From: Shelburn, Andrew
To: Shelburn, Andrew
Subject: Governor"s Office Daily Update - 10-12-22
Date: Wednesday, October 12, 2022 8:51:32 AM

AG VALLEY CO-OP

Eustis, NE

Commodity	Delivery	Price	Basis	Date (as of)
Corn	Oct 2022	7.39	50.00	08:37
Corn	Dec 2022	7.43	54.00	08:37
Milo	Oct 2022	6.74	-15.00	08:37
Milo	Oct 2023	5.52	-75.00	08:37
Soybeans	Oct 2022	13.11	-65.00	08:37
Soybeans	Oct 2023	12.78	-80.00	08:37
Wheat	Oct 2022	9.05	-75.00	08:37
Wheat	Jul 2023	8.79	-80.00	08:37

TV and Radio

KETV: Gov. Ricketts, Jane Kleeb talk Nebraska U.S. Senate appointment
Fox News: Nebraska gov spent over $1.3M boosting GOP gubernatorial candidate who may appoint him US senator
CNN: Exclusive: McConnell ignores Trump's attacks and says 'I have the votes' in quest to make history
NPM: Shore appears in video endorsing Pansing Brooks (no video)
WOWT: Election 2022: Nebraska First Lady again endorses Pansing Brooks in Congressional race (no video)
KLKN: Nebraska's first lady appears on video for Pansing Brooks as election nears (no video)
KMTV: Wife of GOP Gov. Pete Ricketts doubles down on support of Democrat Patty Pansing Brooks in congressional race (no video)
NCN: Exclusive: McConnell ignores Trump's attacks and says 'I have the votes' in quest to make history (no video)
NCN: Small crowd at Voter ID hearing
NPM: Nebraska military members are now a key constituency in competitive 1st Congressional District race (no video)
WOWT: Nebraska corrections in-custody death investigation reveals critical medical care

Governor

Nebraska Examiner: McConnell tells CNN he wants Ricketts to replace Sen. Sasse
LJS: First lady Susanne Shore endorses Pansing Brooks for Congress
Nebraska Examiner: First Lady doubles down on her support for Democratic congressional candidate Patty Pansing Brooks
Roll Call: Nebraska policy wonk makes pitch for top Ways and Means slot

Sioux City Journal: Tyson CEO meets with Dakota Dunes employees as local officials seek to save white-collar jobs
Kansas Reflector: Roger Marshall, Laura Kelly stumble while wading into former Kansas governors' loyalties

Agency
OWH: Nebraska prisons faulted in inmate's cervical cancer death
Nebraska Examiner: Nebraska prison watchdog says death of inmate might have been prevented with regular health exams

University
LJS: New assistant chancellor position at UNL will lead online education efforts

Coronavirus
LJS: COVID-19 cases continue to fall in Lincoln but risk dial unchanged

State, Local and Regional
LJS: Nebraska to get $64 million from feds for small businesses
OWH: Winnebago Tribe of Nebraska awarded $35 million grant for broadband

Opinion
OWH Public Pulse

1. Railroad safety
2. Crossword return
3. Missing women
4. Stevens support
5. Property taxes
6. Old brick road
7. Check the facts
8. Core support
9. Crossword puzzle
10. Wounded Knee
11. Environmental effects

LJS Editorial, 10/12: Sasse's resignation makes statement about politics
LJS Letters

1. Refior ready to serve county
2. Fischer all in for Walker
3. Experience matters for county attorney
4. Raikes has experience to lead
5. Pitts ready to lead as sheriff
6. Right man at the right time
7. Voter ID just harms democracy
8. Dungan embodies best attributes
9. Initiative 433 part of solution
10. Sasse will still face challenges
11. It's about history and the future

NP Telegraph Letter to the Editor: Why Jacobson is best choice for District 42

National/Federal
AP: Labor proposal could upend rules for gig workers, companies

Nebraska Examiner: McConnell tells CNN he wants Ricketts to replace Sen. Sasse

OMAHA — Senate Minority Leader Mitch McConnell has a Republican favorite to replace U.S. Sen. Ben Sasse if the University of Florida taps the Nebraskan to lead its flagship university: Gov. Pete Ricketts.

Kentucky's McConnell told CNN for a story published Tuesday that he urged Ricketts to run for the seat.

"I've talked to Governor Ricketts," CNN quoted McConnell as saying. "We're hoping that he ends up in the Senate. Exactly how that happens under Nebraska law is yet to be determined."

McConnell and the National Republican Senatorial Committee like when wealthy, well-known candidates run in red states because they typically need less national fundraising help.

Sasse is the lone finalist for the presidency of the University of Florida in Gainesville. He visited campus this week for sessions with students, faculty and staff.

Hundreds of student protesters disrupted his meetings Monday, but he is expected to return to campus Nov. 1 for his final interview with Florida's GOP-appointed Board of Trustees.

Sasse sources have said they expect him to resign his seat in late November or early December if he gets the job. Under Nebraska law, the governor has 45 days to appoint a successor.

Ricketts has said publicly that he would not appoint himself to the seat. He said if he is interested in the position, he would leave the decision to the next governor.

That appointee would serve until at least January 2025. Primary and general elections to fill the remaining two years of Sasse's term would be held in 2024.

That would stack the May and November 2024 elections in Nebraska with a presidential race and a pair of Senate races, because Sen. Deb Fischer's seat is set to be on the ballot again that year.

By Aaron Sanderford

LJS: First lady Susanne Shore endorses Pansing Brooks for Congress

Susanne Shore, wife of Republican Gov. Pete Ricketts and Nebraska's first lady, has endorsed Democratic congressional nominee Patty Pansing Brooks in Nebraska's 1st District House race.

"My life's work has always been about serving others, but especially our kids," Shore said in a video message aired online Tuesday by the Pansing Brooks campaign.

"I'm passionate about helping all our children thrive and succeed: mine, yours and those across Nebraska," Shore said.

