

LEGISLATIVE BULLETIN

LEAGUE OF NEBRASKA MUNICIPALITIES

107th Legislature, Second Session

Feb. 25, 2022 - Bulletin 8



ITEMS OF INTEREST TO MUNICIPALITIES

- **Senator, Committee, Speaker Priority Bills selected**
- **LB 1241: Law enforcement reciprocity bill advanced to Select File**
- **LB 984: Bill changing sales and use tax collection fees heard by Revenue Committee**
- **LB 821: Urban Affairs Committee hears testimony on bill to adopt the Aid to Municipalities Act**
- **LB 809: League-supported bill named as Natural Resources Committee Priority. Amendment could include another League-supported bill**
- **Check the Legislature's web site** for more information about your state Senators and the session. The web site address is <http://nebraskalegislature.gov/web/public/home>.

**NOT ALL ITEMS OF INTEREST ARE INCLUDED ON THIS LIST.
ALSO SEE THE REMAINDER OF THE LEGISLATIVE BULLETIN.**

LB 821: Urban Affairs Committee hears testimony on bill to adopt the Aid to Municipalities Act

LB 821, introduced by **Sen. Matt Hansen** of Lincoln, adopts the Aid to Municipalities Act. Under the Act, municipalities will be eligible to apply for state aid in the form of grants which may be used to assist in funding a variety of municipal infrastructure projects.

The **League** testified during a public hearing before the Urban Affairs Committee in strong support of the bill and gave a brief history of state aid to municipalities. History reaching back more than 50 years shows that state aid has never been a gift from the State of Nebraska to local governments to subsidize local

governments. It has been a part of a commitment to reimburse local governments – at least partly – for the property tax base lost because of exemptions granted by past Legislatures. The Legislature eliminated aid to municipalities in 2011 because of a state budget crisis at the time. When the aid was cut, it was at a little over \$11 million.

In addition to support from League representatives, the **City of Omaha** testified in support of the bill. Thanks to Sen. Hansen for introducing this important piece of legislation.



Sen. Matt Hansen

LB 984: Bill changing sales and use tax collection fees heard by Revenue Committee

LB 984, introduced by **Sen. Mike Moser** of Columbus, proposes to raise the amount businesses receive for collecting and remitting sales and use taxes. Currently, the amount retained per business location is 2.5 percent of the first \$3,000 in sales and use tax collected. This equates to a maximum of \$75 per month (\$900 per year). **LB 984** raises the maximum to 2.5 percent of the first \$6,000. This equates to a maximum of \$150 per month (\$1,800 per year).

The **Nebraska Retail Association**, **Nebraska Grocery Association** and others testified in support of the bill citing that the amount retailers

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collect has not increased in 20 years. They also discussed the increase in the amount of fees charged by credit card companies such as Visa for each transaction.

The **League** testified in opposition to the bill, citing the loss of revenue to any municipality that has a local option sales tax. For example, the

City of Omaha alone estimated more than \$800,000 in lost revenue under the provisions of **LB 984**. The League offered an amendment, which if adopted would move the League's position to neutral, that would retain the current provisions that allow a business to retain 2.5 percent of the first \$3,000 in state and local option sales tax collected but on the next \$3,000 collected, only the state sales tax will be retained.

Sen. Moser has prioritized **LB 984** and it is expected to be debated on the floor of the Legislature later in the session.

LB 809: League-supported bill named as Natural Resources Committee Priority. Amendment could include another League-supported bill, LB 924

LB 809 was designated as one of the Natural Resources Committee's priority bills, greatly enhancing the bill's chance of being debated and adopted this year. LB 809, introduced by Columbus **Sen. Mike Moser**, was supported by the **League**. LB 809 would amend the State Drinking Water Revolving Fund. LB 809 would make the following changes:

- Allows the Drinking Water Revolving Fund to buy or refinance the debt obligation of a municipality or public water supply system.
- Increases the allowable amount of grant and loan forgiveness from the Drinking Water Revolving Fund from 50 percent to 75 percent of eligible project costs for a municipality or public water supply system serving

10,000 persons or fewer.

