porter, a 24-year-old who had an abortion scheduled a week after the Dobbs decision. "They didn't know how much longer they'd be able to do abortions." Porter immediately drove to the clinic, where she saw many other women who had received similar calls that morning. The other patients looked just as she felt, Porter added: "rushed, overwhelmed and super confused."

While Porter was able to get her abortion that day, hundreds of other patients have been turned away at Choices and other clinics in Tennessee since the six-week ban took effect on June 28. Over the last seven weeks, patients have experienced "a lot of shock and anger," said chief executive Jennifer Pepper — feelings that will only intensify when the procedure is banned altogether.

"For the first few weeks, there was not a time I left [the clinic] when I didn't see a patient upset on the porch," Pepper said.

After the state's total ban goes into effect Thursday, abortions will be allowed only to save the life of a pregnant patient, such as in the case of an ectopic pregnancy, or to "prevent serious risk of substantial and irreversible impairment of a major bodily function." Doctors and advocates worry that the law's vague language will lead to potentially costly confusion.

Kaydria arrived at Choices on a recent Wednesday in August, only to find out she was already too far along to receive an abortion in Tennessee. The staff handed her a piece of paper with a list of

abortion clinics in Illinois.
The closest option was more than seven hours from Kaydria's home in Mississippi.
Angry and frustrated, Kaydria said lawmakers shouldn't "have the right" to decide whether she gets an abortion, adding that "women aren't breeding machines." Already a mom, she said she used to live paycheck to paycheck and only recently began to feel on solid ground financially. By having another child, she said, she would be taking "10 steps back."
Sitting outside the clinic, she resolved to start calling the numbers on the list that evening. She would have to find another babysitter and ask to take another day off work.
But first, a three-hour drive home.
By Katie Shepherd, Rachel Roubein and Caroline Kitchener

OWH: Latest attempt to legalize medical marijuana fails to make Nebraska ballot

LINCOLN — The latest attempt to legalize medical marijuana in Nebraska will not make it onto the general election ballot.
Both of the petitions for the Nebraskans for Medical Marijuana campaign fell just under 10,000 signatures short of the approximately 87,000 signatures necessary to make it onto the ballot, Secretary of State Bob Evnen announced Monday.
The campaign submitted about 92,000 signatures for both petitions back in July, but the Nebraska Secretary of State's Office verified only about 77,000 signatures for each petition.
When the petitions were submitted, those involved with the campaign expressed optimism despite having little cushion for signatures getting tossed out. State Sen. Adam Morfeld of Lincoln, the campaign co-sponsor, previously said typical initiatives need a 20% buffer to collect enough signatures to make it on the ballot. Because their campaign was largely volunteer-driven, organizers were hopeful they could get by with less of a buffer.
Morfeld said Monday that he always knew that coming up short was a possibility, though the campaign "always held out hope."
"We are saddened that we couldn't get across the finish line," he said.
It was the second attempt in recent history to get medical marijuana legalization on the ballot in Nebraska. The previous attempt in 2020 was far more well-funded, raising roughly $2.5 million and collecting more than 182,000 signatures. That attempt was disqualified from the ballot by a State Supreme Court decision because it contained more than one subject.
This year, the same effort didn't have as much funding at its disposal, largely due to a series of tragedies that cost the campaign two people who were expected to make major contributions to the initiative. The latest report from the Nebraska Accountability and Disclosure Commission showed the campaign received nearly $280,000 in contributions as of Aug. 1.
A legal challenge to Nebraska's requirement that petition drives collect a certain number of signatures in at least 38 counties made no difference in the outcome.
The case, filed by ACLU of Nebraska on behalf of Crista Eggers and NMM, is pending before the 8th U.S. Circuit Court of Appeals.
Eggers said in a press release Monday that once the campaign receives the results from the

Secretary of State's Office, organizers will use the information to begin work to qualify for the 2024 ballot.
"I am heartbroken," co-sponsor Sen. Anna Wishart of Lincoln said Monday on Twitter. "I learned when everyone learned that our medical cannabis drive fell short of the signatures needed to qualify. We will take a short moment to mourn this loss, and then get up, dust off, and get back to work to legalize medical cannabis."
Meanwhile, two other initiatives that backers hope to get onto the November ballot — one to increase the state's minimum wage and another to require voters to submit IDs — have yet to hear back on their signature verification from the secretary of state. Both submitted substantially more signatures than the medical marijuana campaign.
The Secretary of State's Office said it expects to have updates on both petitions by the end of the month.
By Erin Bamer