"I want to be sure those who can't always advocate for themselves have a person in their corner fighting for them.

"During my time as your first lady," Shore said, "one legislator has proven that she will always use

her voice to fight for not only those kids and their families, but all Nebraskans — that's Patty Pansing Brooks."
Pansing Brooks, a Lincoln state senator, is matched against newly elected Republican Rep. Mike Flood of Norfolk in the 1st District House race.
Flood, a Norfolk state senator at the time, defeated Pansing Brooks in a June 28 special election to serve the remaining six months of Rep. Jeff Fortenberry's term after he resigned from the House following his conviction on charges that he lied to federal officials about illegal foreign campaign contributions to his 2016 reelection campaign.
Voters will determine in the Nov. 8 general election rematch who will serve the next two-year term beginning in January.
Shore's endorsement came in the form of a video message that is being used to raise campaign funds for Pansing Brooks.
"From her work to guarantee legal counsel for our youth in the juvenile justice system to her advocacy for survivors of heinous sex-trafficking crimes, Patty has shown that she is not only tough on crime, but relentless in her work to uplift those who need it the most," Shore said.
"Patty is exactly the type of leader I would be proud to call my congresswoman," she said.
By Don Walton

Nebraska Examiner: First Lady doubles down on her support for Democratic congressional candidate Patty Pansing Brooks

LINCOLN — First Lady Susanne Shore is doubling down on her support for the Democrat in the 1st Congressional District race, State Sen. Patty Pansing Brooks.
In a video released Tuesday, Shore — who doesn't share her husband's Republican Party affiliation — formally endorsed the Lincoln legislator, highlighting their shared passion for children.
'A person in their corner'
"I'm passionate about helping all of our children thrive and succeed: mine, yours and those across Nebraska," Shore said in the video. "I want to make sure those who can't always advocate for themselves have a person in their corner fighting for them."
"Patty is exactly the type of leader I would be proud to call my congresswoman," Shore added.
Shore, a trained nurse, has been an advocate for child welfare even before her husband, Gov. Pete Ricketts, was elected in 2014.
The two are backing opposing candidates in the race to replace U.S. Rep. Jeff Fortenberry, who resigned this spring after being convicted of lying to federal agents investigating illegal, foreign campaign contributions.
Endorsed in June
In June, Shore, a registered Democrat, endorsed Pansing Brooks via Twitter and contributed financially to her campaign.
That came five months after Ricketts, as well as former GOP Gov. Dave Heineman, had endorsed State Sen. Mike Flood of Norfolk, a former speaker of the Legislature, in the 1st District race.

In Tuesday's video, Shore said that Pansing Brooks, a lawyer, was a legislator who "has proven that she will always use her voice to fight for not only those kids and their families, but for all Nebraskans."
Shore cited the senator's work to guarantee legal counsel for young people in the juvenile justice system and her advocacy for survivors of heinous sex trafficking crimes.
Child welfare work
Shore, a native of Oklahoma, earned a master's degree in business, along with a nursing degree. She worked as a nurse at Omaha's St. Joseph's Hospital before staying home to raise her children. During the past decade, she has served on the board of the Child Saving Institute, including two years as chair. More recently, she has been a board member of the Nebraska Families Collaborative and a volunteer, court-appointed special advocate for at-risk children in Douglas County.
By Paul Hammel

Roll Call: Nebraska policy wonk makes pitch for top Ways and Means slot

This is the first in a series of profiles on the three Republicans running for their party's top position on the House Ways and Means Committee.
Rep. Adrian Smith, a low-key Republican now in his eighth term, is attracting the spotlight with a run for the top GOP spot on the House Ways and Means Committee, with its expansive jurisdiction over tax policy, trade, Medicare and more.
Smith for years has quietly toiled on economic policies that hit home in his rural Nebraska district, like opening up foreign markets to his state's top exports, including beef, soybeans and corn.
In an interview in his Capitol Hill office, Smith said he'll bring that behind-the-scenes operator approach to the Ways and Means job if colleagues elect him, while talking up the need to strengthen bonds among lawmakers.
"I think we need to have more casual gatherings among members on the committee, for example, and even beyond the committee, but just to have casual discussions on, how are things in other districts, what are the commonalities," Smith said while discussing his tax priorities. "I know that there's far more commonality across our country than is often perceived among the American people, even, but especially as it relates to information that leaves Washington."
With Rep. Kevin Brady, R-Texas, retiring at the end of the year, a three-way race to succeed him is heating up as Republicans make their final push to take control of the House after the midterms. Brady, like several of his Republican colleagues, declined to discuss the candidates' individual merits. He emphasized the party's deep bench of talent. The choice is ultimately up to the House Republican Steering Committee, where leadership gets the most votes but other party representatives have a say too.
Smith is known for a keen policy mind displayed during his dozen years on Ways and Means. Only Florida GOP Rep. Vern Buchanan, who's also in the race, has racked up as many years on the panel. Missouri's Jason Smith, the current Budget Committee ranking member, is the third announced contender.
While Adrian Smith brings experience and policy chops, his competitors have won more buzz in the

race so far, and they've touted bigger fundraising hauls to boost Republicans' chances. Still, Smith has contributed more than $1.3 million in cash to candidates and committees this cycle, including $340,000 in the third quarter alone, according to an aide.

His biggest single financial backer is Nebraska Republican Gov. Pete Ricketts, whose father founded what's now known as TD Ameritrade, an online stockbroker. Ricketts — whose term is up after this year and is a potential candidate to replace Sen. Ben Sasse, R-Neb., if appointed by the next governor — donated more than $266,000 to a joint fundraising committee that Smith established earlier this year for his own accounts as well as the National Republican Congressional Committee.

Other major donors to Smith's fundraising vehicles this cycle include Price Harding, chairman of a headhunting firm and trustee of the conservative Heritage Foundation, and executives of Tenaska, a large Omaha-based energy company.

