

LEGISLATIVE BULLETIN

LEAGUE OF NEBRASKA MUNICIPALITIES

107th Legislature, Second Session

April 14, 2022 - Bulletin 15



ITEMS OF INTEREST TO MUNICIPALITIES

- **LB 927:** League-supported bill relating to arenas in Lincoln, Omaha and Ralston passed and was sent to Governor April 13; these three arenas provide funding for CCCFF grants to municipalities across the state
- **LB 1241E:** Thanks to Sen. Lathrop and law enforcement organizations across the state, League-supported bill to expedite reciprocity process for law enforcement officers was sent to Governor after passing on Final Reading April 12
- **LB 1014E:** On April 13, Gov. Ricketts signed ARP Act (CSFRF dollars) appropriating \$47.7 million for COVID-related infrastructure improvements to NLETC
- **LB 1273:** League-supported bill to provide increased benefits for law enforcement officers passed on Final Reading and presented to the Governor April 12
- **Legislature passes several bills of interest to municipalities**
- **LB 1144 adopted; includes broadband provisions**
- **Legislature passes LB 977: Funds for electric infrastructure**
- **LB 809:** Natural Resources Committee priority bills passed, sent to Governor; includes League-supported bills, LB 809 and LB 924
- **LB 1024 contains additional funding for cities, villages**
- **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.**

Legislature passes several bills of interest to municipalities

Between their work on Tuesday and Wednesday, the Legislature passed more than 100 bills, which are headed to the Governor's desk for his approval or veto. Several of the bills passed are of interest to municipalities and are outlined below:

LB 742: Provide for minutes to be kept in an electronic record under the Open Meetings Act.

LB 742, introduced by Bayard **Sen. Steve Erdman**, allows for minutes to be kept as an electronic record under the Open Meetings Act. The bill allows all public entities to keep minutes in written form or as an electronic record. Currently, only minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

LB 800: Change provisions relating to cities of the metropolitan class, sanitary and improvement districts, sanitary drainage districts, the Affordable Housing Tax Credit Act, the Civic and Community Center Financing Act, the Local Option Municipal Economic Development Act and the Municipal Density and Missing Middle Housing Act.

LB 800, introduced by the **Urban Affairs Committee**, is a clean-up bill for statutes governing cities of the metropolitan class. The Standing Committee Amendment to LB 800 incorporates the provisions of six other municipal-related bills including: LB 555, LB 724, LB 727, LB 799, LB 842, as amended, and LB 1189 as amended.

LB 555 requires that reports filed under the Municipal Density and Missing Middle Housing Act include the percentage of residential areas in the city which have been declared substandard and blighted or extremely blighted under the Community Development Law.

LB 724 amends the Local Option Municipal Economic Development Act, otherwise known as LB 840, to authorize the use of funds under the Act for the development and implementation of an affordable housing action plan. It also authorizes cities of the first class, cities of the second class and villages to include grants, loans and funds for the construction of housing as part of an affordable housing action plan under the Act.

LB 727 eliminates unnecessary and redundant language related to sanitary and improvement district (SID) elections.

LB 799 clarifies reporting requirements under the Municipal Density and Missing Middle Housing Act.

LB 842 authorizes tribal governments to apply for and receive grants under the Civic and Community Center Financing Act (CCCFA). The committee amended the original version of LB 842 to strike references to tribal economic development corporations from the definition of tribal governments.

Finally, **LB 1189** provides that if a sanitary drainage district which lies solely within the zoning jurisdiction of a city is discontinued, all funds, assessments and property owned by the district shall revert to the city or

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a riverfront development authority created by the city.

On Select File, **LB 1176** was amended into the omnibus bill. LB 1176 changes the Affordable Housing Tax Credit Act to clarify provisions regarding an allocation of the tax credit and allowing the tax credit to be used against the tax on fire insurance companies collected.

LB 820: Change population thresholds for cities of the metropolitan class and cities of the primary class.

LB 820, introduced by **Sen. Matt Hansen** changes population thresholds for cities of the metropolitan class and cities of the primary class. This bill is intended to address the City of Lincoln's increasing population while still allowing them to remain a city of the primary class.

