From: Shelburn, Andrew
To: Shelburn, Andrew
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Commodity	Delivery	Price	Basis	Date (as of)
Corn	Oct 2022	7.69	75.00	08:35
Corn	Dec 2022	7.69	75.00	08:35
Milo	Oct 2022	6.94	0.00	08:35
Milo	Oct 2023	5.51	-75.00	08:35
Soybeans	Oct 2022	13.36	-70.00	08:35
Soybeans	Oct 2023	12.81	-80.00	08:35
Wheat	Oct 2022	8.97	-70.00	08:35
Wheat	Jul 2023	8.71	-80.00	08:35

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KMTV: Ornate box turtle named Nebraska's new official state reptile Friday
NCN: Governor names box turtle Nebraska's reptile (no video)
KLKN: Nebraska Gov. Pete Ricketts names ornate box turtle the state reptile (no video)
NTV: "What About Us" rally in Lincoln over convicted sex offender's pardoning
KLKN: Nebraska board raises 2022-23 tax revenue projection to $6.44 billion (no video)
NPM: Herbster drops defamation suit; Slama ends sexual battery case (no audio)

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OWH: Ricketts names ornate box turtle as the Nebraska state reptile

LINCOLN — It's been a heady five years for Nebraska's ornate box turtle.
First, the petite state native won a 2017 popularity contest against another turtle, a couple of lizards and two snake species. Voters were asked which of the six they wanted as the state reptile.
Next, Nebraska lawmakers voted to feature the colorful turtle on a specialty license plate that debuted last year.
Now Gov. Pete Ricketts has issued a proclamation officially designating Nebraska's only native land turtle as the state reptile. He made the announcement Friday at Schramm State Recreation Area with the help of a live turtle named Batman.
"Nebraskans take pride in caring for the natural world, including our wildlife and their habitats," the governor said. "Ornate box turtles are especially popular here in the Good Life. Thank you to Nebraska Game and Parks for educating the next generation about our state's rich biodiversity."
The ornate box turtle joins the sandhill crane as the first state symbols to be designated since 1998. Ricketts named the crane as Nebraska's state migratory bird in March, as the first wave of birds arrived along the Platte River.
"As many as 1 million sandhill cranes migrate through Nebraska each year on their journey north, representing roughly 80% of the cranes' global population," he said at the time, adding, "The annual migration of the sandhill cranes is one of the planet's most amazing natural spectacles."
Declaring the sandhill crane to be the state migratory bird means the western meadowlark will remain as the state bird, a distinction it has held since 1929, despite occasional debates about other options.
Nebraska also has a state insect (the honeybee), a state mammal (the whitetailed deer) and a state fish (the channel catfish). But none of Nebraska's 48 species of reptiles — which include nine turtle species, 10 lizard species and 29 snake species — had been named the state reptile.
Game and Parks officials pushed for the box turtle to fill that spot, according to the governor's spokeswoman, Alex Reuss. Wildlife specialists with the department had put together the reptile contest earlier.
Ornate box turtles can be identified by the bright yellow lines on shells with a base color of brown to black, according to the Game and Parks website. They have yellow to orange spots on the legs, neck and head and males may have bright red markings on their front legs. They can get up to 6 inches across.

The turtles are mostly found in short and mixed grass prairies in the western part of Nebraska and in the Sandhills. They are omnivores, feeding on succulent plants, worms, dung beetles and small vertebrates, and, according to the website, are extremely active after a rain.
The box turtle and sandhill crane join a long list of state symbols. The list includes better known and widely used items, such as the state flag, state seal and state motto ("Equality Before the Law"). But some appear to be curiosities, such as the state soil (Holdrege series), state American folk dance (square dance) and state fossil (mammoth).
Until 1997, people seeking a state symbol designation had to get a law passed. But lawmakers eventually washed their hands of the job and passed a law transferring power to the governor to name state symbols.
Former Gov. Ben Nelson named several before he left office at the beginning of 1999. He threaded the political needle carefully on some choices, naming Nebraska-born Kool-Aid as the state soft drink while designating milk as the state beverage. He declared St. Paul to be the state historic baseball capital and Wakefield as the state baseball capital.
But no other governor added to the symbols until now.
By Martha Stoddard

OWH: Nebraska revenue forecast could take state cash reserve to $2.3 billion

LINCOLN — State revenue projections issued Friday would give the next governor more than $13 billion for state needs and tax cuts, while taking the cash reserve to record-breaking levels.
The Nebraska Economic Forecasting Advisory Board increased the revenue forecast for the two fiscal years ending June 30, 2025, by roughly $1.8 billion. The total projected revenue for both years is now just over $13 billion.
The projections would add more than $620 million to the state's cash reserve, according to Legislative Fiscal Analyst Keisha Patent. This would bring the reserve to the highest amount it's ever been — more than $2.3 billion. Nebraska ended fiscal year 2021-22 with a cash reserve of $927 million.
"In Nebraska, we've built a record-high rainy day fund, and state revenues continue to exceed expectations," Gov. Pete Ricketts said in a statement Friday. "Today's action by the forecasting board reflects the steady growth we've seen across Nebraska. The state's financial strength puts the 2023 Legislature in a great position to build on the historic tax relief we delivered to Nebraskans earlier this year."
The board will review the projections twice more before the final budget is set next year.
State Sen. Lou Ann Linehan of Elkhorn, who chairs the Legislature's Revenue Committee, echoed Ricketts' call for additional tax cuts in light of the new numbers.
"If we're taking in more revenue than we need, we should give it back to taxpayers," she said.
Linehan said lawmakers also should look at increasing state school aid and revamping the distribution formula with an eye to reducing property taxes.
Sens. Myron Dorn of Adams and Rob Clements of Elmwood, who are members of the Appropriations Committee, called the forecast "conservative."

While the board substantially increased its revenue projections for the current year, members anticipate slow growth for the next two years. The board predicted that revenues would increase 0.4% for the year ending June 30, 2024, compared to the current year. Revenues for the 2024-25 fiscal year were projected to increase 1.2% from the previous year.

"That will mean the state budget won't be able to increase much," Clements said.

Rebecca Firestone, executive director of the OpenSky Policy Institute, encouraged lawmakers to use the higher projections to address affordable housing, child care, mental health care, transportation and workforce challenges.

"Tackling these concerns head-on is likely to build a stronger, more resilient Nebraska economy," Firestone said in an statement Friday.

For the current fiscal year, which ends June 30, 2023, the board set higher revenue projections at $6.44 billion. That is roughly $620 million higher than the previous projection of $5.82 billion.

The board's projections for all three fiscal years were higher than the average projections made by the Nebraska Department of Revenue and the Legislative Fiscal Office by about $250 million overall. The revenue projections by both offices were already higher than the projections the board made in February. Patent said continued inflation and increasing corporate profits and personal income rates played key roles in the higher estimates.

Ricketts noted in his statement that the federal Bureau of Economic Analysis reported that personal income in Nebraska increased by an annual rate of 8.5% through the second quarter of 2022.

Patent said the projections were tempered by the possibility of an oncoming recession, although she said her office was more "optimistic" about the impacts a recession would have on Nebraska.

"It may not even be a true recession," she said.

Board members were concerned about how the ongoing inflation, labor shortages and drought would impact Nebraska's economy. In general, however, the board had a positive outlook on the state's economic future.

"We're just better off than everybody in the world right now," said board member Steven Seline.

By Erin Bamer and Martha Stoddard

NP Telegraph: National Guard celebrates opening of new facility

The Nebraska Army National Guard has added to the atmosphere of growth in North Platte with the construction of a new vehicle maintenance shop.

The Field Maintenance Shop at the North Platte Airport brings state of the art improvements to the Guard for vehicle maintenance. The current shop was built in 1955 to support Jeeps and 5-ton trucks. The new facility will support 60 over-the-road 18-wheel trucks, 120 trailers and multiple cargo trucks and Humvees.

Nebraska Gov. Pete Ricketts said the facility will greatly enhance the work the Guard does for the state far into the future.

"It is a culmination of at least 18 months of construction plus work before that to be able to get to this point," Ricketts said. "Having just taken a tour of it, I can tell you this is a world class facility."

Ricketts pointed out the Nebraska National Guard participates in protecting American liberties

around the world.
“But equally important is the missions here in our state,” Ricketts said. “We’ve seen that over the last several years.”
The governor referenced Guard work during widespread flooding in 2019 and during the pandemic, applauding those efforts.
Sen. Mike Jacobson spoke about the Airport Authority Board’s work to set up the opportunity for the Guard to lease 41 acres of airport property. Jacobson was a member of the board prior to being appointed to serve as the District 42 senator.
The facility is 24,800 square feet, four times larger than the currently building across from Cody Park along U.S. Highway 83. The cost to design and construct the shop was $9.6 million and was a 100% federally funded military construction project.
The building was designed not only for immediate needs, but also has the potential for future expansion, said Ryan Wittstruck, project manager with the Nebraska Military Department, Construction and Facilities Management Office.
“There are six large maintenance bays able to support large trucks and trailers,” Wittstruck said. “The trucks will be able to pull through the maintenance bays without having to back up as they do at the current facility.”
The Field Maintenance Shop is one of six in Nebraska and is responsible for Army equipment in North Platte, McCook and Broken Bow. It is additionally responsible for any Army vehicle that has maintenance requirements while traveling in their region of Interstate 80.
Davis Design did the design work and Perry Reid Construction did the construction.
By Job Vigil

Nebraska Examiner: Veterans Day program to commemorate cornerstone laid at Nebraska State Capitol 100 years ago

LINCOLN — This year’s Veterans Day program at the State Capitol will commemorate the 100th anniversary of the laying of the cornerstone at the Capitol honoring “those who fell in the service of their country.”
The program will be held in the 2nd floor rotunda of the State Capitol at 11 a.m. on Nov. 11.
The U.S. Air Force Heartland of America Offutt Brass and the University of Nebraska-Lincoln University Singers will both perform, and color guards will be wearing World War I uniforms, reflecting the dress in 1922.
Dignitaries, including Gov. Pete Ricketts, Capitol Administrator Bob Ripley, Nebraska Department of Veterans Affairs Director John Hilgert and Nebraska Adjutant General Daryl Bohac, will provide remarks.
Wendy Adelson, the mother of Nebraska Marine Cpl. Daegan Page, who was killed in action in Afghanistan in August 2021, will be presented with a flag commemorating the service men and women who have fallen during the past 100 years.
The Nebraska Capitol Commission and the Department of Veterans Affairs are co-hosting the event,

which will be streamed live on Nebraska Public Media beginning at 10:30 a.m.
The public is welcome to attend, though space is limited, officials said.
By Paul Hammel

Nebraska Examiner: Critics of controversial pardon call for apology, more accountability

LINCOLN — A group of American Legion members and others took to the streets Friday to protest a controversial pardon granted to a Legion member for a violent sex assault in 1993.
Carrying signs that read "Shame on You Neb. Legion Leaders" and "What if it was Your Loved One?" the group called on the American Legion to require a public apology from Legionnaires who had supported the pardon of John Arias.
Fifteen to 20 Legion members attended the Sept. 19 Pardons Board meeting wearing their official Legion caps, a show of support noted by all three members of the Pardons Board.

Clear guidelines needed

Critics of the pardon also said that stricter guidelines are needed for the Pardons Board to follow before granting an official apology for such a serious crime.
Arias' ex-wife said she was personally disappointed that Legion members showed up in support of Arias. She said there should be a rule against ex-felons serving in Legion offices.
"You can live your life, but there are things you shouldn't be able to do," said Jody Snogren.
Snogren attended Friday's protest along with 10 other women. Many wore teal bandanas, a symbol of sexual violence prevention.
Beth Linn of Scottsbluff, a former state commander of the Legion, said that it was wrong for Legion members to wear their official caps at the Pardons Boards meeting and that those who attended – including the current state commander – should at least apologize.
"We support our veterans. But you don't use the Legion to wipe away your criminal past," Linn said.

A 'model' citizen

Don Suchy, the current state commander who attended the Pardons Board hearing to support Arias, did not respond to phone and email messages left Friday seeking a response.
Previously, Suchy has said that the Legion does not condone violence but that Arias has been a "model" citizen since he completed his prison term. Suchy also said that typically, the Legion cap is only worn at Legion-sponsored events, but that "the wearing of a Legion cap only indicates the individual wearing the cap is in uniform."
The three-member board, which consists of Gov. Pete Ricketts, Attorney General Doug Peterson and Secretary of State Bob Evnen, has almost unlimited discretion on when to grant a pardon, which is an official forgiveness for a crime that restores civil rights, including the right to vote and gun rights.
In Arias' case, obtaining a pardon also included removing his name from the state's Sex Offender Registry, which Arias stated was the reason he was seeking a pardon — to remove a "stigma" from his name and allow him to seek higher office in the Legion.
The Pardons Board, according to a 1992 court ruling, "has the unfettered discretion to grant or deny a commutation of a lawfully imposed sentence for any reason or for no reason at all."

The Pardons Board was created in the State Constitution, and there is no route to appeal one of its rulings.

Typically, pardons are sought by people seeking to remove crimes committed when they were young, so they can restore voting and gun rights, or seek a job promotion. Pardons are also sought by those sentenced to life in prison. A board decision can lead to qualifying them for consideration for release via parole.

Arias, now 57 and living in Grand Island, pleaded guilty to first-degree sex assault involving an attack on his then-estranged wife. He served 14 years in prison and has not committed a crime since.

Vote was 2-1

Ricketts and Peterson voted in favor of the pardon, while Evnen voted "no," stating that Arias didn't seem to have "come to grips" with what was a serious crime.

Peterson, during the Sept. 19 meeting, stated that he was swayed by Arias' service in the military (he is a former Marine) and his work with other veterans (Arias serves as a mentor coordinator for the Central Nebraska Veterans Treatment Court).

Ricketts, in a statement later, said that Arias had accepted responsibility for a crime, was "remorseful" and had been active in helping other veterans struggling with PTSD.

Rare in serious crimes

Before the vote was taken, Pardons Board members said it was rare that a pardon was granted for such a violent crime.

Moments before granting Arias a pardon, the board — in another controversial decision — had rejected the request of Earnest Jackson. The Omaha man has spent 22 years in prison for a murder he maintains he didn't commit and one in which his co-defendants were deemed innocent.

Those participating in Friday's protest rally disputed that Arias had shown remorse or accepted responsibility.

They noted that during the Pardons Board meeting, he was asked if he disputed that he had raped his wife. "I'm not calling her a liar," Arias responded.

Snogren, in a recent interview, said her ex-husband had never apologized to her and had instead used setbacks in her life to remind her that she "deserved it."

She said her former husband began abusing her long before he joined the military so that PTSD could not be blamed.

Shouldn't be a mentor

Leanna Obermiller, a Legion member from Grand Island, said that Arias' comment about not "calling her a liar" indicates clearly that he hasn't accepted responsibility for his crime.

"How can you be a mentor to other veterans when you haven't address your own issues?" Obermiller asked

Linn, the former state Legion commander, said she was particularly upset that current state and national Legion officials were among those supporting Arias at the Pardons Board meeting and said they organized their appearance without informing others.

Linn also called on the national Legion office to take some action.

Calls and messages left with that office on Friday did not elicit a direct response. A spokesman said the issues might be best addressed by Nebraska Legion officials.

'Unfettered discretion'

A 1992 court ruling in a case brought by death-row inmate Wili Otey concluded that the Nebraska Board of Pardons "has the unfettered discretion to grant or deny a commutation of a lawfully imposed sentence for any reason or for no reason at all.

‘Unfettered discretion’
A 1992 court ruling in a case brought by death-row inmate Wili Otey concluded that the Nebraska Board of Pardons “has the unfettered discretion to grant or deny a commutation of a lawfully imposed sentence for any reason or for no reason at all.
By Paul Hammel

OWH: Nebraska group highlights hospitals' challenges in discharging some patients

While hospitals have long had difficulty discharging some patients to the next level of care, Nebraska health officials say the pandemic made the problem worse.
An October survey by the Nebraska Hospital Association indicated that 214 patients, including 120 in Douglas and Sarpy Counties, were awaiting discharge from 77 hospitals that responded to the survey.
Nine patients had been waiting more than six months to get into facilities that provide what’s known as post-acute care, including skilled nursing, long-term care, acute rehabilitation and long-term acute care facilities. Sixty-eight others had been waiting between a month and six months.
Jeremy Nordquist, the association’s president, said finding appropriate places for patients after their hospital stays is important for the health of those patients. It’s also important to preserve capacity in hospitals for other Nebraskans who need care.
Nordquist and other hospital and nursing home officials outlined many of their concerns, which include financial and staffing constraints, during a Friday hearing on Legislative Resolution 417.
The measure authorized an interim study on Medicaid reimbursement rates and a review of processes for patients who are hard to place. Many of those patients have complex medical and mental health needs.
“We’re pretty sure, especially with these complicated patients ... those are going to be with us and we’ve got to find a way to create the right placement for them,” Nordquist said in an interview.
The hospital association, he said, began surveying hospitals to get clear data about the scope of the issue. The organization has been working with the Nebraska Department of Health and Human Services and the Nebraska Health Care Association, which represents nursing homes and assisted living centers and whose members face their own staffing shortages.
Andrea Lonowski, director of care continuum for Nebraska Medicine, said that over the past week, the health system had an average of 85 patients who were medically stable and ready to discharge but who couldn’t be placed anywhere.
Every day such a patient remains hospitalized is called an avoidable day. In the past year, the health system has tallied an estimated 27,000 avoidable days at an estimated cost of $24 million.
Lonowski called the situation a “new normal” that creates backups throughout the system. If beds are full of patients who no longer need hospital care, she said, other patients have to wait. The health system also is seeing backups in its emergency department.
Adrienne Olson, chief nursing officer and vice president of patient care services at Bryan Medical Center in Lincoln, said that hospital has 20 to 40 patients at a given time who can’t access the next level of care.