LJS: Medical marijuana initiative petitions fail to make November ballot

Despite a rush of support in the final weeks of its campaign, Nebraskans for Medical Marijuana fell short of qualifying for the ballot this November for the second straight election cycle.
Both petitions seeking to legalize cannabis use for medical purposes needed roughly 9,000 more valid signatures to meet the 86,766 needed to qualify for the general election ballot.
The results, announced by Secretary of State Bob Evnen on Monday, follow a grassroots effort by Nebraskans for Medical Marijuana, which shifted to an all-volunteer format after losing two large donors earlier this year.
While petition circulators were able to submit more than 90,000 signatures for each initiative at the July 7 deadline, nearly 13,000 names were thrown out after a review by county election officials.
The first petition, which would have protected doctors who recommend and patients who use cannabis for medical reasons, had 77,843 valid signatures, according to the secretary of state.
The second petition requiring the Legislature to legalize the production, supply and distribution of cannabis for medical use had a total of 77,119 valid signatures.
In addition to falling short of the raw total, Evnen said the petitions also did not qualify in 38 of the state's 93 counties as is required in state law.
Although a federal court sided with Nebraskans for Medical Marijuana in June, deeming the geographic requirement unconstitutional and issuing a temporary injunction against Evnen from enforcing it, the 8th Circuit Court of Appeals put it back in place as it considers an appeal of the lower court's decision made by the state.
The first petition obtained the signatures of 5% of voters in 26 counties; the second in 27 counties, which did not meet the rule that has been in place for more than a century, the secretary of state said.
Lincoln Sen. Anna Wishart, who co-sponsored the petitions, said Nebraskans for Medical Marijuana will request a review of the signature verification effort before it determines its next steps.
"I trust the secretary of state and the counties," Wishart said. "But we're going to look at and verify

the results, and if we determine that we did not qualify as the secretary of state has determined, we'll plan to push forward legislatively."

The second-term lawmaker said Nebraskans for Medical Marijuana will also begin preparing another petition drive ahead of the 2024 election cycle, capitalizing on the momentum seen in the final weeks of the 2022 effort, where 10,000 signatures were coming in per week.

But, Wishart said, that didn't diminish the disappointment of coming up short once again — the 2020 initiative was disqualified by the Nebraska Supreme Court following a legal challenge that it violated the state's single-subject rule — as well as the second-guessing that comes with it.

"You think about all the mistakes you made, or a decision where you could have done something differently," Wishart said. "I think we underestimated our capabilities, and I wonder if we could have pushed even harder for those counties in the last month, if we could have squeezed out some more."

Crista Eggers, the statewide campaign coordinator of Nebraskans for Medical Marijuana, said she was proud of the volunteers who traveled the state collecting signatures, as well as those who sought out a petition to sign and lend their support.

Still, that didn't numb the "devastating" news Monday, Eggers said.

"There are probably no words that would accurately describe the way I feel as an advocate in this fight," she said.

Eggers said her 7-year-old son, Colton, who lives with uncontrollable seizures caused by drug-resistant epilepsy that doctors have been unable to prescribe anything that gives him relief, remains the "heart and drive" of her work to legalize medical marijuana.

"While these conversations we're having right now are incredibly difficult, they pale in comparison to the conversation I have to have with my little boy later tonight when he asks 'Mommy, did we get the medicine?'" Eggers said, "I don't know what to say to him, because once again, the patients in our state are left to suffer."

Wishart and Eggers both pledged to keep working on behalf of Nebraskans they say would benefit from access to medical marijuana.

After the 2020 petition was struck from the ballot in the weeks leading up to the election, Wishart came two votes short of overcoming a legislative filibuster on a bill (LB474) that would have legalized medical marijuana and created a regulatory structure in Nebraska.

She said she remains committed to trying every avenue available before she is term-limited at the end of 2024.

"I think it's something we'll get done over the next two years," Wishart said.

Smart Approaches to Marijuana (SAM) Nebraska, which has opposed legislation and initiative petitions seeking to legalize medical marijuana, celebrated the petitions' failure to qualify for the ballot.