LB 840: Change provisions relating to publication and rates for legal notices.

LB 840, introduced by **Gordon Sen. Tom Brewer**, increases the maximum prices newspapers can charge for providing legal advertising space. It also removes the prohibition of publishing legal notices in Sunday newspapers.

LB 983: Change provisions re-

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Legislature passes several bills of interest to municipalities

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lating to industrial development powers of counties, cities and villages

Sen. Mike Moser introduced **LB 983** at the request of the League. LB 983 makes several changes to the county industrial tract statutes including: clarifying that storage of personal property is not included in the definition of industry; changing the process when a municipality asks for a review of the uses of a county industrial tract; requiring the owners of property within the tract to prove that the tract is still being used for industry; and providing that if owners in the industrial tract do not appear at the hearing, the county board is required to remove the industrial area designation.

LB 998: Change provisions of the Municipal Inland Port Authority Act

LB 998, introduced by **Sen. Justin Wayne**, makes changes to the Municipal Inland Port Authority Act including allowing a non-profit economic development corporation to apply directly to the Department of Economic Development for the designation of an inland port authority if the city or county has not taken steps to create one. The Urban Affairs Standing Committee amendment strikes the provisions authorizing a port authority to grant funds to any business located within the boundaries of the inland port district.

LB 1065: Change provisions of

the Community Development Law relating to declarations of substandard and blighted areas and redevelopment plans receiving an expedited review.

LB 1065 changes provisions of the Community Development Law relating to redevelopment plans receiving an expedited review (micro-TIF). The bill increases the dollar amount for projects eligible for expedited review; clarifies that expedited review projects be in the corporate limits of the city; allows a vacant lot to qualify in certain circumstances; and changes the length of indebtedness for micro-TIF from 10 to 15 years.

The Urban Affairs Committee adopted an amendment that makes several changes to the bill including: striking the increase in the maximum assessed value of property involving the revitalization of a structure included in the National Register of Historic Places that receives an expedited review; reducing the increase in the maximum assessed value of property within a redevelopment project involving a multi-family residential structure or commercial structure to \$1.5

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million; increasing the maximum assessed value of property involving a single family residential structure to \$350,000; and clarifying that a municipality may declare a portion of an area as substandard and blighted following a substandard and blighted study or analysis.

LB 1165: Change provisions of the Nebraska Budget Act.

LB 1165, introduced by **Sen. Rita Sanders** of Bellevue, adds clarifying language in the Nebraska Budget Act to resolve an ambiguity about the timing of levies and issuing bonds. LB 1165 allows a governmental entity which has authority to issue bonds to proceed with imposing a property tax even though funds have not yet been borrowed but are expected to be borrowed during the fiscal year.

When do bills that are passed take effect?

Bills that are passed by the Legislature go into effect three calendar months after the Legislature adjourns unless they include an effective date or an emergency clause. Bills with an emergency clause

become effective at 12:01 a.m. the day after the Governor signs the bill, the Legislature overrides the Governor's veto, or five days after the Legislature approves a bill and the Governor fails to act on it.

LB 809: Natural Resources Committee priority bill passed, sent to Governor; includes League-supported bills, LB 809 and LB 924

On April 12, one of the Natural Resources Committee's priority bills, **LB 809**, was adopted and presented to the Governor for his signature. In prior rounds of debate, LB 809 was amended by AM2004, which includes provisions of several other bills. LB 809, introduced by **Sen. Mike Moser** of Columbus, 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 re-finance 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 less.

- 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.

AM2004 incorporates the original provisions LBs 924, 803 and 978 into LB 809.

LB 924, introduced by **Sen. Tom Brewer** of Gordon, was supported by the League. The original LB 924

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would have amended the Waste Reduction and Recycling Incentive Fund to expand an eligible 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 currently is limited to cities of the second class and villages.

Legislature passes LB 977: Funds for electric infrastructure

On April 12, the Legislature passed and presented to the Governor, **LB 977**, introduced by Peru **Sen. Julie Slama**. LB 977 adds \$15 million to the Nebraska Department of Economic Development Site and Building Fund to be used for grants to cities of the second class that partner with public power utilities for the purposes of expanding electrical system capacities and enhancing redundancy and resilience.