Smith's largest career financial backers include the Club for Growth, an advocacy group favoring low taxes and limited government, and agricultural interests like the National Cattlemen's Beef Association and National Rural Electric Cooperative Association, according to data compiled by OpenSecrets.org.

'Sticks to his knitting'

While Smith is considered a long shot by some, those watching the race believe it could turn anyone's way when the House GOP Steering Committee meets formally to cast their votes.

Smith said that his sprawling district, which encompasses the bulk of Nebraska, and his background as an educator-turned-state legislator prepares him to be a productive Ways and Means leader. He welcomed his image as the wonk of the bunch.

"My colleagues keep telling me that I'm the policy guy of the three candidates in the race," he said. "I embrace that, and I'm happy to talk policy, you know, in relatable terms."

John Maddux, a longtime friend and backer, said in a telephone interview that he views Smith as a workhorse, driven by policy beliefs rather than ego.

"He sticks to his knitting, and he doesn't do a lot of flashy kind of stuff," said Maddux, who runs a Nebraska ranching business, Maddux Cattle Company.

Maddux added that Smith has a genuine desire to get along with people and believes he would avoid a harsh, partisan style atop Ways and Means. He recalled hearing Smith tell stories of playing cards with members of Congress on both sides of the aisle while they traveled together.

Smith, whose voting record has aligned almost entirely with his party for over a decade, outlined priorities for Ways and Means that fall in line with top Republican aims, with a collaborative vision of how to work toward them.

He cited making all of Republicans' 2017 tax cuts permanent as his first priority. Major provisions lapse after 2025, including lower individual income tax rates, a bigger standard deduction, a boost to the child tax credit and 20 percent deduction for owners of "pass-through" businesses that pay taxes on their individual returns, a popular method among smaller businesses. Several business tax breaks expire sooner, including an already-lapsed research and development incentive.

"Right now more than ever, we need a tax code that encourages more productivity," Smith said.

On how he'd approach the 2025 cliff, Smith pointed to former Ways and Means Chairman Dave Camp, R-Mich., assembling bipartisan working groups to draft tax code overhaul recommendations during his tenure and urged more informal conversations among committee members.

The next Republican Ways and Means leader will also confront two looming issues that would likely require backing from both parties to address: Social Security and the debt limit.

Smith said he'd aim to address Social Security's insolvency, projected to hit in about a decade, as

soon as possible.
He suggested the solution could be an option proposed by Oklahoma Republican Rep. Tom Cole to create a bipartisan, bicameral commission that would propose a slate of changes shoring up the Social Security trust funds.
Smith added that lawmakers should pursue more policies in line with bipartisan legislation that aims to get Americans to save more, noting that Social Security alone doesn't offer a very comfortable retirement.

Debt limit nears

The statutory limit on U.S. government borrowing is expected to come up more quickly.
The Bipartisan Policy Center currently estimates the Treasury will run out of borrowing room as soon as the third quarter of 2023, after which it will have to start cutting back on some federal financial obligations. That could have a disastrous impact on the Treasury bond market and put benefit payments ranging from Social Security to military salaries at risk.
Smith said he'd immediately seek a timeline on the debt ceiling from Treasury Secretary Janet L. Yellen in January and pursue regular updates from the administration. He framed it as an opportunity for bipartisan conversations on mandatory spending, offering as an example Medicare programs that allow more choice along with government savings.
Trade hits home with Smith, who represents a major agricultural district. In his office, commodity prices for corn, soybeans, wheat and more were scrawled on a white board in black and red marker, a list updated daily for staff and visitors that reflects how Smith himself checks prices every day, according to an aide.
Currently the Ways and Means Trade Subcommittee's top Republican, Smith said lawmakers need to address trade promotion authority, which expired last year. TPA enables the administration to ink free-trade pacts that can't be amended or filibustered in Congress but outlines negotiating terms for the U.S. Trade Representative's office.
He added that he'd pick up where the Trump administration left off on trade, citing momentum toward a trade agreement with Kenya and need for more enforcement of trade rules when it comes to China and Japan, along with a focus on market access abroad.
"Over time, we've given so much access to our markets — far more than other countries have given us," he said. "So we need to level that playing field."
Smith had harsh words for the Biden administration on some tax and trade decisions, saying the administration has had a "reactive posture" in its trade enforcement approach and describing efforts to negotiate a global minimum tax on corporations' earnings as dangerous.
Smith expressed more interest in working with both sides of the aisle on how to deal with the child tax credit, which becomes much less generous after 2025 absent congressional action.
Democrats are pressing to revive their 2021 child credit expansion, which lapsed in January. While Smith criticized Democrats' lack of work requirements and monthly payout, he said he's willing to hear out Democrats and Republicans who favor broadening the benefit beyond what the GOP added in their 2017 law.
"It's probably what we don't do enough of around this place, whether it's across the aisle on one side of the Capitol or across both aisles on both sides of the Capitol," Smith said. "I think it's important we encourage more discussion."
By Laura Weiss

Sioux City Journal: Tyson CEO meets with Dakota Dunes employees as local officials seek to save white-collar jobs

DAKOTA DUNES -- As state and local leaders worked behind-the-scenes to try and convince Tyson Foods to reverse plans to transfer over 500 white-collar jobs from Siouxland to Arkansas, the head of the giant meat company took questions Tuesday from the employees who must decide whether to move or stay here.

President and CEO Donnie King hosted an all-staff meeting at the company's soon-to-be-shuttered Dakota Dunes offices Tuesday afternoon.

Some state and local officials, including South Dakota Gov. Kristi Noem, reportedly sought to also meet with King, but Tyson turned down all the requests, including The Journal's request for an interview with the CEO.

Noem's office did not immediately respond to the Journal's question about whether she had contacted King or other top Tyson executives since last week's announcement. The governor's office did issue a statement about the company's plans.

"We were disappointed to learn about this news, but we will continue to work with Tyson on the jobs that remain in South Dakota and on future opportunities. South Dakota is the best state in America to do business; we're working with companies every day to build and grow in South Dakota. We will continue working with companies like Tyson to ensure that our nation's food supply is stable and diversified."