“There’s urgency to free up our acute care resources so every patient has access to the care they need,” she said.
Nordquist said such backups are a particular concern with influenza cases beginning to tick up in the state and forecasts of a potential return to a more normal flu season. Flu season already is a busy time in most hospitals.
In the short term, he said, hospitals are on the verge of needing some temporary support. Options include providing additional staffing support, potentially for nursing homes, or the kind of alternative care sites Nebraska Gov. Pete Ricketts authorized last year when COVID-19 numbers were high. Those temporary facilities were set up to care for patients who were too ill to go home but well enough to leave the hospital.
“We’re kind of on the edge right now,” Nordquist said, “but as flu season progresses, we’re going to need to be prepared to act and act fairly quickly as a state.”
Some situations involving patients waiting to be discharged won’t be resolved by staffing alone, he said.
Nordquist also recommended several longer-term changes, including creating specialized units for patients with complex health issues, specifically those with behavioral health issues and those who are very overweight. Such units might come with funding for extra equipment and staffing.
The organization also recommended additional staffing for the state’s Office of the Public Guardian, which has a backlog in assigning guardians for patients who can’t make medical decisions for themselves and who don’t have family members able or willing to do so.
Nationally, he said, the American Hospital Association will be asking Congress to provide minimal reimbursements for patients who stay past the time when Medicare payments cut off for a patient’s initial diagnosis. The hospital association is asking for the same thing for Medicaid patients.
Dr. Henry Sakowski, medical director for CHI Health Partners, said one patient recorded two stays in CHI Health hospitals totaling 785 days, requiring one-to-one supervision because of cognitive and behavioral issues.
During the first 563 days, the hospital recouped 17% of charges. Medicaid covered only eight days of the second part of the patient’s stay.
While reimbursements through those programs increased a bit last year, Nordquist said, they make up 60% to 70% of a typical hospital’s revenue. Meanwhile, inflation is putting pressure on hospitals’ bottom lines, with labor, medication and other costs all up significantly.
Jalene Carpenter, the Nebraska Health Care Association’s president and CEO, said behavioral health issues and a lack of a payer or health care decision-maker are among the primary reasons member facilities can’t take hard-to-place patients.
The facilities still are down 12% in their staffing levels from February 2020, and staff are caring for nearly the same number of patients. Closures also have impacted available beds, particularly in rural areas.
Increased staffing and increased guardian assignments both would help, Carpenter said.
“We’re committed to finding solutions,” she said.
By Julie Anderson

Scottsbluff SH: Heartland Expressway adds 14 miles of divided highway through Nebraska Panhandle

SCOTTSBLUFF — State and local officials celebrated the official opening of the Alliance south section of the Heartland Expressway during a ceremony this month.

Work on the 14-mile section of the project that runs from Angora Hill to south of Alliance began in the spring of 2021 and was not scheduled to be completed by contractor IHC-Scott until the spring of next year.

“They’re actually six months ahead of schedule, and that’s a tremendous accomplishment given that we’re coming out of the pandemic supply chain and labor force issues, so our hats are off to them,” said Nebraska Director of Transportation John Selmer.

Gov. Pete Ricketts said, “Building infrastructure is part of what we do in state government and national government to be able to help facilitate commerce and national development. This is a great example of the types of projects that make that happen."

The Heartland Expressway, a federally designated, high-priority corridor, will eventually provide multilane, divided highway access from Rapid City, South Dakota, to Denver, via Alliance, Scottsbluff, Kimball and Brush, Colorado. The project has been in process since first proposed in the 1980s.

Increased revenue from the Build Nebraska Act and the Transportation Innovation Act enabled the Nebraska Department of Transportation to extend the expressway earlier than anticipated. The state also received an $18.3 million grant through the U.S. Department of Transportation’s Infrastructure for Rebuilding America program.

“The Heartland Expressway is something that will be able to help trade and commerce,” Ricketts said, noting it could shift traffic through Nebraska that currently uses Interstate 25 in Wyoming.

He said the Heartland Expressway is crucial to helping the trade agreement between the United States, Mexico and Canada grow.

“We should see continued development of the three countries' trade relationships that will help bring more traffic through the Nebraska Panhandle. It will also not only help with economic development of our cities but also for safety and convenience.”

Alliance Mayor Mike Dafney, a member of the Heartland Expressway Association, said the addition to the four-lane route is a sign of progress in the Panhandle.

“They say that everything comes to him or her that waits,” he said. “Twenty-eight years ago, we got the corridor development plan outlining the benefits that a four-lane divided highway from the front range of Colorado to Rapid City would provide.”

Dafney said that five businesses have already located on the Heartland Expressway in Alliance, with more to come.

“We look forward to what’s going to happen next.”

By Kay Bakkehaug

OWH: 'Line in the sand': Repeal of Roe puts abortion on the ballot in Nebraska

The U.S. Supreme Court’s decision striking down Roe v. Wade has turned Missy Hudson-Benash into a warrior for abortion rights.

That's why the mother of two was out last weekend canvassing for State Sen. Machaela Cavanaugh of Omaha, knocking on doors, handing out campaign flyers and talking up the candidate.
Cavanaugh was among the senators who blocked a bill in the Legislature last spring that would have banned nearly all abortions in Nebraska. Hudson-Benash wants to make sure Cavanaugh will be back in Lincoln in January to work to protect abortion rights.
"It's scary," Hudson-Benash said of the post-Roe politics of abortion. "I'm thinking about my rights and my daughter's rights."
Indeed, the future of abortion in Nebraska now sits squarely on the state's Nov. 8 ballot.
The Supreme Court in June stripped away the constitutional right to abortion that under Roe had been enshrined for nearly half a century. That leaves individual states to decide whether abortion will remain legal.
Now abortion opponents are seeking to garner the 33 votes in the 49-member Nebraska Legislature they'd need to cut off filibusters and pass a ban or more restrictions on abortion in Nebraska.
"It's going to determine whether abortion is going to continue in Nebraska," said David Zebolsky of Nebraskans Embracing Life, an Omaha anti-abortion group. "It couldn't be more important in terms of Nebraska lives saved."
Conversely, abortion rights advocates are seeking to keep the 17 votes they need to preserve the legal status quo on abortion in Nebraska. They argue that the difficult decision to obtain an abortion is one that should continue to be left to a woman and her doctor.
Which side will prevail in the high-stakes battle appears to largely come down to nine closely contested legislative races in which the advocacy groups have endorsed opposing candidates.
All but one of those most-contested races are also in Douglas and Sarpy Counties, making the Omaha metro area ground zero in the battle.
Given the narrow margins, any one outcome could tip the scales.
"The situation seems extremely fragile and volatile," said Denise Blaya Powell, co-founder of Women Who Run Nebraska, a political action committee supporting women candidates who back abortion rights. "We are at a point in our history where there's a line in the sand, and you need to be on one side or the other."
Based on level of political activity, it appears abortion rights activists have received the biggest jolt of energy from the Supreme Court's decision.
An all-new political action committee formed by Omaha doctors has emerged as the state's biggest financial force on the issue, raising nearly $300,000 for ads and mailings in support of candidates who support protecting abortion access.
Abortion rights advocates also say they sense momentum behind them, in part because they see candidates who have backed abortion bans both here and nationally now waffling and avoiding the issue.
"People are seeing this is not as popular an issue as they thought it would be," Blaya Powell said.
Abortion opponents say they are motivated by the chance to join a dozen other states — among them neighboring Missouri and South Dakota — that have passed abortion bans. Zebolsky said the issue is all the more critical because the legal status of abortion in Nebraska is making the state a destination for women from other states seeking abortions.
Nebraskans Embracing Life and Nebraska Right to Life over decades have built a cadre of Nebraskans passionately opposed to abortion. Now the two groups are seeking to get their guides listing endorsed candidates into the hands of supporters.
Dan Schlautman said he's been working for nearly 50 years to stop abortions in Nebraska. That's why

he and other volunteers were out last Sunday morning putting Nebraska Right to Life voter guides on the windshields of cars outside his Lincoln church.
“It’s energized both sides,” he said of Roe’s repeal. “I would say our side has a little more hope now.”
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Nebraska Gov. Pete Ricketts has been frequently known to declare Nebraska “a pro-life state.” But whether that’s true is debatable.
In a Pew poll in 2014 — the same year Ricketts was first elected — 50% of Nebraskans said abortion should be legal in all or most cases, while 46% said it should be illegal in all or most cases. A poll commissioned by the ACLU of Nebraska last spring found 55% opposed an abortion ban.
There’s no doubt, though, that a majority of Nebraska lawmakers have opposed abortion. Nebraska in 2011 became the first state in the nation to ban abortions after 20 weeks, based on a still-disputed premise that at that stage a fetus can feel pain.
Then, in April, senators on a 31-15 vote backed a “trigger bill” that would have outlawed nearly all abortions in the state. But that was still two votes short of the 33 needed to cut off a filibuster launched by opponents.
It was called a trigger bill because it would have taken effect if the Supreme Court overturned the 1973 Roe decision. Two months later, that’s just what the high court did.
Dozens of states politically dominated by Republicans proceeded to enact abortion bans. And in Nebraska, where the GOP also holds most state offices, abortion opponents sought to round up support for a special session on abortion.
However, a proposal that would have banned abortions in Nebraska after 12 weeks of pregnancy got only 30 senators to sign on. Without 33 votes, Ricketts declined to call lawmakers to Lincoln.
Sandy Danek, executive director of Nebraska Right to Life, said the special session proposal was ratcheted down from a total ban in an effort to attract more votes. Most states that have acted to date have put in place total bans or bans after six weeks.
“We in no way would be happy with a 12-week ban,” she said.
The Guttmacher Institute, a nonprofit that studies abortion laws, last year put Nebraska on a list of 26 states sure or likely to ban abortion if Roe passed. The state was one of four in the likely category.
But whether that comes to pass now will hinge largely on the Nov. 8 vote. It’s a campaign that features some new players.
A group of five fertility doctors in Omaha became concerned last spring that the trigger bill could make it impossible to perform in-vitro fertilization for couples having difficulty conceiving children.
Backers of the bill offered assurances that was not the bill’s intent. But one of the doctors, Dr. Meghan Oakes, said that would have been the inevitable result of language in the bill giving personhood status to a fertilized egg. It’s common during the in-vitro process for fertilized eggs not to survive.
“It showed why people who don’t know anything about medicine shouldn’t legislate medicine,” Oakes said.
The doctors and a coalition of hundreds of families who have used fertility services became vocal and lobbied against the trigger ban before it failed. But weeks later when Roe was overturned, the doctors decided they needed to do more.
In July, eight doctors joined to found Campaign for a Healthy Nebraska, a new political action committee. Its goal is to support Nebraska candidates who back maintaining the status quo on abortion, making sure the procedure preserves its “restricted but available” status, Oakes said.
Through early October, the new PAC had raised more than $275,000 and spent nearly $200,000 to

back its endorsed candidates.
Barbara Weitz, a member of the University of Nebraska Board of Regents from Omaha, has been by far the group's largest single donor at $150,000. Oakes said the group has hundreds of donors overall.
Those dollars have funded thousands of mailings in support of pro-choice candidates as well as targeted video ads on social media that have appeared on screens 3 million times. The group also took out full-page ads in major papers in the state listing the names of some 500 health care providers who support maintaining legal abortion.
The goal of the campaign is to help voters, particularly women, understand "there is an issue on the ballot that has never been on the ballot before," Oakes said.
Planned Parenthood Advocates of Nebraska — a political arm of Planned Parenthood North Central States — says it is running the biggest and most expensive campaign in its history, including phone banking, canvassing and mailings. Through early October, it had spent more than $25,000 in support of its endorsed legislative candidates.
Women Who Run Nebraska has contributed $37,000 during this election cycle directly to its endorsed pro-choice legislative candidates. Other groups encouraging pro-choice voters to get to the polls include the ACLU and the Women's Fund of Omaha.
"A few hundred votes can make the difference," said Scout Richters, senior legal and policy counsel with ACLU of Nebraska.
Nebraska Right to Life this year has spent $25,000 as it has distributed 70,000 printed copies of the voter guide, emailed out digital copies and also used social media, Danek said. In addition, for the first time it's added a feature to its website that allows people to enter their address to get a list of endorsed candidates.
It also is sending mailings targeting four legislative candidates for their "radical" views on abortion.
"We are breaking our backs to make sure people know who the pro-life candidates are," Danek said. "We have so many people who want a voice and an opportunity to change our laws to protect not only the child in the womb, but the woman we believe is harmed in an abortion."
Historically, groups fighting abortion have enjoyed the advantage of having more single-issue voters on their side. Danek acknowledged it's possible the repeal of Roe has now altered that dynamic.
There's evidence the repeal of Roe has indeed produced more single-issue abortion rights voters.
"You are talking to one," said Cheri Cody, a 76-year-old Omaha retiree. On Tuesday night, she was among a half dozen volunteers working a phone bank at Planned Parenthood's office in Omaha.
While she has been active politically before, Cody said she decided after Roe's repeal that abortion rights would be her sole issue this year.
"I'm appalled that women have lost the right to choose what to do with their body," she said.
There's not a lot of disagreement between the two sides on where this year's abortion battleground is. Identifying it starts with the 30 seats held by senators who were willing to support a special session.
Anti-abortion forces will apparently pick up one other seat in Nebraska's Panhandle, where both candidates seeking to replace a term-limited senator are endorsed by Nebraska Right to Life. But that still leaves abortion opponents at least two seats short of 33.
Whether they get to 33 will most likely come down to nine legislative races that appear closely contested and where the candidates have voiced differing views on abortion.
In eight of the nine races, the candidate who won the May primary election prevailed by fewer than 10 percentage points or picked up less than 50% of the primary vote. The other race involves an

incumbent recently appointed to the seat after the primary.
The abortion issue is also playing into the battle the political parties wage each year for seats in the officially non-partisan Legislature. All the candidates in the nine key races that were endorsed by anti-abortion groups are Republicans, while abortion rights groups endorsed eight Democrats and an independent.
Of the nine seats, six are held by senators who did not support the special session, while three are held by senators who did.
Seven of the seats are in west central Douglas County (Districts 4, 6, 10, 12, 18, 20 and 31), one in western Sarpy (36) and one in northeast Lincoln (26).
"Omaha is at the center of it all right now," Blaya Powell said.
Last weekend, Hudson-Benash walked up 89th Street in Omaha's District 6. That's where incumbent Cavanaugh, a Democrat who supports abortion rights, is in a heated battle with Christian Mirch, a Republican who has the endorsement of anti-abortion groups.
At one house, Hudson-Benash met a couple who informed her they'd already cast early votes for Cavanaugh, and then agreed to put a Cavanaugh sign in their yard.
At another door, an older woman said "Not interested" when she saw the Cavanaugh flyer Hudson-Benash was peddling.
"I believe in women," she said, "but I also believe in pro-life."
"That's fair," Hudson-Benash replied.
As Hudson-Benash made her rounds, it was clear someone else had recently hit the same neighborhood on behalf of Mirch. His campaign literature was left at several doors. Hudson-Benash noted that while Cavanaugh's flyer listed her support of "reproductive healthcare access" at the very top, Mirch's didn't mention the abortion issue at all.
Abortion rights advocates say they've observed a trend in the campaign of abortion opponents downplaying their positions, pointing to Mirch as a prime example.
Before the primary, Mirch told The World-Herald he would support a total ban on abortion other than to protect the life of the mother. But he recently told the paper that while pro-life, he would cast his vote based on what a majority of his constituents want.
"Representatives cannot be constituencies of one," he said.
Mirch denied that it represents a change in his position. He also downplayed the importance of the abortion issue in the district, saying voters are more concerned about inflation and the economy.
Nationally, polling indeed shows that abortion is not the top-line issue with most voters, though it is a stronger motivator for Democrats than Republicans. That does underscore that as passionate as both sides are in the abortion debate, abortion won't be the only issue deciding the key races.
Danek said she had a "long talk" with Mirch after his recent statements came to light. She said she came away convinced he remains "committed to the pro-life position."
Cavanaugh said she heard from one voter who was told by Mirch he had the same position as Cavanaugh on abortion — an allegation Mirch denies. Overall, Cavanaugh said she thinks Mirch is showing he has already heard the voice of the district, which is why he's now trying to "walk back" his position.
"He's lying to someone, lying to the people at the door or to Sandy Danek at Nebraska Right to Life," Cavanaugh said.
Questions about a candidate's positions on abortion have also been raised in neighboring District 20. During the primary there, Stu Dornan, a Republican who formerly served as Douglas County attorney, received an endorsement from Nebraska Right to Life. That came despite the fact he told

the group he did not favor repeal of Roe — a pillar position with the group.
Dornan recently told The World-Herald that he considers the state's current 20-week ban "reasonable," has not seen proposals that merit changing it, and would have voted against the trigger bill.
"My views, I believe, are consistent with a majority of the citizens of District 20," he said.
After Danek had a voter express concerns about Dornan's positions, she spoke to him, and Nebraska Right to Life pulled its endorsement. Danek, though, said she still considers Dornan pro-life and remains hopeful he would be willing to support additional abortion restrictions.
Dornan's opponent, Democrat John Fredrickson, has the endorsement of abortion rights groups. They have been highlighting several other answers Dornan gave on the Nebraska Right to Life survey, including that he'd seriously consider introducing legislation for the group and would vote to pull its bills to the floor if they were stuck in committee.
Such nuances associated with abortion legislation underscore that the full picture of abortion's future in Nebraska can't be known until the makeup of the Legislature is set and bills hit the floor. Until then, neither side in the debate is intending to let up. That's why Hudson-Benash was once again out canvassing Saturday, this time in District 20 in support of Fredrickson.
"My goal is to do everything I can before the election," she said. "I think it's just so necessary."
By Henry J. Cordes

