From: Shelburn, Andrew
To: Shelburn, Andrew
Cc: Pinkerman, Justin
Subject: Governor"s Office Daily Update - 3-21-22
Date: Monday, March 21, 2022 8:58:10 AM

AG VALLEY CO-OP

Eustis, NE

Commodity	Delivery	Price	Basis	Date (as of)
Corn	Mar 2022	7.04	-22.00	08:44
Corn	Oct 2022	6.16	-45.00	08:44
Milo	Mar 2022	6.81	-45.00	08:44
Milo	Oct 2022	6.11	-50.00	08:44
Soybeans	Mar 2022	15.64	-108.00	08:44
Soybeans	Oct 2022	14.10	-75.00	08:44
Wheat	Mar 2022	10.02	-85.00	08:44
Wheat	Jul 2022	10.02	-85.00	08:44

TV and Radio

NCN: New prison, sentencing reforms heading for showdown

WOWT: Supporters of medical marijuana host events in Nebraska to gather enough signatures for ballot

KETV: 'This cannot fail': Nebraska medical cannabis advocates push to get enough signatures by July 7th

NTV: State and local crews join assets to battle the Votaw Road Fire

Governor

GII: Nebraska State Fair federal fund request dropped to $20M

OWH: More money sought to bolster Nebraska's health care workforce

Nebraska Examiner: Direct refunds of $200 to each Nebraskan described as a better way to handle glut of state funds

Nebraska Examiner: Lively debate expected in the Legislature over divvying up federal recovery funds

OWH: Lindstrom hopes to snag win in GOP primary while front-runners duke it out

Nebraska Examiner: Dark money ads hit Herbster and Lindstrom in Nebraska governor’s race

Agency

LJS: 'I have no control' — Report details shortcomings of Nebraska's community corrections facilities

Legislature

Nebraska Examiner: Environmental, farm groups seek update of 2014 state climate impact study

OWH: Tax plans offer alternatives of property tax credits or cash back to Nebraskans

LJS: Don Walton: Budget debate spotlights urban-rural divide, race-based challenges

University

LJS: UNL starts its own student-led venture capital fund

Coronavirus

Kearney Hub: COVID-19 cases and risk dial plummet in the Two Rivers district

OWH: Parents, teachers hopeful for 'normal' spring as schools roll back COVID restrictions

State, Local and Regional

OWH: Nebraska Supreme Court rejects challenge to law that lets investors take property over unpaid taxes

LJS: Tornado season could come earlier this year, forecaster says

LJS: Florida man must sell Nebraska property after history of hunting violations

Stateline.org: States Use Road Sensors to Combat Treacherous 'Tire Carcasses'

Opinion

OWH Editorial: A new Omaha central library will move the city forward

OWH George Mills: In life, we will find ourselves asking 'What are the chances?'

OWH Midlands Voices: The free world must continue to strengthen and sustain Ukraine

OWH Public Pulse

1. Define blighted
2. Streetcar opposition
3. Citizen-business trade
4. A few questions
5. Basketball congrats
6. About Fidrych
7. Proposed ordinance
8. Letter response

LJS Editorial, 3/20: Pre-pandemic normal isn't coming back

LJS Letters

1. Borer right for state office
2. StarTran needs new transfer facility
3. Workers must oppose war
4. Iowa's flat tax benefits richest

5. Herbster ignores COVID science
6. Clements' bill ignores numbers

National/Federal

OWH: Day 2 of Fortenberry trial sheds light on congressman's relationship with Nigerian billionaire

OWH: 'A total non-issue': Fortenberry official claims protocol was followed in proxy controversy

AP: Illegal $30K donation plot outlined at congressman's trial

AP: Bird flu case forces killing of 5.3 million chickens in Iowa

GII: Nebraska State Fair federal fund request dropped to $20M

The Nebraska State Fair is looking at $20 million in American Rescue Plan Act funds for needed infrastructure improvements at Grand Island's Fonner Park campus.

Gov. Pete Ricketts had originally included a $25 million investment in his biennium budget.

That amount has since been reduced, explained Executive Board Vice Chair Dawn Caldwell at Friday's meeting of the Nebraska State Fair board.

"The governor had us in his budget for $25 million. The Unicameral is currently working to try to get to a place where they can approve a budget. They're not there yet, and the state is eagerly awaiting that," she said.

The state received $1.04 billion in ARPA funds in 2021.

Due to the number of ARPA fund requests, a smaller amount is being suggested for NSF.

An allocation of $20 million is being recommended instead by the Legislature's Appropriations Committee.

"If you have an opportunity to visit with your own senator, or you run across someone say, hey, we genuinely appreciate that, it's a big deal and we're able to do a good portion of our project that we submitted," Caldwell said.

The funds would be used to improve sewage system and storm drainage and to create a new wastewater system on the Fonner Park campus.

Lindsey Koepke, executive director for the 1868 Foundation, which serves the Nebraska State Fair, voiced support Friday for the ARPA fund allocation.

Koepke said the foundation is "grateful and thankful" for the $25 million proposal from Gov. Ricketts and the Legislature's recommended $20 million.

"That is life-changing," she said. "It makes me shake. It makes me giddy. Because that's an opportunity to forever change the landscape of these grounds and really to forever change the landscape of Grand Island and central Nebraska."

At the foundation's annual Blue Ribbon Kickoff this year, a special thank you is being planned for the Legislature and Gov. Ricketts in response to the support, Koepke said.

Facility improvements at Fonner Park are needed, said State Fair Executive Director Bill Ogg in December, at a conference on NSF's Fonner Park master plan.

"We're to the point where several of those shows are outgrowing our facilities," he said. "In a modest amount of two or three years, we'll be at capacity."

Hall County 4-H update

Kathleen Lodl, Nebraska 4-H program administrator, addressed growing concerns about poultry at

Friday's NSF board meeting.

On Wednesday, USDA confirmed highly pathogenic avian influenza (HPAI) in a non-commercial backyard flock (non-poultry) in Merrick County.

HPAI has also been detected in other states across the nation in 2022.

"It's too soon to make any decisions at all, but we're certainly keeping abreast of that, working with the Department of Ag on that and our poultry specialist to make sure that whatever we need to do, that happens," Lodl said.

Alternative plans for "non-live" poultry shows are in place, Lodl said, and have been used before both at the State Fair and other Nebraska events.

Recycling at State Fair

NSF Director of Sales Hollie Evert lauded the amount of recycling that took place at 2021's State Fair event.

Nebraska Recycling Council determines the fair's waste diversion rate every year, Evert told the NSF board Friday.

The rate for 2021's event was 82.5%, which Evert called "not bad."

NSF provides the recycling council with numbers provided to the fair by its partners: Mid-Nebraska Disposal and O'Neill Transportation & Equipment.

"We keep track of what goes to recycling, like our cardboard, aluminum and plastic. Even our concessionaires have a compost bed where they throw food that does not get served," she said. "We (also) take the fryer oil from our concessionaries and that gets picked up and recycled into biodiesel."

She added, "Nebraska State Fair is doing its part to be good stewards."

For more information about Nebraska State Fair, visit statefair.org.

By Brandon Summers

OWH: More money sought to bolster Nebraska's health care workforce

Nebraska's hospital and medical associations have sent a letter to state senators encouraging them to devote a share of the state's federal pandemic funding to bolstering the health care workforce.

Leaders of the Nebraska Hospital Association and the Nebraska Medical Association, which represents many of the state's doctors, also raised concerns in a letter dated Thursday that the Legislature's proposal does not reserve contingency funds for future public health response needs.

The associations are not alone in lobbying for a share of the state's allotment under the American Rescue Plan Act. The ARPA funding bill will be on Wednesday's legislative agenda. The committee proposal would use $1.03 billion of the $1.04 billion that Nebraska will get from ARPA.

Jeremy Nordquist, the hospital association's president, said the groups' members are concerned about the lack of investment in initiatives that would immediately strengthen the state's health care workforce, particularly in rural Nebraska. That workforce has suffered losses during the pandemic.

A study by the Nebraska Center for Nursing indicated the state will face a shortage of 5,435 nurses by the year 2025. That number actually is expected to be higher given the losses of nurses due to the pandemic. As of last week, some 7,247 open nursing positions in Nebraska were posted on Indeed.com.

According to a University of Nebraska Medical Center health care workforce study, every Nebraska county but Douglas and Lancaster has been designated a shortage area for at least one type of physician primary care specialty. Nearly a fifth of physicians in the state are approaching retirement age.

The associations urged the Legislature to appropriate funds for three initiatives to jump-start the health care workforce:

• $5 million for nursing scholarships.

• $5 million for rural health professional student loan repayment.

• Ongoing operational funding for the Rural Health Complex at the University of Nebraska at Kearney.

Nordquist said the associations' leaders also are concerned about a lack of contingency funding for future public health emergencies, such as another wave of COVID-19.

Nebraska Gov. Pete Ricketts, he said, had included $20 million each for the current fiscal year and the next fiscal year in his ARPA spending proposal to cover hospital capacity needs, including traveling nurses. The committee's proposal does not include such funds.

Nordquist noted that the state's hospitals are only six weeks removed from having a limit on elective procedures due to high numbers of COVID patients.

The state has until 2026 to spend the ARPA funds. The Legislature could set aside contingency funds and "have that there as a backstop."

"We don't know what the future holds," he said.

By Julie Anderson

Nebraska Examiner: Direct refunds of $200 to each Nebraskan described as a better way to handle glut of state funds

LINCOLN — If the state needs to return a glut of extra tax revenue to Nebraskans, State Sen. John Cavanaugh of Omaha says a simpler and more conservative approach would be direct payments of $200 to each resident.

Cavanaugh has introduced an amendment to a major income tax bill that would distribute prepaid debit cards of $200 each to every citizen. It is an alternative to deep cuts in state income taxes that are being proposed in Legislative Bill 939 that he argues is fiscally risky and benefits mostly the wealthy.

“The general philosophy is that we have a lot of extra money now, and we have an obligation to return it to Nebraskans,” Cavanaugh said. “That’s a justification for a rebate this year and not a permanent tax cut for millionaires.”

His amendment is proposed to LB 939, which might be debated as early as Tuesday,

But two key senators on tax issues have other ideas. Both Sen. Lou Ann Linehan of Elkhorn, who chairs the Legislature’s Revenue Committee, and Sen. Tom Briese of Albion, who has battled often for property tax relief for rural Nebraskans, have introduced their own amendments.

As originally written, LB 939 seeks to lower the state’s top individual income tax rate from 6.84% to 5.84% after three years. The bill would also reduce the state’s corporate income tax rate from 7.1% to 5.84% by tax year 2026.

The Nebraska Chamber of Commerce and other business groups, as well as Gov. Pete Ricketts, have argued for years that the state’s top income tax rate is too high, thus discouraging companies and workers from locating here.

They also maintain that Nebraska is falling behind. The only neighboring state with a higher top rate, Iowa, just enacted a law to lower that rate to 4.9%.

Property tax relief

Both Linehan and Briese have introduced amendments that would add some significant property tax relief to LB 939, with the intent of attracting more support from rural senators. They had reluctantly

supported the bill during first-round debate on the condition that the bill be amended during second round discussion.

Briese said his amendment would increase the current state income tax credit for property taxes paid by $50 million in the first year, increasing to $150 million by the third year. The credit would expanded to offset a portion of property taxes paid to support community colleges. Now it offsets about 25% of property taxes paid to support K-12 schools.

Linehan said that the state's current top income tax rate of 6.84% "chases some very wealthy people" out of the state.

"I'm pretty confident the Legislature is behind bringing the top rate down," Linehan said. "We are way out of balance with all the states around us."

During first-round debate on LB 939, opponents like Cavanaugh argued that it would mostly benefit the wealthy. Omaha Sen. Megan Hunt said that the social and political climate of the state, and whether people of all types are welcome, determines if they will stay or leave, not tax rates.

Cavanaugh said that his amendment, which also includes a modest income tax reduction, got a cool reception from Linehan and Ricketts when he presented it to them. But he said he got a compliment from Blair Sen. Ben Hansen, who had introduced a similar idea in the past.

The Open Sky Policy Institute voiced support Thursday of Cavanaugh's idea, saying 18 other states have adopted or are considering similar refunds to return funds to residents because of overly ample tax reserves.

'More direct way'

"It would be a more direct way to help Nebraskans — and particularly low- and middle-income residents — than the corporate and personal income tax cuts proposed in the currently amended version of LB 939," wrote Chuck Brown of Open Sky. It would also spur economic growth, he added.

The one-time cost of the refunds would be $400 million, Open Sky estimated. By contrast, LB 939's income tax cuts are projected to cost $400 million a year by fiscal year 2026-27.

That, Cavanaugh said, makes his proposal more conservative. If tax revenues continue to exceed estimates, he added, the Legislature could pass deeper income tax cuts later.

By Paul Hammel

Nebraska Examiner: Lively debate expected in the Legislature over divvying up federal recovery funds

LINCOLN — An Omaha equestrian group could get a half-million dollars to help host an international horse jumping event in Omaha.

The Nebraska Crime Commission would get nearly $48 million to train that "next generation of law enforcement officers."

North and South Omaha would get at least $200 million to boost some of the most disadvantaged areas of the state.

That's just a taste of the wide-ranging projects, all linked in some way to the pandemic, that the Legislature's Appropriations Committee has recommended to benefit from the state's allotment of American Rescue Plan Act funds.

The proposed $1.03 billion lineup reflects about 40 projects or focus areas, and the plan is to be debated this week in the full Legislature. Lawmakers expect impassioned discussion as many requests were left partially unfulfilled or dismissed altogether.

Indeed, the committee was tasked with whittling down a list of some 100 proposals that totaled about $4 billion.

'Long, intricate process'

"This was a very long, intricate process," said State Sen. Tony Vargas of Omaha, a member of the Appropriations Committee. "It was extremely difficult and wasn't done in one fell swoop."