- Authorizes agreements from the Drinking Water Revolving Fund with all municipalities or public water systems to provide grants and loan forgiveness for up to 75 percent of eligible project costs, concurrent with loans to public water systems for lead service line replacement projects in accordance with all federal regulatory and statutory provisions.

Also, the Natural Resources Committee introduced an amendment, AM2004, that would amend LB 809 to include **LBs 924, 803 and 978** into the bill.

LB 924, introduced by Gordon **Sen. Tom Brewer**, was supported by the **League**. LB 924 would amend the Waste Reduction and Recycling Incentive Fund to expand an eligible

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use of the fund to allow grants for reimbursement of costs to cities of the first class for the deconstruction of abandoned buildings. Eligible deconstruction costs must be related to the recovery and processing of recyclable or reusable material from the abandoned buildings. The Waste Reduction and Recycling Incentive Fund is funded by the \$1.25 per ton landfill fee and a \$25 business fee. This specific use is currently limited to cities of the second class and villages.

Legislative hot line offered during session

During the legislative session, the Clerk of the Legislature's Office offers a hot line from 8 a.m. to 5 p.m.

Hot line staff will answer questions about the status of bills or requests for information. The service also is offered to any person who is hearing impaired and/or

speech impaired. Before 8 a.m., or after 5 p.m. during the week and on weekends and state holidays, callers will hear a recorded message of the next legislative day's agenda. Legislative hot line numbers are: Lincoln - 402-471-2709; Other areas in Nebraska - 800-742-7456.

Limited copies of bills or legislative journals can be obtained in the bill room, or they may be ordered through a 24-hour request line by calling 402-471-2877. Callers are asked to provide the bill numbers of the legislation they wish to receive.

LB 1241: Law enforcement reciprocity bill advanced to Select File

Thanks to Omaha **Sen. Steve Lathrop**, Chair of the Judiciary Committee, for doing such a great job explaining **LB 1241** and the Standing Committee Amendment, which was adopted before the bill was advanced to the next stage of consideration with 45 ayes, 0 nays, 2 present and not voting and 2 excused and not voting.

Sen. Lathrop stated that provisions of LB 1270, Sen. Clements incentive pay bill, will be offered as an amendment to LB 1241 on Select File. **Thanks again to Sen. Lathrop for introducing LB 1241 and Speaker Mike Hilgers and Sen. Patty Pansing Brooks for co-sponsoring the bill. We appreciate Sen. Wendy DeBoer for selecting LB 1241 as her personal priority bill to assure consideration of the legislation this session.**



Sen. Steve Lathrop



Speaker Mike Hilgers



Sen. Patty Pansing Brooks



Sen. Wendy DeBoer

Nebraska Legislature's website offers feature to find your Senator and District on updated maps

Lawmakers in September approved bills that established new district boundaries for several Nebraska governmental bodies for the next 10 years.

Those changes are reflected on the

Legislature's website under the "Find your Senator and District" feature at https://nebraskalegislature.gov/senators/senator_find.php.

You only need to type in your

street address, city and zip code for the name, photo and district number of your state Senator to appear on the computer. ■

NEBRASKA UNICAMERAL LEGISLATURE
107th LEGISLATURE, SECOND SESSION

SCHEDULE OF COMMITTEE HEARINGS

The order of the bills listed may not be the order in which they are heard that day in committee.

Monday, February 28, 2022

Appropriations
Room 1524 - 1:30 p.m.

LB696	Blood	Appropriate federal funds to the State Department of Education for school employee retention payments
LB1085	Pansing Brooks	Appropriate federal funds to the State Department of Education for career and technical educational student organizations
LB1182	Pansing Brooks	Adopt the School Employees Pandemic Protection Act and state intent regarding federal funds
LB1198	McDonnell	Appropriate federal funds to the State Department of Education to provide grants to nonprofit organizations providing programming for mentorship, career exploration, and access to job readiness or postsecondary education
LB1220	Morfeld	Appropriate federal funds to the State Department of Education for premium payments for teachers working in underserved communities
LB1240	Albrecht	Appropriate federal funds to the State Department of Education to provide family-directed education recovery accounts for low-income children and families
LB1217	Walz	Appropriate federal funds to the Department of Administrative Services for incentive payments to eligible school employees

Banking, Commerce and Insurance
Room 1507 - 1:30 p.m.