AP: Nebraska struggling to OK ban despite anti-abortion history

Nebraska Republicans are expected to dominate as usual at the polls in November and retain their solid majority of the officially nonpartisan Legislature. They face a far tougher challenge flipping enough seats to push through a statewide abortion ban.
The U.S. Supreme Court decision overturning the constitutional right to abortion has injected a degree of uncertainty into elections, even in some of the nation's most reliably red states. Abortion opponents in Nebraska are hoping to avoid a repeat of what happened this summer in neighboring Kansas, where voters overwhelming rejected a ballot measure that would have paved the way for an abortion ban there.
"Whether we like it or not, Nebraska is now a destination state for abortion," said David Zebolsky, chairman of Nebraskans Embracing Life. "We're supporting strong pro-life legislative candidates in the November election to change that."
Even with Republicans considered a lock to maintain a solid majority of Nebraska's unique one-chamber Legislature, they need to gain at least two seats to end the state's status as the nation's most unlikely harbor for abortion services. Under legislative rules, some measures — including an abortion ban — can be blocked by the minority if supporters don't get at least 33 votes in the 49-member body.
The ruling overturning Roe v. Wade enabled other conservative states to quickly outlaw most abortions, but the proposed Nebraska ban received only 31 votes — two short of the number needed to avoid a filibuster.
Nebraska Republicans' hopes to outlaw abortions were thwarted again weeks later, when Gov. Pete

Ricketts opted not to call a special session to enact a ban because backers were, at that time, three votes short.
Such setbacks are odd given Nebraska's history as a leader in abortion restrictions. It enacted the country's first law banning abortion after 20 weeks of pregnancy based on the disputed theory that a fetus at that point can feel pain.
The upcoming election could give supporters the votes they need for a ban, or it could leave Nebraska as a rare state where Republicans control nearly all aspects of government but allow abortions to continue.
Nebraska's tug-of-war over abortion comes at a time when the issue has roiled politics across the country. Voters in Kentucky will decide next month the fate of a proposed constitutional amendment that would eliminate the right to abortion in the state. The red state of Montana will have a "born alive" measure on the ballot there, requiring health care providers to take "all medically appropriate and reasonable actions to preserve the life" of an infant born alive, including after an attempted abortion. Doctors have warned that the measure would force them to prolong the suffering of infants born with fatal deformities.
And in Georgia, which could decide control of the U.S. Senate, abortion has taken an outsized role in the neck-and-neck race between Democratic Sen. Raphael Warnock and his Republican challenger, former football star Herschel Walker. Walker, a staunch anti-abortion proponent, has been plagued by recent claims that he paid for a woman's 2009 abortion and later fathered a child with her.
Republicans who have historically championed anti-abortion causes appeared to be caught flat-footed in the wake of the judicial branch overturning Roe, a move that was unpopular with a majority of Americans, according to polls taken ahead of the decision. An Associated Press-NORC Center for Public Affairs Research poll conducted after the ruling revealed a majority of Americans want Congress to pass a law guaranteeing access to legal abortion nationwide.
That polling has led Republican candidates who would normally tout their anti-abortion credentials to back away from the issue this election cycle. In Nebraska, some Republican candidates in and around Omaha and Lincoln, which are less conservative than the state's more rural areas, are tailoring their messages on abortion with that in mind. Conversely, Democrats who would normally avoid the issue of abortion so as not to rile voters in a conservative state are now putting the issue front-and-center of their campaigns.
President Joe Biden promised during a speech this month to push a bill that codifies Roe v. Wade if Democrats control enough seats in Congress to pass it.
Omaha state Sen. Machaela Cavanaugh, one of the most vocal opponents of a failed "trigger bill" backed by Republicans last session that would have outlawed nearly all abortions, has placed her support for abortion access at the top of her campaign website. She cited an ACLU-commissioned poll in March that showed Nebraskans opposed to a total abortion ban by a 20-point margin.
Her opponent, Christian Mirch, had until recently been just as vocal about his support for banning abortion. He has attended anti-abortion rallies and stated in the Nebraska Catholic Voter Guide his support for an abortion ban "from the moment of conception." But he seems to have backpedaled on that stance in the wake of blowback from the overturning of Roe.
"We've gotten away from that representative form of government in recent years," he said. "We can't be constituencies of one."
Asked about polling that shows most Americans opposing the overturning of Roe, Mirch countered that "we haven't done that polling in this district."
Cavanaugh said Mirch has been knocking on doors in the district and telling some voters that he and

Cavanaugh have essentially the same views on abortion. Mirch said he simply has assured voters that he would not do anything that would endanger in vitro fertilization treatments.
Cavanaugh isn't buying it.
"You don't lie about your position unless you know it's going to cost you votes," she said.
Of the 15 Nebraska lawmakers who voted to block the abortion ban bill, eight are facing reelection challenges or not running.
University of Nebraska-Lincoln political science professor John Hibbing said he expects Nebraska Republicans will pick up the seats they need to ban abortions, but he notes the Supreme Court ruling "has put pressure on Republicans that they haven't felt before."
Since the ruling, Planned Parenthood clinics in Lincoln and Omaha — two of the three in Nebraska that provide abortion services — have seen an increase in the number of people from outside the state seeking them. Andi Curry Grubb, the executive director of Planned Parenthood Advocates of Nebraska, said many of the women the clinics are seeing have few resources to allow them to travel hundreds of miles from their homes.
"I know we had one patient who drove a U-Haul from Texas to Nebraska to get to one of our clinics," Grubb said, "because it was the only vehicle they could rent within a reasonable price range."
By Margery A. Beck

Nebraska Examiner: Spending on Nebraska elections is surging, with no end in sight

OMAHA — Every two years, Nebraskans get inundated by political ads, mailers and text messages from candidates for federal office. Every four years, would-be governors come calling with wave after wave of advertising.
But the torrent of ads and outreach from races down the ballot — from Legislature to local school boards — is relatively new. What's changed? Donors these days are spending more money on state and local races, including the smaller ones.
By the mid-June filing deadline, Nebraska campaigns and political committees had raised a record $51 million on state and local races, based on a dozen years of campaign finance data.
That's more than double the old record of $23 million just two years ago. It's nearly seven times the recent low of $7 million raised for those races in 2012.
In 2014's midterm elections that, like this year, included an open seat for governor and a competitive Republican primary, $20 million was raised.
A record year
Nebraska's costliest-ever GOP primary for governor this spring drove the newest numbers. Nearly $28 million was raised, powered by agribusinessman Charles Herbster's $13 million, University of Nebraska Regent Jim Pillen's $10 million and State Sen. Brett Lindstrom's $3 million.
Political spending by Gov. Pete Ricketts and his family added up. They gave nearly $2 million to Conservative Nebraska, an outside group that hammered both of Pillen's top GOP opponents.
The governor also helped fund groups spending on other races, including the Nebraska Future Action Fund, which is spending on a University of Nebraska regent's race and others.

Two well-funded ballot initiatives are adding another boost to the numbers. Efforts to require voters to show ID and to raise the minimum wage have generated about $2 million apiece.
Ricketts' mother, Marlene, funded much of the Voter ID effort. Donors to the minimum wage effort include Nebraska Appleseed, labor unions and a national progressive group, Sixteen Thirty Fund.

Education races

Fundraising is up from conservative groups that support charter schools and vouchers, including the Nebraska Federation for Children, which reported raising $735,000.
The Nebraska State Education Association and other supporters of public education, including a new group, Trust Nebraska Teachers, are raising money on the other side. Late fundraising by this and other new groups isn't yet showing up on campaign finance forms and will likely add to record totals, political observers told the Nebraska Examiner.
Then there are the State Board of Education races, which are seeing record fundraising from all sides after the board proposed, and later withdrew, new health standards.
A slate of four GOP candidates for the board has objected to how the standards would have advised Nebraska schools on how to address issues facing LGBTQ students, including transgendered youths.
A national and local GOP effort is underway to motivate conservative parents to vote. Advocates for LGBTQ students say the campaigns risk alienating kids.
Republicans and Democrats running for the board this year all raised more than $30,000 each, which used to be the high-water mark for races outside of the Omaha area.

More candidates raise $100k

One clear sign of increased spending is the growing number of legislative candidates raising six-figure sums.
Spending has been trending upward since at least 2010.
Nebraska legislative candidates crossed a historic threshold in 2020, when a record 27 candidates each raised more than $100,000 to run for a position that pays $12,000 a year.
This year, another 20 legislative candidates appeared poised to raise $100,000 or more, based on post-primary records filed with the Nebraska Accountability and Disclosure Commission.
Ten years ago, only seven or eight legislative candidates raised that level of campaign funds.
In other highly competitive races, major party candidates for Douglas and Lancaster County attorney are all raising six figures, and some candidates in next spring's mayor's race in Lincoln are already eclipsing $100,000.

Change on the ground

Nebraska Public Service Commissioner Crystal Rhoades, who has previously helped elect Democrats in Douglas County, said she sees a difference from past years in the level of spending on down-ballot races and in who is spending money.
Rhoades said she had seen expensive individual races before, but not this many and not to this degree.
"There are many more groups participating and forming, and the existing groups are spending much more (money)," she said. "Some of these legislative races are going to get to $400,000 or $500,000 when you include independent expenditures."
Former State Sen. Phil Erdman, a Republican who now lobbies the Nebraska and Iowa Legislatures for agricultural equipment dealers, said people shouldn't worry about the money being raised, because it's being raised by both sides.
Erdman cited his first race for the Legislature in 2000. He said he was outspent 5-to-1 or 6-to-1.
"You'll see some races where somebody may have raised more and spent more, but it doesn't

necessarily add up to a win," Erdman said. "If you don't have the resources, you can't get your message out effectively."

Cost of costlier campaigns

Gavin Geis of Common Cause Nebraska, which advocates for limits on campaign contributions, said the rising cost of running is pricing out people who don't have connections to wealth.

"We've seen this nationally," Geis said. "There is more of a focus on local races. There is way more giving at the local level. It's not surprising, but it's still shocking.

"The question is when does this stop? When does it plateau?"

That fundraising will continue to climb, he said, as long as the Legislature maintains the state as a "Wild West" for political fundraising, with no caps on donations and few rules.

Voters, he said, lose the ability to elect leaders who represent and reflect their communities as the cost of running increases.

A 1993 Nebraska law tried to balance the scales by setting a voluntary spending limit. Once a candidate eclipsed that level of spending, the state offered public money to competing campaigns that raised and spent less.

Under the law, legislative races were capped at a certain level, and few candidates bucked the limit. The Nebraska Supreme Court tossed out the law in 2012, however, and campaign spending has risen dramatically since then.

Geis said Nebraska is unlikely to revive its Campaign Finance Limitation Act, but he said state senators could legislate limits on individual and group donations that would pass constitutional muster.

"They should do something," he said.

Former State Sen. Scott Lautenbaugh, a Republican who tried to repeal the limitations act when he was in the Legislature, said he preferred increasing public disclosure of who is donating funds and not setting spending limits.

Caps, he said, encroach on people's "freedom of speech."

Possible causes

Creighton University political scientist Richard Witmer and retired University of Nebraska at Omaha political scientist Paul Landow said several factors are driving the new spending.

Among the contributing causes in Nebraska that they cited:

- Campaigns have become more expensive, as TV, radio, newspaper and online advertising costs more, and as political consultants charge more.
- Term limits are a factor because they create more open-seat races, on which both parties compete and spend more.
- High-dollar donors are spending more as they compete with each other for influence. The professors mentioned big spending on other political races by Ricketts and Herbster as examples.
- Dark money groups, which shield the identity of their donors, are also attracting more funding.

"Generally speaking, spending on political races is out of control," Landow said. "It gets more and more expensive every year. It's not good for American democracy."

And why would people want to raise that much money for a $12,000 job in the Nebraska Legislature?

"It's never about the money," Witmer said. "You can't put a price on power. Why would all of these people want a job in Congress? In Lincoln, it's the same thing."

By Aaron Sanderford

LJS: Lunch lady challenges banker to serve as east Lincoln's next state senator

If they weren't sharing space on the ballot, Robert Clements and Sarah Slattery would have nearly nothing in common.
He's 71, a former actuary and third-generation bank co-owner who married his Elmwood High School sweetheart nearly 50 years ago.
She's 40, a single mom with a nose ring and degrees in graphic arts and culinary arts who calls herself the Lunch Lady.
He lives in the rural southwest corner of Cass County. She lives in the county's opposite corner, on the edge of the Omaha metro area.
He considers himself a conservative Republican, though willing to listen to and consider other viewpoints.
She sees herself as a personally progressive Democrat but capable of representing all of her constituents.
Their stances on most political and policy issues couldn't be further apart.
And four years ago, none of this would have directly mattered to Lincoln-area voters.
The District 2 legislative seat Slattery and Clements are campaigning for once stopped at the Lancaster-Cass county line. But redistricting pushed District 2's western boundary across the border and all the way to east Lincoln, including areas east of 84th and the 70th and A to Van Dorn areas.
Home to nearly 12,000 registered voters, according to Lancaster County Election Commissioner Dave Shively.
Republicans have the advantage in the Lancaster County swath of District 2 — 5,312 to 3,375 Democrats. That leaves nearly 2,500 residents registered as nonpartisan, Libertarian or with the pro-marijuana party.
So there are votes in play.
Both candidates are capable of serving Lincoln and Lancaster County, they said.
Slattery has a team knocking on doors in Lincoln on her behalf; she has arthritis in one knee and torn meniscus in the other, so her mobility is limited. But she's trying to organize events where she can personally reach as many potential voters as she can.
"I think that's the best way to get them to vote for me: They get to meet me and look me in the face, and when I tell them I want to help them, they can see that I mean it."
Clements has been knocking on doors in Lincoln, and he knows his way around. Elmwood is a small town, so he routinely makes the 20-mile trip west.
"I'm in Lincoln very often, at least weekly, and I feel very comfortable representing that area."

Slattery, the Lunch Lady

She grew up in Plattsmouth, attended its small Catholic school and graduated from Creighton University with a bachelor's degree in graphic arts.
And regretted it. "I realized that I don't really like sitting at a computer all that much."
She enrolled in a master's of fine arts in photography program in North Carolina, but returned after a semester. Not for her, either.
In 2007, she signed up to serve AmeriCorps for a year, building Habitat for Humanity homes in North

Omaha. At the same time, she enrolled in classes at Metro Community College's culinary school.
"So I said, 'I'm going to take a couple of classes and if I like it, I'll take a couple more.' Then I ended up getting a degree because I never stopped liking it."
In the meantime, her parents had started a vineyard and tasting room in rural Cass County, and she now caters events there.
Big events, which have taught her to juggle. On a recent Saturday, she attended a morning caucus meeting and that night served 160 meals at a wedding. Pulled pork, smoked turkey, mac and cheese and smashed potatoes.
She specializes in upscale comfort food. "A higher-end twist on things that people normally like to eat." Wood-fired pizzas and French onion soup. Not just mac and cheese, but bacon-and-bleu cheese mac and cheese.
But that's not why she's called the Lunch Lady. A few years ago, she started volunteering at her daughter's school — the same Catholic school she and her father attended — and was hired part time to help serve and wash dishes.
In 2019, the school's nutritional director announced she was leaving and Slattery got the job.
She changed it, she said. Government nutritional standards for schools — calorie counts, sodium limits, vegetable subgroups — can be tough to navigate, so many schools resort to buying prepared meals, like chicken patties.
"But a lot of those premade foods are not super delicious or appealing. I came in and used my culinary knowledge and experience."
With a lot of seasoning and a fresh salsa selection, for example, she elevated bland USDA commodity food — brown rice, black beans and diced chicken — into a school favorite, Chipotle-like burrito bowls.
Sarah Slattery, running for Legislature District 2, meets with the Journal Star editorial board.
She introduced a daily fruit and vegetable bar. She made her own broccoli-cheese soup, cheese-stuffed pretzels, chili and cinnamon rolls.
She did that for three strange school years. The first, water restrictions from the spring 2019 flooding. Then the pandemic.
The bright spot during the past two school years? The federal government subsidizing school meals.
"You know your kid has a hot healthy meal waiting for them at school. And I think that was so incredible."
She left that job before this school year, but she can draw a straight line between her time there and one of her platforms: Now that the federal government stopped paying for school meals, why can't the state step up?
"When kids are ensured a hot, nutritiously dense meal, then they can stop worrying about how hungry they are in school and focus more on their studies."
That job, and her other experiences, also helped define her overall candidacy.
She's running as a working-class parent, and believes her background helps her relate better to Nebraskans than her opponent can, because she's shared their everyday struggles.
She hears it at her campaign events. "It's overwhelming. People are excited. Not just about change, but about change that looks like them."
She believes that connection — her background — is more important to voters than her political affiliation. And if elected, their political affiliation won't matter to her, either, especially if they need her help.
"In the Nebraska Legislature, there's not supposed to be an aisle, you're not supposed to be allegiant

to your party. I intend to only answer to my constituents. I'm there to serve the people in my district, and not tell them what's what."

Clements, the surprise state senator

Robert Clements was already busy in 2017.

He was the third-generation president of Elmwood's American Exchange Bank, which also has a branch in Eagle. He managed the bank's insurance agency. He spent his springs preparing tax returns.