The pool reflected a variety of proposals from state senators and Gov. Pete Ricketts that drew scores of advocates from across the state to the State Capitol over recent weeks to lobby on behalf of pet projects and ideas. The COVID recovery funds come with restrictions and criteria.

Among those left with concerns are the Nebraska Hospital and Medical Associations, whose representatives say the ARPA proposal falls short of what health care professionals believe is needed to maintain a strong workforce pipeline.

The groups sent a letter to lawmakers underscoring their wishes, including a contingency for future public health emergencies.

Jeremy Nordquist, president of the hospital association, said the associations are talking to at least one senator about shuffling items in the proposed slate to better respond to public health needs. He said he understands it won't be easy.

'Moral document'

"It's going to be tough to take away money from people who think they have it," Nordquist said.

State Sen. Justin Wayne of Omaha already has taken action to compensate for a shortfall in the $450 million in federal ARPA funds that he and Sen. Terrell McKinney sought for an initiative focusing on rebuilding North Omaha.

Wayne hopes to fill the gap with state budget funds — and is requesting that the Legislature allocate $225 million from the state's flush cash reserve account to help rebuild historically neglected parts of east Omaha that have suffered disproportionately from discrimination and COVID.

He said the state budget is Nebraska's "moral document" and that state leaders haven't paid enough attention to urban and demographically changing communities across the state. "I don't agree with leaving people behind," Wayne said.

Vargas, whose district includes South Omaha, is a co-sponsor of the Wayne-McKinney proposal. He noted that the Appropriations Committee is a nine-member body and that its ARPA recommendations reflect varying rural and urban interests.

Vargas said the package devotes about $200 million specifically to North and South Omaha for such needs as job training and business development. Of that, $60 million is earmarked for a business park near Eppley Airfield and about $50 million is to create affordable housing.

In addition, Vargas said, organizations within the east Omaha communities are eligible to try to tap into certain other funds within the overall plan.

Assorted projects

Here is a sampling of other projects in the proposed ARPA package:

Public health: $60 million for a rural health complex at the University of Nebraska at Kearney; $20 million to help rural communities replace aging ambulances.

Economic revival: $60 million to Nebraska's six community colleges to strengthen and grow a post-pandemic skilled workforce; $20 million for grants to Nebraska food banks and to groups with innovative food supply chain projects.

Premium Pay: Nearly $37 million to provide pay increases for front-line public health and public safety workers in 24-hour facilities; $55 million for rate increases for certain providers of developmental disabilities services.

Infrastructure: $23 million to repair irrigation tunnels that collapsed in the Fort Laramie-Gering Irrigation District; $20 million to the Nebraska State Fair for wastewater and sewage systems.

By Cindy Gonzalez

OWH: Lindstrom hopes to snag win in GOP primary while front-runners duke it out

Brett Lindstrom's crucible moment as a legislator hit early in his political career, on a matter of life and death.

After months of study, the first-year Nebraska state senator, a pro-life conservative Republican, cast a series of votes in 2015 to overturn the death penalty. The decision put him at odds with Gov. Pete Ricketts and much of the base of his own party. Lindstrom described it at the time as "the hardest vote I've ever made."

Nebraska voters restored capital punishment the following year after a referendum heavily funded by the Ricketts family.

"I still stand by my decision, based on being pro-life," Lindstrom said, adding, "The voters spoke with the ballot. Moving forward as governor, I will uphold the law."

Seven years later, Lindstrom, running to succeed Ricketts, is an underdog in the May 10 GOP primary against two well-funded and better-known front-runners and several other candidates.

A lesson he first learned as a hard-luck Nebraska Cornhuskers quarterback was reinforced by what Lindstrom acknowledges was a rough rookie year as a lawmaker. In addition to the drama over the death penalty vote, just one Lindstrom bill made it through the Legislature.

"Getting knocked down and getting back up — (I learned that) things don't always run smooth," he said.

But Lindstrom said he watched how successful legislators worked, and he learned to engage in the political horse-trading that gets bills passed. He claims authorship of 60 bills that have passed in the years since. A financial adviser by profession, he has labored on literal pocketbook issues on committees that deal with banking, commerce and state revenue.

Last year Lindstrom authored a bill he had worked on for years that would reduce state income taxes on Social Security income in half by 2025, and possibly eliminate them entirely by 2030. He considers it his top legislative accomplishment.

"It's probably the largest tax cut we've done in several decades," he said.

Ricketts did not invite him to the bill-signing ceremony. Lindstrom ignored the slight and held his own event.

"He's highly regarded among his peers in the Legislature," said Paul Landow, an associate professor of political science at the University of Nebraska at Omaha, and a former chairman of the Nebraska Democratic Party. "It's primarily because he's seen as a decent guy, who's solid and hardworking."

Lindstrom is trading on that reputation in the rough-and-tumble primary race, characterized by the barrage of bruising ads the two front-runners, Charles W. Herbster and Jim Pillen, have aimed at one another.

Herbster, a businessman from Falls City, has won the endorsement of former President Donald Trump while Pillen, a hog producer from Columbus and University of Nebraska regent, touts his backing from Ricketts.

They have pushed hard on hot-button issues like critical race theory, gun rights and immigration.

Lindstrom doesn't differ much from his opponents on those issues. His campaign website pledges he will "ensure the radical left comes nowhere near your constitutional right to keep and bear arms" and promises a "fact-based, patriotic education" without "Anti-American, divisive and left-wing propaganda like 'critical race theory.'"

His advertising, though, has emphasized his youth and his telegenic family, while gently promoting his tax-cutting bona fides.

Lindstrom, who will turn 41 this week, was born in Lincoln and grew up in Omaha. His father, Dan,

and two uncles played football at Nebraska.

“I grew up in a football household,” Lindstrom said. “I used to put on my dad’s helmet and football jersey and run around.”

He played sports, too, and was a standout receiver at Millard West High School, graduating in 1999. He was offered athletic scholarships elsewhere but had thoughts only of playing at Memorial Stadium.

“I walked on at Nebraska, back in the good old days,” Lindstrom said. “I’m a little bit of a legacy.”

He made the team, shifting from receiver to quarterback. But injuries hobbled him — two screws remain in his foot from one such injury, he said.

Lindstrom majored in history at UNL and graduated in 2004. He married his wife, Leigh, three years later.

Lindstrom stuck close to home, following his father into business at The Lindstrom Group, a financial services firm. He still works there today.

By 2012, he was a young husband and father when a friend made an offhand comment that he should run for Congress. He did, one of five challengers to incumbent Rep. Lee Terry in the GOP primary.

“It was probably the best and worst thing I ever did, because I didn’t know anything,” Lindstrom said.

He finished a distant second but impressed Republican kingmakers. Two years later he ran to succeed Sen. Scott Lautenbaugh, to represent District 18, in northwest Omaha, in the Legislature. He won by 10 points in 2014 and eight points in 2018, each time defeating a Democrat in the officially nonpartisan race.

Since that hard first year, Lindstrom has focused mostly on issues of taxation and finance. He introduced his Social Security tax reduction seven times before it was finally adopted. This year, his bill to speed up the timetable to completely exempt Social Security income from state income tax is still alive with just 16 days left in the 60-day legislative session.

With his legislative career nearing an end because of term limits, Lindstrom set his sights on the Governor’s Office to pursue “unfinished business.”

One big piece is solving Nebraska’s seemingly intractable school funding deadlock. He has studied the ins and outs of public school financing and believes there’s still a path to boosting state aid while trimming property taxes.

Earlier this month he also unveiled an economic development plan. The centerpiece is a proposal to cut the top state income tax rate to 4.99% (from the current 6.84%), and eliminate it completely for single taxpayers with earnings under $50,000, and married couples with earnings under $100,000.

The plan also calls for spending on infrastructure and rural broadband. It does not specify how the tax cuts and new spending would be paid for.

As governor, Lindstrom would also have to grapple with the state’s grossly overcrowded prison system. He doesn’t favor proposals to build an additional state prison. He would prefer to spend money addressing addiction, mental health and workforce issues of the current inmate population first.

"Obviously violent offenders belong in prison, but I think there are people who we can do a better job rehabilitating,” Lindstrom said.

First, he must win a Republican primary in which the two front-runners have built up large war chests, according to campaign finance reports.

Through the end of 2021, Pillen raised $5.3 million (including $1 million of his own money). Herbster’s $4.9 million campaign was almost entirely self-financed.

Lindstrom is within shouting distance, having raised $1.6 million, thanks mostly to the three co-founders of Buildertrend, an Omaha software firm that has grown to 900 employees since brothers

Steve and Jeff Dugger and their friend Dan Houghton started it in their basement 16 years ago.

The trio donated $1.2 million last year, including a $1 million contribution from Steve Dugger.

Lindstrom said the contributions are about friendship, not influence-peddling. He said he has known the Buildertrend co-founders since childhood and counts Steve Dugger as his best friend.

In an email, Dugger deflected an interview request and did not directly address his hefty contribution. But he described his longtime friend as "passionate, and a person of good character that will provide that next generation of leadership for Nebraska."

Kevin Smith, chair of UNL's political science department, said he couldn't recall a larger outside contribution to a political campaign.

He said buying influence with large campaign contributions is a big concern, but he agreed that the long friendship between Lindstrom and Dugger puts the donation in "kind of a different category" that "would mitigate the concerns" for most people.

It is hard to tell how much traction Lindstrom is gaining, due to the lack of public polling.

But the Lindstrom camp sees a closer race than the popular narrative indicates. They believe they can squeeze out a win by building a positive image of him while Herbster and Pillen fire away at one another.

Smith thinks there is an outside chance it could work.

"Pillen and Herbster are focused on each other. This third candidate — the lack of that kind of limelight can still be an advantage," Smith said.

Much depends on who turns out to vote, Landow said.

"The Republican primary electorate is older and more conservative and more rural. That's why you see the kind of ads that are running," he said. "I think Lindstrom is less appealing to that electorate."

Even his acceptance that President Joe Biden was duly elected in 2020 could prove controversial with a large group of Republicans that accepts Trump's false claims that the election was stolen. Lindstrom said he has met people with that belief on the campaign trail.

"I don't discount how people feel," he said. "My message is that we can't talk about the past, we need to talk about the future."

By Steve Liewer

Nebraska Examiner: Dark money ads hit Herbster and Lindstrom in Nebraska governor's race

OMAHA — The first dark money dropped into Nebraska's governor's race Friday, with a pair of TV ads attacking two of the contest's top three Republican candidates.

Dark money group Conservative Nebraska funded a TV ad calling Conklin Co. CEO Charles Herbster a "Missouri millionaire" who does business out of state and pays his property taxes late.

A similar group, Restore the Good Life, backed a TV ad calling State Sen. Brett Lindstrom of Omaha "a liberal tax and spender," citing a vote supporting a gas tax increase to fund roads.

The attack on Herbster mirrored Gov. Pete Ricketts' criticisms Tuesday to the Nebraska Examiner after learning that Lt. Gov. Mike Foley was endorsing Herbster.

Ricketts, reached Friday, acknowledged that he was helping fund the group running ads against Herbster, saying he would be "a horrible governor."

"Me and my dad (Joe) gave a combined $600,000 to Conservative Nebraska," Ricketts said. "I want Nebraska Republicans to have the facts when they head to the polls."

The governor's father, Joe Ricketts, founded TD Ameritrade. The Ricketts family has spent millions of dollars, in dark money and in donations given publicly, on Nebraska races and ballot initiatives.

Ricketts backing Pillen

Pete Ricketts backs University of Nebraska Regent Jim Pillen in the governor's race. Pillen has not directly attacked Herbster in campaign ads. Herbster ads have attacked Pillen, however, including a new ad Friday on immigration.

Ricketts did not say how much he might spend opposing Herbster, nor did he say why he used the dark money group instead of funding the ads through the campaign he supports.

Herbster campaign manager Ellen Keast called the dark money ad attacking Herbster "a total joke." She said it criticized Herbster for growing his businesses in several states.

Herbster owns a home in Kansas City, Mo., and Conklin bases most of its business in Missouri and Minnesota. He is registered to vote in Falls City, Nebraska, where he also has a home.

"I'd like to thank whoever made the ad for telling Republican voters just what a great business person he is," Keast said.

'Baseless, anonymous smears'

Lindstrom campaign spokesman Pat Trueman called the ads against Lindstrom "baseless, anonymous smears."

"With nothing to offer but more mudslinging, it's understandable but disappointing that some of Brett's opponents have decided to hide their attacks behind a third party," Trueman said.

Trueman said the decision to attack Lindstrom confirms what recent polling has shown, that his positive message has made him one of three candidates who can win the primary.

"Brett Lindstrom is the only candidate in this race to have ever cut a tax," Trueman said. "Next week Brett will be going back to Lincoln to continue his conservative tax slashing record."

Pillen was not targeted by the dark money ads.

"The Pillens have not contributed to Conservative Nebraska or any other independent expenditure in the gubernatorial race," said Matthew Trail, a Pillen campaign spokesman.

Restore the Good Life murkier

The group attacking Herbster, Conservative Nebraska, involves familiar names in the Nebraska Republican Party, including former state GOP chair Mark Fahleson, documents show.

The group attacking Lindstrom is less clear. Restore the Good Life was incorporated Jan. 12 by Lincoln banker Tanner Lockhorn. He did not immediately return calls or texts seeking comment.

Ricketts appointed Lockhorn to the Judicial Nominating Commission for the Lincoln area in January 2021. Lockhorn has been active in GOP causes, including school choice.

On Jan. 21, roughly a week after Restore the Good Life was incorporated, Lockhorn was in Washington, D.C., for the annual March for Life. Ricketts stayed home but spoke to about 200 Nebraska students by phone. Lockhorn held a cell phone to the microphone so the crowd could hear Ricketts' remarks, GOP sources told the Examiner.

Lockhorn also is Facebook friends with Lt. Gov. Foley, who backs Herbster.

The governor denied spending any money on ads against Lindstrom.

"I have not donated to that group," Ricketts said in a statement. "I don't typically criticize Republican senators during the session as I always want to give them the chance to do the right thing."