Contact your Senator

What address do I use to write my state Senator?

To write your state Senator, you need only to include on the envelope:

Senator's name

District number

State Capitol

Lincoln, NE 68509

Most Senators also have email addresses. The web site address is <http://nebraskalegislature.gov/web/public/home>. ■

LB 1144 adopted; includes broadband provisions

On April 13, the Legislature adopted **LB 1144**, which originally was a bill introduced by **Sen. Curt Friesen** of Henderson. It was designed to reduce the match required in the Nebraska Broadband Bridge Program from 50 percent to 25 percent. In addition to LB 1144, the bill was amended to include five other bills and was named a Transportation and Telecommunications Committee priority bill. The other bills included in the amendment were **LB 761**, **LB 914**, **LB 1021**, **LB 1214** and **LB 1234**.

The original provisions of LB 914 would have required the Public Service Commission to create and maintain a Nebraska fabric loca-

tion broadband access map. The map shall show broadband availability and quality of service for all locations in Nebraska and is more accurate than current methods of determining broadband availability. The committee voted to make this provision permissive rather than mandatory when the bill was amended into the LB 1144 package. However, Norfolk Sen. Mike Flood was successful in amending LB 1144 to make the mapping requirement mandatory.

The original provisions of LB 1021 add affordability to the requirements the Public Service Commission may regulate and also provides that the quality-of-service

obligations will apply to broadband service offerings made by recipient companies who receive broadband support from the Broadband Bridge Fund.

The original provisions of LB 1214 allow for slower speed tiers to be funded under the Broadband Bridge Act.

There also was a last-minute attempt to amend LB 1144 to add the provisions of LB 520, originally opposed by the League and others. LB 520 would take away some municipal authority to regulate wireless facilities such as cell towers. The League was successful in opposing this amendment and the provisions were not included in LB 1144.

LB 1024 contains additional funding for cities, villages

On April 12, the Legislature passed and sent to the Governor **LB 1024**, introduced by Omaha **Sen. Justin Wayne**. LB 1024 creates the Economic Recovery Act which appropriates \$450 million in federal funds to the Department of Economic Development (DED) to be prioritized toward the economic recovery of communities within qualified census tracts located within the boundaries of cities of the metropolitan class that were disproportionately impacted by the COVID-19 public health emergency and related challenges, with an emphasis on housing needs, job training and business development within such communities. Much of the funding would be directed to the projects outlined in the North

Omaha Recovery Plan.

However, LB 1024 also directs DED to distribute to the Coronavirus Capital Projects Fund:

- No more than \$35 million to eligible projects that are located within the 2nd Congressional District. Within a City of the metropolitan class, these grants shall be given to multi-purpose community facilities.
- No less than \$40 million to eligible projects that are located within the 1st Congressional District, which contains a city of the primary class.
- No less than \$40 million to eligible projects that are located within the 3rd Congressional District. Grants under this subdivision shall be awarded

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to eligible projects in cities of the second class and villages.

Any funding for broadband projects under the Coronavirus Capital Projects Fund shall be administered in a manner consistent with the Nebraska Broadband Bridge Act except that the requirements for matching funds are waived.

As this funding becomes available, the League will continue to provide updates.

LB 1014E: On April 13, Gov. Ricketts signed ARP Act (CSFRF dollars) appropriating \$47.7 million for COVID-related infrastructure improvements to NLETC

On April 7, the Legislature passed **LB 1014** on Final Reading with 40 ayes, 4 nays, 4 present and not voting, and 1 excused and not voting. LB 1014 passed with the emergency clause attached, appropriating \$779,812,800 of the \$1.04 billion of the federal funds allocated to the State of Nebraska from the **American Rescue Plan (ARP) Act, "Coronavirus State Fiscal Recovery Fund (CSFRF)."** On April 13, Gov. Ricketts signed the ARP Act (CSFRF dollars) appropriating \$47.7 million for COVID-related infrastructure improvements to the Nebraska Law Enforcement Training Center (NLETC) in Grand Island.