And then the governor came calling. Bill Kintner had recently resigned the District 2 seat after a sex scandal — and just minutes before the Legislature was to begin debate on taking the unprecedented step of tossing him out of office.

Gov. Pete Ricketts needed to replace Kintner. Nearly three dozen people had applied for the job, but not Clements.

He had no experience in office. And at the time, no particular political aspirations.

"I thought about it, but I told my wife I'm too busy; I was not going to put my name in. But then my name was recommended to the governor's office."

Ricketts gave him an interview, and then a job offer.

Clements took it.

"First of all, you don't say no to the governor, easily. And I thought I did have the skills. I've always enjoyed learning things. I've always been a curious person."

He liked learning, but not teaching. So when he attended the University of Nebraska, he majored in math and minored in actuarial science.

"The actuarial field works with lots of numbers and math — and it's not teaching."

After graduating in 1973, he and Peggy — they'd started dating when she was a high school sophomore, and he was a junior — moved to Kansas City, where he worked for an insurance company for five years.

But Elmwood drew them back. His father was thinking about retiring as bank president and needed a successor; and the young couple decided they'd rather raise their kids — they'd eventually have five — in a small town.

When Ricketts offered Clements the legislative seat, one of his sons, and a nephew, were ready to take over the bank's daily operations. That made it easier to say yes.

Rob Clements, running for Legislature in District 2, meets with the Journal Star editorial board.

"The business wasn't going to suffer. A few years earlier, it would have been harder."

His first session was a learning curve. The rules of the Legislature. The force that was former Omaha Sen. Ernie Chambers. Analyzing bills related to subjects and industries he wasn't familiar with.

He liked it. He finished off the last two years of Kintner's term, was reelected and is now trying to return for a final four years.

"I'm glad to represent District 2. This election is about the economy and inflation, controlling government spending. We need to cut taxes to help family budgets. The low-income and fixed-income people are hurting more than ever."

He knows this, he said, because he's not as out of touch with most voters as his opponent suggests.

Clements watched the insurance industry change over the decades, and not just in its arms race of kitschy TV commercials. So much of it is internet-based now, with agents and clients who never meet.

"It's become more of an online, do-it-yourself situation, rather than personal visits with an agent. I think it's better for people to get advice from an agent who can recommend policies that will better

fit the customer better."
And it's that personal approach — the face-to-face visits — that helps him relate to his constituents. He's spent decades as their banker, their tax preparer, their insurance agent.
He has a better view than most of what they're going through.
"I've been a banker for 43 years, I've been working with all the people in the community, from low-income to high-income. And I've been a friend to all levels of society and have treated them all fairly."

District 2 details

PRIMARY VOTES
Robert Clements: 5,154
Sarah Slattery: 2,221
ENDORSEMENTS
Clements: Gov. Pete Ricketts; Lt. Gov. Mike Foley; Sen. Deb Fischer; Rep. Mike Flood; Former Gov. Kay Orr; Plattsmouth Mayor Paul Lambert
Slattery: Run For Something; National Association of Social Workers; Nebraska State AFL-CIO; Nebraska State Education Association; IBEW Nebraska Electrical Workers Council; Women Who Run Nebraska; Nebraska Farmers Union; Nebraska Association of Public Employees; Lincoln Journal Star editorial board; NDP Women's Council
CAMPAIGN FINANCE
(June 15 through Oct. 4)
Clements: $68,707 raised; $48,675 spent.
Slattery: $27,971 raised; $22,808 spent.
ON THE ISSUES
For more detailed answers from the candidates, see the Journal Star's 2022 Voter's Guide
Support continuation of election of legislative leaders and committee chairs by secret ballot?
Clements: No. "Secret votes violate our Constitution and Nebraskans have a constitutional right to know how each senator votes."
Slattery: Yes. "Taking away the secret ballot would be a slap in the face to the nonpartisan nature of the unicameral."
Support legislation limiting prohibiting or limiting abortion in Nebraska?
Clements: Yes. "I would support legislation to limit elective abortion earlier than the current 20-week ban." Would also support exceptions for medical emergencies, and would not oppose exceptions in cases of rape and incest.
Slattery: No. "Nebraska already has legislation limiting abortion. I see no need to change what is already in place."
Support legislation to allow Nebraskans to carry guns without permits or safety training?
Clements: Mixed. "I would support fewer permit requirements, but I would not oppose a limited safety training provision."
Slattery: No. "People need training and permits to operate motor vehicles. Those same things make sense for folks who would like to carry guns."
By Peter Salter

OWH: School funding plan backed by Pillen could cost

districts $270M per year, report says

LINCOLN — Jim Pillen's proposal to change Nebraska's school funding formula to a per-student basis could cost some districts $270 million, according to a new analysis.

The OpenSky Policy Institute published a report earlier this month stating that a per-student funding system would mean that districts serving the majority of Nebraska students would lose funding they are receiving under the current per-district formula.

The report doesn't specifically mention Pillen, but the Republican gubernatorial nominee has made a per-student funding system a prominent part of his campaign. The topic was the subject of a campaign ad that started airing in early October.

"We should never, ever give up on a kid," Pillen says in the ad. "As governor, I'll reform education funding and stop the state from picking winners and losers so that every single Nebraska kid has the opportunity they deserve."

Under Nebraska's current formula, the lion's share of education funding — about $880 million of the total $1.07 billion — comes in equalization aid, which goes to high-need districts. For the 2022-23 school year, the aid was distributed to 86 of the state's 244 districts, but the OpenSky report said those 86 districts serve 78% of Nebraska's students.

The state's largest public school district, Omaha Public Schools, also is the largest recipient of equalization aid, with the district calculated to receive $269.08 million for 2022-23, according to data from the Nebraska Department of Education. The state's second and third largest districts by student population, Lincoln Public Schools and Millard Public Schools, receive the second and fourth most equalization aid, at $106.7 million and $44.7 million respectively. Grand Island Public Schools is set to receive the third most equalization aid at just under $53 million.

Pillen has argued that it is unfair that the 158 remaining districts don't receive any equalization aid. Christian Barnard, senior policy analyst for the Reason Foundation, a libertarian think tank, said the gap makes the current funding formula irrelevant for two-thirds of Nebraska's school districts.

"It's almost like they're in different worlds," Barnard said.

The OpenSky report said most districts receiving equalization aid are already near their property tax levy limits, so the drop in funding through a per-student system would mean many districts would have to seek tax increases to avoid major service cuts. The report estimated it would take an average levy override of 41 cents to compensate for the losses in state aid.

State Sen. Lynne Walz of Fremont, chair of the Education Committee, said she believes the current funding formula is the most effective tool the state has at discerning the true funding needs for all districts.

"It's easy to just throw out an idea and then step away," Walz said in an email. "However, those ideas affect every single Nebraskan."

In an email statement, Pillen attacked the OpenSky report, saying it was backed by "entrenched interests" intent on maintaining the status quo.

"When you make as many assumptions as this back-of-the-napkin 'analysis' does, you can arrive at whatever conclusion you want," Pillen said in the statement.

Sen. Lou Ann Linehan of Elkhorn echoed Pillen's sentiment, and said OpenSky is supported by the most populous school districts in the state. In the past, she said, the organization has criticized the current funding formula for underfunding larger districts.

Pillen's opponent, Sen. Carol Blood of Bellevue, called these claims "ridiculous." She said neither

OpenSky nor the Platte Institute, a think tank established by Gov. Pete Ricketts, are biased, and both provide important research.
"Numbers never lie," said Blood, a Democrat.
Though Blood doesn't support a per-student funding system, she said the state's current formula is "antiquated" and relies too much on property taxes.
Barnard said Nebraska ranks third in the U.S. for dependence on property taxes for school funding. Nebraska's property taxes are high because the state doesn't fully fund its schools, Blood said.
Jenni Benson, president of the Nebraska State Education Association, said the only way to lower property taxes is for the state to increase school funding. She described Pillen's approach as "the wrong solution to the right problem."
"You're just rearranging deck chairs on the Titanic with a plan that simply robs Peter to pay Paul," Benson said in an email.
Spencer Head, an Omaha Public Schools board member, noted in an email that per-student funding proposals have come up many times in previous legislative sessions. None of them have passed, but Head said he believes the idea has some merit. It just can't be the only metric, he said.
Linehan, a member of the Education Committee, also said there are ways the state can switch to per-student funding without hurting districts that receive equalization aid, although she did not give specifics on how that would be possible.
"Everybody can win," Linehan said. "Nobody has to be a loser here."
By Erin Bamer

AP: Nebraska politician, accuser drop lawsuits over grope claims

OMAHA, Neb. (AP) — Dueling lawsuits have been dropped by a former Nebraska candidate for governor and a fellow Republican state lawmaker who accused him of groping her at a political function several years ago.
Charles W. Herbster, who lost his bid in May to become the Republican nominee for governor despite an early endorsement from former President Donald Trump, sued state Sen. Julie Slama for defamation. That came after Slama told the Nebraska Examiner that, in 2019, Herbster reached under her skirt and groped her at the Douglas County Republican Party event when she was 22.
Slama was one of eight women who accused Herbster of unwanted groping, but Slama was the only one to go on the record with her name. Herbster denied the allegations and painted them as a politically motivated attack.
Slama quickly countersued, accusing Herbster of sexual battery. The competing lawsuits had largely stalled in the months since being filed, with both sides seeking delays.
Online court records show that both sides on Wednesday submitted a motion to dismiss their lawsuits with prejudice, meaning they can't be refiled. On Thursday, the judge granted the motion. Neither the motion nor the judge's order addressed why the parties sought to dismiss their respective lawsuits.
An attorney for Slama confirmed the dismissal Friday, but declined to answer questions on what led to the dismissal, saying the firm "will make no further statement on the matter."

Attorneys for Herbster did not immediately return phone messages Friday seeking comment.
The accusations of sexual misconduct against Herbster and subsequent lawsuits exposed deep divisions in the state Republican Party.
Herbster had been seen as a strong front-runner through much of the primary, thanks to the early endorsement of Trump. But the accusations of unwanted groping proved damaging — even after Trump came to Nebraska for a rally to help bolster the embattled Herbster.
Most of Nebraska's Republican establishment, including Gov. Pete Ricketts, backed the eventual winner of the gubernatorial primary: hog producer and University of Nebraska Regent Jim Pillen.
Several female Republican state lawmakers set up a legal fund to help the women who accused Herbster.
At least one GOP lawmaker, Omaha Sen. Lou Ann Linehan, labeled Herbster "a predator."
Two months after Herbster was defeated in the primary election, hard feelings within the state party boiled over at the state Republican Party convention, at which longtime state Chairman Dan Welch was voted out, leading other top party leaders to resign.
By Margery A. Beck

Nebraska Examiner: Gubernatorial candidate Charles Herbster and State Sen. Julie Slama agree to drop dueling lawsuits

OMAHA — Dueling defamation lawsuits between former Nebraska GOP gubernatorial candidate Charles Herbster and State Sen. Julie Slama are over, and neither side is coming back to court.
A filing this week from lawyers for both sides confirmed that the parties had negotiated an agreement to drop their lawsuits with prejudice, meaning they cannot sue each other again for the same reasons.
Neither side would discuss details about the move. A single statement from Slama's attorney spoke for both sides, a Herbster spokesman confirmed to the Nebraska Examiner on Friday.
It said: "The Parties have dismissed their litigation against each other and will make no further statement on the matter."
Herbster had sued Slama in April. His lawsuit denied wrongdoing and said Slama's accusation that Herbster had groped her was damaging to his character and reputation and was political.
Slama counter-sued Herbster days later, alleging, as she had in an April 14 Nebraska Examiner story, that Herbster had touched her inappropriately during a 2019 fundraising dinner in Omaha.
Slama's lawsuit argued that Herbster had reached up her skirt and touched her without her consent. It said the then-candidate and his political team had defamed her.
The lawsuits followed allegations by eight women to the Examiner alleging that Herbster had groped them, which he denied. Slama was initially the only woman to speak on the record. A second woman later came forward by name and was not sued.
The Examiner had corroborated the women's accounts with people who said they witnessed the incidents or were told about them by the women immediately afterward.
Herbster's team said the allegations were part of a political conspiracy by Gov. Pete Ricketts to help

Ricketts' pick for governor, University of Nebraska Regent Jim Pillen. Ricketts and Pillen have denied taking part in any political conspiracy.
Months of back and forth between lawyers about when Herbster and others would be deposed, what documents could be subpoenaed and when they would hold hearings on motions ended abruptly.
Neither side admitted any fault, nor did anybody discuss any terms of the settlement, if there were any.
By Aaron Sanderford

LJS: Don Walton: Sasse drama in Florida approaches resolution

A climactic moment is approaching for Ben Sasse on Tuesday when his nomination to be the new president of the University of Florida will be considered by the university's board of trustees.
No reason to believe he won't ultimately be named president -- with final approval coming from the Florida Board of Governors, which is responsible for management of the entire public university system, when it meets in Tampa on Nov. 9.
The nomination has stirred political and academic debate in Florida along with sounding alarm bells among some students and faculty members centered particularly on Sasse's position on LGBTQ rights.
At the campus in Gainesville, University of Florida student body president Lauren Lemasters of Jacksonville told the Independent Florida Alligator, the student newspaper, that she was undecided on how she would vote as a member of the board of trustees and did not expect to reveal her decision before Tuesday.
In Jacksonville, Florida Times-Union metro columnist Nate Monroe wrote that "Sasse's coronation would be the crowning achievement of the DeSantis-led effort to defile the University of Florida," suggesting that the process that eventually led to the nomination of Sasse began when Gov. Ron DeSantis signed a new law making applications for college presidential openings in the state confidential.
But nothing that I read online from Florida suggests that Sasse's nomination will not be approved, setting in motion a political restructuring in Nebraska.
The anticipated result, subject to the outcome of the Nov. 8 gubernatorial election, is that Jim Pillen, the betting man's heavily favored Republican nominee, would appoint Gov. Pete Ricketts to the Senate seat vacated by Sasse shortly after Pillen becomes governor in early January.
Ricketts has not yet formally said that he would seek appointment to that Senate vacancy, but he has not set in motion any process for making that appointment other than ruling out appointing himself.
And Ricketts did seek a Senate seat in 2006 in his first bid for political office, losing to Democratic Sen. Ben Nelson.
Ricketts has acknowledged that he would like to remain in the public sector rather than returning to the private sector when his days as governor are done.

* * *

A few observations about Ben Sasse and the University of Florida and the road ahead:
* Personal opinion: If he is ultimately chosen as president, faculty members and students who are upset now are likely to find that Sasse is open to hearing and considering their concerns and that he will be focused on building and protecting the university rather than bringing a political agenda to the table.
* The University of Florida is a much more prestigious university than I had realized; it was ranked the fifth best public university in the nation in the valued U.S. News and World Report ranking for 2022, trailing only UC-Berkeley, UCLA, the University of Michigan and the University of Virginia.
* It is the fifth largest single-campus university in the United States.
* Big changes coming in Nebraska politics now: a new governor, a new U.S. senator, a couple of House seats in play, a sharply reshuffled Legislature with new leadership, and it looks like Ben Sasse won't be selling Runzas at Husker home games anymore.

* * *

Former Rep. Jeff Fortenberry has filed a formal appeal of his conviction in a U.S. District Court trial in Los Angeles in March on charges that he lied to federal officials about illegal foreign contributions to his 2016 reelection campaign.
The appeal cites two major arguments: improper venue for a trial based on allegedly false statements being made in Nebraska and Washington, D.C.; and inadequate jury instructions.

* * *

Finishing up:
* Secretary of State Bob Evnen heads out on an agribusiness trade mission to Nairobi and Zanzibar with USDA Deputy Secretary Dr. Jewel Bronaugh on Monday, returning on Nov. 4.
* The attack on Speaker Nancy Pelosi's husband inside their home in San Francisco is just the latest reminder that demons have been set loose in American politics.
* Do the losers in next week's elections accept the results? And, even more crucially, does the loser in the 2024 presidential race accept the will of the American people as expressed by their votes and, if not, then what?
* Jon Meacham's new book on "Abraham Lincoln and the American Struggle," which is titled "And There Was Light," arrives at the right moment, providing a vivid reminder of what happened the last time the country was torn apart and Americans turned on each other.
* The anticipated huge surplus in state revenue presents rare opportunities in addition to more tax relief. Do we seize those opportunities only if it is federal money?
By Don Walton

OWH: Advocates call for homestead exemption to ease partially disabled veterans' property taxes

LINCOLN — Offering homestead exemptions to more disabled veterans would move Nebraska closer to becoming the most veteran-friendly state in the nation, a legislative committee was told Friday. Toward that end, James Shuey, representing the Disabled American Veterans, urged the Revenue Committee to reconsider an exemption proposal that died earlier this year because of its $64 million estimated cost.