LB689	Blood	Change provisions relating to fees in the Nebraska Uniform Limited Liability Company Act
LB718	Morfeld	Provide requirements for cost-sharing and coverage relating to health care benefits and pharmacy benefit managers
LB1188	Flood	Adopt the Uniform Personal Data Protection Act

Business and Labor
Room 1003 - 1:30 p.m.

LB1083	Business and Labor	Provide for payment of claims against the state
LB1084	Business and Labor	Deny claims against the state
LB1130	Morfeld	Require data sharing and execution of agreements with the Nebraska Statewide Workforce and Education Reporting System by various state departments
LB815	McKinney	Adopt the Diaper Changing Accommodation Act
LB1140	Hansen, M.	Change provisions relating to withholding of wages for health and human services agencies and associations
LB834	Hunt	Redefine a term under the Wage and Hour Act
LB1029	Hunt	Prohibit harassment by certain employers and provide an unlawful employment practice for a covered entity under the Nebraska Fair Employment Practice Act

Education
Room 1525 - 1:30 p.m.

LB1034	Pahls	Provide for designation of progress schools and progress plans and state intent to appropriate federal funds
LB1251	Hansen, B.	Adopt the Equal Opportunity Scholarship for Students with Special Needs Program Act and change provisions relating to the distribution of lottery funds
LB912	Morfeld	Provide for mental health first aid training for school districts and change provisions relating to the use of lottery funds

Monday, February 28, 2022 (cont.)

**General Affairs
Room 1510 - 1:30 p.m.**

LB1268	Bostar	Remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device under the State Lottery Act
LB1109	Murman	Provide for the issuance of a liquor license to the spouse of a law enforcement officer
LB1239	Vargas	Change and eliminate provisions relating to liquor and agreements between manufacturers and wholesalers and beer suppliers and beer wholesalers

Tuesday, March 1, 2022

**Appropriations
Room 1524 - 1:30 p.m.**

LB1161	Wishart	Appropriate federal funds to the State Department of Education for programs and interpreters that provide services to students who are deaf or hard of hearing
LB1162	Wishart	Appropriate federal funds to the Commission for the Deaf and Hard of Hearing to support in-person interpreting in rural areas and legal communication access
LB1087	Stinner	Appropriate federal funds for Aid to Community Colleges for dual enrollment
LB1079	Hansen, B.	State intent to appropriate federal funds for disbursement to Nebraska residents as prepaid debit cards
LB1131	Morfeld	State intent to appropriate federal funds for bonus payments for teachers, child care workers, and health care workers
LB1138	Vargas	Appropriate federal funds to the Department of Health and Human Services for local public health departments
LB1203	Briese	Appropriate federal funds for child care programs

**Banking, Commerce and Insurance
Room 1507 - 1:30 p.m.**

LB715	Hunt	Eliminate the prohibition regarding publicly funded insurance coverage for abortion and repeal the Mandate Opt-Out and Insurance Coverage Clarification Act
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**Education
Room 1525 - 1:30 p.m.**

LB1078	Hansen, B.	Prohibit possession of personal electronic devices by students in public school classrooms
LB711	Hughes	Change provisions relating to the sale of educational land
LB1157	Linehan	Require the State Department of Education to submit reports on federal funds
LR278CA	Linehan	Constitutional amendment to eliminate the State Board of Education and provide for the Governor to appoint the Commissioner of Education
LB1143	Linehan	Require approval by the voters of a school district or educational service unit for the issuance of certain bonds under the Interlocal Cooperation Act

Wednesday, March 2, 2022

**Appropriations
Room 1525 - 1:30 p.m.**

LB1141	Vargas	Appropriate federal funds to the Commission on Public Advocacy for legal representation for indigent clients
LB1002	McDonnell	Appropriate federal funds to the Department of Health and Human Services for low-income home energy assistance
LB1052	Cavanaugh, J.	Appropriate federal funds to the Department of Health and Human Services for the Nebraska Homeless Assistance Program
LB1159	Wishart	Appropriate federal funds to the Department of Health and Human Services for a model system of care
LB1201	DeBoer	Appropriate federal funds to the Department of Health and Human Services for grants to nonprofit organizations providing food assistance
LB1193	McDonnell	Provide limitations regarding federal funds appropriations relating to the federal Consolidated Appropriations Act, 2021, and the federal American Rescue Plan Act of 2021