Thanks again to Gov. Ricketts for including the \$47.7 million in LB 1014, as originally introduced on his behalf by Speaker Hilgers, for COVID-related infrastructure improvements at the Nebraska Law Enforcement Training Center (NLETC) in Grand Island. Thanks to Sen. Stinner and other members of the Appropriations Committee for including the \$47.7 million allocated for the NLETC in LB 1014 when advancing the bill to General File. The \$47.7 million allocation to the NLETC was the League's highest priority for the use of ARP Act (CSFRF) funds allocated to the State of Nebraska. The NLETC trains all police officers except for those from Omaha, Lincoln, Bellevue, Papillion and La Vista. The



Gov. Pete Ricketts



Sen. John Stinner

Omaha Police Department and the Lincoln Police Department train their officers at their own academies. The officers of the other three cities are trained at the Sarpy Douglas Law Enforcement Academy.

There were about \$4 billion of requests competing for the \$1.04 billion of ARP Act (CSFRF) dollars allocated to the State of Nebraska. The Legislature appropriated all but \$7,187,200 of the \$1.04 billion total when the following bills passed on Final Reading in April 2022: **LBs 1014, 805, 1024, 1068 and 376. Click here for the list of how the \$779,812,800 of CSFRF dollars are allocated with passage of LB 1014E.** LBs 805, 1024, 1068 and 376 were presented to the Governor on April 12 or 13 for his consideration; once the Governor is presented with a bill, he has five days to decide whether to sign, veto, line-item veto or let the bill become

law without his signature.

Scottsbluff **Police Chief Kevin Spencer**, Buffalo County **Sheriff Neil Miller** and **Doug Hanson of Olsson, Inc.**, testified in strong support of this funding for the NLETC at the hearing on LB 1014 before the Appropriations Committee on Jan. 25. Hanson distributed to committee members an excellent handout describing the COVID-related infrastructure improvements needed at the NLETC. This handout was prepared on behalf of the League by Olsson, Inc. and published in the January *Nebraska Municipal Review*.

As Chief Spencer testified before the Appropriations Committee: *"Due to COVID-19, law enforcement agencies are coping with the need to address vacancies due to COVID, an increasing number of open positions, elevated caseloads and increased*

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LB 1014E: On April 13, Gov. Ricketts signed ARP Act (CSFRF dollars) appropriating \$47.7 million for COVID-related infrastructure improvements to NLETC

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violence and criminal activity. Law enforcement agencies throughout Nebraska are facing a severe recruitment challenge and we cannot afford to have NLETC shut down or continue with inadequate facilities. This translates to a critical need to expand the NLETC to provide this training now and in the future to compete with other states for top talent while reducing the spread of disease among trainees by increasing officer wellness and resiliency."

Chief Spencer also informed the Appropriations Committee about the COVID-related infrastructure improvements needed "OUTSIDE" the NLETC, which include: 1) security fencing with lights; 2) a 20-station targeting station at an outdoor shooting range; and 3) land acquisition for an up-to-date vehicle training track and skills pad that reflect actual conditions. The driving track now is only seven tenths of one mile, falling apart and totally inadequate to address the current standard of 2 to 2.2 miles for an effective driving track. It should be

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noted that NLETC has been providing housing for first responders who need to quarantine as well as assisting in other COVID-related issues.

Sheriff Miller testified about the COVID-related infrastructure improvements that need to be made "INSIDE" at the NLETC to more effectively address training issues related to the pandemic and any future pandemics: 1) a skills/tactical building; 2) a modified entry with increased security; 3) an expanded cafeteria and food prep areas; 4) new technology rooms; 5) a dormitory and living units; and 6) an indoor weapons training facility since there is no indoor shooting range at the NLETC. Sheriff Miller emphasized it is an incredible challenge trying to recruit

officers from other states or recruit individuals interested in becoming law enforcement officers. Nebraska needs to train law enforcement officers as quickly and effectively as possible while continuing to provide quality training.