The campaigns for Herbster, Pillen and former State Sen. Theresa Thibodeau told the Examiner their candidates weren't funding the ads.

The anti-Lindstrom group shares a name with a website run by GOP governor candidate Michael Connely, who also denied involvement.

Connely said somebody might be pointing people toward his insurgent campaign. Political groups trying to hide their backers will sometimes use names that hint at someone else's involvement. Connely said that his campaign doesn't use Twitter and that he doesn't know who made the account that tweeted the anti-Lindstrom ad Friday.

"Nope, not making any dark money ads against Lindstrom," Connely wrote on Friday by email. "I do not care for organizations that contribute to him, but we do not run mudslinging ads."

Ad buys made Friday

Conservative Nebraska reserved $187,000 in television ad time in Omaha and Lincoln. It also bought TV ad time in Scottsbluff and Hastings. Restore the Good Life reserved $150,000 in TV ads in Omaha.

The ad buys showed up Friday within an hour of one another. That left local political consultants questioning whether the purchases were coordinated or connected.

Answers won't be easy to come by, said Paul Landow, a political science professor at the University of Nebraska at Omaha who has worked on political campaigns.

"It's not clearly reported and easy to trace, and that's a problem," he said. "Political money needs to be reported, and people need to know where it came from."

Studies show dark money ads can be effective, particularly against candidates who can't afford to push back, Landow said. They're "powerful, bare-knuckled and usually work."

By Aaron Sanderford

LJS: 'I have no control' — Report details shortcomings of Nebraska's community corrections facilities

A new report from Nebraska's Inspector General of Corrections details "rampant substance abuse," overcrowding and a lack of meaningful mental health care available at the state's community corrections facilities in Lincoln and Omaha.

The 34-page report, published in late February, was the result of a monthslong investigation conducted by Inspector General Doug Koebernick and his office after eight inmates walked away from the facilities in April 2021 alone.

In the first 11 months of 2021, 36 community corrections inmates — all but one of whom were less than a year from being eligible for parole — escaped the low-level custody facilities that are meant to help incarcerated men and women transition into life after custody by allowing inmates to maintain off-site jobs.

After his office investigated trends in walkaway incidents — interviewing staff members and escapees — Koebernick highlighted the lack of mental health care, "significant shortcomings" in the use of electronic-monitoring systems to track inmates and disparities in the punishment of men and women found guilty of escape as contributing factors in walkaways.

But above all, Koebernick and assistant inspector general Zach Pluhacek wrote in the report, inmates and staff pointed to stress as the root of problems among the incarcerated population at Community Corrections Center-Lincoln, the larger of the state's two community custody facilities and the focus of the report.

"When people go to community corrections centers, you would think that they wouldn't have a lot of stress because they're so much closer to leaving prison," Koebernick told the Journal Star.

"But, in reality, a lot of people — all of these new things are going on in their lives where they're reconnecting with the family, or they're trying to find a job or they're thinking about where to live. And so all these things actually add a lot more stress onto them."

Staff and inmates told the inspector general's office that the inherent pressures of transitioning out of custody are exacerbated by overcrowding and substance abuse — separate issues that are magnified by understaffing, according to the report.

Designed to house just more than 300 men and 82 women, the Lincoln facility houses nearly 600 inmates, with eight men often sharing rooms designed for four.

Even after a 2016 staffing analysis conducted by the Nebraska Department of Correctional Services recommended each case manager at the facility have their case load limited to 40 inmates, that ratio sits at approximately 100-to-1 in the Lincoln facility's four main housing units.

Staff members told the inspectors that the overcrowding makes it difficult for employees to police behavior, track inmates' whereabouts and identify who is responsible for contraband, all while assisting with reentry.

The report notes that "virtually everyone" who spoke to the office acknowledged that drug use — namely methamphetamine and K2, or synthetic marijuana — is widespread.

“I have no control in this facility,” one staff member told the office. “They know there is no retribution for going off the rails.”

James Jansen, warden of Community Corrections Center-Lincoln, told the inspector general's office that administrators take a hard line against those suspected of trafficking contraband into the facility while also weighing their pending reentry into society.

Those suspected of dealing drugs within the facility — and drug users who repeatedly relapse as they transition back into the community — are routinely sent to state prisons, Jansen told Koebernick's office.

But the unbridled access to substances in the facility persists, according to the report.

The inspector general's foremost recommendation to Scott Frakes, the Department of Correctional Services' director, was to "right-size" the population at the Lincoln facility while seeking work release opportunities outside of Lincoln and Omaha.

Frakes, though, rejected the recommendation in his response to the report, noting the cost of operating smaller facilities elsewhere or contracting with county jails to house work release inmates, as the report had suggested.

The head of Nebraska's prison system since 2015, Frakes noted the state has invested $22 million into the Lincoln facility in "creating a healthy environment for the people who live and work there."

Among the five specific recommendations Koebernick's office made, Frakes didn't outright accept any of them, rejecting two and requesting modifications to three.

And in his responses, the director wrote that he doesn't agree that escapes are tied to the size, location or quality of mental health care offered at either community corrections facility.

"I'm very surprised by what he had to say," Koebernick said, referring to Frakes' response. "Because the facts just don't back it up."

In a written statement to the Journal Star, Frakes said the department has found the most prevalent reason inmates walk away from the facilities has to do with the state of a personal relationship — a reason Koebernick also said came up frequently in his office's review.

"Poor impulse control, substance use, self-sabotage ... and other issues can also result in the decision to leave," Frakes said. "Sometimes, it is a combination of reasons."

Frakes also rejected the notion that the Lincoln facility is overcrowded. Asked if the department has plans to reduce the population there, Frakes said the facility has a "statutory operational capacity of 575 people."

"The current count is 588 people," Frakes said, "with a total of 660 beds."

The increase in population at the Lincoln facility in the past six years — two additional housing units have opened there since 2016 — has come as access to mental health care at the facility has decreased.

Substance-use counselors are the only designated mental health professionals on staff at the Lincoln facility, and two of four such positions were vacant when the inspector general's office completed its

report. Additional mental health care services are provided by staff from other facilities.

But staff and inmates who spoke with Koebernick's office described "waiting days or weeks for responses to their requests for help from mental health staff, if they are seen at all," according to the report. Services are targeted to individuals with specific “levels of care” defined by the Department of Correctional Services.

Nebraska previously allowed people incarcerated at the state's community corrections centers to pay for mental health services from area providers, but that option has been revoked, according to the report, even though state statute allows it.

Koebernick's office asked Corrections Department administrators about the policy change, "but received no specific response to the questions asked," according to the report.

In his response to the office's recommendation that the department should provide all community corrections inmates with appropriate mental health treatment, Frakes wrote that all inmates do have access to treatment "consistent with the community standard of care" but agreed that a review of treatment provided is warranted.

In his statement to the Journal Star, Frakes said the internal review is ongoing and being led by the department's medical director. He said the review will help determine best approaches to ensure that all mental health needs at the facility are met.

Frakes also committed to a review of community corrections staff policy and the use of electronic monitoring systems to track inmates based on recommendations by Koebernick's office.

The report found that staff haven't used the tracking devices to their full potential, noting a lack of random checks allows technical issues and off-course inmate behavior to go unnoticed for "lengthy periods of time."

In one instance, staff found that an inmate at the Lincoln facility had been making unauthorized stops outside the facility every day for six months, including one afternoon where he stopped at the playground of an elementary school for 20 minutes near dismissal time.

"This inmate is serving a 30- to 35-year sentence for first-degree sexual assault of a minor," Koebernick's office wrote in the report.

Frakes declined to share details on the department's review of the monitoring devices, citing security concerns.

The inspector general's investigation also uncovered disparities in punishments for men and women found guilty of escape after walking away from the corrections facilities.

Of the 36 walkaways Koebernick's office reviewed, 24 inmates were found guilty of escape, including 18 men and six women.

All 18 men lost "good time," a form of sentence reduction that inmates earn by maintaining good behavior. Most of the men lost six months' worth of good time, the maximum punishment for escape.

Only one woman — who forfeited 30 days of good time — lost any, according to the report.

But Frakes rejected the inspector general's recommendation to review disciplinary records and address issues of equity in administrative sanctions. In his response, Frakes said the process allows for discretion in determining appropriate punishment while ensuring inmates their due process rights.

The inspector general of the prisons system was created by the Legislature in 2015 to "provide for increased accountability and oversight" of the state's corrections division.

Koebernick told the Journal Star that he hoped the report wasn't taken as an indictment of staff at the two community corrections facilities, who he said are doing their best despite being "dealt a really difficult hand."

"They care a lot about those people out there," he said.

And Koebernick said he knows his office's reports aren't always well-received by Frakes and his department. But he's confident in the report, he said.

In his response to Frakes, Koebernick wrote that he is hopeful the department won't minimize the issues the report uncovered. The inspector general declined to modify his recommendations, as the director had requested.

"I disagree with him," Koebernick said.

By Andrew Wegley

Nebraska Examiner: Environmental, farm groups seek update of 2014 state climate impact study

LINCOLN — It's been eight years since the state last produced a report on climate change, a report that predicted adverse effects ahead for the state's largest industry, agriculture.

Several environmental groups, as well as the state climatologist and one farm group, are now calling on state legislators to update the 2014 "Understanding and Assessing Climate Change" study produced by the University of Nebraska-Lincoln.

Legislative Bill 1255 seeks $150,000 in federal American Rescue Plan Act (ARPA) funds to update the climate study, which proponents maintain would better prepare the state for the wilder swings in weather and precipitation experienced in recent years.

"Extreme weather events'

"The number of annual extreme weather events facing our nation is increasing, and it's costing us billions of dollars every year," State Sen. Eliot Bostar of Lincoln told the Legislature's Appropriations Committee on March 3.

According to the National Centers for Environmental Information, the damages caused by extreme weather events have more than doubled in recent years, from about $7.4 billion a year to $17.2 billion a year since 2017.

Martha Shulski, the state climatologist, said that just like tracking drought and spring flooding, the state needs a "science-based, trusted voice" to look at what's ahead in terms of changing climate and how to plan for it.

"At this point, tracking weather trends is not a choice, it's a must," said Shulski, who emphasized that she was testifying as an individual, not on behalf of UNL.

LB 1255 would require a report from UNL's Institute of Agriculture and Natural Resources by December 2024.

The bill would also allow the hiring of a "science-based" consultant to recommend how the state should respond to the coming changes. The measure makes no mention of studying whether climate changes are human-caused or not.

Helps other ARPA projects

Bostar said the bill would also provide necessary climate-impact information for the state to use ARPA for water projects.

Several environmental groups testified in favor of the bill, including Audubon Nebraska, the Sierra Club of Nebraska, the Nature Conservancy and Nebraska Interfaith Power & Light.

Kristal Stoner of Audubon Nebraska told members of the Legislature's Appropriations Committee that this state was falling behind.

Stoner said 34 other states have a climate action plan or are in the process of developing one, citing the Center for Climate and Energy Solutions.

Cost is 'cheap'

Stoner said that "$150,000 is cheap compared to the implications of inaction."

John Hansen of Nebraska Farmers Union also spoke in favor of the bill. He said the state's farmers and ranchers have a vested interest in preparing "for a changing future that has already arrived."

No one testified against the bill. The funding is included in the ARPA budget developed by the Appropriations Committee.

Extreme weather

Just in recent years, there has been:

- A drought in 2012 that affected 38% of Nebraska and caused more than $4 billion in damage.
- Epic floods in 2019 that caused $3.4 billion in damages across the state.
- In 2021, the state recorded the warmest December on record, as well as a rare outbreak of 30 tornadoes across Nebraska and a rare "derecho" that caused $3 billion in damages nationally.

By Paul Hammel

OWH: Tax plans offer alternatives of property tax credits or cash back to Nebraskans

LINCOLN — Nebraska lawmakers looking to give money back to taxpayers will have two very different options to consider in the coming week.

One would give more money back to property taxpayers while cutting top individual and corporate income tax rates. The changes would be phased in over five years.

The other would give $200 cash to every Nebraskan this year while cutting the tax rate on a middle-income tax bracket starting next year.

Both options have been introduced as amendments to Legislative Bill 939, introduced by State Sen. Lou Ann Linehan of Elkhorn, the Revenue Committee chairwoman. Lawmakers are slated to debate the bill again on Tuesday.

As advanced on first round, the bill would reduce the top individual income tax rate by 14.6% over three years and cut the top corporate rate by 22% over four years. It would not make any property tax changes or send money to lower- and middle-income Nebraskans.

Linehan worked on the property tax amendment with Sen. Tom Briese of Albion. She said she backed the property tax change to help win support for LB 939 and overcome a potential filibuster.

"We're trying to build a package that we can get to 33 (votes)," Linehan said. "We've got to keep this rolling."

The bill cleared the first of three rounds of debate on a 40-1 vote, but several senators said they backed it only to keep the bill in play until the state's fiscal picture became clearer. Since then, the fiscal picture has brightened, with the state now projected to collect $775 million more than previously expected for the two years ending June 30, 2023.

Briese said many lawmakers and constituents put a high priority on easing property taxes. The amendment would further that goal by allowing property owners to claim refundable income tax credits equal to a portion of what they paid in community college property taxes.

The new credit program would be similar to one created by LB 1107 two years ago. The existing program offsets a portion of what property owners pay in school property taxes. For this year, the LB 1107 credit program will offer $548 million worth of credits, equal to about one-quarter of school property taxes.

The proposed community college credit program would start at $50 million this year and ramp up to $195 million by 2026. At full implementation, the program could offset around three-quarters of community college property taxes.

“What we’re putting in place is meaningful and substantial tax relief for all Nebraskans, but it’s done in a fiscally responsible manner,” Briese said.

The Linehan-Briese amendment would still ratchet down the top corporate and individual income tax rates to 5.84% but at a slower pace. Under current law, the top corporate rate is 7.5% for this year and is slated to drop to 7% next year. The top individual rate is 6.84% now.

With the amendment, the bill would reduce state revenues by an estimated $74.5 million for the fiscal year ending June 30, 2023. That’s about $10 million more than under the current version of the bill.