King's visit to Siouxland came a day after Sioux City Mayor Bob Scott called on Noem, Iowa Gov. Kim Reynolds and Nebraska Gov. Pete Ricketts to work together to keep the Dakota Dunes office open.

"To lose 580 really good employees in this area is just really tough to swallow," Scott said at the council's weekly meeting Monday. "I would like to think that we have three governors whose communities are going to be terribly adversely affected by this that they would get together and go see the people at Tyson, write letters, do whatever."

Getting the tri-state governors involved is essential Scott said, because Tyson "isn't going to listen to local communities."

"I encouraged the (Siouxland) Chamber of Commerce to try to make that happen and, so far, they've not be as successful as we'd hoped," the mayor said.

Siouxland Chamber President Chris McGowan said Tuesday the Chamber staff, in conjunction with our board-level leadership, "have initiated conversations with elected officials at every level of our government."

"Additionally, we have begun a dialogue with Tyson executives, employees, retirees, and others who have generously shared their insight and expertise with us," McGowan said. " While we will continue to respectfully request reconsideration of this announcement by Tyson, we will also pursue every possible avenue to respect and protect employment opportunities for our citizens in the tri-state region."

Tyson announced the Fortune 500 company plans to bring over 1,000 corporate staff at the Dunes and in Chicago to its world headquarters in Springdale, Arkansas. The relocations will be completed in phases, beginning next year.

There will be no layoffs as a result of the moves. All employees are eligible for assistance to relocate to Northwest Arkansas. Those who choose to stay will be eligible for severance, with packages

determined on an individual basis.
The sprawling Tyson complex that anchors the Two Rivers Business Park in Dakota Dunes was built in 1997 as the world headquarters for IBP Inc., which moved from Dakota City to Dakota Dunes. Just four years later, IBP was acquired by Tyson in October 2001 for $3.2 billion in cash and stock, creating the world's largest processor and marketer of chicken, beef and pork.
Tyson will continue to operate its flagship Dakota City beef plant, which employs about 4,500 people, and its cold storage facility in Sioux City. The publicly-traded company is by far the metro area's largest employer.
By Dave Dreeszen

Kansas Reflector: Roger Marshall, Laura Kelly stumble while wading into former Kansas governors' loyalties

TOPEKA — U.S. Sen. Roger Marshall punctuated a speech during a Republican Party campaign rally by introducing Jeff Colyer as one of two former Kansas GOP governors endorsing Derek Schmidt's quest to oust Democratic Gov. Laura Kelly.
"Our next speaker is one of two living governors that supports Derek Schmidt," Marshall declared during a bus tour stop in Parsons. "I guess our current governor thinks there's only one. We have two living governors that are supporting Derek as well."
For the record, Colyer is the lone former Kansas Republican governor to officially endorse Schmidt's candidacy for governor. Two other former Kansas GOP governors, Mike Hayden and Bill Graves, threw their influence behind the reelection of Kelly. Former GOP Gov. Sam Brownback — officially — remains on the fence.
Marshall indicated in his campaign-rally speech Saturday in Parsons that Schmidt had been endorsed by Colyer and Brownback. In 2018, Brownback left the job of governor to Colyer after resigning to join the administration of President Donald Trump.
A central premise of Kelly's campaign has been that Schmidt was too closely aligned with unpopular policies championed by Brownback, and a vote for Schmidt could be equated to a vote for Brownback's legacy. On the other hand, Schmidt said Kelly demonstrated an "unhealthy obsession" with Brownback's work as governor.
Marshall's chief of staff, Brent Robertson, said Tuesday the U.S. senator inadvertently added Brownback to the endorsement list for Schmidt.
"I appreciate the opportunity to clarify," Robertson said. "Senator Marshall misspoke."
He said Marshall's miscue captured on video was comparable to Kelly's incorrect statement during the recent televised gubernatorial debate that the only former GOP governor not to endorse her in the current race was Brownback. In that moment on stage, she apparently forgot Colyer was listed on Schmidt's campaign website among his prominent endorsers.
Emma O'Brien, spokeswoman for the Kansas Democratic Party, said Marshall was merely confirming what many theorized in terms of Brownback's preference for Schmidt.
She said walking back Marshall's comment was indicative of the Schmidt campaign's effort to avoid linkages with Brownback.
"This clip makes clear once and for all that Derek Schmidt has Sam Brownback's endorsement,"

O'Brien said. "Schmidt spent years defending Brownback's cuts to public education in court, and if given the chance, Derek Schmidt will take us back to Brownback. The question is: Why has Schmidt tried to keep his endorsement from Brownback a secret from Kansans?"
During the gubernatorial debate between Schmidt and Kelly in Overland Park, Kelly was responding to a question about steps a Kansas governor could take to reduce crime when she touted her endorsements from former Kansas Govs. Kathleen Sebelius and John Carlin, both Democrats, as well as Graves and Hayden. Both Republicans also endorsed Kelly four years ago.
"If you want to talk about endorsements," Kelly said, "I've got to say that I have endorsements from every living governor in the state of Kansas minus one — that would be Brownback."
Schmidt's rebuttal set the record straight: "As with so many of her budgets, the governor's math is off. Gov. Jeff Colyer has endorsed me in this race."
He's also endorsed by Virginia Gov. Glenn Youngkin, Florida Gov. Ron DeSantis, South Dakota Gov. Kristi Noem, Missouri Gov. Mike Parson, Nebraska Gov. Pete Ricketts, Iowa Gov. Kim Reynolds and former South Carolina Nikki Haley.
By Tim Carpenter