Thanks again to the following law enforcement officers and others who provided tremendous leadership resulting in the passage of this historic funding for the NLETC: Scottsbluff Police **Chief Kevin Spencer**, President of the Police Chiefs Association of Nebraska (PCAN); Cozad Police **Chief Mark Montgomery**, Second Vice President of PCAN and Board Member of the Police Officers Association of Nebraska (POAN); Broken Bow Police **Chief Steven Scott**, President of POAN; Buffalo County **Sheriff Neil Miller**, President of the Nebraska Sheriffs Association (NSA); Custer County **Sheriff Dan Osmond**, Past President of NSA; **Jim Maguire**, President of the Fraternal Order of Police; **Don Arp**, Director of the Crime Commission; and **Brenda Urbanek**, Director of the NLETC.

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. ■

LB 1273: League-supported bill to provide increased benefits for law enforcement officers passed on Final Reading and presented to the Governor April 12

Thanks to **Sen. Eliot Bostar** of Lincoln for introducing **LB 1273**, which would allow a retired certified law enforcement officer to deduct the cost of health insurance premiums for Nebraska income tax purposes; such individuals must have served full-time for at least 20 years and must be at least 60 years of age to qualify for the deduction. The deduction would take effect for tax years beginning or deemed to begin on or after Jan. 1, 2023. The **League**, **NACO** and statewide organizations representing law enforcement support **LB 1273** and **LB 1272**. **Thanks to Speaker Hilgers for selecting LB 1273 as a "Speaker Priority Bill."**

On March 3, when **LB 1273** was considered on the Legislature adopted Revenue Committee Amendment **AM2005** during General File debate to add the language from **LB 1272**, introduced by Hastings **Sen. Steve Halloran**, to increase the



Sen. Eliot Bostar



Sen. Steve Halloran

tuition waiver for law enforcement officers from 30 percent to 100 percent of the resident tuition charges of any state university, state college or community college. On March 3, **AM2005** was adopted with 33 ayes; the bill was advanced to Select File with 41 ayes, 0 nays and 4 not voting. On April 12, **LB 1273** as amended passed on Final Reading with 47 ayes, 0 nays and 2 excused and not voting (Pahls and Wayne).



Sen. Steve Lathrop

LB 1241E: Thanks to Sen. Lathrop and law enforcement organizations across the state, League-supported bill to expedite reciprocity process for law enforcement officers was sent to Governor after passing on Final Reading April 12

Thanks to Omaha **Sen. Steve Lathrop**, Chair of the Judiciary Committee, for his steadfast leadership and excellent job explaining the provisions of **LB 1241** as the bill was debated throughout the legislative

process from the committee hearing on Feb. 10 to passage of the bill on Final Reading April 12 with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting. Sen. Lathrop stated during General File

debate on Feb. 25 that Elmwood Sen. Robert Clements would offer his incentive pay bill (**LB 1270**) as an amendment (**AM2485**) to **LB 1241** on Select File. [Click here](#)

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LB 1241E: Thanks to Sen. Lathrop and law enforcement organizations across the state, League-supported bill to expedite reciprocity process for law enforcement officers was sent to Governor after passing on Final Reading April 12

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for the handout Sen. Clements distributed to Senators before his amendment (AM2485) was adopted. [Click here](#) for the Committee Statement outlining the provisions of LB 1241 (as originally introduced) and explanation of the Standing Committee Amendments to the bill.

Sen. Clements' amendment (AM2485) would create three tiers of law enforcement officer retention incentive payments based on service after July 1, 2022. Tier 1 would create an incentive for one year of service of \$750 for an officer employed by an agency with more than 75 officers and \$1,500 for officers employed by an agency with fewer than 75 officers. **Tier 2** would create an incentive of \$2,500 for three years of service at an agency with fewer than 75 officers. **Tier 3** would create an incentive of \$3,000 for five years of service at an agency with fewer than 75 officers. The amendment would create a program for hiring bonuses at agencies with fewer than 150 officers and agencies which do not meet recommended staffing levels; these provisions would sunset June 30, 2028.