Shuey took issue with some of the assumptions used when making the cost estimate for Legislative Bill 853. But he also said there would be ways to bring down the price tag and still help disabled veterans with the property taxes on their homes.
He said the proposal should not be considered a “budget-buster,” particularly given Nebraska’s strong economy and the 2% annual decline in the number of surviving veterans.
LB 853 was introduced by State Sen. Jen Day of Omaha. It would have expanded the state’s homestead exemption program, under which the state covers the cost of property taxes for some groups of homeowners. Those include low-income seniors, low-income people with certain disabilities and some veterans.
Currently, the program provides 100% property tax exemptions for veterans with 100% service-related disabilities, regardless of their income or the value of their home.
Day sought to provide partial exemptions for veterans with service-related disabilities rated at 50% up to 99%. Under LB 853, the amount of exemption would have matched the amount of the disability, so that a 70% disabled veteran would get a 70% exemption.
At Friday’s interim study hearing, she said that the cost of the new exemption could be reduced by applying income limits or limits on the value of the home or both.
Ryan McIntosh, a lobbyist for the National Guard Association of Nebraska, said he thought that adding income limits would be a reasonable approach.
Shuey suggested the state set exemptions for all disabled veterans at a flat amount, based on their disability rating. He said the exemptions could easily be adjusted in the future.
He said there are more than 39,000 veterans in Nebraska with less than a 100% disability rating. Of those, about half are 65 or older and may already qualify for a homestead exemption based on age and income.
By Martha Stoddard

Scottsbluff SH: Two Panhandle men hope to represent District 48 in state legislature

Two candidates, Brian Harden and Don Lease, hope to represent western Nebraska, running to fill the District 48 seat being vacated by current Sen. John Stinner.
The Star-Herald interviewed candidates in local contested races via candidate survey and will run those responses throughout the upcoming days. Responses are run in order of submission.
— Brian Hardin
Q. Briefly introduce yourself. (Brief bio, any endorsements you would like to share, etc.)
A. I grew up on our family farm in Mitchell Valley. I graduated from Gering, then Chadron State, and then Denver Seminary. I’ve been in business most of my years — predominantly insurance and business consulting.
I’m conservative. That means I’m in favor of limited government and personal liberty. When the power of government increases, the power of the individual decreases. I’m for shrinking government and growing individuals.
I am thankful for endorsements from several organizations and individuals — some of those include the Nebraska State Republican Party, Speaker of the House Mike Hilgers and Sen. Steve Erdman.

Q. What experiences in your background do you feel makes you best qualified for a seat in the Unicameral?

A. I understand the farm and ranch world of western Nebraska. Our world is about water (or the lack of it). I "get" the pain of ridiculously priced inputs on agriculture.

I also understand the responsibilities of launching businesses, hiring and inspiring employees, consulting with diverse business startups from around the globe, and interfacing with state and federal government on issues ranging from unfunded liabilities to Obamacare. I understand the challenges of creating jobs, paying benefits — group health, retirement plans — and being involved in the ups and downs of the life of an organization and the lives of employees. I understand the dynamics of serving clients and the public while balancing the stewardship of working with investors' money.

While I've never run for public office before (I'm not a politician by background), I worked behind the scenes on both state and federal races and interfaced for many years with government in my own work. I also invested a significant amount of time this year asking, listening and learning about the legislative process from several of our current legislators. Many were very unselfish with their time and extremely helpful in preparing me for the possibility of serving Kimball, Banner and Scotts Bluff counties in Lincoln.

Additionally, so many local people have shared insightful and hard-fought experiences and wisdom from their years of wrestling with the challenges we face here. I deeply appreciate the collective solutions and observations of our farmers, ranchers, teachers, pastors, business people, law enforcement, municipal leaders, retirees and students! You all make me so proud to be from here.

Q. If elected, what would be the first priority issue that you would bring before the Nebraska Legislature?

A. A transformation of our tax system in Nebraska. As a society, we tax what we intend to shrink. Compared to states around us, we in Nebraska (county by county) shrink property ownership (homes, businesses, farms and ranches) due to high property taxes; we shrink personal incomes with higher personal tax rates than states around us; we also currently shrink business with corporate tax rates higher than states around us; we also tax inheritance and Social Security benefits (the benefits we paid into the system in the first place).

Most states don't do these last two things at all. We must stop shrinking the parts of life we need to grow. Most business, and therefore most jobs, grow out of small business (more than 6 out of 10 jobs in the US are with companies with 50 or fewer employees). To attract business creators, we must be competitive in our approach to taxation — at least with the states around us.

Many of our young people leave for better paying opportunities elsewhere. Let's help business creators build those opportunities here. Let's keep our talented young people engaged in great paying careers here. Our property taxes are also driving many of our senior citizens away across Nebraska. Some can't afford to stay in their paid-off homes because annual property taxes are as high or higher than their original annual mortgage payments.

We also do not have the luxury of a decade or more to get to a transformational tax approach. Why is that? Because we're losing too many of our seniors who are fleeing with a lifetime of wealth (retirement) while we simultaneously losing many of our graduates who would be the future of our workforce. We must transform our tax system in Nebraska now.

Q. Property taxes have long been an issue before the Nebraska Legislature, including this year. What approaches to addressing property tax issues do you favor? Why?

Sales tax. Currently, we tax a very narrow segment of Nebraska very deeply. Those who pursue the

“American Dream “ (at least the home/land ownership part of it) are forced to carry an inordinate amount of the societal load.
We need to widen the tax base well beyond that current narrow focus. For example, Wyoming has lower property tax rates than Nebraska. But they also have vast natural resources we lack. Colorado has lower rates than Nebraska. But they also have tourism we lack. South Dakota has lower property tax rates. They are more similar to Nebraska in both (the lack of) natural resources (energy) and tourism. They also have a wider sales tax foundation — as do other states — like Texas, Florida, Tennessee.

Q. Some feel that western Nebraska gets overlooked by the state. What is an issue in the Panhandle that you see yourself advocating for to other senators and the governor?

A. It’s hard to pick just one. So... here are four:
1) Mental health demands in western Nebraska vastly outpace the supply of mental health support
2) Law enforcement is in need of a supply of future law enforcement officers here — we need a training academy
3) We need Constitutional Carry. But we also need genuine Castle Doctrine and Stand Your Ground laws. In rural Nebraska, because of the distances involved, law enforcement can be many minutes (or in snowstorms) hours away.
It’s lovely having law enforcement a few minutes away in Omaha. That may not be our reality in western Nebraska.
4) Barriers to fast and meaningful licensing reciprocity are more painful in rural areas where the lack of teachers or trades (OR....???) means that services are not just inconvenient but nonexistent.

Q. The Nebraska Legislature is a non-partisan entity. Do you think “working across the aisle” is important? Why or why not?

A. Yes, it’s important. If we divide the state in half geographically (west/east), you’ll see there are six senators in the western half of our state; you’ll also see there are 43 senators in the eastern half of the state. Anyone who wants to pass a bill into law, must typically have a filibuster-proof vote of 33 or more members to get it done. Assuming we have the six most rural senators on board out west, we need 27 more to join us from the eastern half of the state to get to 33.
Legislators (especially from out here) must be able to navigate the tricky balance of fiercely advocating for our unique interests here, while fostering an ongoing and approachable appreciation of the challenges 400 miles from here. Building consensus is vital.
—Don Lease

Q. Briefly introduce yourself. (Brief bio, any endorsements you would like to share, etc.) *

A. I am a fourth generation Nebraskan who actively farms and ranches in Banner County. I graduated from Banner County High School and attended the University of Wyoming. I am married to Yvonne, who is a public school educator.
I served on the Banner County School Board for six years as well as the North Platte Natural Resources District’s Pumpkin Creek Water Advisory Committee which created the first ground water management plan in Nebraska. I recently worked for the Nebraska Strong Recovery Project as an outreach worker under the direction of Region 1 Behavioral Health Services to provide assistance to people who were adversely affected by the recent pandemic. My work with the NSRP brought me into close contact with county and city governments, schools, social services and mental health resources, health care, churches, and many businesses throughout the 11 Panhandle counties.
I have been endorsed by former District 48 Senator John N. Harms, former director of the Panhandle Research and Extension Center Jack Whittier, Nebraska Farm Bureau, the Nebraska Farmers Union

and SMART Transportation Division.

Q. What experiences in your background do you feel makes you best qualified for a seat in the Unicameral?

A. I am not a career politician. My volunteer service on the Banner County School Board, NRD Pumpkin Creek Advisory Committee, Region 1 Health Advisory Committee, Camp ROCK, Monument Bible Church Board, Potters Wheel Ministries, 4-H Fair and First Responders Mental Health Advisory Committee demonstrate a strong commitment to community over the last forty plus years.

The Nebraska Strong Recovery Project refined and reinforced my ability to effectively communicate at many levels with individuals and groups about a variety of issues. It also created a desire to work to find solutions to issues that affect all people regardless of social class.

Yvonne and I have successfully navigated raising four children to adulthood, farming and ranching. These life experiences have given me knowledge of our local community, understanding of how the pieces of our society fit together and hopefully some wisdom about how to apply it to the betterment of Nebraska.

Q. If elected, what would be the first priority issue that you would bring before the Nebraska Legislature?

A. Educational support, which involves issues such as tax equity, teacher recruitment strategies, adding mental health and substance abuse support for families and youth. We should be working to develop an education and mental health system which works collaboratively to identify youth and families with high needs. We can then provide appropriate, directed services to help address these needs. We should evaluate and correct communications deficiencies within and between agencies to help better serve the needs of each community. Information sharing among agencies is key to more cost efficient and effective services. We could work to create well trained, peer mental health outreach workers to help support families and youth in education.

Q. Property taxes have long been an issue before the Nebraska Legislature this year. What approaches to addressing property tax issues do you favor? Why?*

A. Nebraska relies too heavily on property tax to fund public education. Property taxes are assessed regardless of ability to pay (owning property does not always create income). Limiting the total property tax levy and using sales or “consumption” taxes as a replacement funding source to fund schools is one possible solution. We should work to resolve the current property tax issue over several years with a common sense, realistic approach. An approach which doesn’t leave mandated state services unfunded at the local level. The principal is to fund or remove the mandate. We should always work to make sure each agency delivers the best service for the least cost.

Q. Some feel that western Nebraska gets overlooked by the state. What is an issue in the Panhandle that you see yourself advocating for to other senators and the governor?

A. It is probably more accurate to think of the problem in Nebraska as a rural/urban divide. The distortion in essential services does increase with distance from the population centers.

We do not have adequate facilities to treat or house juveniles in western Nebraska who need treatment for mental health, substance abuse or juvenile justice issues. If our goal is community treatment we need these service to be regionally available. We also need increased access to in-patient substance abuse and mental health treatment for adults in our regional community. I will always work to see that the 48th District is well represented at all levels.

Q. The Nebraska Legislature is a non-partisan entity. Do you think “working across the aisle” is important? Why or why not?

A. It is absolutely important that we as legislators work together to create solutions for all

Nebraskans. We need to be careful as legislators not to view issues as mine or theirs. We should view problems that arise as ours to solve for the greater good of Nebraska.
We must also remember that we have a document called the Constitution and the rights conveyed therein are not negotiable.
By Maunette Loeks

LJS: NU ramping up efforts to attract more students from beyond Nebraska's borders

As the University of Nebraska system works to reverse consecutive years of enrollment losses, its campuses are putting added emphasis on drawing more out-of-state students.
The 49,560 students enrolled on NU's campuses in Lincoln, Omaha and Kearney mark the lowest total since 2009, and the 23,805 students counted at the University of Nebraska-Lincoln reflected its smallest student body since 2008.
The vast majority of NU's students still hail from the Cornhusker State, but the number of college-bound high school graduates in the state is projected to remain flat before tapering off in 2027, according to the Nebraska Coordinating Commission for Postsecondary Education.
The result, the commission said in its Comprehensive Statewide Plan for Postsecondary Education, will be "increased competition for traditional-age students, both in-state and out-of-state."
"Nebraska institutions will intensify efforts to recruit out-of-state students, including international students, and will work harder to retain Nebraska students," the most recent report states.
Enrollment managers at two NU campuses say they will continue to prioritize recruiting in-state students while also pursuing recruitment opportunities beyond the state's borders.
James Volkmer, UNL's interim associate vice chancellor for academic services and enrollment management, said universities in other states with declining college-bound student populations have reached recruiting tentacles into Nebraska.
That's made in-state recruitment more competitive, Volkmer said in an email, and made UNL realize that it needs to expand its net elsewhere, too, touting its new and renovated facilities, specialized academic programs, and the offerings of the Lincoln community.
"As an institution, we will look to markets with higher populations and competitive in-state markets," he said.
Last year, UNL began offering what it referred to as a scholarship — what in reality is a discounted tuition rate closer to the per-credit hour cost paid by Nebraska students — to students from California, Colorado, New Jersey and Texas in an attempt to draw more students.
The result was evident in the numbers, according to Volkmer. UNL saw an increase in applications, admissions and deposits for undergraduate students from each of the states included in the pilot project.
It also led UNL to expand the out-of-state recruiting program as recruiters seek to get students to enroll for the 2023-24 school year, while using existing recruiting staff and relationships to reach students.
Chancellor Ronnie Green informed leaders of UNL's Faculty Senate on Oct. 11 that recruiters were focusing on students from California, Colorado, Kansas, Michigan, Minnesota, Missouri, Texas and

Wisconsin.
UNL has welcomed more students from each of those states over the last 15 years, according to a review of enrollment trends maintained by the university.
In 2008, for example, there were 214 students from Colorado enrolled at UNL. This year, there are 450.
The number of Kansans attending UNL has grown from 340 to 574 over the same period; enrollment of students from Wisconsin tripled from 68 to 213 in 2019, before tapering off to 182 this fall; and those from Minnesota has more than doubled from 264 in 2008 to 656 this year.
Logan Miller is one of those Minnesotans who came to UNL to fulfill his dream of attending college out of state and preferably in a state capital, which would give the aspiring political science and economics student an up-close view of elected officials at work.
Along with being the center of government in Nebraska, Lincoln's location — not too far from Miller's home in the Twin Cities — and a welcoming campus checked several of the boxes he was looking for, he said.
But a big draw for Miller was the financial package UNL was able to offer.
Through the Ruth Leverton Scholarship available to nonresident undergraduate students, Miller said he was able to discount tuition by $13,000 annually, making UNL an attractive option.
Without aid, UNL estimates the cost of attendance for a student from the state living on campus at $27,000 this academic year. It's $44,000 for out-of-state students.
"The main thing was getting a pretty good scholarship," said Miller, now a junior. "It made it cheaper to go here than the University of Minnesota, and a bit more affordable than other state schools."
Another NU campus — the University of Nebraska at Kearney, which saw more nonresident students this year even as overall enrollment dropped 3.7% to 6,041 students — is also seeking to discount tuition in order to make itself an attractive option for college students across the country.
UNK began offering in-state tuition prices to students from Colorado and Kansas beginning in the 2018-19 school year and saw an immediate boost in the numbers of students from both states.
The number of Colorado students attending UNK jumped from 97 in 2017, the year before the Advantage Scholarship program began, to 167 students this year. Students attending UNK from Kansas increased from 71 in 2017 to 109 this fall.
The success led UNK to launch the New Nebraskan Scholarship — which, like UNL's "scholarship" is actually a tuition discount — for any nonresident undergraduate students who move to Kearney to attend classes from anywhere across the U.S.
The offer doesn't apply to online programs.
Kelly Bartling, UNK's vice chancellor for enrollment management and marketing, said the regional campus saw an "immediate, but small" increase in the number of out-of-state students after it was announced ahead of this school year.
"We know we're going to get the growth," Bartling said, "it's a matter of how much growth do we want to get and how many resources do we want to put in to getting it."
Both UNL and UNK said they see going outside of the state as an economic development opportunity as well. College graduates are more likely to remain near where they earn their degree after graduation, Volkmer and Bartling both said, which carries other potential benefits.
"This strategy helps UNL, but also helps the state's workforce," Volkmer said.
By Chris Dunker

Flatwater Free Press: Our Dirty Water: Nebraska's nitrate problem is growing worse. It's likely harming our kids.

Standing in front of a big screen, Nick Herringer claps in time with a metronome. He draws lines on the screen, repeating patterns drawn by the computer. He identifies icons of cars when they flash before his eyes. This is the 22-year-old's speech and cognitive therapy, which he has been doing at least twice a week. Every week. For three years.

Nick's thick brown hair hides a massive, ear-to-ear scar from his four brain surgeries for glioblastoma, an aggressive brain cancer he has battled since he was a teenager. The lifelong Nebraska football fan had to quit playing football his freshman year at Hastings High School after his doctor told him: Your brain can't withstand the hits.

His mom, Tammy Herringer, drives Nick to therapy and back to the quiet country home his dad Jay Herringer built for the family. She takes Nick along shopping and to community events because he can't go alone after the cancer and a car accident that further damaged his brain.

"I have worn the paths back and forth to town all these years," Tammy said.

Recently driving the gravel road from Hastings to their house northwest of town, she could barely peer beyond the endless rows of golden corn plants on both sides of the road, mile after mile, standing tall in the scorching sun.

This corn is the main crop of the number one industry in Nebraska. It's a plant so important to the state that it's in the name of Nick's favorite team: The Cornhuskers. And it's corn – what we spray onto it to make it thrive – that experts say may be the culprit behind many pediatric cancers like Nick's.

Nitrogen fertilizer powers the corn's growth. It also converts to nitrate as it seeps into the soil – right into the Herringers' water and the drinking water of many Nebraskans.

This problem costs serious taxpayer money: Cities and small towns have spent untold millions of dollars treating the water they supply to their residents, struggling and sometimes failing to meet the Environmental Protection Agency's drinking water standard of 10 parts per million.

Fifty-nine of Nebraska's 500-odd community public water systems have violated the EPA standard at least once since 2010. Those who live in the country and get their water from private wells, like the Herringers, continue to bear the cost of treating their own nitrate-laced water.

This problem is growing worse: The statewide median nitrate level has doubled since 1978. Despite this, state and local governments have taken little action to regulate the farming practices that lead to nitrate leaching, say experts and local officials from both parties.

These authorities have never fined or stopped someone who is using too much nitrogen fertilizer, multiple leaders of Nebraska's Natural Resources Districts told the Flatwater Free Press.