OWH: Nebraska prisons faulted in inmate's cervical cancer death

LINCOLN — Nearly 10 years passed before prison health officials provided a Pap smear for inmate Niccole Wetherell.
When she finally got one, in August 2019, the gynecologist examining her could see the cancer growing in her cervix without the aid of a microscope. Eighteen months later, the cancer killed her at age 40.
An investigative report released Tuesday by the State Inspector General of Corrections faulted Nebraska's prison system for Wetherell's death.
According to the report, the Nebraska Department of Correctional Services did not track when inmates were due for preventive care like Pap smears. Nor has the department set up an electronic health records system that could have provided tracking, despite a 2015 law requiring such a system.
"The forensic pathologist who performed her autopsy speculated that a timely Pap smear could have detected her cancer sooner and possibly would have helped extend her life," the report said.
Wetherell was diagnosed with squamous cell carcinoma, the most common type of cervical cancer and one that is highly survivable if caught early. Federal health guidelines recommend that women age 30 through 65 get Pap smears every three years to check for cervical cancer. State prison policy requires the same.
But medical records show that Wetherell went from September 2010 until August 2019 without a Pap smear, the report said. She only got the 2019 screening after asking for one because she was having abnormal menstrual symptoms.
A nurse practitioner who is the primary caregiver at the Nebraska Correctional Center for Women in York, where Wetherell was incarcerated, explained the gap by saying the department had no way to track when inmates needed preventive care. She told the inspector general that Wetherell's case prompted her to create a Microsoft Excel spreadsheet to monitor patient visits.

The lack of tracking occurred despite a 2015 state law requiring the state prison system to "ensure that complete and up-to-date electronic records are maintained for each person committed to the department."

Seven years later, however, virtually all inmate medical records are still kept in paper form. The report said various proposals and attempts to create or acquire an electronic health record system, along with the appropriation of more than $2 million, have produced little.

The current plan is to develop an in-house system, working with the State Office of the Chief Information Officer. Two limited pieces of the system, a behavioral health module and an intake appraisal form, went live last year. The report said it is not clear when the rest of the system will be finished or to what extent it will be able to share information with outside health providers.

Inspector General Doug Koebernick recommended that the department provide the Legislature's Appropriations, Judiciary and Health and Human Services Committees with a detailed update on the electronic health records system in November, a recommendation that the department rejected.

Koebernick also recommended that the department cease efforts to build an in-house system if one cannot be fully implemented by July 31, 2025, and seek state funds to purchase a system instead. The department accepted that recommendation.

State corrections officials did not respond to a request for comment on the report and its findings on Tuesday.

Wetherell was serving a life sentence for the 1998 murder of 19-year-old Scott Catenacci in a Bellevue park in 1998. She was 18 at the time and among six people ages 16 to 20 involved in the killing.

By the time of her death, she had become a leader among the other inmates, the report said. She got her associate degree through a program with York College, served as a peer mentor and volunteered with the service dog training program Domesti-PUPS. In a 2018 TEDx talk to fellow inmates and staff, she talked about trying to give hope in what feels like a hopeless situation.

By Martha Stoddard

Nebraska Examiner: Nebraska prison watchdog says death of inmate might have been prevented with regular health exams

LINCOLN — The death of Nebraska prison inmate Niccole Wetherell from cervical cancer might have been prevented if she had received regular, preventive health examinations, according to a state prison watchdog.

The Inspector General of the Nebraska Correctional System, in a report Tuesday, said the Nebraska Department of Corrections is out of compliance with a 2015 state law that requires the agency to establish an electronic health record system that would determine whether inmates got regular exams, such as pap smears.

Instead, the report said, the department mostly utilizes "a jumble" of paper records that include "handwritten nurses' and physicians' notes, which are often barely legible."

Nine years between pap smears

Niccole Wetherell went nine years between pap smear tests before a 2019 exam that showed her cancer had spread to her brain, lungs, kidneys and liver and was deemed inoperable.
Wetherell, 40, died on Feb. 26, 2021, at the medical unit of the Nebraska Correctional Center for Women in York.
A spokeswoman for the Nebraska Department of Corrections said the agency was withholding comment about the report until Thursday, when a state legislative committee will be holding an interim hearing on health care issues within state prison.
But in formal responses to the report, Corrections stated that it would have an electronic monitoring system up and running by the end of the year that would track when inmates are due for "preventative and chronic care."
Wetherell had been at the state women's prison since 1998, after being sentenced to life in prison for first-degree murder for her part in the slaying of 19-year-old Scott Catenacci.
She was among a group of six people, ages 16-20, who attacked Catenacci in a Bellevue park, stabbing him at least 57 times.

A model prisoner

According to the Inspector General's report, Wetherell had become a model prisoner, serving as a peer mentor as a "lifer" to give hope to fellow inmates in what may seem like a "hopeless situation."
Her last documented pap smear was in September 2010, which indicated she was negative for cancer.
She suffered from irregular bleeding in 2015, then a recurrence in 2018, the report stated. After sending an inmate interview request to medical staff in June 2019, she underwent a pap smear in August of that year.
The exam and a follow-up exam by a obstetrician-gynecologist found that Wetherell was positive for squamous cell carcinoma, a type of skin cancer which is the most common form of cervical cancer.

'Highly survivable'

That form of cancer, the Inspector General's report said, is "highly survivable if detected early."
A forensic pathologist who testified at the required grand jury investigation into her death said that "more frequent surveillance" might have prevented her death.
The federal Office on Women's Health recommends that women ages 30-65 receive a pap test every three years, the report noted.
Why hadn't such tests been given more frequently?
The nurse practitioner, who is the primary care provider at York women's prison, told the Inspector General that "until recently, because of the department's lack of electronic health records, the facility medical department had no method of tracking when patients were due for Pap smears and other preventive care."

Nurse used Excel spreadsheet

As a result of the Wetherell case, the nurse practitioner said she began tracking patient visits with a Microsoft Excel spreadsheet.
According to the report, Corrections initially responded to the 2015 law requiring electronic medical records for inmates by seeking to hire a contractor to provide such a system. In 2017, the department was allocated $150,000 to hire a consultant to help implement such a system.
But in 2018, Corrections Director Scott Frakes testified in opposition to a bill that would have appropriated another $500,000 for the electronic medical records system, saying it was "premature."
The department, Frakes said, was moving toward implementation in the summer of 2019.