"Nebraska voters were not duped by the marijuana industry's Trojan horse attempt to commercialize drug use under the guise of 'medicine,' a claim as harmful as it is false," SAM Nebraska said in a news release.

The opposition group said the model proposed by Nebraskans for Medical Marijuana would allow dispensaries — not doctors — to determine treatments for patients seeking cannabis.

"Bypassing important tools to protect patient health and safety in favor of a marijuana industry-driven business model ignores basic patient assurances like purity, concentration and safety," SAM Nebraska said.

Eggers said legalizing medical marijuana is supported by a wide swath of Nebraskans — a survey

conducted by the University of Nebraska-Lincoln indicated the issue had 83% support in 2021.
"We will not be quiet, we will not go away, we will continue to show up for the thousands of Nebraskans who gave their everything for this," Eggers said. "Today, I feel devastated, but someday this story will be different."
By Chris Dunker

OWH: Nebraska's COVID case numbers drop again

COVID-19 case numbers dropped in Nebraska for the third straight week, suggesting a new downward trend in the ups and downs of the 2½-year pandemic.
The state reported 2,680 new cases for the week ending Friday, down about 8.5% from 2,907 the previous week. Cases also were down more than a third from their recent peak of about 4,100 three weeks before, according to data from the federal Centers for Disease Control and Prevention.
Cases nationally are showing a similar trend, with cases down 12% last week. Only half a dozen states are showing rising numbers. However, it is widely acknowledged that official reports represent undercounts, with some people not getting tested and many who do test using at-home kits whose results aren't included in official tallies.
Hospitalizations for COVID-19 also are coming down. A daily average of 196 Nebraskans were hospitalized last week, down from 199 the previous week.
What's not yet known is how the start of the school year and the continued emergence of new variants will play out in the coming weeks. Experts predict a rise in COVID-related illness, particularly as people spend more time indoors. Nebraska and Iowa have seen the arrival of a new omicron subvariant, BA.4.6, in the last several weeks. However, the BA.5 subvariant remained dominant in the state last week with an estimated 71% of positive tests that underwent genomic sequencing.
As of Sunday, 143 people were hospitalized with COVID-19 in the Omaha metro area. That included nine children, down from 13 on Thursday. But both hospitalization figures for children are higher than those of recent weeks.
Dr. Renuga Vivekanandan, chief of infectious disease at CHI Health and Creighton University, said the best way to protect kids is to make sure they're vaccinated and boosted when eligible. Her children, ages 6 and 8, have all of their shots. They also will mask in the classroom.
Dr. David Quimby, an infectious diseases physician with CHI Health, said parents should keep kids home if they're sick, even if symptoms are mild, and test them. If the first at-home test is negative but the children still have symptoms, they should be tested again 24 hours later.
The CDC's new guidelines, however, allow people who have been exposed to the virus to mask for 10 days and test at day 5 rather than automatically quarantining.
Vivekanandan urged parents to make sure kids also are up to date on other vaccines. That includes getting influenza shots this fall and making sure polio vaccinations are complete, given a case in New York.
Pfizer has submitted a new COVID shot that also targets the BA.5 subvariant to the Food and Drug Administration. The shots may be available "in a few short weeks" to anyone over age 12, Dr. Ashish Jha, the White House COVID coordinator, told NBC News.
The greater availability of treatments and the reduced severity of recent variants has reduced the most serious outcomes of the disease. Fewer of those people hospitalized with the virus are

requiring ventilators. But COVID-19 remains a deadly virus in Nebraska. In the past four weeks, the state has reported 82 new deaths.
That brings the total number of confirmed or probable deaths from the pandemic to 4,445. More than 525,000 Nebraskans have tested positive in lab tests.
By Julie Anderson and Henry J. Cordes