By 2027, after all of the pieces are fully implemented, it would shrink state revenues by about $660 million a year.

Sen. John Cavanaugh of Omaha introduced the other amendment. It would provide every Nebraskan with a $200 debit card this year at a cost of about $400 million but take a more conservative approach to reducing income taxes.

Instead of cutting the top rate, it would take the next lower rate from the current 5.01% down to 4.01% in one year. The change would reduce state revenues by an estimated $97 million.

Cavanaugh said his approach would achieve the goal of returning money to taxpayers, while ensuring that the state does not overextend itself on tax cuts. He said it also provides more relief to middle-income Nebraskans than the current version of LB 939.

“When it comes to things like this, we should do it slowly,” he said. “It doesn’t mean we can’t come back in the future and take another step.”

Cavanaugh’s amendment would benefit single filers making more than $28,086 a year and married filers making more than $56,182, after accounting for personal exemptions and standard deductions.

Changing the top tax rate, as proposed in LB 939, would benefit single filers making more than $40,676 and married filers making more than $81,352.

Cavanaugh and others have objected that LB 939 directs most of the tax cuts to the wealthiest Nebraskans and leaves out large numbers of lower- and middle-income taxpayers. Linehan has said that cutting the top tax rate is key to making Nebraska competitive with neighboring states.

By Martha Stoddard

LJS: Don Walton: Budget debate spotlights urban-rural divide, race-based challenges

The Legislature's ongoing budget debate has focused a bright light on the rural-urban divide that tends to define politics in Nebraska.

It also has produced a blunt assessment of race-based challenges and opportunities in our state.

All accompanied by the ongoing difficulty of enacting reform or creating change.

One of the budget bills that's headed to enactment "prioritizes everywhere but Omaha and Lincoln," Sen. Justin Wayne of Omaha told his colleagues during last week's lengthy budget debates.

"Do all Nebraskans matter?" he asked. "When is my community going to be important enough?"

Black Nebraskans who live in North Omaha have been "begging for help for 40 years," Wayne said.

There is money coming for both North Omaha and South Omaha, where a Latino majority lives, in the form of federal pandemic recovery funds.

But, Wayne argued, there ought to be a place for North Omaha and South Omaha in the state-funded budget document itself.

"That's our moral document," he said.

* * *

There's some discomfort for a number of senators about this year's unusual opportunity for increased spending due to an unanticipated increase in state revenue and the flow of federal pandemic recovery funding into the state.

"I think we're spending too much," Sen. Curt Friesen of Henderson said in raising concern about the size of the budget bills.

Pending legislation that would reduce future anticipated revenue through proposed state tax decreases is a concern for some other senators.

A bill to reduce state income tax rates, with a mushrooming impact on reductions in state revenue during following years, is parked at second-stage floor consideration awaiting further action on this year's spending decisions.

"The North Omaha Recovery Act" that would funnel federal funding into development of affordable housing and economic recovery is tentatively scheduled for debate on Tuesday.

Wayne and Sen. Terrell McKinney asked for $450 million; the Appropriations Committee proposed $250 million. The original proposal has been expanded to include South Omaha, with Sen. Tony Vargas as its advocate.

Finishing up

* In the wake of his departure from the University of Nebraska at Omaha, political science professor Jonathan Benjamin-Alvarado spoke an uncomfortable truth, which is increasingly evident in this year's political discourse: "I just don't think that a lot of people see higher education in Nebraska as a public good."

Community colleges, with their more immediate impact on workforce development, are the favored child now.

* There's an online buzz about Democrats and nonpartisans preparing to change their voter registration to Republican so they can participate in the hotly contested GOP gubernatorial and 1st District congressional primary elections on May 10. Current law already allows registered nonpartisan voters to choose the congressional ballot of either party.

* The savage Putin-ordered assault on Ukraine along with President Biden's subsequent description of the Russian president as "a war criminal," "a murderous dictator" and "a pure thug" opens a whole new ballgame. We're not in Kansas anymore.

* OK, I'm in the decades-old March Madness extended family bracket business once again, but this year I haven't paid as much attention to college basketball as I normally do -- that may have something to do with the Husker men -- and so I essentially have no clue. Which probably means that I may have a decent chance of winning now.

* Speaker of the Legislature Mike Hilgers has told senators to be prepared to meet as late as midnight on Thursday as he lines up all the budget and spending bills for movement through the legislative process with the clock ticking. Things are going to go bump in the night.

On the docket for priority consideration in addition to the budget and spending decisions this week is a final reading vote on a bill to direct the governor to apply for all available federal emergency rental assistance. Welcome to the O.K. Corral.

And there will be consideration of a motion to bring a bill to the floor that would prohibit abortion in Nebraska -- with criminal penalties for physicians -- if the U.S. Supreme Court nullifies Roe v. Wade.

The abortion bill, which now has 24 sponsors, allows an exception for an abortion that is performed to preserve the life of the mother. That motion requires 25 votes. Breaking a subsequent filibuster by opponents would require 33.

* The 2022 session of the Legislature may be remembered as the filibuster session.

By Don Walton

LJS: UNL starts its own student-led venture capital fund

Plenty of startup companies founded by University of Nebraska-Lincoln students and alums have grown up into huge successes.

Think Hudl or opendorse or Virtual Incision.

But could they have grown faster or bigger if they had more access to capital early on?

After Emily Kist had an internship with Nelnet and the Nebraska Angels in 2020, she pondered a similar question. Could the university do something to not only help those early stage companies but also give students more opportunities on campus to learn about venture capital investing?

After her internship ended, Kist got to work answering that question.

The finance major started talking to university officials, community members and others about whether they would support the idea, "and I got a lot of yeses," she said.

Kist also happened to meet another UNL student, Adam Folsom, who had the same idea.

At the same time, someone else on campus was working on a similar concept.

Joe Petsick, who co-founded Omaha-based online auction company Proxibid, had been hired a few years ago as entrepreneur in residence at UNL.

He said a big part of his job was to look at the College of Business through an entrepreneurial lens and seek ways to get the Center for Entrepreneurship better connected to both the startup and overall business communities.

One of the areas he immediately identified where he thought the university could make a bigger impact was in venture capital investing.

"Probably one of the largest complaints you'll hear about our ecosystem is related to a lack of available capital," said Petsick.

While things have improved over the past few years in terms of money available at the seed capital stage and later, there is still a gap when it comes to early stage capital.

Petsick said he realized a UNL venture capital fund could solve two problems. It would provide needed capital for early stage companies that may not access it otherwise, and it would provide more opportunities for students to learn about how the venture capital process works.

And it also would put UNL on par with the hundreds of other universities that have venture capital funds or formal programs, including the University of Nebraska at Omaha and most of the schools in the Big Ten.

As he moved further along in the process, he found out about Kist and Folsom and their similar efforts.

Petsick said he eventually took the idea to Kathy Farrell, dean of the College of Business, "and she immediately agreed that it was a good idea and we should try to pursue it."

He said the decision was made to create an "evergreen" fund, which essentially means that any profits go back into the fund to be used for future investments.

Petsick said he then got in touch with Invest Nebraska, which is a public-private partnership that invests in early stage companies in the state.

Ben Williamson, principal and general counsel of Invest Nebraska, said it wasn't the first time he'd fielded a proposal for a student venture fund.

"It would come up every once and awhile and for whatever reason it never got any traction," Williamson said. But the idea seemed to have better footing this time, largely because "the startup ecosystem is in a more mature place."

Williamson said he told the organizers that if they could raise the funds and get the needed buy-in from the university and the startup community, then Invest Nebraska would be willing to act as sort of a sponsor, providing oversight and advice to the students on elements such as how to structure deals.

The Husker Venture Fund officially launched last fall with nearly $1 million in capital raised from businesses and individuals, many of them alumni of the university. More than two dozen students were chosen to participate in the inaugural version of the fund.

Its goal is to focus on companies affiliated with UNL, with a priority given to student-founded firms.

Last month the fund it made its first-ever investment, $25,000 to Sentinel Fertigation, a company started by Jackson Stansell, who's pursuing a doctorate in biological engineering at UNL.

Stansell, whose company uses technology to make nitrogen fertilization more efficient, said he was impressed by the vetting process he had to go through.

"They asked some of the best questions I've gotten in my entire investment or fundraising process," he said.

Williamson said he's been pleasantly surprised by the professional work done by the students. He was prepared to have to do a lot of hand-holding, but that has not been the case.

"Honestly, Adam and Emily have done all the hard work, and we've just kind of tried to support them along the way," Williamson said.

Kist, who is one of the managing directors of the fund along with Folsom and Keith Nordling, said the goal of the fund is to provide four $25,000 investments each academic year, and although it probably won't reach that goal this year, it is looking to finalize a couple more deals before the end of the semester.

Kist said that while it would be nice to fund a company that turns out to be as successful as Hudl, the students and their advisors understand that what they are doing is early stage investing, and they may have more failures than successes.

"It's just really fun to support founders and help them get to that next stage of growth, and so we kind of have that mindset when we go into each investment," she said.

By Matt Olberding

Kearney Hub: COVID-19 cases and risk dial plummet in the Two Rivers district

KEARNEY — With just 21 cases of COVID-19 recorded in the seven counties of the Two Rivers Public Health Department between March 9-16, the Two Rivers weekly risk dial has dropped to the middle of the second-lowest “moderate” range.

That’s the lowest the dial has been since last Aug. 4.

The 21 cases are just half as many as the new cases reported in each of the last two weeks, and 95% fewer than the number confirmed when cases peaked here in late January.

But it’s not time to relax quite yet, Susan Puckett, community health nurse at Two Rivers, said during Friday’s weekly community conference call.

A new omicron variant is sweeping through Europe and is responsible for 20% of new cases nationwide in the U.S. The U.S. often follows COVID-19 trends in Europe by a few weeks.

“That 20% is an estimate, since not every positive at-home COVID test is sent on to a lab for variant testing now, but this variant is as contagious and transmissible as the first omicron variant,” she said. That’s the variant that sent new cases soaring in January.

Puckett said Nebraska now is averaging just 21.7 cases per day per 100,000 people, but Jeremy Eschliman, health director for Two Rivers, said more people are testing themselves at home and not all are reporting the results, so figures for positive tests may not be entirely accurate.

Since the pandemic began on March 20, 2020, the state has had 477,187 cases of COVID-19 and 4,044 deaths. “We’re in good shape,” Puckett said, especially compared to surrounding states, where cases and deaths are much higher, especially in heavily populated urban areas like St. Louis, Kansas City and Des Moines.

Two Rivers, which includes Buffalo, Dawson, Franklin, Gosper, Harlan, Kearney and Phelps counties, has had 200 people die of COVID as of Feb. 17, 2022.

Puckett urged people who are traveling to take a rapid antigen test before leaving home. Some people with COVID have mild symptoms, or none at all, especially those who become ill despite being vaccinated.

“Many people have COVID symptoms that are milder than a common cold these days, and this time of year, some people think they have spring allergies when it’s actually COVID,” she added.

Likewise, people with minor cold sniffles should test themselves, too. “Have a sniffle? Stick a swab up your nose and find out if you have COVID,” she said.

Vaccinations remain stalled here. As of Wednesday, just 52% of the total Two Rivers population of 97,132 has received two shots of the Pfizer or Moderna vaccine or one J&J inoculation. Not quite half of the region’s population has received a booster shot.

She said people who test positive, and have high-risk conditions, should also talk to a health care provider about whether they would be a candidate for anti-viral medications that are prescribed for COVID-19 patients. Puckett said that starting anti-virals within five days of the first symptoms is advantageous.

“And it’s still a good idea to wear a mask for greater protection and avoid non-essential indoor activities,” she said.

Puckett also urges people to Google “Test to Treat Initiative,” a new federal program unveiled this week that is aimed at increasing access to treatments, including anti-viral pills, for people who test positive for COVID.

In other news, Puckett said flu and flu hospitalizations are rising. Flu vaccinations are recommended for small children, pregnant women, adults over age 65, residents of nursing homes and long-term face facilities, and people with chronic health conditions, such as heart disease and lung disease.

Two Rivers also has supplied free in-home COVID test kits to libraries in Franklin, Gibbon, Minden and Lexington. Up to 7,500 tests also are available at the Two Rivers office at 516 W. 11th St.

By Mary Jane Skala

OWH: Parents, teachers hopeful for 'normal' spring as schools roll back COVID restrictions

The appointment book at Tip Top Tux in Omaha is filling up.

That’s one of many positive signs that springtime in Nebraska could be the most normal period schoolkids have experienced since before the pandemic hit.

With COVID-19 case counts bottoming out now in many schools and communities, school officials in various districts are rolling back their health restrictions.

They’re making masks optional, ending their daily posting of cases, allowing kids to eat lunches in the cafeteria instead of in classrooms and turning drinking fountains back on.

They’re allowing school assemblies and field trips, letting parent teacher organizations hold events with food, moving classroom desks back together and planning for restriction-free sports, graduations and proms.

Some school boards have rescinded the emergency powers they delegated to superintendents.

“Really the numbers have fallen way off,” Nebraska Commissioner of Education Matt Blomstedt said, “and there doesn’t seem to be something on the horizon, the immediate horizon, that would change that.”

Blomstedt, however, added a cautionary “knock on wood.”

If you’ve lost track, the last normal school year was three years ago.

Schools shut their doors in March 2020 for the remainder of that school year. They opened again in 2020-21, but with heavy restrictions.

Last August, school officials were optimistic for a more normal year, but after cases spiked they reevaluated and imposed restrictions.

Since the January spike, the situation has improved. Some districts recently reported daily cases in single digits or none at all.

As of last Friday, the majority of Nebraska counties were classified by the Centers for Disease Control and Prevention as in the low-concern “green” level — among them Douglas, Sarpy, Cass and Lancaster.

To determine a county’s level, the CDC looks at the combination of new COVID-19 hospital admissions per 100,000 population in the past seven days, the percent of staffed inpatient beds occupied by COVID-19 patients, and total new cases per 100,000 population in the past seven days.