Before LB 1241 was advanced to Final Reading on a voice vote, Omaha **Sen. Terrell McKinney** successfully amended AM2485 with AM2560 which essentially precludes the following officers from receiving any of these benefits:

"A law enforcement officer shall not be eligible for a tier 1, tier 2, or tier 3 retention incentive payment under this section if: (a) Such law enforcement officer's certification has ever been revoked; (b) Such law enforcement officer has ever been convicted of a felony or Class I misdemeanor. This subdivision shall not apply if the law enforcement officer received a pardon or set aside for such conviction; (c) Such law enforcement officer has ever been adjudicated by the council (Police Standards Advisory Council) to have engaged in serious misconduct, as such term is defined in section 81-1401; or (d) Such law enforcement officer was allowed to resign instead of being terminated from employment. This subdivision shall only apply if the law enforcement officer's certification would have been revoked had he or she not resigned." Sen. McKinney's amendment to the Clements' amendment was adopted with 41 ayes, 0 nays, 4 present and not voting (Sens. Day, Halloran, Moser and Vargas) and 4 excused and not voting (Sens. Briese, Flood, Pahls and Pansing Brooks).

Thanks again to Sen. Lathrop for introducing LB 1241 and Speaker Mike Hilgers and Sen. Patty Pansing Brooks for co-sponsoring the bill, as originally introduced. Subsequently, the following Senators added their names as co-introducers: Blood, Bostar, Clements, DeBoer, Flood and Morfeld. We appreciate Sen.



Sen. Steve Lathrop

Wendy DeBoer for selecting LB 1241 as her personal priority bill to assure consideration of the legislation this session.

Background Information

A special thanks to the following officers who testified with representatives of the **League** and **NACO** in strong support of LB 1241 at the hearing on Feb. 10 before the Judiciary Committee: Scottsbluff Police **Chief Kevin Spencer**, President of Police Chiefs Association of Nebraska (PCAN); Cozad Police **Chief Mark Montgomery** on behalf of the Police Officers Association of Nebraska (POAN); Buffalo County **Sheriff Neil Miller** on behalf of the Buffalo County Sheriff's Office and Nebraska Sheriffs Association (NSA); La Vista Police **Chief Bob Lausten**, also representing the United Cities of Sarpy County; **Jim Maguire**, President of the Fraternal Order of Police (FOP), also repre-

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LB 1241E: Thanks to Sen. Lathrop and law enforcement organizations across the state, League-supported bill to expedite reciprocity process for law enforcement officers was sent to Governor after passing on Final Reading April 12

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senting the Omaha Police Officers Association (OPOA); and Bellevue Police **Chief Ken Clary**.

These officers testified that law enforcement agencies across Nebraska are facing a crisis in retaining officers, attracting applicants certified in other states and processing reciprocity applications in a timely fashion due to our current laws. It is far easier for a Nebraska law enforcement officer to become an officer in another state than it is for a certified officer in another state to become certified in Nebraska.

Nebraska only has two five-week reciprocity courses available annually at the Nebraska Law Enforcement Training Center (NLETC) in Grand Island. LB 1241 is based, in large part, on Utah's reciprocity law and "waiver process" which allows applicants to apply and be tested throughout the year.

In supporting LB 1241 at the hearing before the Judiciary Committee, La Vista Police **Chief Bob Lausten** explained the need to add the language in LB 1241 to the definition of "training academy" on page 4 of the bill so that the Douglas Sarpy

County Law Enforcement Academy would NOT be held to the exact curriculum of the NLETC. The academies that train police officers in Omaha, Lincoln and the State Patrol are not held to the same curriculum as the NLETC.

The NLETC trains all police officers except for those from Omaha, Lincoln, Bellevue, Papillion and La Vista. OPD and LPD train their officers at their own academies. The officers of the other three cities are trained at the Sarpy Douglas Law Enforcement Academy.

LB 927: League-supported bill relating to arenas in Lincoln, Omaha and Ralston passed and was sent to Governor April 13; these three arenas provide funding for CCCFF grants to municipalities across the state

Thanks to Norfolk Sen. Mike Flood for selecting LB 927 as his personal priority bill; Sen. Flood explained and advocated for LB 927 since Omaha Sen. Rich Pahls was ill and unavailable to do so. LB 927 passed on Final Reading on April 13 with 38 ayes, 2 nays, 6 present and not voting, and 3 excused and not voting.