OWH: Military recruitment in Nebraska, U.S. is falling short of goals

Pvt. Jayden Day donned the patch of his new Nebraska Army National Guard unit Friday, one of 11 freshly minted soldiers to take part in a ceremony signifying he is officially part of the Guard.
Encouraged by his girlfriend's father as well his aunt and uncle — all National Guard soldiers — Day, 19, of Gretna, enlisted last year to become a motor vehicle mechanic, a career he also is pursuing in civilian life.
Plus, he wanted to serve his country.
"I'll be doing the same thing, but the Army way," he said.
The problem for the National Guard, and the military overall, is that there are not nearly enough Pvt. Days out there.
Military recruitment is in freefall — as bad as anything seen since the beginning of the all-volunteer force in 1973, experts say.
All service branches are feeling the pinch, with only the Space Force (by far the smallest branch) likely to hit recruiting goals for the fiscal year that ends Sept. 30. Senior Air Force, Navy and Marine Corps leaders say they hope to come close, but they likely will have to dip into their pool of delayed entry applicants. That will put them behind as they begin the next recruiting year.
The Army and Army National Guard have been hit hardest. The Army has hit barely half of its recruiting goal of 60,000 new troops and will likely remain short by 12,000 to 15,000 soldiers at the end of the fiscal year, Secretary Christine Wormuth told NBC News earlier this month.
Nationwide, the Army Guard has recruited 57% of its goal of 38,430 through Aug. 16, according to the National Guard Bureau. The figure for the Nebraska Army National Guard is lower still, at 53%.
"This year is markedly different than last year," said Col. Andrew Bishop, the strength maintenance division chief for the Army National Guard. "We're entering a new normal."
Retired Army Lt. Gen. Thomas Spoehr, director of the Center for National Defense at the Heritage Foundation, warned last month that the shortfall will cause understaffed units with diminished combat strength.
"The first step is to recognize military recruiting for what it is: in crisis," he said in an article on the conservative think tank's website. "And, that the crisis is here to stay until America figures out a way to fix it."
A perfect storm of economic, demographic and medical factors have led to the sudden downturn in recruiting, worsened by the COVID-19 pandemic that kept recruiters out of high schools and colleges for much of the past two years.
The tight labor market has driven up wages and benefits in the private sector, making civilian jobs more appealing and easier to get than they were just a few years ago.

“We are in a war for talent,” Wormuth told the Senate Armed Services Committee in May. “This is not a one-year challenge. We will not solve this overnight.”

Two decades ago, the 9/11 terrorist attacks motivated millennials to join the military in defense of their country.

But Americans under 25 are too young to remember the horror of Sept. 11, 2001. The threat of Islamist terror is no longer in the front of people’s minds.

“There’s a lower propensity of youth to serve in the armed forces than in the past 20-30 years,” Bishop said.

At the same time, fewer young Americans are fit enough to serve in uniform. Only 23% of young people ages 17 to 24 can qualify without a waiver — for low test scores, or because of medical issues such as obesity, asthma, poor vision or mental health issues.

“The medical standards have really tightened up,” said Col. Dan Benes, the Nebraska Army National Guard’s chief personnel officer.

Mental health is tripping up more Nebraska recruits than in the past, Benes said, in part because so many sought treatment during the dark days of the COVID pandemic. A history of mental health treatment can be disqualifying.

Maj. Gen. Daryl Bohac, the Nebraska National Guard’s adjutant general, said the military sends conflicting signals when it encourages service members to seek mental health treatment but bars new recruits who have done so from serving their country.

“It’s not an argument to accept all comers, but it is an argument to say what message are we really sending,” Bohac said. “We can’t be so stringent that we just automatically exclude.”

Then there’s the issue of the Pentagon’s controversial COVID-19 vaccine mandate. It’s not clear whether the mandate is discouraging recruits from enlisting. But it is affecting those soldiers and airmen already serving. As of last week, 10.7% of Nebraska National Guard troops remained unvaccinated.

Five members of the Nebraska Air National Guard have voluntarily left the service rather than take the vaccine (out of 81 total separations this year) rather than comply with the mandate, Bohac said. No Army Guard members have so far been separated, but about 100 face dismissal if their requests for religious exemptions are denied.

“Ultimately, they will have to make a choice about becoming vaccinated or not,” Bohac said. “We will give everybody every opportunity to comply with the mandate. If they leave, they will leave with an honorable discharge.”

Despite the potential for more losses due to vaccine refusal, Guard officials see retention of current soldiers and airmen as a relative bright spot. Retention is down, too, but not nearly as dramatically as recruitment. Bohac said the state’s Army and Air National Guard both expect to be at 95% of full strength when the fiscal year ends.

“We have some work to do,” he said. “That last 5% is a hard number to close.”

Another bright spot is the Nebraska Air National Guard, which is on schedule to reach its recruiting goal for the year.

