

THE LEAGUE OF WOMEN VOTERS OF NEBRASKA

PROGRAM 2003 – 2005

GOVERNMENT

THE NEBRASKA CONSTITUTION: Members of the League of Women Voters of Nebraska support measures to improve the Nebraska Constitution through comprehensive coordinated revision. The League is not committed to any specific method of constitutional change, but will accept any practical method of change. Members of the League believe a good constitution should contain only fundamental provisions for a framework of government and should define its powers and organization.—Adopted 1969.

Specifically, the League supports:

- 1) A concise Bill of Rights;
- 2) Additional means to amend the Constitution;
- 3) An executive branch with authority adequate to carry out responsibilities assigned to it by the Constitution;
- 4) Provisions for initiative and referendum;
- 5) A unicameral Legislature;
- 6) Four-year terms for Legislators;
- 7) A merit plan for judges;
- 8) Public hearings on legislative bills;
- 9) Mandatory legislative reapportionment after each federal census;
- 10) Salaries set by statute;
- 11) An appointed parole board consisting of specialists in penal and related matters;
- 12) The appointment by the Governor of all executive fiscal officers, except the Auditor; and
- 13) Opposition to state aid to non-public schools.

MERIT PLAN FOR SELECTION OF JUDGES: The League of Women Voters of Nebraska supports the nominative, appointive and elective features of the Merit Plan for the judges of the Supreme Court, the district courts, the juvenile courts, the county courts and the Workmen's Compensation Court, and recommends that it be retained in the Constitution.—Adopted 1967, amended 1985 and 1987.

Specifically, the League supports:

- 1) The Commission on Judicial Qualifications as the appointed body to confidentially receive and process complaints from any citizen concerning the discipline or removal of any judge;
- 2) The right of appeal and removal power remaining with the Supreme Court; and
- 3) The right of the electorate to reject judges by election under the Merit Plan, and the Legislature to retain the impeachment power.

COUNTY GOVERNMENT: Members of the League of Women Voters of Nebraska advocate a county government structure that is representative, responsive and responsible, flexible and accountable, that permits the separation of legislative and administrative functions and allows efficient and economical delivery of services with adequate funding. Major structural changes in each county government must be approved by a majority vote of the people in that county.—Adopted 1977, 1991.

Specifically, the League supports:

- 1) The right of a county to choose its own structure, including elective and appointive options;
- 2) Structural and/or functional consolidations of counties and of a city with a county;
- 3) The option of county home rule;
- 4) Permission for counties to possess all powers not prohibited by state laws;

- 5) Alternative methods for initiating change in a county structure by legislative action of the state or the county and/or by a petition of the county voters;
- 6) A variety of means of financing county government;
- 7) Permission to allow county governments to create or dissolve special purpose district; excluding school districts, lying wholly within the county, to approve their budgets and to supervise their long-range plans;
- 8) The right of counties to appoint a county administrator; and
- 9) The right of counties to appoint row officers.

FINANCING STATE GOVERNMENT: The League of Women Voters of Nebraska supports a state fiscal policy, which reflects the goal of adequate revenues in order to meet the budgeted expenditure levels necessary to allow the state of Nebraska to fulfill its governmental responsibilities through a tax structure which is progressive, efficient and flexible.—Adopted 1987.

Specifically, the League supports the following:

- 1) The state’s primary sources of revenue should continue to be derived from a combination of sales and personal income taxes. Additional revenues can be achieved through an increase in tax rates, by extending the sales tax to services with exemptions for medical, legal, child-care and educational services, and increases in tobacco products and liquor taxes.
- 2) The League is opposed to the state operating, or sanctioning the operation of any state or regional lottery.
- 3) The state should utilize the federal income tax form as a progressive, economic and efficient vehicle for taxpayers to determine their tax obligations.
- 4) The state’s primary responsibility is in providing adequate funding, in priority order, for: all levels of education, human services programs, aid to local governments, government services and economic development.
- 5) The state legislature when considering budget reductions should carefully evaluate each program and use line item reductions, not across-the-board reductions. The League does not support the imposition of fixed percentage “lids” on state expenditures as a proper method of budget reduction or the use of deficit spending in times of inadequate revenue.
- 6) We believe there should not be any sales tax on food.

NATURAL RESOURCES

WATER: The League of Women Voters of Nebraska supports a water policy, which promotes wise use and care of water resources guided by the principle that water be managed in the public interest.—Updated 1978, amended 1993, updated 1995, amended 1999.

