

**ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022**  
**COMMITTEE STATEMENT**  
**LB872**

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**Hearing Date:** Monday January 24, 2022  
**Committee On:** Education  
**Introducer:** Brewer  
**One Liner:** Authorize the wearing of tribal regalia by certain students

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 8 Senators Day, Linehan, McKinney, Morfeld, Murman, Pansing Brooks, Sanders, Walz  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**

Tony Baker  
Rebecca Sullivan  
Don Wesley  
Susan Baker  
Nicole Benegas  
Lory Dance  
Rose Godinez  
Judi Gaiashkibos  
Amelia-Mane Allstadt  
Christina Ellison  
Tracy Hartman-Bradley  
Kevin Abourezk  
Stephanie Bondi  
Tanya Encalada Cruz  
Colette Yellow Robe  
Jeff Mohr

**Representing:**

Introducer  
Ponca Tribe of Nebraska  
Winnebago Tribe  
Ponca Tribe of Nebraska  
Bluebird Cultural Initiative  
Self  
ACLU of Nebraska  
Nebraska Commission on Indian Affairs  
Self  
NSEA  
NSEA  
Lincoln Indian Center  
Self  
Self  
NDP Native Caucus Chair  
Self

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 872 adds new language to allow the wearing of tribal regalia in schools.

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Section 1:

Applies to all schools legally operating pursuant to Chapter 79 (i.e. K-12 schools). The new statutory language maintains the authority of the schools regarding student behavior, the adoption of policies related to the statute, and identifies the types of items considered to be regalia (traditional garments, jewelry, other adornments, or similar objects of cultural significance worn by members of an indigenous tribe of the United States or another country). It explicitly bans firearms, dangerous weapons, and other federally prohibited items.

Sections 2-3:

Applies the same language to private postsecondary career schools.

Section 4:

Applies the same language to any postsecondary institution, which is defined by cross-reference to Neb. Rev. Stat. 85-2403(10) "Postsecondary institution means any institution with a physical presence in Nebraska that provides postsecondary education and is exempt from the Private Postsecondary Career School Act."

Section 5:

LB872 becomes operative on July 1, 2023.

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**Explanation of amendments:**

Amendment 1807 specifies that the students to which the provisions of this bill apply are members "of an indigenous tribe of the United States or another country". It further clarifies that the K-12 students to which the bill applies are those "attending an approved or accredited public, private, denominational, or parochial school."

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Lynne Walz, Chairperson