Master Sgt. Kyle Eddy, the Nebraska Air National Guard’s recruiting superintendent, credits the presence of Offutt Air Force Base. He said one-third of the Air National Guard’s recruits are veterans transitioning from the active-duty Air Force.

“Offutt is a huge impact,” Eddy said. “(Airmen) move to Nebraska with the Air Force, they love it, and they want to stay.”

Still, military leaders know they face some rough recruiting years ahead.

All branches are adding bonuses and turbocharging their recruiting and ROTC programs. Restrictions on arm and hand tattoos have been loosened.
Bishop said the National Guard is expanding an advertising campaign introduced last year called "The Next Greatest Generation is Now" to more social media platforms.
The video, set to pulse-pounding music, shows young Guard members handing out food and aiding children after disasters. It acknowledges Generation Z has suffered from "a rogue virus, zero jobs, and stratospheric tuition." Then it challenges them: "Who do you think is going to fix all this? We will."
"We know this generation has a desire for service," Bishop said. "It just may not be military service. They're doing it in their own areas."
At the same time, the National Guard is targeting bonuses of up to $20,000 for certain high-demand jobs — including, in Nebraska, truck drivers and infantry soldiers.
Bohac said the Guard is also boosting tuition assistance from 50% to 100%, and expanding a program that guarantees soldiers job interviews with certain private-sector companies.
Now that COVID restrictions have been eased, recruiters can get back into schools to talk directly with future Jayden Days.
"We've got two years of rebuilding our face-to-face communications," Benes said.
The Nebraska National Guard has survived previous recruiting shortfalls. Bohac believes it will do so again.
"We are in a competitive market for talented young people who also have a desire to serve a greater cause," he said. "I am confident that we can continue to recruit, train and equip the Nebraska National Guard to be ready to serve our state and nation when called upon."
By Steve Liewer

GII: Leaders tout diverse mix of attractions at Nebraska State Fair

GRAND ISLAND — Executive Director Bill Ogg feels good about this year's Nebraska State Fair, which opens Friday.
"It's my job to be the cheerleader for the fair," Ogg said. "But I am genuinely excited about this year's fair."
Concerns about social gatherings due to COVID-19 "are really more behind us than they were last year," he said. He thinks people are hungry for the "wholesome social interaction" that the fair delivers.
A lot of big-name country artists are touring the country this summer.
But Ogg is pleased the fair's entertainment lineup is "diversified enough that people are responding fairly well to our concert offerings."
Tickets certainly remain, but Ogg said the fair is close to covering the cost to book entertainers as part of its concert lineup.
The fair hopes to at least break even on its concert costs, which total about $750,000.
"But that's just one spoke of a large wheel for the fair," Ogg said.
The numbers look good for open-class exhibits, which will include 3,500-plus entries in the fair's

education department. That's almost a thousand entries more than 2021, Ogg said.
The 4-H and FFA livestock entries "are very much on-par with 2021."
This is the third Nebraska State Fair for Ogg, who has worked at fairs in other states.
One thing that makes Nebraska's fair different is the income it receives from the Nebraska Lottery.
"It allows us to host a fair that is 40% larger than what we could sustain (through) operating revenues," Ogg said.
The fair's $10 million budget includes $4 million in annual lottery funds.
In addition to bringing in attractions, that money allows the fair to provide more in awards and prizes than it would be able to without the funding. "We can do those kind of things without chewing my nails (worrying that) I'm going to make payroll every month," Ogg said.
Ogg has learned a lot about fairs over the course of his career.
He's surely learned what works.
"I've learned a lot what doesn't work," he said, laughing.
While there's some uncertainty in putting a fair together, Ogg enjoys his job.
"I genuinely love this job," he says.
Communities can have rodeos, concerts and motor sports events anytime during the year.
But a fair combines those activities with competitive exhibits involving livestock, baking and quilts.
"That's what makes a fair the attraction and reunion that it is," Ogg said.

New offerings

Two of the new offerings at this year's fair combine feats of athleticism with water.
Dogs will run, fly, catch flying discs and swim in the Super Retriever Series show. The canine extravaganza will be the fair's first weekend. "I think that's going to be cool," Ogg said.
Ogg is also excited about the Flying Fools High Dive Show. Tremendous athletes, Ogg said, will dive from 80 feet in the air into 12 feet of water.
Three high-dive shows a day will be presented throughout the fair. Ogg believes that people might want to see the show more than once because "it's pretty impressive."

