

**ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025**  
**COMMITTEE STATEMENT**  
**LB89**

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**Hearing Date:** Friday February 07, 2025  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Kauth  
**One Liner:** Adopt the Stand With Women Act

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

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**Vote Results:**

<b>Aye:</b>	5	Senators Sanders, Andersen, Lonowski, McKeon, Wordekemper
<b>Nay:</b>	3	Senators Cavanaugh, J., Guereca, Hunt
<b>Absent:</b>		
<b>Present Not Voting:</b>		

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**Testimony:**

**Proponents:**

Senator Kathleen Kauth  
Governor Jim Pillen  
Greg Brown  
Selina Soule  
Erica Steinmiller-Perdomo  
Emma Fee  
Lysle Roe Jr.  
Hanna Holtmeier  
Amalie Comiskey  
Rebekah Allick  
Elizabeth Nunnally  
Melissa Money-Beecher  
Kathy Wilmot  
Wes Wilmot  
Marion Miner  
Duane Tim McCoyle  
Allie Bush  
  
Scott Thomas  
John Robinson  
Elizabeth Davids

**Representing:**

Opening Presenter  
State of Nebraska  
Self  
Alliance Defending Freedom  
Alliance Defending Freedom  
Self  
Self  
Independent Women  
Self  
Self  
Nebraska Family Alliance  
Independent Women's Network  
Nebraska Eagle Forum / Self  
Self  
Nebraska Catholic Conference  
Self  
Nebraskans Against Government Overreach  
Grassroots  
Village in Progress  
Self  
Self

**Opponents:**

Erin Feichtinger  
Abbie Swatsworth  
Jane Erdenberger

**Representing:**

Women's Fund of Omaha  
OutNebraska  
Omaha Public Schools



Scout Richters	American Civil Liberties Union of Nebraska (ACLU)
Jessie McGrath	Self
Amos Sobotka	Self
Michael Hornacek	Self
Josephine Litwinowicz	Higher Power Church
Taylor Givens-Dunn	I Be Black Girl
Gina May	Nebraska Psychological Association (NPA)
Lia Post	Self
Julia Keown	Nebraska Nurses Association
Michelle Jud	Rainbow Parents of Nebraska
McKenna Hornacek	Self
Felicity Elizabeth Miner	Self
Ron Cunningham	Self
Jessyca Vandercoy	National Association of Social Workers - Nebraska Chapter
Kim Erwin	Self
Scott Baker	Episcopal Church
Mary Kelly	The League of Women Voters of Nebraska
Carol Windrum	United Methodist
Juliet Rosenthal	Self
Jack Burchess	Association of Students of the University of Nebraska (ASUN)
Velma Lockman	Self
Brooke Ledford	Self
Zach Baker	Self
Levai Alles	Self
Jacklyn Alles	Self
Tracie Alles	Self
Sunny Desy (Lgl - Douglas Stewart)	Self
Cassandra Opal	First United Methodist Church - Omaha
Tiffany Weiss	Self
Alex Weiss	Self
Ariana Weiss	Self
Christine Newell Snyder	Self
Kandra King	Self
Taylor Boggs	Self
Ryan Salem	OutNebraska
Rachel Murphy	Self
Jaimie Cerretta	Self
Jaimee Trobough	Self
Laurelei Spilinek	Self
Dylan Seaman	Self
Mathew Jeffrey	Self
Sheri Shuler	Self
Jody Kellas	Self
Ava Manhart	Self
Sophia Mason	Self
Isa Manhart	Self
Ciara Stueve	Self



Melisa Becerra Gonzalez	Self
Natalya Ericksen	Self
Mary Ensz	Self
Jill Manhart	Self
Heather Rhea	Self
Sydney Brown	Self
Cleo Zagurski	Self
Leslie Dvorak	Pride Health Clinic
Kenneth Morton	Self
Juniper Cooper	Self
Daniel Richie	Self
Holly Richie	Self
Lori Ashmore	Self
Autumn Hawkins	Self
Hannah Bree Poehling-Wright	Self
Katherine Poehling	Omaha Education Association, Nebraska State Education Association (NSEA)
Sherrie Campbell	Self
Catherine Stanton	Self
Amanda Kloke	Omaha Education Association, Nebraska State Education Association (NSEA)
Elizabeth Kocher	Self
Eric Reiter	Voices for Children in Nebraska
Valeria Villegas	Self
Audrey Anderson	Self
Kenton Teska	Self
Antje Anderson	Self
Cece Crozier	Self
Devin Crozier	Self
Michael Marcheck	Nebraska Stonewall Democrats
Matt Ashmore	Self
DaVaya Notaro	Self
Kylee Wilson Kemp	Self
Dahly Long	Self
Jessica Woolf	Self
Nic Robbins	Self
Jennifer Lozano	Self
Julia Gehringer	Self
Oliver Engelke	Self
Maeve McGarry	Self
Raiyah Nader	Self
Mary Dickinson	Self
Autumn Smart	Self
Donna Faber	Self
Gabriel Tyner	Self
Salem Urban	Self
Lucian Blazek	Self
John Carl Denkovich	Omaha For Us
Grace Jacobson	Self



Viola Burns	Self
Alex Dworak	One World Community Health Center
Melanie Knight	Self
Jacob Carmichael	Self
Andrew Dominquez Farias	Self
Destiny Ogden	Self
Payne Ackerman	Self
Ashton Barlow	Self
Alexis Shallberg	Self
Mary Ann Folchert	Self
Samuel Johnson	Self
Hunter Smith	Self
Janet Morton	Self
Cindy Maxwell-Ostdiek	Self
Angie Philips	Self
Laura Fisher Semerad	Self
Aaron Ross	Self
William Manhart	Self
Karin Waggoner	Self

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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

This bill proposes changes to state law relating to the male and female sexes in human beings.