In October 2018, the department received responses from 10 commercial vendors to a “request for information” about such electronic health tracking systems, and in 2019, the agency was allocated $1.3 million to move forward with the system.
But formal bids to provide the system were never sought, the Inspector General’s report stated, and instead, Corrections changed course and decided to create its own system in-house with the state Office of the Chief Information Officer.
A year ago, the department reported that the first components of its electronic monitoring system were launched on June 30, 2021, but they did not include features related to routine inmate medical care.
“It is unclear when the system will be fully implemented,“ the Inspector General’s report stated.
By Paul Hammel

LJS: New assistant chancellor position at UNL will lead online education efforts

More than two years after the coronavirus moved classes exclusively onto Zoom, nearly 9 out of every 10 students at the University of Nebraska-Lincoln continue to enroll in at least one online course.
The ease of accessing an online course and the utility of doing so has boosted the number of credit hours UNL students are taking each semester and helped push the four-year graduation rate to its highest level in a decade.
UNL will aim to build on those successes by creating a new administrative position to work with faculty, staff and administrators to develop credit and non-credit programs, identify new market areas and grow enrollment.
The inaugural assistant vice chancellor for digital and online learning — a job description was posted last week — will also create opportunities for learners of all ages, said Katherine Ankerson, who started as UNL’s executive vice chancellor in January.
That means creating online courses for high school students seeking to earn college credit, ensuring the online course catalog is robust enough to meet the needs of UNL's students seeking to earn credit over the summer, and developing offerings for individuals in the workforce seeking to acquire new skills, Ankerson added.
“I want to see somebody who is entrepreneurial and collaborative, who has a strong background in developing online programs and understands the needs of diverse students,” she said.
The move to hire “a champion of digital and online learning,” according to the job posting, comes after the University of Nebraska opted to shut down its systemwide online education program earlier this year.
After starting with a single online degree program in 2007, the University of Nebraska Online Worldwide — later shortened to NU Online — was offering 34 undergraduate and 121 graduate programs by 2020.
NU Online enrolled 5,500 Nebraskans and 8,000 others from every state in the U.S. during the height of the COVID-19 pandemic.
But, as online programs took off at other colleges and universities across the country, and with a

limited budget, Mary Niemiec, associate vice president for digital education, told the NU Board of Regents in December 2020 she anticipated growth would slow through 2025.
“The challenge has always been how to make us stand out,” Niemiec told board members at the time. “We don’t have the money to throw at the wall and see what sticks.”
As part of its effort to trim $43 million from its budget in response to the fiscal challenges created by the pandemic, administrators opted to close NU Online.
Doing so cut eight positions from Varner Hall; one of those individuals was rehired in another open position at NU, spokeswoman Melissa Lee said. Two additional staff members resigned.
NU then moved the online education initiative to the campuses, which have the advantage of built-in branding, and where decisions can be made in conjunction with college deans, members of the faculty, student service offices and other departments, Lee said.
“It was an opportunity to think about the best approach for online learning and what makes the most sense at the system level and at the campus level,” Lee said. “This is an area where it makes sense for the faculty and deans to own this.”
NU’s system office will still offer support and look for chances where each of its campuses in Lincoln, Omaha and Kearney can collaborate through Jaci Lindburg, who became associate vice president for digital education in July 2021 after Niemiec retired. Lindburg has a full-time staff member and a part-time staffer to support online education at the system office.
But campuses like UNL's will have the opportunity to tailor the program to their strengths or shift quickly to meet new needs from employers or the demands of students.
Ankerson said UNL’s new administrator — a position she said the university views as “essential” — will work within her office with a keen eye on the future, anticipating changes that will happen in online education as well as the needs of private industry.
They will also collaborate closely with the Center for Transformational Teaching, which assists faculty in designing courses using a variety of pedagogies and technologies, as well as with non-academic offices to provide support for students, and to ensure quality across UNL’s online offerings.
“Online and digital learning doesn’t just occur here in Lincoln or in Omaha,” Ankerson said, “it provides opportunities across the state.”
By Chris Dunker

LJS: COVID-19 cases continue to fall in Lincoln but risk dial unchanged

COVID-19 cases fell again last week in Lancaster County, continuing a weekslong trend.
The Lincoln-Lancaster County Health Department reported 185 documented cases for the week that ended Saturday, down slightly from 200 the previous week.
It was the sixth straight weekly decline in the official case count and the first time the weekly total came in below 200 since the week ending April 23.
Despite that, the Health Department announced it is keeping the county's COVID-19 risk dial in the mid-yellow range for the third straight week.
Health Department officials said other local indicators are mixed, with virus particles detected in wastewater down, but both the test positivity rate and hospitalizations up slightly. The rolling daily

average of hospitalized COVID-19 patients in Lincoln rose to 35, up from 34 last week.
Local hospitalizations have stayed fairly steady over the past several weeks even as case counts have declined by more than half.
Local case numbers mirrored a downward trend statewide. Cases in Nebraska fell to 1,028 last week, down 16% from the previous week's numbers, according to the Centers for Disease Control and Prevention. Nebraska case numbers have declined five weeks in a row and are at their lowest level since late May.
Nebraska's case trends mirror those nationally, as the majority of states have seen declining numbers since July. U.S. cases are at their lowest levels since April. Nebraska's case levels are 11th-lowest among the states.
COVID-19 hospitalizations statewide declined last week, with a daily average of 137 patients, compared with 142 the previous week. It's the lowest number of hospitalized patients since early June.
Health officials have warned that there could be another spike in cases and hospitalizations this winter as the weather turns colder and people spend more time inside, and they have urged those who are eligible to get the new booster shot that targets both the original COVID-19 virus and the omicron variants that are currently causing most cases.
However, people have been slow to get the booster. There were 364 vaccine shots administered in Lancaster County last week, and while that was the highest weekly total in seven weeks, it's much lower than previous times when new shots were available. For example, when the original COVID-19 booster shot became available just more than a year ago, weekly vaccine totals in the country were about four times what they are now.
By Matt Olberding