LB 927 as introduced by Sen. Pahls would make several changes to the **Convention Center Facility Financing Assistance Act** relating to the arenas in **Lincoln** (Pinnacle Bank Arena) and **Omaha** (CHI Health Center). LB 927 would amend the definition of a conven-

tion and meeting center facility to add parking facilities that are nearby, but not connected to the convention and meeting center facility. The parking facility would be for the use of the arena; it also would need to be within 600 yards of the convention and meeting center facility. In addition, LB 927 would provide that state assistance may be used to acquire, construct, improve or equip nearby parking facilities and would increase the amount of state assistance from \$75 million to \$150 million for any one project.

Following Sen. Flood's opening remarks on General File, Omaha **Sen. Lou Ann Linehan**, Chair of

the Revenue Committee, explained the Standing Committee Amendment (AM2023) to LB 927, which incorporates the provisions of **LB 818**, introduced by Sen. Linehan to amend the provisions of the **Sports Arena Facility Financing Assistance Act** to allow the **Ralston Arena** to include parking structures under its turnback provision, increasing the limit on the total sales tax turnback from \$50 million to \$100 million, and striking the requirement that the state assistance be paid within 20 years of the issuance of the first bond for the facility.

As previously reported in *League*

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LB 927: League-supported bill relating to arenas in Lincoln, Omaha and Ralston passed and was sent to Governor April 13; these three arenas provide funding for CCCFF grants to municipalities across the state

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Legislative Bulletins, before adopting the Standing Committee Amendment (AM2023) to LB 927 on General File, Omaha **Sen. Terrell McKinney** was successful in amending AM2023 with **AM2632** to: 1) expand the area subject to throwback sales tax from 600 to 1,200 yards, increasing the number of hotels within which the arenas in Lincoln and Omaha could receive throwback sales tax; and 2) restructure how the 10 percent (of Omaha's 70 percent throwback sales tax) should be distributed in Omaha in areas with a high concentration of poverty. AM2632 was adopted with 28 ayes, 0 nays, 11 present and not voting and 10 excused and not voting. *(Unlike the Ralston Arena, the arenas in Lincoln and Omaha only receive throwback sales tax from hotels.)* **Unfortunately, Sen. Linehan successfully moved to adopt AM2778 to delete the McKinney amendment (AM2632) from LB 927 when it was considered on Select File with 30 ayes, 9 nays, 6 present and not voting, and 4 excused and not voting.**

On General File, Blair **Sen. Ben Hansen** was successful in amending the Standing Committee Amendment with **AM2505** to make necessary technical changes to his "postcard bill" (LB 644), which passed last year requiring a joint public hearing for any city, county, school district or community college intending to approve a property tax



Sen. Mike Flood



Sen. Lou Ann Linehan

request that is higher than the prior year's property tax request. AM2505 is essentially LB 1250, which Sen. Ben Hansen introduced this year to make the necessary changes in order for the "postcard bill" to be workable. AM2505 was adopted with 29 ayes, 0 nays, 9 present and not voting and 11 excused and not voting.

BACKGROUND INFORMATION:

The CCCFF is funded by 30 percent of the throwback sales tax generated from the arenas in Omaha, Ralston and Lincoln; the CCCFF provides critically important grants for municipalities across the state. [Click here](#) for a list of CCCFF grants to municipalities. [Click here](#) to read the latest CCCFF Annual Report by DED.

Thanks to **Sen. Mike Flood** of Norfolk, who negotiated with the League to allocate a portion of the CCCFF funds for grants to mu-

nicipalities partnering with **"certified creative districts."** **Sen. Flood was the swing vote to advance LB 927 out of the Revenue Committee with the provisions of LB 818 for Ralston's Arena.** It takes five votes to advance the bill from the Revenue Committee; the League Executive Board negotiated provisions with Sen. Flood so that from July 1, 2023, to June 30, 2024, CCCFF funds for that one year only would be available to municipalities partnering with "certified creative districts." The grants shall not be less than \$100,000 or more than \$250,000 regardless of population. After June 30, 2024, grants from the CCCFF could be awarded to municipalities regardless of their partnering with a "certified creative district." As Sen. Flood emphasized in his presentation at the 2022 Midwinter Conference, he feels strongly about the role of "certified creative districts" in growing the population in the State of Nebraska.