Concerts

For the second year in a row, Happy Together will be the concert at this year's Older Nebraskans Day.
The concert begins at 2 p.m. on Monday in the Heartland Events Center.
"They were very well-received last year," Ogg said.
The oldies show brings together eight acts, some of which change each year.
While the Turtles, the Cowsills, Gary Puckett and other acts will be back, some will be different.
Ogg likes the variety of this year's fair concerts.
A stop in Grand Island was one of more than 50 concerts canceled this year by Lady A. The group made the move to support singer Charles Kelley in his path to sobriety.
Normally, one country entertainer would be replaced by another. But the surplus of strong country acts on tour this year made the fair "think about something totally different," and "maybe try to attract an audience that has been underserved this summer," Ogg said.
The fair decided to replace Lady A with Flo Rida on Sept. 3.
After three or four days of tickets sales, "we've already sold 70% of the tickets that we had sold for Lady A," Ogg said. So the response has been "not bad."
With Flo Rida, "we'll have the opportunity to entertain and attract some folks who otherwise may not have been motivated to come to the fair," Ogg said, referring to people in their 20s and 30s.
Four of this year's concerts will take place outdoors, at an area set up near the Fonner Park

racetrack. The only music act at the indoor Heartland Events Center will be Happy Together.
Beyond the concert series, the fair will feature music, dancing and entertainment in a variety of genres, from polka to Latin music, Ogg said.
More than 4,000 hours of entertainment are presented to fairgoers at no additional cost once they're on the grounds.

Changes

Organizing a fair each year is a balancing act between keeping things the way they were and doing something new.
Many people, for instance, want to see a favorite concession stand "in the same place that they remember," Ogg said.
Knowing what to change and what to keep can be difficult, Ogg said.
This year's fairgoers will notice that some things have changed.
"We're really working hard on strengthening the entire Fonner Park campus, if you will, to move our people and our guests around — give them a chance to be entertained, be educated, stay longer," Ogg said.
Changes are meant to strengthen parts of the fairgrounds and reduce heavy traffic in others. One goal is to give people more experiences sooner once they arrive at the fair.
On the calendar, a noticeable change is the Veterans Day program, which traditionally has been on Labor Day. This year it will be on Tuesday.
Local veterans "wanted a day other than Labor Day," Ogg said. "They felt they would have better participation on a weekday than they would on that Monday holiday."
Still, moving the veterans program allowed the fair to do something different.
An equestrian-themed circus called Cirque Ma'Ceo will be presented in the Heartland Events Center on Sept. 4-5. Admission is free to the troupe's five performances.
By Jeff Bahr

OWH Midlands Voices: Passing higher education reforms is economically imperative

Post-secondary institutions are the number one producer of highly skilled labor in the United States. As the workforce shortage nationwide persists and our economy nears recession, strengthening our schools at every level is more important than ever. And failing to act on needed higher education reforms could have significant consequences for our economy down the line.
Right now, there is a concerning lack of trusted information on the state of our country's higher education system. As taxpayers, we all have a vested interest in student outcomes. Because of how critical maintaining a pipeline of skilled workers is for our economy, postsecondary institutions receive billions of dollars annually from the federal government.
However, our higher education system is one of the only fields receiving substantial amounts of federal dollars that does not have clear established reporting requirements to continue funding. Decades of little oversight has given some bad actors in our postsecondary ecosystem a free pass to cash enrollment checks and take advantage of prospective students and their families. It's time to do something about this accountability gap.

As someone who works in the trade industry, I can attest first-hand to the enormous labor shortage crushing many small businesses around the country. Building back our talent pipeline following the COVID-19 pandemic is imperative to stabilizing our economy. The U.S. was once a world leader in preparing the next generation for the workplace and if we want to stay globally competitive, we must get back on track.

Fortunately, there is one bill moving in Washington that could help everyone see a return on their investment. Co-sponsored by a group of bipartisan leaders, the College Transparency Act establishes a trustworthy public facing database which will track key indicators of student success. By making data like student enrollment numbers, post-grad income, program completion statistics of all degree programs, and employment outcomes public, we're empowering prospective students and their families to make well-informed decisions about their financial futures.

As we brace for more economic turmoil, this common sense (and frankly, non-controversial) reform will fix an increasingly relevant and concerning data blind spot.