Tehia Wells, store manager of Tip Top Tux at 615 N. 98th St. in Omaha, said that after a couple of rough years where business took a COVID hit, tux rentals for prom — and for weddings — are on the rise.

“Whether it’s Millard or Elkhorn or the OPS schools, kids are excited right now to have something back that they thought they lost,” Wells said.

The store’s been receiving 30 to 40 appointment submissions a day for kids to come in and get tuxes for prom. Last year, some schools held outdoor proms or street dances instead.

“We’re seeing kids come in and go all-out for things,” she said. “Honestly, they don’t care about cost even at this point. The parents just want them to have something. They want them to get this back.”

Liberty First Credit Union Arena (formerly known as Ralston Arena) and Baxter Arena are both planning for restriction-free graduation ceremonies this spring.

Michael Smith, general manager of Baxter Arena, said the venue is slated to host 17 ceremonies.

“For the most part, our planning is back to pre-COVID,” he said.

The arena will still have hand-sanitizing stations, and staff will be disinfecting seats between ceremonies and at night, he said. But there are no plans to limit the number of guests a graduate can invite, though some schools may still issue tickets to get in, he said.

“I know our teachers, and some of our counselors and administrators who we work with, are excited, too, to get back the choir, to get back the orchestra, the band, to get back those things that were maybe prerecorded at those ceremonies,” he said.

The mask mandate that overshadowed last year’s ceremonies at the venue is gone. Last year, some schools didn’t hand a diploma to students at graduation.

Smith said arena staff will be ready to pivot if conditions change.

“We are ready for that change if it happens, if we have to move towards those different protocols, but I’m optimistic, I’m encouraged that we’re going to be more back to pre-COVID when it comes to May,” he said.

Some districts are still deciding how to handle spring events.

Bridget Blevins, spokeswoman for the Omaha Public Schools, said spring events like prom and graduation will have to comply with venue COVID policies. Common venues in past years for OPS have been the Durham Museum, CHI Health Center and Baxter Arena.

OPS students at Burke High School are allowed to invite guests from other schools for the first time in two years for its prom on April 9, according to Burke's newsletter.

Bennington Public Schools officials said the district hasn't decided what, if any, COVID restrictions will still be in place for spring events. The Elkhorn Public Schools and Westside Community Schools both are planning activities like prom and graduation in a pre-pandemic fashion.

School board members in the Papillion La Vista Community Schools are among those that rescinded an order giving the superintendent power to quickly make changes in health protocols.

The board members also last week eliminated the triggers they set in October to determine when masking would be mandated at a school. The district had been imposing masks when a building had 7% of students absent or when an elementary classroom had two cases.

"We're just not seeing the cases that there were," said Annette Eyman, district spokesperson.

Papillion La Vista officials are changing all the door signs to reflect that buildings are mask optional. Masks used to be recommended. That's a subtle change but one that indicates mask wearing is now wholly up to the individual and their personal health needs.

At the start of the year, not every school in Papillion La Vista could send all kids to the cafeteria and maintain proper social spacing. As a result, some students have been eating lunch in classrooms. The district is going to try to get kids back into the cafeterias.

Eyman said there's a lot of reteaching that has to happen with the kindergartners and first graders.

"We have kids who have never eaten lunch in a cafeteria, so it's not something that is going to happen overnight," she said.

Britny Harrison, whose three children attend Walnut Creek Elementary School in Papillion, said it's "wonderful" to see a more normal spring.

Her son has sensory issues and wearing a mask was a challenge.

She's glad Papillion La Vista is turning fountains on, so kids won't have to bring bottles for water.

"We went through, like, 10 water bottles this year, and they were not cheap," she said.

Workers were turning fountains back on in the district last week, while students were on spring break.

The district's schools now have the green light to hold all-school assemblies. When PTOs hold events, they can have food again.

After spring break, the Millard Public Schools will no longer post daily case counts, officials said.

The Gretna Public Schools alerted parents that it won't be updating its COVID numbers weekly on the website and that it's paring down parent notifications.

Officials will be ready to change course, however, if the disease "raises its ugly head again," Superintendent Rich Beran said.

The Bennington Public Schools and some other districts have changed how they'll respond when cases turn up in an elementary classroom.

Dee Hoge, assistant superintendent, announced at a March 14 school board meeting that elementary classrooms will no longer require masks if a COVID-19 exposure occurs. She said even one positive case used to trigger a mask mandate to control a potential outbreak.

Principals will still notify families in the case of an exposure and masks will be recommended.

As of last Monday, Bennington also stopped updating active COVID cases per school on its online dashboard and instead will only report monthly districtwide numbers. Hoge said this was because of the statewide and local decrease in cases — so far, the district has reported two cases this month.

The drop in cases has been a welcome change for teachers, who are tapped far less often to cover for ill and absent colleagues.

“It’s very rare to have a teacher out,” said Sarah Starke, who teaches fourth grade at Bellevue Elementary School in the Bellevue Public Schools.

Starke said some curtailed events, like book bingo night and the Pancake Man, can come back now.

“We always have a tradition of father-daughter dance at our school,” Starke said. “We can do that again.”

Desks have been pushed back together after being spread apart for social distancing, she said.

Starke’s husband, Dave, teaches sixth grade at the district’s Bellaire Elementary School.

His sixth graders will resume a tradition.

“As sixth graders, we always visit the middle school where they’re going to next year, and we haven’t done that for two years,” he said. “So finally, this year, we get to go visit Mission Middle School where most of them are going next year.”

Tim Royers, president of the Millard Education Association, said a lot of what happens in schools was taken for granted before the pandemic.

“Getting these pieces all back in place I think is important so they can enjoy as much of the experience as they can,” Royers said.

He said he detects more optimism in schools. While people are starting to feel a return to normal, they’re also confident they could handle a resurgence of the virus, if necessary, because “we have the playbook now,” he said.

“I still have one eye on the dashboard just in case, kinda like I haven’t quite put my snowblower away, just in case,” he said. “You never know if one last one’s gonna hit us.”

By Lauren Wagner and Joe Dejka

OWH: Nebraska Supreme Court rejects challenge to law that lets investors take property over unpaid taxes

The Nebraska Supreme Court rejected an argument challenging the constitutionality of a state law that allows third parties to acquire properties by paying off the owner’s tax debts.

Friday’s decision in Continental Resources v. Fair brings an end to a years-long fight by a Scottsbluff man to keep his home of 27 years. Kevin Fair, who argued that Nebraska’s tax lien sale process is unconstitutional, will lose his house as a result of the decision.

Fair and his wife, Terry, who died in 2019 during the ensuing legal battle, lived in a modest home valued at just under $60,000, according to court documents. They owned the home outright.

In 2014, the Fairs failed to pay their property taxes to Scotts Bluff County.

When property taxes go unpaid, the county takes out a lien — a legal claim — on the property, which makes it unable to be sold or refinanced until the debts are paid. These liens are advertised in a local newspaper and sold to third parties.

Once a third party purchases the lien and pays the homeowner’s debt, they begin paying taxes on the property. After three years of paying taxes, the third party can then apply for a tax deed. They also must notify the owner of their intent to obtain a tax deed so that the owner has the opportunity to pay the debt and keep the property.

The lien on the Fairs’ home was advertised in an area newspaper in February 2015. A company called Continental Resources purchased the tax lien for $588 and started paying the property taxes on the Fairs’ home, according to court documents. As a result, the county stopped sending the couple further tax bills and communications.

During that time, the Fairs never made a payment on their delinquent property taxes, according to court documents.

In April 2018, three years after Continental began paying taxes on the property, the Fairs were informed that they had three months to pay $5,268 if they wanted to keep their home. The pair originally owed only $588 in property taxes, a number that ballooned due to additional unpaid taxes, legal fees and a 14% annual interest rate.

The Fairs could not afford to pay the bill. In 2019, an attorney for the couple told The World-Herald that they had tried and failed to obtain a bank loan to pay off the lien and keep the house. Terry was diagnosed with multiple sclerosis and lost her job, and Fair had taken an early retirement to become her caretaker.

After receiving no payment by July 2018, Continental applied for and received the tax deed for the Fairs' home.

A legal battle ensued. Legal Aid of Nebraska, a nonprofit providing civil legal help to low-income Nebraskans, provided legal representation to the Fairs, who alleged the entire process had violated their constitutional rights.

A district court judge ruled in favor of Continental, and the Fairs appealed. Because they challenged the constitutionality of the state's laws that allow for tax lien sales, the Nebraska Supreme Court added the case to its docket.

In September 2021, the court heard oral arguments in the case. Attorneys for Fair and his late wife argued that the tax certificate sale violated multiple rights guaranteed under both the U.S. Constitution and the Nebraska Constitution, including the right to due process and protection from excessive fines.

In part, Fair argued that his right to due process was violated because he was not made aware that the tax certificate was sold in 2015, and because the three-month notice to reclaim the home was insufficient.

The court disagreed with both of these arguments, writing that Fair "overstates the significance that the sale of the tax certificate has" and that he was given ample time to reclaim the property.

In the ruling issued Friday, the Supreme Court affirmed the lower court decision to award the tax deed to Continental. According to Legal Aid, Fair's attorneys are reviewing the decision and determining next steps, including potentially seeking review by the U.S. Supreme Court.

By Molly Ashford

LJS: Tornado season could come earlier this year, forecaster says

Tornado season could start earlier than normal in the U.S. this year, according to a severe weather outlook from AccuWeather.

The weather forecasting company predicts there could be anywhere from 120-170 tornadoes in March and 200-275 in April. Those are well above the long-term averages of 80 and 155.

Paul Pastelok, AccuWeather senior meteorologist, said tornado activity in recent years has been pushing farther east from the traditional "Tornado Alley," which encompasses a swath of the southern Plains to the northern Plains that includes central Texas, much of Oklahoma, Kansas, Nebraska and South Dakota, and small parts of Colorado, New Mexico and Iowa, and he expects that trend to continue.

AccuWeather predicts the highest risk of severe weather from March to May will stretch from eastern parts of South Dakota, Nebraska, Kansas and Oklahoma all the way into the northeast. Omaha is on the western end of the area with the highest risk, while Lincoln is just outside of it, in an area of more moderate risk.

There was already a tornado outbreak in Iowa the first weekend of March that destroyed dozens of homes and left seven people dead.

Pastelok said at this point it appears unlikely the Lincoln area will see significant severe weather in March.

"March right now is not likely very active for Lincoln," he said.

But Pastelok said he thinks there's going to be "a lot more activity" in April.

That would be a big change from last year, when there were no tornadoes in the entire state in April, after only one in March.

While Pastelok predicts fewer tornadoes in May compared with the average, he said those storms may be more concentrated in the Midwest.

Over the past 30 years, Nebraska has seen the bulk of its tornadoes in May and June, averaging about 30 total in those two months, more than in the other 10 months combined.

One thing that could work to hinder severe weather is the drought that's gripping much of the western half of the U.S., including Nebraska, because dry conditions tend to hinder the development of storms.

Al Dutcher, Nebraska's associate state climatologist, said he thinks odds favor a stormy spring across the region, something that has been lacking the past two years.

He said he'll be watching the next month and a half to see if stormy weather continues in the southern U.S. If it does, he believes Nebraska will have a better shot at a wetter spring.

The drought itself is a severe weather condition that bears watching this spring. As of Thursday, nearly all of Nebraska was in drought conditions, with nearly half the state, including southern Lancaster County, in severe drought or worse.

Though the rain and snow that fell Thursday night into Friday brought needed moisture, including 0.68 inches officially in Lincoln, much more is needed to improve the dry conditions.

That's not looking likely, however. The National Oceanic and Atmospheric Administration, in its spring forecast released Thursday, predicts drought conditions will stay the same or worsen across the western half of the U.S., including in virtually all of Nebraska.

The drought conditions and warmer-than-normal conditions will increase the risk of wildfires across much of the West and the Central Plains, including Nebraska.

"This year, in addition to severe thunderstorms and tornadoes, we need to prepare for hazards that could occur because of drought conditions affecting the state," said Erv Portis, assistant director of the Nebraska Emergency Management Agency.

Portis called the threat of wildfires a "top concern" this spring.

By Matt Olberding

LJS: Florida man must sell Nebraska property after history of hunting violations

The game warden got the tip in the fall of 2020.

A guide was baiting game on a piece of property he leased near Bridgeport, along the North Platte River.

Josh Widhelm staked out the area when deer season started that November, and watched a handful of hunters walk out of the woods, one of them dragging a deer.

"That's when the ball started rolling," the Nebraska Game and Parks conservation officer said last week.

That first encounter would eventually lead to 15 citations and 13 suspects. Ten deer seized — three of them trophy bucks. A hidden trail cam used to catch a hunter. Thousands of dollars in court-ordered damages.

And the Florida ringleader's unprecedented plea deal last month to stay out of the Morrill County Jail: Yes, he would sell his house and land near Bridgeport; and no, he wouldn't buy, rent or lease

any other property in the county for five years.

All of that would play out over 14 months. But at the moment, Widhelm needed to follow up on the tip, and search for signs of illegal game-baiting.

It wasn't hard.

"In this case, the hunters were just throwing corn all over the forest and hunting over those piles of corn," he said. "You could tell they just casted it out. There were corn kernels all over this river bottom forest, where corn had no business being."

Widhelm and five other Game and Parks conservation officers returned the next day, to get a better look in the daylight.

They found a pair of tubs full of corn kernels, whitetail hair and a blood puddle near one of them, a tree stand 106 yards away — and a .308 shell casing beneath it.

It's not illegal to feed deer, Widhelm said. But it is illegal to hunt while within 200 yards of a feeding site, or for a deer to be shot while within 200 yards of a feeding site.

Widhelm would learn the man who leased the land during deer season, 60-year-old Daryll W. Futch of Palatka, Florida, served as a guide for other Floridians.

He'd buy their hunting permits, set them up in shooting stands, process their deer, take the heads to a taxidermist and transport their meat back to Florida, Widhelm said.