**Government, Military and Veterans Affairs
Room 1507 - 1:30 p.m.**

LB1181	Lowe	Change provisions relating to required identification documents for registering to vote and voting and procedures for early voting
LB1123	Erdman	Change procedures for counting ballots under the Election Act
LB1121	Albrecht	Require inspection of vote counting devices under the Election Act

**Health and Human Services
Room 1510 - 1:30 p.m.**

LB859	Clements	Require city-county health departments to obtain approval for directed health measures
LB963	Murman	Adopt the Medical Ethics and Diversity Act

Briefing by the Department of Health and Human Services on the Heritage Health Procurement

**Judiciary
Room 1113 - 1:30 p.m.**

LB828	Briese	Prohibit manipulation of elections under the Election Act and provide a penalty
LB829	DeBoer	Change provisions relating to offenses against animals
LB851	Wishart	Change enforcement procedures and redefine terms related to certain crimes involving animals
LB903	Bostar	Change provisions relating to criminal privacy violations and prohibit spying by unmanned aircraft
LB990	Hansen, B.	Create the offense of stolen valor and provide a penalty
LB994	Lathrop	Change provisions relating to sale of catalytic converters to secondary metals recyclers and change a penalty

**Revenue
Room 1524 - 1:30 p.m.**

LB972	Hansen, M.	Change provisions relating to agricultural or horticultural land receiving special valuation
LB1115	McKinney	Require the development of certain property in order for the property to retain its property tax exemption
LB1250	Hansen, B.	Change provisions relating to joint public hearings and postcards under the Property Tax Request Act

Thursday, March 3, 2022

**Appropriations
Room 1525 - 1:30 p.m.**

LB1160	Wishart	Appropriate federal funds to the Department of Environment and Energy for reverse osmosis systems
LB1248	Hansen, B.	Appropriate federal funds to the Department of Environment and Energy for a municipal water treatment plant
LB1191	Brewer	Appropriate federal funds to the Commission on Indian Affairs to improve tribal-owned community drinking water
LB1196	McDonnell	Appropriate federal funds to the Department of Economic Development for lead service line replacements for a utilities district
LB1048	Blood	Appropriate federal funds to the University of Nebraska to evaluate the chemicals released and pollution caused by ethanol production facilities
LB1255	Bostar	Appropriate federal funds to the University of Nebraska for an updated climate change report

**Health and Human Services
Room 1510 - 1:30 p.m.**

Appointment	Muotri, Alysson - Stem Cell Research Advisory Committee
Appointment	Wells, Roger D. - Nebraska Rural Health Advisory Commission
Appointment	Bazata, Claire C. - Nebraska Child Abuse Prevention Fund Board
Appointment	Schroeder, Rebecca A. - Nebraska Rural Health Advisory Commission
Appointment	Hunt, Cherlyn - Nebraska Rural Health Advisory Commission
Appointment	Harrison, Jeffrey D. - Nebraska Rural Health Advisory Commission

**Judiciary
Room 1113 - 1:30 p.m.**

LB692	Blood	Prohibit causing sexual contact when a condom has been removed without consent
LB1000	Hansen, B.	Change provisions relating to child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code
LB1223	Hansen, M.	Require reimbursement for lodging certain defendants in county jails and require state hospitals to maintain beds for certain patients

**Revenue
Room 1524 - 1:30 p.m.**

LB979	McCollister	Adopt the Remanufacturing Pilot Project Act and provide income tax credits
LB982	Hilkemann	Adopt the Education Savings Account Act and provide income tax adjustments
LB1039	McDonnell	Provide for state reimbursement of certain annual costs under the Firefighter Cancer Benefits Act
LB1261	Murman	Change limitations on tax credits under the Nebraska Advantage Rural Development Act