LJS: Nebraska to get $64 million from feds for small businesses

Nebraska is among 11 states getting $1 billion in funding under the State Small Business Credit Initiative, the U.S. Treasury Department announced Tuesday.
The state's cut is $64 million, to be split equally between a loan participation program and a venture capital program.
The loan program will provide companion loans for up to 50% of the principal loan amount through the Nebraska Growth Loan Fund. The venture capital program will provide direct investments through seed and Series A investment rounds distributed by the Nebraska Seed and Development Fund. The program is a direct investment model with a focus on underserved small businesses.
"This is an historic investment in entrepreneurship, small business growth and innovation through the American Rescue Plan that will help reduce barriers to capital access for traditionally underserved communities," Secretary of the Treasury Janet Yellen said in a news release. "I'm excited to see how these SSBCI funds will promote equitable economic growth across the country."
The small-business credit program has been around since 2010, but it was expanded as part of the American Rescue Plan Act to provide up to $10 billion to the 50 states, the District of Columbia, U.S. territories and tribal governments.

The latest grants to Nebraska and the other states bring the total to $4.8 billion in funding to 31 states.
With the $64 million, Nebraska has now gotten $177 million in federal grants in just the past two months, including $88 million from the Coronavirus Capital Projects Fund to expand broadband in rural areas and $25 million from the Build Back Better Regional Challenge to establish a robotics cluster at Nebraska Innovation Campus.
By Matt Olberding

OWH: Winnebago Tribe of Nebraska awarded $35 million grant for broadband

A federal grant will bring broadband access to hundreds of households on the Winnebago Reservation.
The Winnebago Tribe will receive just over $35.2 million to install fiber directly connecting 602 unserved tribal households, 40 unserved tribal businesses and 16 unserved tribal community anchor institutions, according to an announcement Tuesday from the U.S. Department of Commerce.
The grant is a portion of the National Telecommunications and Information Administration's Tribal Broadband Connectivity Program. Funding for the grant was made possible by the 2021 bipartisan infrastructure law. Among the members of Nebraska's congressional delegation, U.S. Sen. Deb Fischer and Rep. Don Bacon supported the roughly $1 trillion infrastructure bill.
"We see this as a huge advancement that will open the door for new opportunities for education, commerce and communication on the Winnebago Reservation," said Victoria Kitcheyan, tribal chairwoman with the Winnebago Tribe of Nebraska. "The lack of adequate bandwidth was particularly emphasized during the pandemic."
The Federal Communications Commission has estimated that about one-third of people living on tribal lands don't have access to high-speed internet, but others say the figure is much higher.
Grant funding through the program prioritizes the deployment of broadband to underserved households on tribal lands, according to a release. It also invites proposals that address the digital divide, including those related to telehealth, education and workforce development.
The Winnebago Tribe's grant was one of 23 announced by the National Telecommunications and Information Administration on Tuesday.
The new grants are being awarded in 15 states — Alaska, Arizona, California, Colorado, Kansas, Minnesota, Montana, North Dakota, Nebraska, Oklahoma, Oregon, Texas, Utah, Washington and Wisconsin.
"Broadband is absolutely essential to modern life," Fischer said in a press release. "This broadband funding will finally bring reliable, high-speed internet to unserved areas in the Winnebago Tribal community."
The funding announced Tuesday is in addition to more than $200 million in federal funding for broadband expansion that Nebraska expects to receive through the 2021 infrastructure law.
By Jessica Wade

LJS Editorial, 10/12: Sasse's resignation makes statement about politics

In 2014 Nebraskans sent Mr. Sasse to Washington.
Ben Sasse left Fremont and Midland University, where he was president, to represent the state in the U.S. Senate.
Sasse was an easy winner in his Republican primary in 2014 and an easy winner over Democrat Dave Domina that November.
He went to D.C. a darling of the national media, hailed as the thoughtful and not unattractive face of a young conservative movement.
Eight years and one Donald Trump later, he leaves, formally rebuked by the Nebraska Republican Party and chided by the former president and foe after Sasse denounced Trump on a number of occasions.
"I'm excited frankly about the opportunity to step away from politics and onto a team of big-cause, low-ego people who want to build stuff and serve students and plan for the future," Sasse told the Tampa Bay Times. If all goes as planned, he will become the next president of the University of Florida. It's perhaps telling that Sasse considers academics "low-ego people," but perhaps it's all relative.
Sasse is probably not naive enough to believe that leading a large state university in a state governed by a Trump rival and presidential aspirant in Ron DeSantis won't carry the whiff of politics.
But he won't be up to his armpits in it like in Washington.
After his party's reprimand, Sasse said, "Something has changed in the last four years. But it's not me."
Love his politics or hate them, Sasse's likely departure from politics (for now) probably says as much about the system as it does him.

Sheriff's race offers a choice

In the race for Lancaster County Sheriff, voters have a choice for the first time since 1994.
Incumbent Republican Terry Wagner is running against Democrat Johnny "Jay" Pitts Jr. and Libertarian Conan Thomas.
Wagner brings 27 years of experience as sheriff and 46 in the departments. The question voters face is whether we are satisfied with the more institutionalized current system or we want to step into the future with a wider vision of law enforcement that addresses the needs of all county residents.
Jay Pitts offers 22 years of experience in a variety of law enforcement fields and some fresh perspectives on diversity and community policing.
Under Wagner, the Sheriff's Department seems to operate effectively and efficiently. Pitts promises to bring fresh perspectives on traditional community policing methods that address the needs of the whole county.

About our endorsements

As with all of our editorial board opinions, our election endorsements don’t necessarily reflect the unanimous opinions of our members but rather a consensus. We arrived at this one after reviewing Journal Star voters' guide answers and our own research. While we consider the board an advocate for the community, our endorsements, and all our opinions, are intended to initiate discussion.