"But he never admitted to guiding people. He kept on insisting he was friends with the hunters."

The game warden's interviews with the Florida hunters contradicted that. They told him they'd paid Futch up to $7,000 apiece to join him in the Nebraska Panhandle, 1,800 miles away, to shoot a deer.

"And a lot of those guys didn't really care for him."

He also learned Futch had pleaded guilty to hunting in a baited area in 2015, three miles east of Bayard. "It's not like he didn't know what he was doing; he knew exactly what he was doing."

Widhelm issued 10 citations in the fall 2020 hunting season — mostly for hunting over bait — related to that case and seized five deer. In a deal with the prosecutor, Futch pleaded no contest to violating deer regulations, agreeing to pay $2,000 in damages. He also agreed not to hunt, or be in the presence of other hunters, for two years, starting in June 2021. Any violation of that would be considered contempt of court.

The game warden assumed the case was closed. Until the 2021 deer season, when it wasn't.

"Bridgeport is a small town. Word got out about him from last year and, pretty much, some local hunters and other locals called me up and said, 'Hey, that Florida guy is back in town.' I figured I should look into it."

Widhelm started digging, and watching. He learned Futch owned a house and land a few miles north of Bridgeport along U.S. 385. The week before hunting season, Futch was driving hunters around the area, looking at deer.

But that, itself, wasn't a crime.

Two days before the season started, Widhelm and another officer planted a trail cam in the ditch across the road from Futch's property, its lens pointed down his driveway.

The next day, a landowner told Widhelm that Futch had paid $5,000 to lease that person's land during rifle season, and had hauled a bait-filled feeder, two tree stands and trail cameras onto the property, Widhelm wrote in a search warrant affidavit.

Through their own surveillance camera, the officers watched Futch and others unload deer carcasses and heads at Futch's house and, on the last day of deer season, a tree stand and feeder.

"We started watching him process deer for hunters and making sure they were getting to their stands," Widhelm said. "He was engaged in the guiding aspect of it, and that was enough for us to piece together he was violating his court order."

When they searched Futch's property, they found five dead whitetail bucks, seven deer calls, five feeders, seven hunting blinds, four tree stands, a bloody saw, deer-skinning pliers, a freezer containing only deer meat and nearly 20 firearms, most of them rifles and shotguns.

In the back of a pickup, they also found marijuana, edibles and pipes. Three Florida men — none of them Futch — pleaded guilty to possession earlier this year.

But unlike the 2020 hunting season, Widhelm had no evidence the Florida hunters had broken any game laws in 2021.

Futch, however, was in trouble — and not just because he was found in possession of other hunters' deer without custody tags, a game violation, Widhelm said.

He was also violating the terms of his June 2021 plea agreement, which prohibited him from engaging in hunting practices, or being around others engaging in hunting practices, for two years.

That court case had dragged on for months. Futch had originally pleaded not guilty in late 2020, asked for a jury trial and filed two motions to postpone hearings. Nearly seven months passed from the time Widhelm wrote the citations to the day Futch took the plea agreement.

But he moved faster after getting caught last hunting season. Futch was charged with contempt of court Jan. 13, and signed the second plea agreement Feb. 2.

Under the new terms, he agreed to sell his Bridgeport-area house and land — a two-bedroom home on 2 1/2 acres — not rent or buy any other Morrill County property for five years, and abstain from any hunting, fishing or guiding activity in Nebraska for five years, being around others who were, buying hunting-related equipment "or any other activity that could be associated with hunting."

He faces a year in jail, starting Feb. 2, 2027, if he violates those terms.

Through a lawyer in Florida, Futch said last week he had plenty to say about his case, but felt that he shouldn't, or couldn't, yet.

Morrill County Attorney Travis Rodak called the conditions of the plea agreement he negotiated with Futch and his attorney "outside of the box."

The prosecutor had never required anyone to sell their property before.

But he saw it as a solution to a problem, he said. The penalties for the game violations Futch — who apparently has no ties to Morrill County beyond its deer-hunting — was facing were relatively minor.

"I felt that him dispossessing of his hunting property would help the situation. He's not a resident of Nebraska, he's a resident of Florida."

By Peter Salter

Stateline.org: States Use Road Sensors to Combat Treacherous 'Tire Carcasses'

A growing number of states are hoping to use sensors embedded in the pavement to fight climate change, keep traffic flowing and save lives.

Michigan and Indiana are testing systems that would charge electric vehicles while they're being driven. Some state transportation departments want to use road-based sensors to alert drivers of upcoming detours and closures or to detect crashes and automatically notify emergency responders.

One increasingly popular use for pavement sensor technology takes aim at a significant threat to driver safety: unsafe truck tires, which can suffer blowouts at high speeds that result in serious injuries or deaths.

When a truck crosses the border from Minnesota into South Dakota on Interstate 90, for example, inspectors at the weigh station in South Dakota already know from sensors embedded in the pavement whether the truck has flat, underinflated or mismatched tires that could make it a danger on the road.

“This technology gives you a footprint of every tire,” said Dave Huft, a program manager at the South Dakota Department of Transportation. “If tires are flat or really low, the truck won’t be allowed to continue down the road unless the driver gets them repaired or replaced.”

More than 5,000 people died in large truck crashes in 2019, and nearly 160,000 people were injured, according to the National Highway Traffic Safety Administration. Nearly three-quarters were occupants of other vehicles.

Nearly 360 people died in crashes from 2015 through 2019 involving large trucks that had a tire blowout or flat or a tire-related defect, the federal transportation safety agency’s data shows.

In September, a semitruck’s tire blew out on Interstate 10 near San Antonio, Texas, causing the driver to lose control and the truck to crash through a guardrail, slide down an embankment and catch fire. The driver was critically injured, and his 40-year-old passenger died at the scene.

Highway safety experts say that if a truck tire is underinflated, it can build up heat and disassemble, leaving pieces of the tread—dubbed road gators or tire carcasses—strewn along the highway. That debris can be hazardous to other vehicles.

Federal rules require commercial drivers to inspect their vehicle, including the tires, to ensure it is in safe operating condition before they drive it, and document that inspection at the end of that day.

But that doesn’t mean every truck driver does it or can spot a problem. And sometimes, drivers can have a blowout and not even realize it.

Robert Braswell, executive director of the American Trucking Association’s Technology and Maintenance Council, said carriers need to be proactive. Some, for example, install technology on trucks that continuously monitors and adjusts tire pressure while on the road.

But it’s also a good idea for states to use road sensors near weigh stations, he added. “It can prevent a lot of problems.”

Some states, including South Dakota, also are placing an infrared camera at the weigh station off-ramp. It takes a heat picture of a truck’s brakes and wheels to make sure they’re neither too hot nor too cold. If they are, inspectors will examine them.

Donna Bergan, a spokesperson for International Road Dynamics, Inc., a Canadian-based company that makes the tire sensor system installed in South Dakota, said that about half of states now either use or by the year’s end will be using that system.

State officials say they’re seeing results.

In Virginia, about 25,000 unsafe truck tires have been removed since June 2020, when the state started using the system at a weigh station on I-81 near Winchester, said Jessica Cowardin, a spokesperson for the state Department of Motor Vehicles.

This year, the department, which paid $82,000 for the first sensor system, plans to install another one at another weigh station on I-81 and one on I-85.

“It’s a small price for safety,” Cowardin said.

In Nebraska, where the transportation department owns the weigh stations but state police operate them, troopers are identifying more than 100 flat truck tires a month at the two sites on Interstate 80 that use road sensors, said Nebraska State Patrol Lt. Mike Maytum. Previously, they were identifying fewer than five a month.

“Before this, our identification of flat tires relied on officers visually being able to see during a cursory check that there was a low tire,” Maytum said. “That’s an imperfect science.”

Maytum said the road sensor screening is done at highway speed about a mile from the weigh station, allowing the majority of drivers to continue on with their freight “at a time when America really needs that to happen.”

But if the sensors spot a problem, drivers must exit, and officers at the weigh station, who also do enforcement checks that include vehicle registration and driver licensing, examine the tires.

South Dakota also uses the road sensors to detect tire anomalies at highway speed before a truck reaches the weigh station.

Huft said his state started using the road sensor and thermal brake inspection systems at the I-90 weigh station in June 2020. Since then, it has installed both near weigh stations on Interstate 29 at the Iowa and North Dakota borders. Like other states, including Nebraska, it plans to put more of the sensors at other locations.

Nebraska's Maytum said the systems not only can make highways safer and reduce the amount of work for transportation staffers who pick up highway debris but also can help the trucking industry.

"We're in the world of supply chain problems," he said. "As much as we can, we want to get those trucks moving so they can get where they want to go."

By Jenni Bergal

OWH Editorial: A new Omaha central library will move the city forward

Omaha library fans may well see today's 45th anniversary of the dedication of the downtown W. Dale Clark Library as a sad milestone, given that the building has a date with the wrecking ball.

The city plans to demolish the city's main library by December and move its public services to a building at 1401 Jones St. A new Mutual of Omaha headquarters will rise on the current library block, just west of the Gene Leahy Mall between Douglas and Farnam Streets.

For those who value libraries, the practical and symbolic aspects of this change can seem jarring — as though city leaders are treating the library system as an inconvenient impediment to growth.

But the health and importance of Omaha's libraries isn't limited to a particular set of concrete and brick structures that exist at any given time. After all, the W. Dale Clark building replaced a previous version of the city's main library that had opened in 1877. Change happens.

What matters is whether Omaha will be committed to a robust set of public library services that educate, serve and enhance the community.

What also matters is whether Omaha's leaders are listening to what people want from their libraries.

So it's encouraging that Omaha officials and nonprofit leaders are seeking public input on the design of a new central public library.

City officials announced plans in January to begin the process of planning a new central library at 72nd and Dodge Streets that would incorporate the services of one of the country's first technology libraries, Do Space. It's expected that the potential $100 million project will be located at the current Do Space site.

Now an open house-style public event is planned for April 7 from 5:30 to 7:30 p.m. in the gymnasium at the Omaha Public Library's A.V. Sorensen branch, 4808 Cass St., according to a press release from the organizers.

The event is part of the group's effort to gather input from a wide range of people, including library patrons and the community at large. More than 300 community partners also are being invited to complete a survey on the proposed library, accessible at omahacentrallibrary.org.

The fundraising organization Heritage Omaha, previously called Heritage Services, has raised money to continue exploration of the exciting project.

Omaha leaders — including people closely involved with the library — have long been looking at doing something like this. Library officials have been talking for more than a decade about the limitations of the current main library building, and about the value of moving the central library to a place that's, well, more central. The 72nd and Dodge area is much closer to the geographic and population center of Omaha.

For some, the plan for a new library is a reminder of other, controversial changes: The W. Dale

Clark's fate. The new Mutual of Omaha tower that's expected to replace it, using the sometimes-questioned funding method called the tax-increment financing. The streetcar plan that also would use TIF financing and is linked to the Mutual project. Concerns about the adequacy of the new, smaller downtown branch in a renovated building.

Technically, those things aren't directly connected to the new library proposal. Let's face it: The W. Dale Clark's 45-year run as Omaha's main branch is ending, no matter what happens at 72nd and Dodge.

But to the extent that a new state-of-the-art central library is effectively replacing the W. Dale Clark building, that's not a bad trade.

On the day that W. Dale Clark opened, then-Gov. J.J. Exon described its purpose as "to satisfy the appetite of people hungry for knowledge."

That hunger exists today, too. And if that appetite for knowledge can be met by a new world-class library with the latest technology at a location that is more convenient for more residents to use, so much the better.

If it's done right, it can usher in a brighter future for Omaha's libraries, and for the city itself.

OWH George Mills: In life, we will find ourselves asking 'What are the chances?'

As a result of being an elected official, college athlete, high school teacher, real estate salesman and coach, I have a large circle of friends. When my kids were little, everywhere we'd go I'd run into somebody I knew. For them it must have seemed like I knew everybody.

After saying hello to whomever, I'd routinely say to my kids, "What are the chances that I'd run into him here?" Then I'd tell them the story of how I knew the person. When they were older, after years of me running into old friends, they'd anticipate me saying "what are the chances?" and say it for me in an exaggerated tone. They still do it today. It has become a family joke.

Recently, I was watching the Super Bowl, and the starting quarterback for Cincinnati was Heisman Trophy winner Joe Burrow, the son of my former Nebraska teammate Jimmy Burrow. Now, imagine being a sports nut and experiencing the excitement of sitting there watching the Super Bowl knowing I have a connection to one of the stars.

I started reminiscing about the first time I met Jimmy. He was from Amory, Mississippi, and — I don't why — but I was surprised that he had a southern accent. Since we both played defense, we got to know each other and became friends. We informally hung around the same group of players. He was an unassuming, nice guy.

Jimmy didn't waste time establishing himself as a leader. He was a tough-nosed cornerback who'd make textbook tackles by smashing his face into the ball carriers' numbers while taking them to the ground. The coaches loved it. He quickly earned the respect of the other players.

My most vivid memory of him was playing in the 1974 Sugar Bowl. We were down 10 points to the Florida Gators. It was the third quarter, and they were driving. We stopped them from scoring on the third down from the 1-yard line. They decided to go for it on fourth down. They ran a pitch play to Jimmy's side. He came up and beat the blocker and made the tackle for no gain. We went crazy running off the field. His play was inspirational and led to our comeback. We ended up beating the Gators 13 to 10.

After graduating, he played pro ball in Canada and then went on to be the defensive coordinator under Frank Solich at Ohio University. I can just imagine Jimmy in the backyard teaching young Joe how to throw a football and, when he was older, read defenses. They showed a picture of Jimmy in the stands, and it made me proud that I was once his teammate. Like I said, he was a great guy and talented player.

While watching the Super Bowl, a TV commercial pops about Jim Pillen, another former teammate who is a Nebraska candidate for governor. He was an all-conference defensive back two years behind me. In a 1978 nationally televised game against Oklahoma, he recovered Heisman Trophy

winner Billy Sims' fumble on the 3-yard line. We hadn't beaten Oklahoma since the 1971 Game of the Century so I, along with the entire Husker Nation, was on the edge of our seat as they moved down the field with what looked like another game winning episode of Sooner Magic.