Section 1 contains the title of the act.

Section 2 contains a series of legislative findings relating to “unique and immutable” differences between individuals of the male and female sexes before, during, and after puberty. These differences are described in terms of biological differences, physical differences, physical advantages, cardiovascular and muscle performance, and the implications of these differences in athletic competition and in restroom and locker room accommodations.

Section 3 contains definitions of eleven terms related to human sexes.

Section 4 directs that school governing bodies designate group restrooms and locker rooms within school buildings for use either by male individuals or use by female individuals. This section also proposes prohibitions relating to usage of such facilities as well as several exceptions to these mandates and prohibitions, and contains languages forbidding retaliation against individuals reporting violations of “related rules, regulations, or policies.”

Section 5 would require interscholastic and intramural athletics to be designated as either for male, female, or coed participation.

Section 6 forbids government entities, licensing or accreditation organizations, and athletic organizations from accepting a complaint, investigating, or taking any other adverse action against a school for maintaining separate athletic teams for female students.

Section 7 would require that school governing bodies adopt policies implementing the act.



Section 8 would require state agencies to define sex in terms of biological sex in actions taken to adopt and promulgate rules and regulations, to enforce administrative decisions, and to adjudicate disputes under such rules and regulations.

Section 9 would direct state agencies to designate group restrooms within their facilities for use either by male individuals or use by female individuals. This section also proposes prohibitions relating to usage of such facilities as well as several exceptions to these mandates and prohibitions for cleaning and maintenance, emergency assistance, and parents and caregivers.

Section 10 notes that individuals “born with a diagnosis of a disorder or difference in sex development” must have all protections and accommodations afforded by the federal Americans with Disabilities Act.

Section 11 contains the severability clause.

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**Explanation of amendments:**

AM 701 strikes the original sections and inserts new sections.

Section 1 contains the title of the act.

Section 2 contains a series of legislative findings relating to “unique and immutable” differences between individuals of the male and female sexes before, during, and after puberty. These differences are described in terms of biological differences, physical differences, physical advantages, cardiovascular and muscle performance, and the implications of these differences in athletic competition and in restroom and locker room accommodations.

Section 3 contains definitions of thirteen terms related to human sexes.

Section 4 directs that school governing bodies designate group restrooms and locker rooms within school buildings for use either by male individuals or use by female individuals. This section also proposes prohibitions relating to usage of such facilities as well as several exceptions to these mandates and prohibitions, and contains languages forbidding retaliation against individuals reporting violations of “related rules, regulations, or policies.”

Section 5 would require that the governing bodies of public schools and public postsecondary institutions designate each locker room within a school building as either for use by females, for use by males, or as single occupancy. These schools and institutions would be prohibited from allowing males or females from entering locker rooms designated for the opposite sex while in use by a member of that opposite sex. This section includes exceptions for custodial or maintenance purposes, for emergency assistance, and for coaches and trainers. This section would also prohibit retaliation against a person who in good faith reports a violation of these provisions.

Section 6 would create certain requirements for interscholastic and intramural sports sponsored by public schools, for those sponsored by private schools whose athletes compete against public schools, for private schools that are members of an athletic association, for public postsecondary institutions, and for private postsecondary institutions that compete against public postsecondary institutions.

These requirements would include that the team or sport be expressly designated as for males, females, or coed participation. Those teams designated for females would not be open to male participants. Those teams designated for males would not be open to female participants unless there is no female team offered or available for such sport.

Finally, this section provides that each participant in sports designated males or designated for females shall provide



confirmation of their sex on a document signed by a doctor or signed under the authority of a doctor.

Section 7 would bar government entities, licensing or accrediting organizations, and athletic associations from entertaining a complaint, opening an investigation, or taking other adverse action against a school for maintaining separate sports for female students.

Section 8 would require that public schools, public postsecondary institutions, and those private schools and institutions subject to the act adopt a policy implementing the act. Such implementation would have to include provisions relating to the conduct of visitors and the public.

Section 9 would require state agencies to define sex in terms of biological sex in actions taken to adopt and promulgate rules and regulations, to enforce administrative decisions, and to adjudicate disputes under such rules and regulations.

Section 10 notes that individuals “born with a diagnosis of a disorder or difference in sex development” must have all protections and accommodations afforded by the federal Americans with Disabilities Act.

Section 11 contains the severability clause.

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Rita Sanders, Chairperson