And this problem may have serious consequences for Nebraskans, including its youngest residents. Nebraska has the seventh-highest pediatric cancer rate in the United States, according to the Centers for Disease Control and Prevention. It has the highest pediatric cancer rate of any state west of Pennsylvania.

High nitrate levels are closely linked to colorectal cancer, according to a leading expert at the National Cancer Institute. They are connected to thyroid disease. They're associated with neural tube defects, a birth defect of the brain or spine that often kills young children who have it.

Pregnant people can be potentially harmed by ingesting nitrates, experts say, spurring complications

including anemia, premature labor and miscarriage.
And the risks may be increasing for Nebraskans, roughly 85% of whom use groundwater. Nearly one-fifth of Nebraska now has an estimated nitrate level above 5 parts per million. That's the third highest in the United States.
Nick had drunk this water for years as a child. He has showered in it and eaten food cooked in it all his life.
That whole time, the Herringer family had no idea that their private well had tested at a nitrate level of 30 parts per million in 2010. That's 10 times the amount of nitrate that Eleanor Rogan, a top University of Nebraska Medical Center researcher now examining the link between high nitrate and childhood cancers, says she would allow small children to drink.
The Herringer's water was worse than 99% of the wells then tested in and around Hastings, a few years before the family got the grim news in 2015: Nick had cancer.
When Nick and Tammy recently arrived home from one of Nick's fall speech therapy appointments, they bumped into well driller Eric Jensen. Jensen had just finished putting chlorine in their well. He told Tammy that high nitrate is common around Hastings, pointing to the nearby feedlot in Juanita and those cornfields that surround her house as culprits.
Drilling a new well won't solve the problem, he said. There's only one way to remove nitrate from their tap water, the well driller told the mother: Install a complex filtration system.
It's about $1,000. But he said it's worth it.
"Nitrate ain't good," he told Tammy.
Nick was perfectly healthy growing up. So Tammy thought it was strange when he asked to stay home from school because of a headache in 2015. Tylenol did little to help.
He started complaining about the sunlight being so bright that he had to wear sunglasses all the time. He vomited inside a Walgreens kiosk as Tammy printed photos. He vomited several times at home. His headache would come back after he stopped taking his nausea medication and steroids prescribed by the doctor. After seeing little improvement for about three weeks, Tammy drove him to the emergency room.
There, a doctor did a CT scan and showed them the results: an orange-sized mass on Nick's brain. They wheeled him into an ambulance and rushed him to Omaha. The diagnosis: a grade 4 brain tumor, the most aggressive form of primary brain cancers. Most glioblastoma patients don't survive 18 months, the doctors told Tammy.
Pediatric cancer cases like Nick's are becoming more common in Nebraska, especially childhood brain tumors, according to a study led by UNMC and the state health department that found an increase in both between 1990 and 2013.
Areas of the state that have higher pediatric cancer rates and birth defect rates also have higher nitrate levels, researchers say.
"Over some time, we identified that there is something in Nebraska that's a little bit different," said Dr. Don Coulter, who participated in the statewide cancer study. "It's the Ogallala Aquifer."
Nebraskans' water is often clear, cool and drawn directly from the aquifer. The 174,000-square-mile High Plains aquifer is the largest source of groundwater in the United States, a lifeline for cattle, corn and families.
But when there's nitrate in their drinking water, Nebraskans can't taste or smell it.
Nitrate exists naturally. It's in vegetables. It's converted from manure produced by cattle. But it can also come from manmade sources like commercial fertilizers applied to your lawn, your neighborhood golf course, and especially to corn.

Crops need nitrogen to grow. But the nitrogen fertilizers applied to cornfields can't all be absorbed by the plants. In Nebraska, roughly a third of nitrogen applied to corn is lost to leaching, according to the Nebraska Water Center. Some of that goes into our water supply.

Our bodies easily absorb nitrate in water and convert it into nitrite, which then could morph into organic compounds called nitrosamines.

Nitrosamines can cause cancer.

A UNMC research team headed by Rogan is now looking county by county, examining links between high nitrate and the rates of the three most common pediatric cancers.

Nebraska counties with slightly elevated nitrate levels showed a seven-fold increase in the leukemia rate when compared to counties with minimal nitrate levels, the research suggests. These counties had lymphoma rates four times higher than counties with low levels. These findings are preliminary, scientists caution, and need further investigation.

But the cancer most consistently linked to elevated nitrate levels: Childhood brain cancers like Nick's. These central nervous system cancers are eight times as high as in counties with low nitrate.

Nick's family didn't know of these risks. Most Nebraskans don't, either.

The state's well water is rarely tested. Excluding public water systems, less than 4% of the roughly 180,000 registered wells are tested each year. And private wells, found in rural areas and not connected to a community's water supply, aren't required by state or federal law to be tested at all.

The Herringer family actually got their water tested once, when Hastings Utilities decided to test some wells outside its city limits. The city then mailed out the testing results. The Herringers missed the letter.

The Herringers didn't know that nitrate levels in Hastings were high. They didn't know their own nitrate levels were much higher.

Tammy said they had recently heard things about a potential cancer belt along the corn belt. They heard about poor water quality. But they never put the two together.

"You don't think that this is going to happen to you," she said. "I'm not saying that that's what caused Nicholas's diagnosis…How will we ever know?"

State leaders have been concerned about the nitrate seeping into our water for half a century.

The state's environmental agencies started testing nitrate in the 1970s.

In 1986, then-Sen. Loran Schmit, a Republican from the village of Bellwood, near Columbus, spearheaded a bill to address increasing nitrate. The resulting law called on state agencies and local natural resources districts to come up with a management plan for areas with high nitrate concentrations.

But experts told the Flatwater Free Press that the state has not done enough to turn the tide. In the decades since Schmit first focused on nitrate, the state has continued to approve bigger feedlots. Nebraska farmers have grown more and more corn.

"The bill was to prevent groundwater contamination, and I do not know we have made progress in that direction," Schmit, a lifelong farmer who is now 94, told the Flatwater Free Press in an interview in September.

A few years after Schmit's bill, the EPA took its first major action to limit nitrate in drinking water.

It did so because it had become clear, both to scientists and then to the public after blaring news headlines, that high nitrate in water causes something called methemoglobinemia.

Its common name: "Blue baby syndrome."

Blue baby syndrome causes developmental delay. It causes babies' hearts to fail. And, at the time, it was killing an unknown number of young American children.

To respond, the federal government, in 1992, enacted its first-ever rule for how much nitrate would be allowed in drinking water. Ten parts per million, the rule said, reflecting studies that appeared to show that blue baby syndrome didn't happen if nitrate levels dropped below that limit.

That limit hasn't budged since. But decades of further study suggests that nitrate, even at levels below the EPA standard, is linked to potential health risks, including pediatric cancers, and birth defects.

Scientists are studying what these links mean.

They could mean that nitrate by itself causes cancer, or that it mobilizes other chemicals that lead to cancer. They could mean that nitrate becomes especially dangerous when mixed with other agrichemicals like atrazine or naturally occurring elements like uranium.

The mounting evidence that nitrate may be harmful is why Rogan believes water should contain less than 3 parts per million of nitrate before children drink it.

Some 48% of private wells were over Rogan's suggested limit the last time they got tested, according to publicly available state water data.

"I think there's just mounting evidence that the EPA standard for nitrate is too high," she said. "I hope out of what we're publishing and other people are publishing, that the acceptable standard is going to get lowered."

Long before the first potential links between nitrate and cancer began to surface, Ila Foster let her two children drink from wells in Dundy County in southwest Nebraska.

After all, that's what Foster grew up drinking. And what people nearby drank, no questions asked.

"I should have gotten my water checked down there," she said. She never did.

Both Foster's parents had colon cancer.

Then her 16-year-old daughter Nancy Mossburgh, who loved to garden, was diagnosed with rhabdomyosarcoma, an extremely rare form of aggressive cancer in her muscles.

Nancy died a year later in 1996.

Foster still owns the house where Nancy grew up. When she travels there, she brings bottled water.

"There's no way I'm drinking that water out there," she said.

Before any of their loved ones got cancer, her husband Loren Mossburgh, a farmer who raised cattle, wheat and milo, worried about agrichemicals. But her husband, who has since died, was unable to sway his fellow farmers.

"My husband, when he farmed out there, he got so upset with some of those people and he said 'You know where those chemicals go to?' He said our kids are gonna be paying for it."

Water quality does play a pivotal role in community health, said Paul Black, former chair of the Department of Biochemistry at the University of Nebraska–Lincoln.

Poor water quality contributes to the failure of communities in Sub-Saharan Africa. The same goes for towns in the United States, he said.

"Nitrate is the key problem in Nebraska," Black explained. "The kids are sicker so they don't learn as well in school. So your community's not as healthy because your kids now are having problems."

Imagine looking at a map and zooming out so you can see the whole country, Black said. The chemical follows creeks and rivers all the way into the mighty Mississippi River and past New Orleans into the Gulf of Mexico.

Nebraska stands out on this map, Black said. It's in red, a "hot zone."

"I would say Nebraska is the epicenter in the upper Midwest."

This spring, Tylr Naprstek, assistant manager of the Lower Loup Natural Resources District, waited his turn to speak to the NRD board in another district.

The meeting went long. Many of the white-haired farmers sitting in the audience left for home. Finally it was Naprstek's turn. He rose, stood at a lectern and described the reaction when an area north of Columbus was designated a management area in 2019 – after nitrate readings skyrocketed to as high as 48 parts per million.

"Everyone was pointing fingers," he told the members of the Lower Elkhorn NRD board and the few remaining attendees. "This half of the room says, 'Well it's the manure guys over there that are doing it all,' and …[feedlot owners were] saying 'It's the commercial fertilizer guys'."

It's the classic blame game, described to the Flatwater Free Press by multiple local officials, NRD board members and water quality experts.

Dan Snow, a lab director at the Nebraska Water Center, has a tool that can pinpoint who's to blame. It's a process called "fingerprinting," that allows Snow's lab to measure the amount of nitrate and identify whether it's coming from organic sources like manure, or commercial fertilizer.

Which means that, in the case of the 48-parts-per-million test near Columbus, Snow can tell you that the answer is, essentially, "all of the above."

Manure from feedlots played a significant role. So did commercial fertilizer.

But that's not the case across Nebraska.

Testing done by Snow's lab consistently shows that the majority of nitrate comes from commercial fertilizers – what we spray on our lawns, golf courses, but most of all on corn.

"I'm guessing more than 90% [comes] from commercial fertilizer," Snow told the Flatwater Free Press.

Some conditions make it more likely: shallow water tables, sandy soil texture and heavy irrigation, Snow explained.

Nebraska Farm Bureau President Mark McHargue knows that his hometown Central City fits this profile. The Platte River Valley, where his family is from, was the first in the state to observe the presence of high nitrate in their water a half-century ago.

"As farmers, we live in those communities. I have eight grandchildren. I want them to have good drinking water," he said.

And the Nebraska Farm Bureau president points out that he and others have changed some farming practices to try to make that possible.

In the past few decades, his family farm has tested the nitrate in their soil. He factors in what's already in the soil when calculating how much the crop needs.

His family also applies hog manure as a source of fertilizer in small amounts, a method known as "split application," which reduces the amount of nitrate that seeps into the water. "Quite frankly, it's a hassle. But we know in our sandy soils we can't hold as much nitrogen," he said.

Ray Ward runs a leading soil and water testing lab in Nebraska, and has been doing so for a long time – he founded the lab in Kearney 40 years ago.

When he started, some farmers used up to 350 pounds of nitrogen per acre to produce between 120 and 150 bushels of corn. That's more than double UNL's current recommended nitrogen-corn ratio.

"Farmers were pumping too much water and leaching the nitrate out," Ward said. "And the corn had turned yellow, so they just put more nitrogen on the next year."

Though the problem started decades ago, recent tests show an increase of nitrate in soils of large swaths of the state.

Snow hopes his "fingerprinting" findings will help Nebraska move beyond years of finger-pointing between farmers and feedlot owners to the next stage: finding solutions.

Snow's study in the Hastings area – the area where the Herringers live – reveals that nitrate stored beneath irrigated cropland in that NRD increased by 30% between 2011 and 2016.
And Hastings manifests a bigger problem across Nebraska.
Statewide, contaminated areas with nitrate above the EPA standard have continued to expand since the 1970s, particularly in the eastern part of the state, according to two recent studies.
Public water systems in these areas, big and small, are hemorrhaging money to treat high nitrate.
Creighton, pop. 1,147 in Knox County, spent $1.3 million on building the state's first reverse osmosis treatment system to filter out nitrate in 1993.
Seward, a city about half an hour west of Lincoln, spent $5 million.
Hastings spent $15 million on theirs.
To Norfolk Mayor Josh Moenning, Creighton's response to rising nitrate levels felt like a "canary in the coal mine" moment.
"If we don't get to some kind of solution here and get a handle on this problem, it's only going to cost us more and more and into the future," he said. "And it's going to cost us in terms of negative health impacts."
"We all have a role to play – rural community leaders and elected officials, too."
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A few months before Nick Herringer's diagnosis, the Adams Central Patriots, the high school down the road from the Herringers' home, played an away game against the Aurora Huskies. It was Childhood Cancer Awareness Night. Gary Peters, an Aurora father who lost his son Jacob to lymphoma in 2011, walked onto the field to read out one name after another.
"Stand up if you knew Alyssa Sandmeier."
"Stand up if you knew Tyler Larson."
"Stand up if you knew Jacob Peters."
"Stand up if you knew Sydnee Owens."
By the end, almost everyone in the stadium was standing.
All were children. All, including Peters' son Jacob, died of childhood cancer. To him, the seven pediatric cancer cases in Aurora from 2005 to 2013 seemed like a "waterfall" of different cancer diagnoses out of nowhere.
UNMC researchers have also found an association between pediatric cancer and atrazine, an herbicide many farmers say they have already phased out. (Editor's note: A previous version of this story incorrectly suggested that atrazine has already been completely phased out.) Rogan's team is further expanding the studies to uranium and arsenic.
After seeing the UNMC research, Peters wondered if Jacob's lymphoma and death were related to the water they consumed. They were on a private well. They used the water for cooking and showering.
A 2013 study identified a three-fold chance of non-Hodgkin lymphoma in areas where there was both high nitrate and atrazine. Noting "awfully suspicious" overlap between high atrazine and high pediatric cancer areas, Peters said he suspects a mix of different agrichemicals leads to pediatric cancers like his son's.
He said lawmakers need to make people aware of this "silent battle."
"How long is it gonna [take to] change, to get legislation that outlaws these chemicals that could give our kids cancer? There's no definite time," Peters said. "There's just too many dollars involved. And the people making those decisions are only concerned about the bottom line. They're not really concerned about kids getting cancer."

He's frustrated at the status quo. Policymakers have known about nitrate for more than 40 years. Little has changed.
Natural resources districts in the state, created 50 years ago for local management of water resources in each watershed, have been taking painstaking steps toward battling nitrate.
"It takes tough decisions," said Mike Sousek, manager of the Lower Elkhorn NRD in the northeastern part of the state. He and his team have been encouraging farmers to adopt practices that benefit the environment, such as growing cover crops. Farmers can receive government funding for doing so.
"I got millions of dollars. I can't even spend it. I can't get people to sign up just to try to change [their practices]," he said. "Money isn't enough of a carrot."
The stick isn't there either.
Then-Sen. Schmit designed a mechanism to protect groundwater safety – the state environmental protection authority and local NRDs should work together.
Neither the Nebraska Department of Environment and Energy nor NRDs have issued a cease and desist order to or fined a single person for using too much nitrogen fertilizer or applying excessive manure in the state, NRD leaders said.
Regulators don't even know how much nutrient gets applied to the ground, and how much remains in the soil.
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Nick has fought vomiting and seizures with a sense of calmness.
"I prayed a lot," he said.
Tammy said her son's personality changed since his second surgery. She doesn't hear his nonstop whistling anymore. He has become quieter. He's more succinct.
Nick has tried taking college classes online, but he tires easily.
After almost a year of stable health while on oral chemotherapy, Nick recently learned his tumor has again grown. His family is exploring his next treatment plan.
He knows one thing. He won't have another surgery.
"Nick always says 'I'm in a win-win situation. If I beat this cancer, then I beat a cancer that's very aggressive. And if I don't, then I will be in heaven with Jesus, and that is a win-win,'" Tammy said.
Nick, sitting nearby, nods his head. "That gives me goosebumps," he said.
For now, Nick continues the fight that Nancy, Jacob, and many other Nebraskan children have already lost.
"Experts are telling us this is affecting our children. There are real life and death situations being played out here," Sousek said. "We have to start paying attention. It's our kids."

Where is it worst?

Sky-high nitrate levels appear to be particularly threatening to Nebraskans living near river valleys in central and northeast Nebraska, according to well data.
The state's two largest cities, Omaha and Lincoln, have low nitrate levels, but some smaller communities surrounding them show elevated levels.
In central Nebraska, on both sides of the river from Kearney to northwest of Hastings, a band of recently tested wells showed nitrate levels higher than the EPA limit. Between the Platte River and Lower Loup River is a corridor of cities flanked by high-nitrate wells, including Kearney, Grand Island and Columbus.
The Elkhorn River, which originates in north-central Nebraska and moves east, has seen high nitrate in its watershed. Pierce, Knox and Holt counties all had a mean nitrate level over 10 ppm between 1987 and 2016.