I was watching the game and jumped out of my seat and yelled as Jeff Hansen put a wicked hit on Sims. The ball popped up and Jim came out of the pile holding the ball. We held on to our led and beat them 20-17.

Seeing Joe Burrow playing in the Super Bowl was a "what are the chances?" moment. Then seeing Jim Pillen's campaign commercial and game memory was over the top.

Think of it: 45 years after graduating from Nebraska, I see two former teammates on TV. One because he's the dad of a Super Bowl QB and one because he's a successful businessman running for governor. I sent an email to my sons, explaining the situation. I typed all in caps; "WHAT ARE THE CHANCES?"

George Mills is a former Douglas County Board member and Husker defensive lineman from the early 1970s who has a master's degree in urban studies.

OWH Midlands Voices: The free world must continue to strengthen and sustain Ukraine

Every time I watch a television news story these days and look at the map depicting Ukraine, I see myself.

Twelve years ago, I lived in that football-shaped breadbasket of Europe. I traveled north, south, east and west where we had an apartment built during the years following the World War I when the Czechs ruled the lands on the western slopes of the Carpathian mountains.

The Communists under Lenin were in the midst of consolidating their control after the Revolution of 1917 and for a short period of time, only about a year, the Ukrainians asserted their independence as a nation of their own.

My wife and I lived in today's Ukraine for six months from early summer until the end of December 2009. We were there because I had received a Fulbright Teaching Fellowship as an adjunct professor at the University of Nebraska at Omaha in the political science department. My purpose in Ukraine was to teach American government at Uzzherod National University, one of the old USSR's universities established in the late 1940s.

When I first told Bev that I was going to receive a Fulbright and we would live in Ukraine she said, "Dick, can't you change that so we can go to Italy or Spain or almost anyplace but Ukraine." She paused. Then she said, "Don't worry. I'll come and visit you."

By the time we were ready to leave, she was as excited as I was about Ukraine.

We flew to Budapest, spent a few delightful days in Hungary, and took an overnight train northwest and across the border to Ukraine and the university town of Uzzherod. I taught, we traveled, and at the end of my tour, the university awarded me an honorary doctorate degree, the first they had ever given to an American.

But there was far more to those six months, for each of our immigrant families originated in Ukraine. Bev's maternal grandmother came from Zhytomyr, a large city southwest of Kyiv, and we spent a couple of days there and walked through the old cemetery where her relatives were buried.

The Fellman family came from the village, in Yiddish called a "shtetl," of Lechovitz. The Soviets changed its name to Bilehoria to sound less Polish or German. Bilehoria is located in the middle of western Ukraine, about 150 miles southeast of L'viv. I was there twice and visited the still standing building where my great-grandmother ran a small inn.

Spending time touring throughout Ukraine … we were in Chernobyl, the site of the nuclear disaster; and had a wonderful long weekend in L'viv. We spent nearly a week in Kyiv, including a visit to Babi Yar, the deep ravine on the outskirts of the magnificent city and capitol of Ukraine where, during two days, the Nazis murdered over 30,000 Jews. We attended Shabbat services run by Lubavitch rabbis and those run by Reform rabbis. We attended High Holiday services in a small synagogue hidden

from both the Nazis and the Communists in the middle of a block, reached only through a hidden rock-filled trail with no marks showing its entrance or what it was. We saw the home and monument to the writer, Sholem Aleichem, and the grave of the great Chasidic Rebbe, Levi Yitzchak of Berdychiv.

The city of Kyiv reminded me of San Francisco, steep hills, well-tended parks everywhere, with the added excitement of a national capitol with impressive government buildings, major churches and bureaucrats all well-dressed with big black sedans everywhere.

That has all changed these last few weeks. Day by day, Russia is attempting its age-old practices, and Ukraine is its victim. But this time, Ukraine is not turning and running even though it would appear to be totally overwhelmed by Soviet power — now nuclear — even though the former Soviet Union lies on the ashes of history.

The mentality of Russia hasn't changed.

In the 1890s, my grandfather, Gershon Fellman (it became Harry Fellman when he came to America), the 10th child in a family of 11, was conscripted into the Russian Army for a term of 20 years.

The Russians were terrorizing the Jewish villages with soldiers on horseback burning the small wood and mud homes and randomly killing all they could find. Called "pogroms," together with the draft, confiscatory taxes and prohibitions against education, hundreds of thousands of Jews left for America.

Gershon served in the Army, won a medal for outstanding marksmanship with a 30-day furlough, came home to Lechovitz, backed a bag with three bottles of vodka, and told his mother goodbye. He would never see her again. He went to the border, bribed the guards with the vodka, crossed into Poland, threw his Russian uniform away and wore civilian clothes, and came to America.

He ended up in Omaha where an older sister had already moved. Within a few years, a younger brother and two nephews, all four about the same age, were settled in Nebraska where they worked first as peddlers. They ultimately opened small businesses and within a generation, became doctors, lawyers, college professors and often well-to-do entrepreneurs.

The President of Ukraine comes from that same stock. It makes me proud. It should make every Jew proud since nearly every American Jew has an ancestor or two who originated in Ukraine.

Volodymyr Zelenskyy's origin is no different than mine. A few nights ago in one of his speeches, he explained that his grandfather was one of four brothers, the only one who survived the Nazi Holocaust. He was raised in a Jewish family. He became famous as a comic and an actor, but he is also a law school graduate. He is still a young man, only 44 years old. And he is an icon to the world, already a man of history. I pray he lives, but regardless of what might take place in his life, he has already given the citizens of Ukraine more hope for their future than they have ever had.

When I taught in Ukraine, the "politology" (that's what they call political science) department office had posters on its walls advertising the European Union, NATO and the United Nations. The only major obstacle to Ukraine being admitted to any of those organizations is the impossible level of corruption which exists throughout the nation, including the legal system itself. Once that is corrected, Ukraine will be able to set its sights on the west with success.

Like Zelenskyy, Vladimir Putin graduated from law school, but he grew up and matured in the old East Germany. He shares their disjointed world view. From school he entered the KGB, the Soviet Secret Service. Everyone fears the KGB. I had experiences with the KGB. Their agents came to the first couple of classes I taught. The KGB men were much older than the typical college student. They said nothing to me, but I was told by the chairman of the department that they were in my class "just to watch the American and listen to what he said." They stopped coming after a couple of classes. But the KGB watched our apartment and bugged our phone, intercepted our mail and made us fully aware of their power. I can picture them even now … tall, strong and even handsome young men with black leather jackets and a side arm hidden beneath their clothing.

Zelenskyy speaks English. He clearly states his thoughts and his goals. He is open. Hopefully, he is closely guarded and not in personal danger. He has already inspired his nation and the world.

Putin, on the other hand, has already entered the fraternity of tyrants. He will never escape. He will, in time, drive Russia to ruin, but I fear he has already set the course of history with the commencement of the Second Cold War. I think this "hot" war and what might become the second Cold War will end, whenever that might be, and it will result in in the economic ruin of Russia just as the first Cold War ended in the economic collapse of the Soviet Union.

A few years ago, the citizens of Ukraine staged the Orange Revolution. The leader of the puppet government subservient to Russia was deposed. The next leader ended up in jail, and so it went. Then came the aggression of Russia in the Crimea and the eastern territories of Ukraine. Then came today.

Ukraine has historically been a rich nation of Europe since it has the largest and most fertile single body of land on the entire continent. Throughout history, its relationship with Mother Russia was tension-filled. For many years, Kyiv was the capitol of all of Russia. During the 1930s, the USSR literally starved the farmers of Ukraine — called the "holodomor" — which was a national famine. And today there is war.

Russia will not be able to withstand the pressures of sanctions and economic mobilization by nearly every nation of the world. Even with the nearly total lack of internal freedom, I believe the time will come when the average Russian citizen discovers, as they did during the first Cold War, that the west is not out to conquer and subjugate Russia.

I was told many times while visiting with Russian friends during my time in Ukraine, that America and the west wanted to conquer and destroy the USSR. They trained their military using that description. Putin is again reverting to that type of propaganda. He has added the charge that we are filled with Nazis. That pitch failed once and will again. The united free world must again stand together, as we did against the Nazis, for at heart Putin is a Nazi. To accuse Zelenskyy, who is Jewish, of being "a Nazi" is misreading history as only a true Nazi might.

We in America, with all of the free world, must continue and strengthen what we do to sustain — and ultimately bring victory to — Ukraine.

By Richard Fellman

LJS Editorial, 3/20: Pre-pandemic normal isn't coming back

With the precipitous drop in COVID-19 cases, the disappearances of masks and the end of mandates in Lincoln and across the country, it appears that we are getting back to "normal."

But there really is no such thing. Returning to exactly how things were in March 2020 is impossible.

We're now looking at pandemic repercussions like inflation and changes in workplace culture whose impacts and ramifications are only now being felt.

With a post-pandemic economic surge and supply chain issues combining to drive up prices for, most notably, groceries and used cars, the country is experiencing the highest rate of inflation in decades.

Look for a series of interest rate hikes from the Federal Reserve Board over the next few months as it tries to cool off the economy and cut the rate of inflation without slowing things too much — a balance that will very likely be hard to achieve.

At workplaces large and small, post-pandemic changes are seeing many employees working part-time at home, part-time at the office or even abandoning the office entirely as they did two years ago when the pandemic started.

That change is creating "phantom space" in office buildings everywhere, with companies leasing or owning much more space that they will utilize going forward — which will, when leases expire, have a dampening effect on the real estate market.

A similar effect is already being felt by restaurants in downtown areas where fewer workers in the office equates to fewer customers and less revenue as they try to recover from a two-year business

upheaval.

Business travel is also likely to become a post-pandemic victim as well. Put simply, Zoom proved to be an efficient and effective way to conduct meetings with people from around the world, eliminating much of the need for costly, time-consuming business trips.

And, just as the pandemic appears to be coming to a close, Russia invaded Ukraine, triggering skyrocketing gas prices around the globe.

In the United States, those prices have increased far out of proportion to the amount of Russian oil that is imported here, making for billions of dollars in profit for oil companies and misplaced blame on President Joe Biden, who has no immediate power to control oil and gas prices.

The Russian invasion, however, has had a single positive here, uniting the vast majority of the country — save for a few television talking-head Putin apologists and their followers — in support of Ukraine and democracy, and, hopefully, ending the threat of rising authoritarianism here and around the world.

The war in Ukraine isn't likely to end soon and its political and economic ramifications will be felt for months to come. So will the post-pandemic economic and cultural turmoil. Welcome to the new normal. We're never going back to the way we were.

LJS: Clements' bill ignores numbers

How did Sen. Rob Clements get to be an executive vice president of a bank when he can't properly interpret statistics? The numbers show that the independent Lincoln-Lancaster County Health Department had better success in saving lives through their mandates than other counties. This is even when we had a bunch of fake news followers coming into Lancaster County to use our health facilities after they contracted COVID-19. Without our mask mandates, many of Clements' new constituents might not have been able to receive timely treatment.

Does he stand with Jack Riggins, who compared mask mandates with Nazi Germany and forced genital mutilation? It appears LB859 is a blatantly political bill that is unnecessary and meant to curry favor with the governor, anti-vaxxers and anti-maskers. Is Clements' political life more important than the lives of his fellow Nebraskans?

What happened to his belief in local control of government?

We know Clements was appointed to his position by Gov. Pete Ricketts, but he needs to step back, look at the numbers, think for himself, get a backbone and remember that numbers don't lie unless they are manipulated by people with bad intentions.

Gary Zellweger, Lincoln

OWH: Day 2 of Fortenberry trial sheds light on congressman's relationship with Nigerian billionaire

LOS ANGELES — One measure of how long the investigation into Rep. Jeff Fortenberry has lasted: When the investigation was ramping up, people were excited about Scott Frost as Nebraska's new football coach.

In an April 2018 phone call, a Los Angeles doctor who had funneled foreign money to the Nebraska congressman's campaign opened the phone call with small talk about Nebraska's hiring of Frost.

"The community in Lincoln got very, very excited about Scott Frost!," Dr. Eli Ayoub said.

"They should have a very good team," Fortenberry responded. "He's got a pretty good basis here. Everyone is very enthusiastic."

Unbeknownst to Fortenberry, at that point, Ayoub was cooperating with FBI agents who had

discovered that he and another man, Toufic Baaklini, had been funneling the money of a Nigerian billionaire into the campaigns of U.S. politicians. It is illegal for U.S. politicians to accept money from foreigners.

At Day 2 of Fortenberry's trial on federal charges — expected to last through Wednesday — it was revealed that Fortenberry had texted Ayoub to see if they could talk. At the time, Fortenberry wasn't even on the radar of FBI agents, an investigator testified.

But after Fortenberry texted Ayoub, the agent in charge of the investigation, Todd Carter, wanted to hear what Fortenberry wanted. He found out in a phone call on June 4, 2018.

Fortenberry asked Ayoub: Could he and the Lebanese community of Los Angeles hold a second fundraiser like they had two years before?

Fortenberry, a Republican who has represented Nebraska's 1st District since 2005, thought the February 2016 fundraiser was a rousing success, though it's not clear whether Fortenberry knew the reason it was so rousing. That February 2016 weekend, Ayoub had steered $30,000 in illegal conduit contributions that originated from Nigerian billionaire Gilbert Chagoury.

Ayoub quickly warned Fortenberry that a second fundraiser wouldn't be as lucrative as the first because Chagoury's righthand man, Baaklini, wouldn't be involved.

Baaklini "told me that probably the (first event's) money did come from Gilbert Chagoury. … because he was so grateful for your support, you know, (of) the cause," Ayoub told Fortenberry in that phone call.

Fortenberry responded: "Yeah, uh there's no problem. I was just hopeful that we could have some continuation of the fine generosity you all have given."