Specifically, the League supports:

- 1) Conservation of water through efficient irrigation practices, improved farming techniques and continued research and education;
- 2) Legislative support for beneficial use of water to include water for domestic use including livestock watering, agricultural and manufacturing, including power production uses, and for the following instream uses: fish and wildlife, ground water recharge recreation, and dilution of wastes. Highest priority shall be given to domestic use; and
- 3) Legislative action to resolve the issues of ground water ownership, interrelationship of ground and surface water, and the administrative structure of water management.

The League acknowledges that there is a physical relationship between surface and groundwater, which is recognized by hydrogeologists, and that Nebraska’s statutes must be changed to recognize this relationship. Since geological conditions vary from region to region across the state, laws should be sufficiently flexible to acknowledge this fact.

The League believes that a method for resolving conflicts between competing interests should be established. This method should include tested mediation procedures, and the parties to a dispute should be encouraged to settle the matter between themselves. If arbitrary decisions are made, they should recognize statewide and local interests, should balance public and private interests, and should recognize the differences between the various areas of the state.

Specifically, the League:

- 1) Supports retention of existing water law, but with modification to recognize the relationship between ground and surface water;
- 2) Recognizes the respective roles of the Department of Water Resources and the Natural Resources Districts;
- 3) Recommends the creation of an institutional framework for resolving water conflicts which is flexible and expedient and which reflects publicly established criteria; and
- 4) Proposes that water problems be resolved by statute instead of abdicating decision, making authority to the courts.

The League supports state regulated water marketing (which includes leasing) as a means of allocating ground and surface water, with consideration given to protection of the public interest, environmental factors, effect on third parties, property tax implications and future water requirements.

Specifically, water marketing administration should include:

- 1) Quantification of water available for sale;
- 2) Terms of sale; and
- 3) A framework for resolving unintended consequences.

The League supports the sale (or leasing) of ground surface water between preference classes with the understanding that the preference system should be preserved.

Since the U.S. Supreme Court has determined ground water to be “publicly owned” and the Nebraska Constitution states that use of surface water is “dedicated to the people of the state” the League believes that the state should derive revenue from the marketing of water.

LAND USE: Members of the League of Women Voters of Nebraska support a state land use program based on goals and strategies which encourage local control, while at the same time identifying and providing statutory mechanisms for managing areas of statewide concern. Preservation of unique and prime agricultural land should be a primary goal and programs should be developed to implement that goal. The League of Women Voters of Nebraska supports green belt (buffer zone) type legislation and recognizes the inter-relationship of taxation and land use.—Adopted 1979, amended 1985, 1987, 1991.

Specifically, a state land use program should incorporate the following:

- 1) Requirement that local government exercises at least a minimum level of planning and control over land use;
- 2) Provision of state technical assistance to local governments;
- 3) Requirement that state agencies and political subdivisions abide by comprehensive planning of local government with provision for appeal to the state if conflicts occur;
- 4) Encouragement of coordination between governmental agencies, commissions, and boards, which are planning for the same area, and coordination between areas;
- 5) Identification of areas of statewide concern;
- 6) Recognition of the interrelationship of urban and rural concerns in land use;
- 7) Adoption of goals and implementation of policies to preserve unique and prime agricultural land;
- 8) Coordination of the state land use planning process by the State Office of Planning and Programming;
- 9) Establishment of a capital improvements process with long and short-range goals;

- 10) Involvement of the public; and
- 11) Insurance that policies and procedures are understandable and simple to follow for those who need to work with and under them.

ENERGY: The League of Women Voters of Nebraska believes that energy conservation must be a part of any national or state energy policy. Public understanding and cooperation are essential to the success of any program of energy conservation. Citizens should be involved in the difficult choices that must be made.

ELECTRIC UTILITY DEREGULATION/PRIVATIZATION IN NEBRASKA: Sound government policies are supported with “condition certain.” “Condition certain” means that no changes in the regulation of electricity will take place unless and until certain conditions are in place, such as viable wholesale energy markets and viable transmission networks.—Adopted 2003.

SOCIAL POLICY

CORRECTIONS: The League of Women Voters of Nebraska supports a correctional system which provides for realistic and humane treatment of the accused and sentenced offender both juvenile and adult, as well as for the protection of the community. In order to achieve such a system, the League advocates the use of community-based alternatives to incarceration and the separation of corrections from law enforcement.—Adopted 1975, *Alternatives to Incarceration*, -updated 1984, amended 1993.