I believe passing the CTA will provide needed stakeholder insight into student outcome trends and help identify where institutions should focus their retention efforts. Holding higher education accountable for building the workforce of tomorrow starts with tracking student outcomes, it's really that simple.

The CTA strikes a balance between creating transparency within the higher education system and protecting the valuable investment of resources by taxpayers and students alike. Passing basic oversight measures like the CTA will shed a needed light on how taxpayer funded institutions are preparing the workforce of tomorrow.

I applaud our U.S. Sen. Ben Sasse for seeing the merits of this bill and adding his name as a co-sponsor. His leadership and support of economic and student focused reforms has been and will continue to be instrumental to improving the state of our nation's high education system. His experience as the former president of Midland University provides perspective on this topic that his colleagues would be seriously remiss to ignore.

Let's secure our country's economic future, uplift tomorrow's generation of skilled labor, and pass long overdue higher education reforms.

By Chris Peterson

AP: Pfizer seeks OK of updated COVID vaccine booster for fall

Pfizer asked U.S. regulators Monday to authorize its combination COVID-19 vaccine that adds protection against the newest omicron relatives — a key step toward opening a fall booster campaign.

The Food and Drug Administration ordered vaccine makers to tweak their shots to target BA.4 and BA.5 that are better than ever at dodging immunity from earlier vaccination or infection.

Pfizer and its partner BioNTech aim to offer updated boosters to people 12 and older, and shots could begin within weeks if the FDA quickly clears the modified vaccine — a step not expected to require waiting on new studies.

Moderna is expected to file a similar application soon for updated boosters for adults. The U.S. has a

contract to buy 105 million of the Pfizer doses and 66 million Moderna ones, assuming FDA gives the green light.

“It’s going to be really important that people this fall and winter get the new shots. It’s designed for the virus that’s out there,” White House COVID-19 coordinator Dr. Ashish Jha said last week.

For now at least. BA.5 currently is causing nearly all COVID-19 infections in the U.S. and much of the world. There’s no way to know if it still will be a threat this winter -- or if another mutant will have replaced it.

The vaccines currently used in the U.S. still offer strong protection against severe disease and death, especially if people have gotten their recommended boosters. But those vaccines target the coronavirus strain that spread in early 2020 and their effectiveness against infection has dropped markedly as new mutants came along, particularly the super-contagious omicron family.

How would combo shots work? Sort of like a second-generation vaccine. Both the Pfizer and Moderna vaccines contain the genetic instructions for the spike protein that coats the coronavirus, to train the immune system to recognize the real virus. The new combo doses will contain instructions for both the original spike target and the spike mutations carried by BA.4 and BA.5.

The news comes after Britain a week ago became the first in the world to authorize a different update to Moderna’s COVID-19 vaccines -- shots that add protection against the original omicron that struck last winter.

European regulators also are considering the original omicron versions by Moderna and Pfizer. The U.S. opted not to use that earlier tweak -- setting up a fall where different countries will be using different versions of booster shots to rev up protection against another possible winter surge.

In the U.S., the FDA will be relying heavily on scientific testing of prior tweaks to the vaccine recipe — rather than a study of the newest boosters that could take months — to decide whether to fast-track updated shots for fall.

Pfizer previously announced results from a study that found its earlier omicron tweak significantly revved up antibodies capable of fighting the first omicron version, called BA.1, and to a lesser degree the genetically distinct BA.4 and BA.5 omicron relatives. Its application to the FDA contains that data plus animal testing of the newest recipe update.

It's similar to how flu vaccines are updated every year without having to undergo large studies.

Pfizer and BioNTech expect to start a trial using the BA.4 and BA.5 boosters in the coming weeks, to shed additional light on how well tweaked shots work. Moderna has begun a similar study although full results wouldn't be available before a fall booster campaign.

“It's clear that none of these vaccines are going to completely prevent infection," said Dr. Rachel Presti of Washington University in St. Louis, a researcher with the Moderna trial.

But prior studies of variant booster candidates show “you still get a broader immune response giving a variant booster than giving the same booster” again, which should be helpful even if a newer omicron relative emerges, she added.

Pfizer and Moderna don't make the only U.S. vaccine options. Novavax makes a more traditional, protein-based shot — and U.S. health authorities just expanded its use for people as young as 12. Novavax also plans to offer a variant update later in the year.

Very Respectfully,

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