Twice more in that 10-minute phone call, Ayoub referred to the $30,000 "cash" the fundraiser yielded. Carter told jurors that he chose to have Ayoub say the word "cash" because it is illegal for political campaigns to accept cash, let alone foreigners' money.

Fortenberry went on to talk about holding a more intimate gathering than the first event.

Fortenberry's attorney, Glen Summers, said Ayoub's comments weren't clear to Fortenberry. In fact, Summers argued, it's clear Fortenberry didn't know dirty money was involved because the congressman was so open about wanting a second fundraiser.

Summers — a squared-jawed man with a linebacker's build — went after the FBI's investigation. He chided Carter for his statement in a court document that a resolution Fortenberry introduced against ISIS war crimes in Iraq and Syria was tied to the money funneled to him at the fundraiser. Summers noted that Fortenberry introduced that resolution six months before the 2016 fundraiser.

He asked Carter why he wasn't more explicit in the taped call — why he didn't have Ayoub say there would be no more "conduit contributions" or "straw donations" at the second fundraiser.

"At the time, I felt the word 'cash' was more shocking," Carter said.

At one point, Summers mocked Carter's pronunciation of Chagoury, asking him if he was trying to speak French. Several times, Judge Stanley Blumenfeld Jr. rebuffed Summers, telling him to "lower the temperature."

"I'm sorry, I just feel so passionate about this case," Summers said at one point.

Summers has been on the case a little more than a month. He was brought in late as a defense trial specialist.

He told jurors in opening statements Thursday that Fortenberry did his "level best" and was "completely innocent" of the lying and deception charges.

At the same time, prosecutors note, Fortenberry was concerned enough that he checked with at least four people after the June 4, 2018, phone call in which Baaklini suggested the money "probably" came from the Nigerian billionaire.

One of those people: attorney Jessica Furst Johnson. Johnson, who has advised Republicans on

campaign finance questions, said she got a vague call in June 2018 while she was attending a University of Florida booster event.

She said she stepped outside and spoke by phone with one of Fortenberry's staff members for less than 15 minutes. That staff member did not raise the issue of the comment about foreign money, she said.

"I wouldn't have missed something like that," she testified. "I've been practicing for 15 years and the (fact that foreigners can't contribute) is one of the very basics of campaign law."

Under questioning from Summers, she acknowledged that Fortenberry often peppered her with routine questions about campaign contributions. And she acknowledged she would have been surprised if Fortenberry would have accepted something he knew was improper.

Day 2's testimony closed with Baaklini, a Lebanese dynamo who developed connections with both Fortenberry and Chagoury as he founded In Defense of Christians.

Baaklini testified that Fortenberry became a congressional ally for what they called "the cause" — protecting Christians and other religious minorities in the Middle East. Baaklini founded In Defense of Christians, a lobbying group that received $1.3 million from Chagoury.

Fortenberry and Baaklini would text often about each other's families. Several of their texts also included requests from Fortenberry for: a) campaign donations; and b) shout-outs to Chagoury.

Chagoury is a controversial international figure — a billionaire who was connected to Nigeria's most corrupt regime, and has been reported to be linked to the Hezbollah terrorist group and Bill and Hillary Clinton.

Prosecutors posted several Fortenberry texts on the big screens in front of the jury.

December 2015: "Toufic, I would like to send Gilbert a Christmas card, can you send me his address?"

Later: "My best to Gilbert please I was speaking of him yesterday."

Still later: "How is Gilbert? Tell him hello. Been thinking of him."

Fortenberry twice had dinner with Chagoury — once in Paris and once in Washington, D.C. Baaklini was much closer with the billionaire.

He testified Friday that he and Chagoury discussed funneling money to political candidates, though both knew it was illegal. Over the years, the list included: then-presidential candidate Mitt Romney, then-Rep. Lee Terry of Nebraska, Rep. Darrell Issa of California and Fortenberry. The first three rid themselves of the money — a process where an elected official disowns it by donating it to charity. Fortenberry took more than two years to do so.

Baaklini described how the money was funneled toward Fortenberry's campaign. In December 2015, Baaklini was in L.A. for a funeral. Chagoury's son, Chris, also attended, with a bag of $50,000 in cash.

Baaklini testified Friday that he kept $20,000 of it because Chagoury owed him at least that much for consulting work.

The rest was headed for Dr. Ayoub. Baaklini testified that he left $30,000 in cash on the front passenger seat of Ayoub's car.

The cash's final destination: a Fortenberry fundraiser that Ayoub would host in February 2016. Only the "contributors" there couldn't give Fortenberry cash; they had to write checks. The fundraiser happened and Fortenberry noticed something strange: Most of the checks were written by relatives of Ayoub.

He turned to Baaklini.

"He asked me if there was anything wrong with the fundraiser," Baaklini told jurors Friday.

"I asked 'Why?' He said 'because the money came from one family.'"

Prosecutor Jamari Buxton asked: What did you tell Fortenberry?

“I said nothing was wrong,” Baaklini said.

Buxton: “Was that accurate?”

“No it wasn’t,” Baaklini answered.

Prosecutors say Fortenberry wouldn’t follow up on his concerns for years.

Soon after the event, Fortenberry campaign consultant Alexandra Kendrick sent an email with a simple subject line: “WOW!!!”

“We had an amazing time in LA and came home with $36,000 in hand,” she wrote to Baaklini. “Thank you very much for ALL of your help. YOU ARE WONDERFUL. I owe you a BIG thank you.”

By Todd Cooper

OWH: 'A total non-issue': Fortenberry official claims protocol was followed in proxy controversy

LINCOLN — A top aide to U.S. Rep. Jeff Fortenberry said the Nebraska congressman followed the proper protocol when he requested to vote by proxy and the matter is "a total non-issue."

The remarks are, in part, a response to the criticism directed at Fortenberry for using the pandemic-inspired proxy vote as he stands trial for three felony counts in Los Angeles.

"I don't know why this is blowing up," Fortenberry chief of staff Andy Braner said of the proxy vote request.

The issue started after Fortenberry wrote a letter, dated Tuesday, to the clerk of the U.S. House of Representatives, informing the clerk that he would not be attending votes but would vote by proxy.

Fortenberry, who represents Nebraska’s 1st District, is currently on trial for three felony counts alleging that he misled authorities about whether he knew that a Nigerian billionaire had funneled $30,000 to his campaign at a 2016 fundraiser in Los Angeles. The trial opened Thursday.

His trial was delayed due to the surge of omicron cases in California, Braner said, so Fortenberry submitted a request to vote by proxy due to "the ongoing public health emergency."

Braner previously told The World-Herald that Fortenberry sought approval from House Speaker Nancy Pelosi to vote by proxy and received it, but Pelosi's office denied this.

“For the last two years, Speaker Pelosi has ruled, the only reason for members to be absent for votes is due to the COVID emergency,” Braner said in a statement Thursday. “As Mr. Fortenberry’s trial (originally scheduled for February) was delayed due to the COVID shutdown of the California courts, (Pelosi’s) office allowed for Mr. Fortenberry to vote proxy (now).

“I would also note, there have been hundreds of members submit a similar letter to navigate COVID effects on a variety of scheduling conflicts. This isn’t something abnormal.”

Drew Hammill, a spokesman for Pelosi, told the Nebraska Examiner Thursday that Pelosi’s office did not evaluate Fortenberry’s letter, nor does it approve or deny any members’ reasons for asking a colleague to vote on their behalf.

“The statement implies that there was a special dispensation given (by the Speaker), and that is not accurate," Hammill told the Examiner.

Pelosi does not grant permission for individual representatives to vote by proxy, according to the Clerk's Office. Instead, starting in 2020, Pelosi allowed representatives to vote by proxy, but only if they were unable to attend the vote due to the COVID-19 pandemic.

Representatives must submit a letter to the clerk requesting to vote by proxy. The Clerk's Office then compiles the letters on record. Since Fortenberry sent his letter, more than 50 other representatives submitted similar letters, all citing "the ongoing public health emergency" as the reason for their absence, according to the Clerk's Office website.

"We followed the rules," Braner said.

While Republican House leadership has blasted the proxy vote practice, some GOP members have voted by proxy, including Fortenberry. The congressman announced Jan. 18 that he had been diagnosed with a “moderate” case of COVID-19 and that he would vote by proxy and work from home.

In Fortenberry's current absence, Rep. John Moolenaar, R-Mich., will serve as his proxy. Braner said Fortenberry is in communication with Moolenaar to make sure his district is represented in upcoming votes.

By Erin Bamer

AP: Illegal $30K donation plot outlined at congressman’s trial

LOS ANGELES (AP) — A close friend and supporter of a Nebraska congressman told a federal jury Friday that he acted as a middleman in a plot that funneled $30,000 from a Nigerian-born billionaire to the Republican lawmaker’s reelection campaign through straw donors.

On the third day of Rep. Jeff Fortenberry’s trial in U.S. District Court in Los Angeles, Toufic Baaklini said that he received the cash from the son of businessman Gilbert Chagoury, the source of the funds. He testified that he then left the cash in an envelope in the car of an L.A.-based doctor to distribute for the 2016 Fortenberry fundraiser in the city.

Baaklini is a central figure in the case in which the nine-term congressman faces charges that he lied to and misled federal investigators about the illegal contributions, which he denies. Prosecutors have described Baaklini as a U.S.-based businessman and Chagoury consultant who later agreed to cooperate with federal officials.

Under questioning from prosecutor J. Jamari Buxton, Baaklini, who then headed a Washington-based group working to end the persecution of Christians in the Middle East, said he was aware that it was illegal under federal law for Chagoury, who is not a U.S. citizen, to donate to U.S. elections.

Baaklini also said he knew it was illegal to donate campaign money under someone else’s name.

Fortenberry’s attorneys have argued that the case is a setup built on concocted evidence, and the congressman had no knowledge of the scheme to help finance his reelection bid.

Baaklini described himself as a close friend of Fortenberry, and said the two bonded over what prosecutors have described as “the cause” — helping Christians and other persecuted minorities in the Middle East. The lead figures in the alleged plot all had ties to Baaklini’s group, In Defense of Christians, and are of Lebanese descent.

Buxton used a series of texts to highlight the close relationship Baaklini shared with Fortenberry, including other fundraising appeals from the congressman.

In other testimony, defense attorney Glen Summers continued his attempts to challenge the credibility of FBI special agent Todd Carter, a key player in the investigation.

Carter has said he was suspicious of Fortenberry’s role — and a possible quid pro quo — after the congressman proposed a resolution condemning the persecution of Christians in the Middle East shortly after the February 2016 fundraiser. But Summers pointed out that the resolution was introduced in 2015, months before the event.

Summers also noted that Fortenberry had nearly $1.5 million in his political treasury at the end of March 2016, apparently suggesting he had no need to engage in a plot to gain $30,000 in illegal funds. He questioned why the FBI never held a meeting to warn the congressman of a potential problem, instead of arriving unannounced at his home to question him.

But prosecutor Mack Jenkins responded that investigators had warned Fortenberry during the investigation, by arranging a recorded phone call in which the L.A. doctor, Elias Ayoub, told Fortenberry he received the $30,000 in cash from Baaklini, and Chagoury was probably the source of

it. Defense attorneys have raised doubts about what Fortenberry heard and understood from the call.

Fortenberry campaign spokesman Chad Kolton said in a statement that the testimony "highlighted the shoddy investigative work at the core of this case."

The congressman, who is running for reelection, has pleaded not guilty to charges he deliberately misled FBI agents and prosecutors who were investigating the 2016 donations.

Prosecutors allege Fortenberry, 61, lied about what he knew on two occasions — an interview at his Lincoln home and a follow-up meeting in Washington — and didn't properly disclose the contribution in his campaign filings.

If he's convicted, Fortenberry wouldn't automatically lose his seat, but House rules would bar him from voting in any committee or on the floor. He has already stepped down temporarily from his position as the ranking member of the House Agriculture Appropriations Subcommittee and a member of the House Appropriations Committee, as required by House Republican rules.

With the trial underway, many prominent Nebraska Republicans have abandoned the incumbent in favor of a young, conservative state lawmaker who wants to oust Fortenberry in the May 10 primary.

The case stems from an FBI investigation into $180,000 in illegal campaign contributions to four campaigns from Chagoury, who lives in Paris. Chagoury admitted to the crime in 2019 and agreed to pay a $1.8 million fine.

AP: Bird flu case forces killing of 5.3 million chickens in Iowa

DES MOINES — The confirmation of bird flu at another Iowa egg-laying farm will force the killing of more than 5 million chickens, state officials said Friday.

It's the second confirmed case of avian influenza in Buena Vista County, about 160 miles northwest of Des Moines, but the latest outbreak is at an operation with 5.3 million chickens. The earlier case was at a farm with about 50,000 turkeys.

The latest case confirmed by the State Department of Agriculture means nearly 12.6 million chicken and turkeys in at least eight states have been killed or will be destroyed soon.

Spread of the disease is largely blamed on the droppings or nasal discharge of infected wild birds, such as ducks and geese, which can contaminate dust and soil. Infected wild birds have been found in at least 24 states, and the virus has been circulating in migrating waterfowl in Europe and Asia for nearly a year.

The first Iowa case was identified on March 1 in a backyard flock of 42 ducks and geese in Pottawattamie County. Another egg-laying chicken farm with nearly 916,000 birds was reported with the virus on March 10 in Taylor County in southwest Iowa.

In Nebraska, the virus has been found in the Omaha metro area as well as in Lancaster, Cedar and Merrick Counties.

The Centers for Disease Control and Prevention said the cases in birds do not present an immediate public health concern. No human cases of the avian influenza virus have been detected in the United States. It remains safe to eat poultry products. Cooking of poultry and eggs to an internal temperature of 165 degrees Fahrenheit kills bacteria and viruses.

By David Pitt

There was an article on the in the Wall Street Journal that mentions the Governor that I didn't include because it requires a subscription to access:

https://www.wsj.com/articles/nebraska-and-colorado-are-fighting-over-water-after-99-years-of-sharing-rights-11647860400