Specifically, the League supports:

- 1) Diversion of offenders from the criminal justice system to appropriate programs;
- 2) Decriminalizing certain victimless crimes when alternative programs and facilities are feasible;
- 3) Improved and increased use of a variety of pre-trial release procedures;
- 4) The principle that juveniles be heard in juvenile court and held in facilities specifically designed for juvenile offenders;
- 5) A probation system comprised of an adequate professional staff as well as volunteers;
- 6) Institutional programs aimed at reintegrating the offender into the community;
- 7) A central state agency to set minimum jail standards and to coordinate local correctional administration;
- 8) Removal of payment to jailer based on number of prisoners confined; and
- 9) A system which insures the preservation of civil and human rights of pre-trial detainees and which insures basic human rights of sentenced offenders.

EQUAL RIGHTS AMENDMENT: The League of Women Voters of Nebraska supports bringing state laws into compliance with the goals of the Equal Rights Amendment.—Amended 1981, 1985.

Specifically, the League supports:

- 1) Elimination or amendment of those laws that have the effect of discrimination on the basis of sex;
- 2) Promotion of laws that support the goal of ERA; and
- 3) Strengthening the enforcement of such existing laws.

NATIVE AMERICANS: The League of Women Voters of Nebraska believes that Native Americans should participate in the formulation, development implementation and valuation of all policies and programs affecting them.—Adopted 1974, amended 1985, 1987, 1993.

Specifically, the League supports:

- 1) Equality of opportunity for employment, health care, education, and welfare benefits;
- 2) Efforts to keep Native American children within their own families. In cases in which the child must be removed from his/her family, the primary concern of welfare departments should be to place the child in willing and qualified Native American foster/adoptive homes. Non-native American

foster/adoptive parents should receive cultural awareness and sensitivity training before a Native American child is placed in the home;

- 3) Multicultural education and sensitivity training which includes the customs and culture of the Native American;
- 4) Affirmative action programs as a necessity;
- 5) Education efforts as a necessity to inform Native Americans of their rights and the services available to them;
- 6) A state Native American Commission composed entirely of Native Americans, whose objective shall be to enhance the cause of the Native American rights and to develop solutions to problems common to all Nebraska Native Americans, maintained and adequately funded; and
- 7) A review by this commission of all treaties of Midwestern Native Americans, specifically as they apply to the tribes or their branches located within the state of Nebraska. The existing responsibilities and rights outlined in the federal and Nebraska statutes should be determined and implemented.

CHILD CARE: The League of Women Voters of Nebraska believes that children in preschools, child care and learning centers or child care homes should be provided humane, quality care in a safe and healthy environment.—amended 1985, 1986, 1987, 1989.

Specifically, the League supports:

- 1) Establishment of uniform minimum standards by federal, state and local governments in the regulation of preschool, child-care, and learning centers and homes;
- 2) Adequate staffing to promote personal, emotional and intellectual growth;
- 3) Education of preschool and learning center teachers, parents, caregivers and others about quality care; and
- 4) An environment free from child abuse and/or neglect.

CHILD WELFARE: The League of Women Voters of Nebraska supports policies and programs that respect the rights, promote the well-being and insure the safety of Nebraska's children. Government services for children should be comprehensive, accessible in all areas of the state, integrated/coordinated, efficient, adequately funded and should provide for accountability. These services should be staffed by professionals and volunteers who are well trained and competent in the specific area of service and should respect the rights of parents.—Adopted 1993.

Specifically, the League of Women Voters of Nebraska believes:

- 1) All reports of alleged abuse and neglect should be investigated. This may include screening by trained staff using a standard, effective protocol. An appropriate number of investigative workers should be hired and maintained to perform investigative tasks and to ensure the safety of children;
- 2) Foster families need preservice/in-service training, respite care, access to counseling (especially for behaviorally disordered children), adequate financial compensation based on the needs of the children, access to information about foster children needing placement and regular communication with Child Protective Services (CPS) workers. Foster families should be recruited and trained to provide specialized care for children with special needs;
- 3) A range of placement options based on the needs of children should be developed in all areas of the state, including specialized treatment foster homes, specialized group homes, and long term residential treatment facilities. The Nebraska Department of Social Services (NDSS) and other state agencies caring for state wards should continue to contract with out-patient mental health providers and other agencies for diagnostic, evaluative and treatment services to enable foster children to remain in existing foster homes. Contracting with out-of-state facilities for out-of-home care or treatment should be a last resort;
- 4) Permanency for children should be achieved in an expeditious manner. Standards and a protocol should be developed for county attorneys, judges and CPS workers to use in determining if parents are making progress towards reunification with children or if termination of parental rights is