In this area, a 756-square-mile span of land was designated a groundwater protection area. Four natural resources districts established the Bazile Management Area to address rising nitrate by promoting education on farming practices.
In addition, river valleys near York saw increasing nitrate levels high enough to trigger restrictions on how farmers can apply anhydrous ammonia.
The Little Blue watershed in southern Nebraska is home to Edgar and Steele City, two villages that have been on a state administrative order for continual nitrate violations for years. Both are exploring plans to build their own water treatment facilities.
How do I test my water?
To look up public water testing data for wells outside of cities, you can use the interactive tool from the Nebraska Groundwater Quality Clearinghouse. If you are on public water and wish to learn about your city's water quality, visit the NDEE's Drinking Water Watch website and search for your community.
To test nitrate levels in your water, you can buy test strips that identify high nitrate levels. UNL's Citizens Science program offers free testing for contaminants, including nitrate, to those who sign up. You can also call your local NRD about testing services for private wells. You can find your local NRD and their contact information here.
If your water nitrate level is above 10 ppm, avoid drinking it, the CDC says. Boiling water will not lower the nitrate level and make it safe to drink. You can contact your local health officials and utilities for recommendations. You can refer to this CDC document.
By Yanqi Xu

OWH: Nebraska achievement gaps wider than the national average on NAEP test

Closing achievement gaps has been an urgent battle cry of Nebraska politicians ever since the mid-2000s, when the state recorded some of the widest White-Black score gaps in the country.
The latest scores on the Nation's Report Card show that battle is far from won.
Results of the 2022 National Assessment of Educational Progress reveal that the gaps between Nebraska's racial and socioeconomic subgroups continue to persist, and although they've waxed and waned over the years, they're nowhere near disappearing.
White students, as they've done for decades, outscored the state's Black and Hispanic students on the latest NAEP math and reading tests.
In fourth grade math, more than half of Nebraska White students demonstrated — by NAEP's definition — solid academic performance with challenging material. Just one in five Black and Hispanic students did.
The NAEP achievement gaps between White and Black students in Nebraska, in both math and reading, were wider than the national average in both fourth and eighth grades.
Likewise, the gaps between Nebraska's White and Hispanic students were wider than the average nationally.
Kevin Riley, an associate professor of education at the University of Nebraska at Omaha and former superintendent of Gretna Public Schools, said the scores reflect the nation's number one challenge:

income disparity.
There are more traumatized kids in poverty whose basic needs are not being met, he said.
“When we talk about disparity, it’s like putting two kids on the starting line of a 100-yard race,” he said. “One of them has no hurdles in his lane and the other has 10. When you have to jump over those 10 hurdles, who is going to win that race?”
The NAEP math assessment measures both math knowledge and students’ problem-solving ability.
The NAEP reading assessment measures reading comprehension by asking students to answer questions based on grade-appropriate material they have read.
More than 7,500 Nebraska students participated in the exams last school year.
The widest Nebraska White-Black gap was in eighth grade math. White students scored an average of 288 on the 500-point test, and Black students 251, for a 37-point gap. Only five states had a wider gap in the subject and grade. The national average gap was 32.
Other Nebraska White-Black gaps were 30 points in fourth grade math, 30 points in eighth grade reading and 34 points in fourth grade reading — all higher than the national averages.
The gaps were similar for Hispanic students, with a difference of 25 points in fourth grade math, 27 points in eighth grade math, 24 points in fourth grade reading and 21 points in eighth grade reading compared with White students.
There’s another way to look at this.
The NAEP scores are broken down into three achievement levels: basic, proficient and advanced.
According to NAEP, students who score at or above proficient “demonstrate solid academic performance and competency over challenging subject matter.”
Basic means partial mastery of the knowledge and skills of the proficient level.
How did Nebraska kids do overall when measured this way?
In math, 43% of Nebraska fourth graders scored proficient or above. No states scored “significantly higher” — NAEP’s term indicating that some states may have slightly higher scores, but the difference is insignificant.
Thirty-one percent of Nebraska eighth graders scored proficient or above. Again, no states were significantly higher.
Broken down by race, the gaps emerge.
In fourth grade math, 53% of White Nebraska students scored proficient or above. Twenty percent of Black students, 22% of Hispanic students and 48% of Asian students scored proficient or above.
There are no Nebraska results available for American Indian, Alaska Native, native Hawaiian or Pacific Islander in 2022 because those groups were not large enough in the tested group for reliable results.
NAEP scores are derived from a sampling of Nebraska students. Not every student is tested. As such, there are state results but not district or school results.
In eighth grade math, the percentages of Nebraska students scoring proficient or above, by race, were White 39%, Black 13% and Hispanic 14%.
On the reading side, 34% of Nebraska fourth graders and 29% of eighth graders were proficient or above. In fourth grade one state was significantly higher, and in eighth grade six were.
How does reading break down by race?
In fourth grade reading, 41% of White students, 14% of Black students, 19% of Hispanic students and 45% of Asian students were proficient or above.
In eighth grade reading, the proficient-and-above results were: White 34%, Black 11%, Hispanic 17%.
Performance can also be examined by taking poverty into account.

The NAEP scores can be broken down by family income. The results reveal lower scores, generally, for Nebraska students who are eligible for subsidized school lunches because of family income. Poverty can be overcome, and it often is, but statistically it tends to correlate closely with test scores. In fact, it's a better indicator than race alone, because economic status can vary widely within racial groups.

In this case, the Nebraska gaps resemble the nation's.

On eighth grade math, the average score for subsidized lunch-eligible students was 264 compared with 290 for other students — a 26-point gap. The national average gap was 27 points.

In eighth grade reading, the gap was 20 points — 248 to 268. The national gap was 22.

Fourth grade reading was 29 — 202 to 231. The national gap was 28.

The gap in fourth grade math was 27 — 226 to 253 — compared with a national gap of 25.

This year's scores also show a wide gap for Nebraska students who have limited proficiency in the English language.

The gap was 41 points in fourth grade math and 47 points in eighth grade. In reading, the score gaps were 49 points in fourth grade and 57 points in eighth grade.

The assessment doesn't have data for prior years, but Nebraska's English learner achievement gap is much wider than the nation's.

English learners around the U.S. score anywhere from 23 to 39 points below their non-English learner peers in both fourth grade and eighth grade math and reading.

By Joe Dejka and Lauren Wagner

OWH Editorial: Carol Blood would be constructive leader as Nebraska governor

Nebraska's next governor will face significant challenges: Overhauling the way our state pays for schools and government services. Ensuring that our workforce is large enough and educated enough to sustain a growing economy. Wrestling with the contentious abortion debate.

Dealing with those thorny issues and much more during the next four years will require leadership. It will take an ability to hear and understand the diverse views of Nebraskans, balance differing interests, and ultimately find ways to bring the state together as it moves forward.

The next governor isn't going to be just responsible for Nebraskans from one party or one area of this state. With fewer than 2 million people, Nebraska is too small to waste any of its residents' talents or discourage anyone from living here. Our governor needs to be up to the task of getting all of us pulling in the same direction.

That skill is one of the things we were looking for in making an editorial endorsement in the governor's race between Republican Jim Pillen and Democrat Carol Blood.

Newspapers, including this one, have long made such endorsements. But we don't do this to tell people what to think. Our readers are too smart for that.

The reason we endorse is to provide helpful input to voters. We feel an obligation to share with our readers what we've learned over many years of observing and reporting on public affairs. We hope to offer some nonpartisan information and perspective in an electoral process filled with many influences, some of them aggressively partisan.

The World-Herald's news articles about campaigns and candidates strive to be evenhanded. In contrast, an editorial endorsement necessarily takes a stand. Still, we want our editorial opinions to be grounded in facts and thoughtful context, so we meet with the candidates themselves to take the measure of their ideas and temperaments, to see how they defend their policies and respond to alternative ideas.

Blood met with us. But Pillen rebuffed us, something that major candidates rarely have done. His no-show wasn't entirely surprising, given that Pillen also refused to debate with Blood or, before the May primary, with his fellow Republican candidates.

We said in the primary that Pillen was wrong to shun debates or other forums where his positions could be scrutinized and, yes, sometimes challenged. If you're not able to stand up for your ideas, except in safe spaces like small groups of friendly voters or scripted campaign ads, how do Nebraskans know that you are prepared for this important job?

His campaign told us that he wasn't going to meet with our editorial board since we had endorsed Blood in the primary (we hadn't) and criticized him in the past (a bit). As a result, they felt it was inevitable that we would endorse Blood in the general election.

Far from it. Before this year, The World-Herald had endorsed Republican candidates for governor in 10 of the last 11 races — including the past six straight elections. We endorsed Pillen's top supporter, Gov. Pete Ricketts, twice, even though we had criticized him from time to time. We had an open mind about Pillen, who met with us via Zoom in April when we were considering our Republican primary endorsement.

A former Husker football player, Pillen should have been willing to take the field this fall and show Nebraskans, through debates and endorsement interviews, what he was made of. Instead, he's chosen to forfeit in those situations. And we're disappointed about that.

But we're pleased to endorse Carol Blood, a state senator from Sarpy County. We were impressed with her knowledge of issues, her thoughtful perspective and her commitment to bringing people together to solve problems.

As a Democrat in a legislative body dominated by Republicans, Blood has by necessity learned how to work with others to get anything done. She understands that successful solutions come from keeping the focus on people and policy, not party.

She's right that Nebraska needs to go beyond rhetoric and platitudes to make progress on things like workforce development. Nebraska leaders have talked for decades about the trends that now have helped leave the state short of workers, yet failed to create a comprehensive, effective plan to fill those jobs.

Part of her plan is a PK-14 approach to education, ensuring that children get a good start in life with pre-kindergarten and are able to get up to a two-year degree in college that prepares them for jobs in the trades, information technology, health care or other fields.

She also touts another lawmaker's proposal in the Legislature that would have used a 1-cent increase in the sales tax to fund schools and reduce property taxes.

She makes sense in talking about the changes needed in criminal justice and the state's overcrowded prisons. She recognizes that it's wasteful to try to solve the overcrowding solely through building more and more prisons. Instead, the state needs to improve its rehabilitation programs so that fewer former inmates wind up reoffending.

And Blood recognizes the burden that is placed on local governments through state and federal mandates.

Do we think she has all the best answers for Nebraska? Not necessarily. Would she have trouble

winning broad support for everything she talks about? Probably. If she wins, we would expect that Republican state senators would push back on some of her ideas and have different proposals of their own. She would have to compromise.

But Blood understands how government works. She is informed about the issues. She is willing to engage with people she disagrees with. She would be a constructive leader.

We're well aware that Nebraskans last elected a Democrat to serve as governor in 1994 — 28 years ago. Roughly 49% of all registered voters in the state are Republicans, while Democrats account for about 28%. It's likely that voters will elect Pillen in November, regardless of the words written here. And that's fine. We're just disappointed that he has squandered some opportunities during the campaign to show Nebraskans why he is qualified to be an effective leader.

That's what Nebraska needs from our next governor. From what we've seen of these two candidates, we feel Carol Blood is the best choice.

OWH Midlands Voices: Raising Nebraska's minimum wage is good for business

As a small business owner, I'm glad that minimum wage is on the ballot.

Initiative 433 gives us all a way to move Nebraska forward by raising the minimum wage.

When we opened Mana Games Café, we knew we wanted to avoid the low-pay, high-turnover, low-morale business model that's been way too common in our industry — an industry that's supposed to be about service and hospitality.

I worked in the service industry for over a decade, in low-wage jobs and as a supervisor and café manager. I've seen firsthand the ways that low pay hurts employees and businesses.

We pay more than the current $9 minimum wage because every worker needs that and every single interaction with customers matters. Our team is the most important part of our business.

Paying fair wages is the single best way you can show your employees that you value them. In return, our employees are committed, productive, and take great care of our customers.

Happy employees provide better customer service, and customer experience is vital to our success. Happy customers come back, and they bring their friends and families.

At Mana, we want everyone of all ages to feel welcome — whether you come for breakfast or lunch on your workdays or you are here enjoying games with your friends and family on the weekend. We want you to feel welcome, and that starts with employees who are valued and welcoming.

We want people to have a very fun, community-oriented experience. We want our cafe to have great food and be affordable. We also prioritize buying from local vendors to sustain our fellow small businesses.

We have people stop by Mana most days, asking us if we are hiring. They want to work at a business that's a good place to work, and they want to work at a business that's a good place to be a customer.

Fair wages make a business stronger. They also make the economy and our communities stronger.

A person working full-time for Nebraska's current $9 minimum wage earns just $18,700 a year. You can't get by on that. You can't afford all the basics like food, housing, transportation, medical care and daycare — let alone any unexpected costs that may arise.

A higher minimum wage will mean more money for people who really need it to make a living. It will also mean more consumer spending at businesses across Nebraska.
Minimum wage increases are a two-way street. More money goes into worker's paychecks and more money gets spent by workers and their families at local businesses.
Minimum wage increases will mean that more people can afford to go out to eat, enjoy time off with their family, and be customers at small businesses like mine.
Initiative 433 would gradually raise the minimum wage to $15 by 2026, and then make annual cost of living adjustments so it does not lose purchasing power in the future.
I'm proud to stand with hundreds of other businesses in the Nebraska Business for a Fair Minimum Wage coalition who know that raising the minimum wage is important for workers, businesses and our economy.
Alma Cerretta is the co-owner of Mana Games Café in Lincoln's historic Haymarket district and a member of Nebraska Business for a Fair Minimum Wage.

OWH Midlands Voices: Mexico GM corn ban has detrimental effects – follow the science

It's fascinating to listen to past generations of farmers and all they have lived through. Many of the stories revolve around how their lives have changed with the adoption of new technology like electricity, tractors, GPS, variable rate fertilizer and seeding prescriptions. These changes eased the physical and mental burdens of farming, improved yields, quality and consistency of agricultural production, as well as reduced our impact on the environment.
Just as impactful is the technology that we have in the very seeds we plant.
Genetic technology has increased the resiliency of our crops to meet a growing population and reach new markets. Genetically modified (GM) crops have allowed me and farmers across the U.S. to farm with reduced tillage and chemical application. Genetic technology has also decreased the time it takes to raise a crop on the same fields my grandfather spent a lifetime tilling, cultivating and harvesting with horses and early tractors. GM crops allow us to produce a better, healthier crop on less land than those in the generations before us.
It is outrageous that the Biden administration, having just passed a huge spending bill for Climate Smart Agriculture, is shying away from supporting the very technology that allows American farmers to become more climate and environmentally friendly. Mexico has published a decree calling for a phase-out of GM corn for human consumption in Mexico by January of 2024. This is detrimental to not only U.S. farmers but the Mexico economy. If the GM corn ban is implemented, the World Perspectives, Inc. (WPI) study estimates that Mexico will create an additional $5.6 billion burden for the economy just to afford the same amount of product they currently have. The WPI report also finds that the first year the GM ban is implemented, tortilla prices will increase by 30% and then 42% in the second year. Talk about destructive to an economy and consumers in Mexico. It is doubtful Mexico will be able to fully replace the lost U.S. products used for human consumption and possibly livestock feed, no matter where they look to purchase corn.
It is Ambassador Katherine Tai's job to protect, support and expand trade for U.S. products, including agriculture. However, this administration and the office of United States Trade Representative

(USTR) have been incredibly timid about engaging in trade discussions abroad. In fact, they've been flat-out absent. Mexican President AMLO has clearly violated the United States-Mexico-Canada Agreement (USMCA) trade pact by issuing a decree to ban the imports of GM corn. USTR has failed to firmly stand in support of the science that time and time again has proven GMs are not only safe but also necessary to produce enough food and agricultural products for a growing world. In doing so, Ambassador Tai is hanging U.S. farmers out to dry, and crumbling to demands that are out of touch with reality. Agriculture uses science, and Mexico's decree doesn't follow decades of science we've used and trusted. I still trust the science and you should too.

In the strongest terms, I implore Ambassador Tai to initiate an enforcement case within the USMCA rules. It's vital to the success of U.S. farmers, agriculture, and our country's economy. We must stand up for what is right, science-based, and ultimately the best decision for the U.S. economy. We cannot and will not allow opinions to trump science.

Andy Jobman is a farmer from Gothenburg, Nebraska, and Nebraska Corn Growers Association president.

OWH Midlands Voices: Reevaluating alcohol's role in society

There has been social media and news coverage of the partnership between the National Pediatric Cancer Foundation and a local brewery to raise money to fight pediatric cancer. The cause is noble and one we should all support, but this partnership risks spreading cancer to cure cancer.

Based on survey data, more than 60 percent of Nebraskans are not aware that alcohol causes at least seven types of cancer. Alcoholic beverages are classified as a Class 1 carcinogen, meaning that they are known to cause cancer in humans, and the more one drinks the higher the risk for developing cancer becomes. Other Class 1 carcinogens include asbestos, formaldehyde, and tobacco. It would be nearly unthinkable to imagine a lung cancer foundation partnering with a tobacco company to raise money for lung cancer, yet that is what is happening when it comes to alcohol.

Sadly, the National Pediatric Cancer Foundation is not alone — many organizations use alcohol as a major fundraising tool, including those devoted to treating and curing cancer. There is a "Crawl for Cancer" organization based in Kansas that organizes bar crawls in major cities across the Unites States, including in Omaha, with the goal of raising money for cancer research. Many organizations use alcohol to raise money specifically for breast cancer, which is ironic given that alcohol is one of the biggest risk factors for breast cancer. Nebraska churches, non-profit organizations, youth sports foundations, etc. all sell alcohol to make money for their causes even though alcohol misuse negatively impacts their congregations, missions, and youth.

The Nebraska State Fair expanded its use of alcohol this year by allowing fairgoers to walk the entire fairgrounds while drinking alcohol. The decision was rushed through city council and the nature of the changes even took the Nebraska Liquor Control Commission by surprise when four community service organizations appeared at its monthly meeting to oppose the proposal.