NP Telegraph Letter to the Editor: Why Jacobson is best choice for District 42

Elections have never mattered more in our tumultuous modern history. From the White House to City Hall to your school board, every election has tremendous personal consequences for your family and mine. Gone are the days of complacency. Our society can no longer sit out and let one-third of the voting population decide who's in charge. Our culture, traditions, God-given rights, public education, financial security and national security are all diminishing before our very eyes. What we have long enjoyed as a state and nation is going away and will continue so if we don't all engage in our leadership selection process.

Our District 42 legislative race is a great opportunity for west central Nebraskans to vote to do something about the very concerns you see in the news. My homework has led me to the clear choice of voting for Sen. Mike Jacobson to continue representing and defending us in our State Capitol. Here's why:

Our highly respected Gov. Pete Ricketts interviewed both District 42 candidates in February and chose Mike as the most qualified for the job. Ricketts has been an exceptional leader, and his appointment of Mike to the Legislature is a major endorsement that all should consider.

Mike is a successful entrepreneur. He has spent his life building a successful business in the private sector. Try it — it's not easy. Folks who have that hard-earned experience tend to apply that same leadership approach in the public sector.

Track record: Look at Mike's voting record from this year's legislative session. Do your research; it was consistently, fiercely conservative. He will continue to protect unborn children, cut taxes, protect gun rights and make sure our district receives its fair share of state funding.

Make sure you're registered to vote, find out when and where, and just get it done! Let's continue to harness Mike's experience and desire to protect our values. Vote for Sen. Mike Jacobson and let him continue fighting for us!

David P. Huebner, North Platte

AP: Labor proposal could upend rules for gig workers, companies

The Biden administration proposed new standards Tuesday that could make it more difficult to classify millions of workers as independent contractors and deny them minimum wage and benefits.

The U.S. Department of Labor rule, which could take months to take effect, would replace a scrapped Trump-era standard that had lowered the bar for classifying employees as contractors, workers who are not covered by federal minimum wage laws and are not entitled to benefits including health insurance and paid sick days.

The reaction in markets for major gig companies was immediate. Shares of the ride-hailing company Lyft fell 12% while rival Uber tumbled about 10%, although both companies dismissed the

significance of the new proposal and its potential to affect their business.
In one key change, employers are required to consider whether the work provided is an integral part of their business. That could affect app-based companies that rely almost entirely on freelance workers to provide their services. The Trump-era rule had narrowed that criteria to whether the work in part of an integrated unit of production, and gave more weight to other considerations such as the worker's opportunity to make a profit or loss.
The new rule directs employers to consider six criteria for determining whether a worker is an employee or a contractor, without predetermining whether one outweighs the other. The criteria also include the degree of control by the employer, whether the work requires special skills, the degree of permanence of the relationship between worker and employer and the investment a worker makes, such as car payments.
The rule, however, does not carry the same weight as a law passed by Congress or state legislatures, nor does it specify whether any specific company or industry should reclassify their workers. Rather, it offers an interpretation of who should qualify for protections under the 1938 Fair Labor Standards Act.
The rule could bolster labor advocates seeking to challenge worker classification in courts, or state lawmakers seeking to pass stricter laws for designating workers as contractors, said Patricia Campos-Medina, executive director of the Worker Institute at Cornell University's School of Industrial and Labor Relations.
"It creates a base from which to work and it discourages predatory companies that want to lower their costs by denying basic rights to their employees," said Campos-Medina.
Still, there is room for interpretation since some companies might meet one set of criteria for contractor designation, but not others.
"I don't think it will stop the debate," Campos-Medina said. "The only thing the federal rule does is it creates a basic standard for evaluation."
The Labor Department said misclassifying workers as independent contractors denies those workers protections under federal labor standards, promotes wage theft, allows certain employers to gain an unfair advantage over businesses, and hurts the economy.
"While independent contractors have an important role in our economy, we have seen in many cases that employers misclassify their employees as independent contractors, particularly among our nation's most vulnerable workers," said Secretary of Labor Marty Walsh in a prepared statement.
Wedbush analyst Dan Ives said the proposal would constitute a major change for workers and employers from previous years.
"A classification to employees would essentially throw the business model upside down and cause some major structural changes if this holds," Ives wrote.
But both Uber and Lyft dismissed the potential impact of the new rule.
"Today's proposed rule takes a measured approach, essentially returning us to the Obama era, during which our industry grew exponentially" CR Wooters, head of federal affairs at Uber, said in a statement.
In a blog post, Lyft said the company had expected this change since the start of the Biden administration.
"Importantly this rule: Does not reclassify Lyft drivers as employees. Does not force Lyft to change our business model," the company said.
The new rule is subject to a 45-day period ending Nov. 28 during which stakeholders can submit

comments, and may not take effect for months.
Gig economy giants have weathered past attempts in the U.S. to require their drivers to be classified as employees.
In 2020, California voters overwhelmingly approved a proposition to exempt drivers for app-based companies from a state law requiring them to be designated as employees. Uber, Lyft and other companies had spent $200 million campaigning in favor of the proposition. However, a judge struck down the ballot measure as unconstitutional last year, setting up a legal fight that could end up in the California Supreme Court.
App-based companies have long argued that their workers want the flexibility to set their own hours as contract workers.
Beyond gig workers, the new law has the potential to change the circumstances of millions of custodians, truck drivers, waiters, construction workers and others, according to the Labor Department.
Workers themselves are divided over the debate. In California, for example, hundreds of port truck drivers seeking to preserve their independent contractor status shut down operations in the Port of Oakland last summer to protest the state's gig workers law. But other truckers have successfully fought to force their companies to classify them as employees with full benefits.

Andrew Shelburn
Digital Communications Manager

Office of Governor Pete Ricketts
CELL 402-890-2467
Andrew.shelburn@nebraska.gov
governor.nebraska.gov | **Facebook** | **Twitter**