appropriate. CPS workers should be trained in collecting and documenting information necessary to make reunification or termination of parental rights decisions. County attorneys, guardians ad litem, and judges and CPS workers should be trained on issues related to termination of parental rights and on the adoptability of disabled children. Adoption laws should allow and encourage open adoption in appropriate cases;

- 5) The number of juvenile courts and juvenile judges should be increased in areas of the state where there is a demonstrated need. County attorneys, guardians ad litem and judges should be provided with on-going training on child abuse and adoption issues. Court Appointed Special Advocates should be used in the juvenile court system whenever possible; and
- 6) Public awareness of abuse and neglect problems and preventive measures should be increased. Public health education about the relationship between chemical dependency and increased risk of abuse and neglect should be undertaken. Family life education classes should be available in the public schools, especially parenting classes for high school students, and home visits of high risk families with newborns should be made. Family counseling services and parent education classes should be available in all areas of the state. Family Preservation Services providing intensive casework and in-home therapy for both short-term cases and longer-term intervention should be available to at-risk families in all areas of the state.

VIOLENCE PREVENTION: The League of Women Voters of Nebraska supports policies and programs at all levels of the community and government that serve to prevent violence in the home and in the community. These include:

- 1) Programs and services for the prevention of child abuse and intervention;
- 2) Family support services for violence prevention and intervention;
- 3) Public and private development and coordination of programs that emphasize the prevention of violence;
- 4) The active role of government and social institutions in preventing violent behavior; and
- 5) The allocation of public monies in government programs to prevent violence.—Adopted 2000.

HEALTH CARE: The League of Women Voters of Nebraska bases action for primary health care strategies on the LWVUS position. See LWVUS for details.—Adopted 2004.

MENTAL HEALTH CARE: The League of Women Voters of Nebraska supports an adequately funded mental health care system which provides comprehensive and coordinated services for children and adults with mental disorders. The League further supports state and local policies and programs, which provide the opportunity for persons with mental disorders to achieve optimal management of their illness.—Adopted 2004.

It is anticipated that the focus of action will include:

- 1) Assurance of access to appropriate, affordable, proximate, quality services;
- 2) Increasing availability of qualified professionals in underserved areas;
- 3) Funding of services primarily through the state with federal and local funding encouraged;
- 4) Parity of coverage in health insurance policies;
- 5) Coordination of community, county, regional and state services;
- 6) Availability of specialized programs—age-related (children, adolescents, adults and seniors), substance abuse, dual diagnosis;
- 7) Continuum of care—prevention, early diagnosis and intervention, intensive care, thorough rehabilitation, recovery and/or care for chronic conditions;
- 8) Cost-effectiveness without compromising the quality of care;
- 9) Availability of support programs for patients and families which may include but not be limited to medical care, transportation, housing, and employment;

- 10 Decreasing the stigma of mental health disorders through programs which may include but not be limited to forums, community awareness, corporation training, newspaper articles, educating the public on issues surrounding mental health;
- 11) Establishing realistic limitations of earnings for persons who have the ability and willingness to work without losing qualifications in assistance programs for partially needed benefits.

INVESTIGATION OF EXPANDED GAMBLING IN NEBRASKA: The intent of the effort is to look at the issue of expanded gambling in Nebraska, to collect as much available information as possible on the subject with attention to both the economic and social implications, and to present these findings to our membership. At that time, we may or may not propose a formal position.—Adopted 2003.

EDUCATION

FINANCING PUBLIC SCHOOLS IN NEBRASKA: The League of Women Voters of Nebraska believes in a public educational system financed by a combination of local and state revenues. Since state government has created the public schools by law, it has a responsibility to aid local school districts in providing adequate and equitable school financing through a state aid formula of Foundation, Incentive and Equalization, while maintaining local control. The wealth of the local school district in which a student resides should not determine what services are available.—Adopted 1981, amended 1983, 1991.