This month, the Omaha Zoo added alcohol to its Halloween Nights that are primarily focused on elementary-aged children and their families. The University of Nebraska recently decided to approve a two-year pilot to add alcohol sales to Nebraska basketball games and the City of Lincoln waived its own rules to approve the proposal without much debate about concerns that it will be extremely

easy for of-age fans to pass alcohol to underage and intoxicated fans in the seating areas. Alcohol is quick and easy money in the short term, but there are serious consequences to having alcohol this prevalent in our communities and drinkers aren't the only ones paying the costs.

According to both the Centers for Disease Control and Prevention and the Nebraska Department of Health and Human Services, more than 700 Nebraskans die every year from alcohol-related causes, including more than 70 due to cancers connected to alcohol consumption. Two of the cancers for which alcohol consumption is a risk factor (colorectal and female breast cancer) have been the deadliest to Nebraskans for almost a decade. In addition, Nebraskan taxpayers are on the hook for nearly $500 million of the $1.2 billion of economic costs that our state pays each year due to excessive consumption.

Efforts to raise awareness about the alcohol-cancer connection are currently underway. A coalition of consumer groups announced earlier this month that they have sued the Department of Treasury because it failed to act on a 19-year-old petition urging it to require alcohol labeling featuring alcohol content, calorie, ingredient, and allergen information. Furthermore, a coalition of consumer and public health groups, including but not limited to the American Institute for Cancer Research and the American Society of Clinical Oncology, submitted a petition in 2020 to the Alcohol and Tobacco Tax and Trade Bureau to require alcoholic beverage containers to feature a cancer warning. Such actions are important first steps towards increasing awareness among the public, allowing them to make better-informed decisions when it comes to what they consume. Nevertheless, achieving increased awareness won't be the silver bullet to our state's problems. We already have a list of evidence-based policies that have proven effective in other states that have been communicated to our policymakers, including increasing alcohol taxes, adding adult dram shop liability to our existing law for underage youth, regulating outlet density, and maintaining limits on days and hours of sale.

It's going to take people whose lives have been forever changed by alcohol to motivate policymakers at all levels to government to take this problem more seriously. Our elected officials continue to bend over backwards to pass laws that benefit the alcohol industry in the name of economic development while all Nebraskans continue to pay the economic and social costs to subsidize the industry's gains.

Chris Wagner is the executive director of Project Extra Mile.

LJS Editorial, 10/30: Stadium project will have attention of Nebraska

In April, 1923, construction began on the west side of the University of Nebraska campus on what, six months later, became the 31,080-seat Memorial Stadium.

Twelve expansions and renovations since 1964 have brought the capacity of the Home of the Huskers to 85,458 and filled the space with luxury boxes and video and ribbon boards.

The "cathedral of college football" that College Sports Network calls the No. 1 stadium in college football is in need of another upgrade, but this time it's not about capacity.

"We have a 100 year old stadium that is iconic that we love," said Athletics Director Trev Alberts. "The reality is there has been so much change and so much technological change, and I think we're

behind. I think we need to dive into how do we ensure that the next 50 to 100 years of Memorial Stadium that that fan experience and that modernization is there."

To that end, the NU Board of Regents this month approved a plan to hire a third-party firm that will help move the fundraising, design and construction of the renovation along in the coming years. Exactly what that project will address and what it will cost won't be determined for months. But it's certain to be expensive, extensive, phased in over a number of years and, as it is implemented, disruptive for the fans who filled the place at least a half dozen times every season.

Among the near certainties to be addressed is South Stadium, which has been largely unchanged since it opened in 1972. Changes will include widening seats, which happened in the north stadium in 2017, and are likely to include incorporating the stand-alone South Stadium with the east and west sides of the stadium.

In fact, Alberts has a goal to connect all four sides of Memorial Stadium with concourses, a feature common to modern stadia.

The cost of the renovation?

NU administrators said a limited version of the project could move forward with $200 million in private donations. That number, however, could rise to as much as $500 million, if those funds can be raised.

No money has yet been raised for the project, which truly is in its infancy. And the availability of funds, which will not come from tax dollars or student tuition and fees, will, in large part, determine the scope of the project.

While certain to happen, the fan disruptions are contingent on the scope of the project's scope. Some seats are sure to be lost in the South Stadium. Construction may temporarily reduce that number. More seats will be lost with new construction which will have to adhere to Americans with Disability Act regulations.

And, as the building of the Go Big athletic training facility east of the stadium has already shown, construction will likely make getting in, out and around the stadium complicated for years.

Because of those disruptions, It's imperative that NU -- both the athletics department and administration –- keep fans, so virtually all Nebraskans, and season ticket holders in particular, updated and as fully informed as possible as the project moves forward.

There won't be a more visible, scrutinized and impactful construction project anywhere in the state during the time that Memorial Stadium is being renovated, however long that will be.

Nebraska Examiner: Real education problems, not contrived ones, need attention

Our future is on the ballot November 8.

Sure, races for governors, U.S. senators and a majority in Congress may capture headlines, but perhaps the most critical decisions we make will be closer to home: Who gets to sit on Nebraska's Board of Regents, State Board of Education and dozens of local school boards across the state.

That's not because of the well-worn and wooly conclusion that "The children are our future." No, what's at stake for us and millions across the country is who decides the direction and future of our public schools — large and small, K-12 and post-secondary, and professional and graduate.

School boards in particular are under attack from patrons and parents, two groups who have every right to question the policies under which public schools operate.

Sadly, too many of them show up at meetings clutching conspiracy theories, lies and other pearls of political propaganda. That does not mean public schools are without problems. They have plenty. Serious ones, too.

But the antics of protesters too often are well beyond using outdoor voices inside. Calling into question policies and issuing death threats are, obviously, incompatible. That, however, is where the self-proclaimed aggrieved have gone over a variety of issues including wearing masks in school, teaching about U.S. slavery and the presence of non-heterosexual characters in books.

So troubling were raucous and violent crowds at school board meetings, the National School Board Association sent a letter to President Joe Biden last fall requesting federal support to keep school board meetings safe.

That set off a wave of criticism, including shots from Nebraska Gov. Pete Ricketts and U.S. Sen. Ben Sasse, the latter of whom called the request a "political hack job." (I don't get it either.) Nebraska's state ed board cut ties with the national group, concerned — rightly — with the letter's potential chilling effect on free speech: Florida's current election police and history's brown shirts come to mind.

Nevertheless, the organized effort of protesters moved into the classroom, where they accused teachers of being everything from crackpots to communists. Throw in their penchant for calling educators "groomers," a reprehensible reference to their belief that a LGBTQ+ character in a book will result in children changing sexual identities. Using that logic, children who read books about Einstein or Tesla will turn into geniuses.

Then, with apparently nothing better to do, five state legislators held a press conference to call for an investigation of the Nebraska Department of Education. The quintet was shocked over a button on a department website that they've somehow equated with Nebraska public schools being awash in critical race theory — along with anything associated with LGBTQ+ issues, the preferred beef among those looking to undo public school leadership. The button was removed four months ago; the nonsense continues.

According to State Sens. Dave Murman, Steve Erdman, Robert Clements, Steve Halloran and Myron Dorn, they believe they have the receipts. Murman said, "Now we've uncovered documents that show unequivocally, unequivocally that the department has also been promoting critical race theory." And?

He went on, blowing all the dog whistles he could. "Bureaucrats at the Nebraska Department of Education have decided Nebraska children would be better served if their time was spent learning to become activists and talking about woke gender theory." I half expected a "Reefer Madness" clip or a reminder to students to hide under their desks in case of nuclear attack.

The furor over critical race theory — also known by its proper name, American history — is a contrived crisis, a political ploy to promote a sanitized version of who we were … and are. True believers insist its tenets would make white students (or their parents?) uncomfortable with the details of slavery and its aftermath. If only Nebraska had a public school where critical race theory was taught, they could prove that assertion with some evidence.

Murman said the investigation wouldn't start until January, so those of you thinking this was a political stunt to rile voters into electing leaders determined to undo our public schools are onto something.

Nebraska's public schools have problems — none of which have anything to do with masks, critical

race theory, gender or wokeness. We could start with a teacher shortage, work our way to recovering from the hit that education took during the pandemic and include demeaned, overworked and underappreciated classroom teachers.
Nor can we forget making sure Johnny and Janie know their reading, writing, arithmetic … and the truth. And, most importantly, how to think critically about them.
We could all learn from that.
By George Ayoub

OWH: Nebraskan congressional members voice support, prayers for Paul Pelosi after attack

Members of Nebraska's congressional delegation expressed sympathy and shock Friday after House Speaker Nancy Pelosi's husband was attacked with a hammer in their San Francisco home.
Paul Pelosi, 82, was attacked around 2:30 a.m. Friday as an intruder searched for his wife, yelling: "Where is Nancy, where is Nancy?" Police arrived on the scene and arrested David DePape, 42. Paul Pelosi was transported to a hospital, where he underwent surgery on his skull and an arm. He is expected to recover.
The speaker, a leader in the Democratic Party, was in Washington at the time of the attack.
U.S. Rep. Don Bacon was the first of Nebraska's five congressional members — all Republicans — to publicly respond to the attacks Friday.
"We pray for a speedy recovery for Mr. Pelosi, and want the violent criminal held accountable and put behind bars," the 2nd District representative wrote on Twitter.
Rep. Mike Flood shared similar sentiments in a tweet Friday afternoon. Flood has represented the 1st District, which covers part or all of 12 eastern Nebraska counties, since July.
"Mandi and I are keeping Paul in our prayers — hoping for a swift recovery," Flood said.
In a statement, Rep. Adrian Smith said he was "troubled by the reports of the violent assault on Paul Pelosi."
"I am keeping him and his family in my prayers," said the 3rd District congressman, who represents all of western and central Nebraska.
U.S. Sen. Deb Fischer took to Twitter Friday afternoon to condemn the violence.
"Deeply troubled to hear of the attack against Speaker Pelosi's husband, Paul," she said in a tweet. "Violence of any kind is unacceptable and should be condemned. Bruce and I are sending our prayers for Paul's speedy recovery."
Sen. Ben Sasse warned Americans against the dangers of anger and conspiracy theories.
The suspect arrested at Pelosi's home appears to have made racist and often rambling posts online, including some that questioned the results of the 2020 election and echoed QAnon conspiracy theories.
"Melissa and I are praying for the Pelosi family," Sasse said in a statement. "As we wait to hear more, every single American needs to be lowering the temperature. This is increasingly obvious: Disturbed individuals easily succumb to conspiracy theories and rage — the consequences are bloody and un-American."
Pelosi is often a target in Republican political attack ads.

On Friday morning the National Republican Congressional Committee sent out a text linking Pelosi and State Sen. Tony Vargas under the label “extreme libels” along with a criticism of their records on taxes. Vargas is challenging Bacon to represent the district, which includes Omaha.
Meg Mandy, Vargas’ campaign manager, questioned the timing of the text on Twitter given the attack on Pelosi’s husband.
A source familiar with the text said it was prescheduled to be sent Friday morning.
Asked about the text, Bacon said in a statement that he condemns “all political violence, regardless of party.”
“We campaign giving our 100% effort but after the election we shake hands and work for our country,” Bacon said. “Civility and respect are needed for both sides to find consensus areas so we can make progress as a nation.”
By Jenna Ebbers

Nebraska Examiner: Former U.S. Rep. Jeff Fortenberry appeals federal felony convictions

OMAHA — Former 1st District Rep. Jeff Fortenberry, R-Neb., has formally appealed his three felony convictions.
Fortenberry filed notice in late June that he intended to appeal. He was convicted in March of lying to or misleading FBI agents investigating foreign funds that were illegally donated to Fortenberry’s campaign. Federal law prohibits the use of foreign funds in congressional races.
Friday’s 61-page filing with the 9th U.S. Circuit Court of Appeals repeats many of Fortenberry’s legal arguments from his trial, before a federal District Court jury in California found him guilty.
His appeal argues that he should not have been tried in central California, but in Nebraska or Washington, D.C., where federal agents interviewed him regarding a California fundraiser.
“Venue for a criminal prosecution is proper only in the State and district in which the defendant committed the acts that constitute the alleged crime,” his lawyers wrote.
It also argues U.S. District Judge Stanley Blumenfeld should have given the jurors a narrower definition of the crime of misleading agents, which Fortenberry’s lawyers had sought.
They said there is no way to know whether jurors convicted the congressman based on what Fortenberry’s team argued is a misinterpretation of the scope of the law.
Blumenfeld ruled against both arguments — venue and materiality — at the District Court level. The jury unanimously found that Fortenberry’s actions were both material and criminal.
The Justice Department investigated Fortenberry as part of a broader push to explore campaign donations from a foreign national, Lebanese billionaire Gilbert Chagoury.
Prosecutors said a group of Lebanese-Americans gave Fortenberry $30,000 in campaign donations during a 2016 fundraiser in Los Angeles. The money came from Chagoury, who lives in Paris.
Fortenberry had spoken to Chagoury’s organization, In Defense of Christians. It works to condemn persecution of Christians and other religious minorities in the Middle East.
Investigators recorded a call with Fortenberry and an informant who told Fortenberry at least three times that some of the money raised in 2016 was probably from Chagoury, which made it illegal.
Fortenberry denied knowledge of illegal contributions during two interviews with the FBI after the

call. His lawyers argued that he either had bad cell service, that the congressman spaced out during the call or that he didn't recall specifics about the call.
Fortenberry was sentenced to two years' probation, a $25,000 fine and 320 hours of community service. The sentence is on hold until his appeal is resolved.
Fortenberry resigned his seat in Congress at the end of March. Then-State Sen. Mike Flood of Norfolk won a special election in June to serve out the remainder of Fortenberry's term.
Flood is running against Democratic State Sen. Patty Pansing Brooks of Lincoln this fall for a full two-year term.
By Aaron Sanderford

AP: Iowa governor's lawyer pushes for 6-week abortion ban

DES MOINES — An Iowa judge should allow a law passed in 2018 that bans most abortions to take effect three years after the measure was ruled unconstitutional, lawyers for Gov. Kim Reynolds argued Friday.
Chris Schandevel, a lawyer for the Republican governor, said Judge Celene Gogerty should set aside a 2019 permanent injunction that prevented Iowa from enforcing a law that would block abortions once cardiac activity can be detected. That is usually around six weeks of pregnancy and before many women know they're pregnant.
Schandevel said the injunction rests entirely on an Iowa Supreme Court 2018 decision that guaranteed the right to an abortion under the Iowa Constitution and cases decided by the U.S. Supreme Court in 1992 and 1973 that established abortion rights nationally.
All three cases were overruled this year by more conservative courts and given that, Reynolds' lawyers argued that the judge should reverse the injunction and let the 2018 law take effect.
"It would be inequitable to prevent the people of Iowa to have their voices heard through a validly enacted law, enacted as recently as 2018," he said.
Rita Bettis Austen, a lawyer with the American Civil Liberties Union of Iowa, countered that there is no precedent or legal support in Iowa for a judge to reverse a final judgment entered three years ago.
"This case is closed," said Bettis Austen, who is representing Planned Parenthood, the state's leading abortion provider, which challenged the law in court. "Iowa rules of civil procedure clearly govern this type of motion."
She said the rules only allow a court to vacate a final judgment within a year and do not allow such a reversal for a change in law.
The judge said she would issue a ruling soon.
The case should at least in the short term decide whether most abortions remain legal in Iowa. Reynolds, who is running for a second term as governor, opted for the court strategy instead of attempting to pass a law banning abortions in the midst of the midterm elections.
A Des Moines Register/Mediacom Iowa Poll released earlier this month showed that 61% of Iowans believe abortion should be legal in most or all cases. The poll had a margin of error of plus or minus 3.5 percentage points.
During the hearing, Schandevel said courts have an inherent authority over their own injunctions and can reverse them regardless of how long ago they were decided.

Lawyers for both sides also argued about whether the law remains constitutional under Iowa's current legal status.

The Iowa Supreme Court, in its June decision overturning the state constitutional right to an abortion granted four years ago, did not decide on the level of scrutiny that judges must use to weigh new abortion bans. Instead, the court left that issue to be further considered.

Since the 2018 decision granting Iowans a constitutional right to an abortion, Iowa courts have held abortion restrictions to the highest level of strict scrutiny, which requires laws to be narrowly tailored to fulfill a compelling governmental interest.

With that constitutional right struck down, Bettis Austen argued that the undue burden level of scrutiny remains in Iowa until the courts change it. She noted that the Iowa Supreme Court has previously said bans on abortion early in pregnancy, including six-week bans, could not survive the undue burden test.

Schandevel said it is appropriate for the judge to reject the undue burden test and instead analyze the law using rational basis review. That is the lowest level of court scrutiny that allows most laws to survive legal challenges.

Under this test lawmakers need only to show they have a legitimate state interest in passing a law and that there is a rational connection between the law and its intended goals. Many courts have upheld abortion restrictions under the rational basis test.

The abortion law approved by lawmakers and signed by Reynolds requires providers to perform tests to detect a fetal "heartbeat" — which usually occurs at about six weeks after a woman's last menstrual period — with exceptions for medical emergencies, rape and incest. Embryos don't have hearts at this gestational stage, so an ultrasound measures electrical impulses, not a true heartbeat, providers say.

Any decision Gogerty makes is likely to be appealed.

Twelve states now ban abortion at conception. Georgia enforces a six-week ban similar to what Iowa would have if allowed by the courts. Kentucky, Louisiana, North Dakota and Oklahoma have six-week bans that have been prohibited from enforcement by court orders. In Wisconsin, clinics have stopped providing abortions though there is a dispute over whether a ban is in effect.

Andrew Shelburn
Digital Communications Manager

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