Specifically, the League supports:

- 1) Shifting the tax burden from heavy reliance on the local property tax to increased state support derived from income taxes while maintaining local control of school districts and budgets;
- 2) Full funding of state aid formula, including Foundation, Incentive and Equalization;
- 3) Removal of arbitrary limitations upon budgets of local government subdivisions;
- 4) Provision of adequate revenue from sales and income taxes, both individual and corporate, to support educational services;
- 5) Accreditation standards of the minimum level of education regardless of the wealth of the local district in which a student resides;
- 6) A free public school education through 12th grade, age not a limiting factor. Public school funds should be used to provide special education services to children with verified handicaps from birth to age 21; and
- 7) The merger or affiliation of Class I schools with districts having high schools to equalize the tax levy.

CURRICULUM IN NEBRASKA PUBLIC SCHOOLS: The League of Women Voters of Nebraska supports policies and programs to promote a quality education for all Nebraska children in grades K–12. Specifically, the League supports comprehensive curriculum offerings, stringent graduation requirements, competency testing of children, testing of students entering teacher-training programs, testing of graduates before teacher certification, adequate compensation for teachers, and a school year of sufficient length to provide quality education.—Adopted 1985, amended 1993.

Specifically, the League supports:

- 1) Public school curriculum standards that will prepare students to strive to meet the goals of Nebraska 2000 and ultimately meet the current admission requirements of our state universities and other state post-secondary educational institutions;
- 2) A strong social studies and government effort, including studies of:
 - a) Local, state and national levels of government;
 - b) The three branches of government: legislative, judicial, and executive, giving equal emphasis to each branch and how they function;
 - c) The role of the media in government; and
 - d) The role of women and minorities in government and science;

- 3) An emphasis on citizenship to include the Pledge of Allegiance, citizenship requirements for naturalization, the relationship between freedom and responsibility and how to be a responsible voter;
- 4) The teaching of “How to Take Tests” to all children, in the light of the increased emphasis on testing;
- 5) Requiring all secondary students to pass a minimum consumer competency program in areas of money management, credit, insurance, taxes, buying decisions, and consumer protection;
- 6) Incorporation of critical thinking skills into all teaching. Throughout the educational process, the purpose of critical thinking is to develop patterns of active analysis of information rather than passive acceptance of information;
- 7) Requiring every able child in Nebraska to pass N-Abels, or a comparable test, before leaving sixth grade because these are essential skills upon which all other learning is based;
- 8) The concept of mandatory state competency tests for students in grades 7–12 to diagnose the need for remedial work in reading, math, and writing skills;
- 9) The exemption of minimum competency requirements from children who are diagnosed in the various mentally handicapped categories;
- 10) The use of teacher competency tests for each specific level or area and for recertification;
- 11) Academic competency tests for students before being accepted in a teacher-training program;
- 12) The four career ladder certification levels for teachers in addition to temporary, provisional, service or emergency certification classifications: apprentice, initial, standard and professional;
- 13) Increased teacher salaries;
- 14) Teachers being endorsed in all subjects they are teaching;
- 15) A minimum nine-month school year with 1,032 instructional hours for elementary, and 1,080 instructional hours for secondary school students;
- 16) The option of year-round public schools for districts that elect to do so;
- 17) Career counseling services being offered to all Nebraska students to help them make long-range decisions on college prep or other goals, starting and continuing in grades 7–12;
- 18) Students having all entrance requirements completed before entering a four-year state college or university; and
- 19) No credit for remedial high school courses given by state colleges or universities to meet entrance requirements.

PERFORMANCE-BASED EVALUATION OF TEACHERS: The League of Women Voters of Nebraska supports teacher tenure and Nebraska laws on teacher certification, just cause and due process. The League supports performance-based evaluation of teachers in decisions on job performance/terminations and professional growth opportunities.

For school administrators we support performance-based evaluation decisions on job performance/terminations, professional growth, salaries, and advancements.

We believe evaluation of teachers should be conducted by a multifaceted team of observers including administrators, peers, parents, department heads and students (higher grades) according to guidelines set by the State Department of Education and adapted to local school district needs.

We believe evaluation of administrators should be conducted by a multi-faceted team including an immediate supervisor, member of the school board, peers, representation from the parents (community) and/or trained evaluators. School administrator guidelines for evaluations should be developed by members of the local school with outside input.

The League believes that our superior teachers should receive salaries comparable to that of administrators, thereby encouraging those teachers to remain in the classroom.—Adopted 1993.