LB 1014E (lines 1-43) and other bills (lines 44-47): \$1.03 of \$1.04 Billion ARPA Act (CSFRF) Funds Passed by Legislature
Governor signed LB 1014E on 4/13/22; LBs on lines 44-47 presented to Governor for his consideration

	State of NE's Coronavirus State Fiscal Recovery Fund (CSFRF)	Final	Final Reading		
Row	Bill & Item	Section	FY 2021-22	FY 2022-23	Total
Public Health Response					
1	LB 1014 Rural Health Complex	38	10,000,000	50,000,000	60,000,000
2	LB 1014 Child Welfare Case Counts & Provider Rates	21	10,000,000	15,000,000	25,000,000
3	LB 1014 Healthcare Facility Capacity Expansion	45	10,000,000	30,000,000	40,000,000
4	LB 1014 Replace Aging Rural Ambulances	29	0	20,000,000	20,000,000
5	LB 1138 DHHS, funds for local public health departments	24	0	10,000,000	10,000,000
6	LB 760 DHHS, grants to emergency medical services programs	30	0	5,000,000	5,000,000
7	LB 1159 DHHS for a model system of care, COVID 19	26	0	5,000,000	5,000,000
8	LB 1075 DHHS, pediatric mental health services technology	16	0	1,800,000	1,800,000
9	LB 1100 DED, feasibility study relating to nuclear reactors	47	0	1,000,000	1,000,000
10	LB 867 DHHS for Health Aid (HIV surveillance and prevention)	25	500,000	0	500,000
11	LB 1269 Repayment of health professionals educational debts	17	5,000,000	0	5,000,000
Negative Economic Impacts					
12	LB 1014 Shovel-Ready Capital Projects	46	50,000,000	50,000,000	100,000,000
13	LB 1014 Workforce Housing	42	21,500,000	18,000,000	39,500,000
14	LB 1014 Community College: Workforce Development	36	25,000,000	35,000,000	60,000,000
15	LB 1014 Law Enforcement Training Center	48	47,700,000	0	47,700,000
16	LB 1066 DHHS & University, behavioral health care services	39	0	25,500,000	25,500,000
17	LB 1014 Meat Processing Plant Grant	44	0	20,000,000	20,000,000
18	LB 1201 DHHS for nonprofit organization food assistance grants	19	0	20,000,000	20,000,000
19	LB 1087 Aid to Community Colleges for dual enrollment	50	0	15,000,000	15,000,000
20	LB 1014 Small & Medium Meat Processors	14	10,000,000	0	10,000,000
21	LB 1167 Internships and expanding and retaining workforce	15	0	10,000,000	10,000,000
22	LB 1066 DHHS & University, behavioral health care services	31	0	2,500,000	2,500,000
23	LB 1161 NDE, services to students who are deaf or hard of hearing	13	0	1,000,000	1,000,000
24	LB 1254 Services for youth who have aged out of the foster care	22	0	1,000,000	1,000,000
25	LB 1162 Rural in-person interpreting and legal communication access	49	0	500,000	500,000
26	LB 1195 Grants for international competitions in Nebraska	43	500,000	0	500,000
27	LB 1255 University for an updated climate change report	40	0	150,000	150,000
28	LB 1014 Behavioral Health and Nursing Assistance	18	5,000,000	0	5,000,000
29	LB 1203 DHHS for various child care programs	20	0	4,000,000	4,000,000
Premium Pay					
30	LB 1089 Licensed and medicaid-certified nursing facilities	28	0	47,500,000	47,500,000
31	LB 1172 Rate increases certain developmental disabilities providers	23	0	47,500,000	47,500,000
32	LB 1014 Salary Increases 24-Hour Facilities	12	36,700,000	0	36,700,000
33	LB 996 Payments to assisted-living facilities	27	0	5,462,800	5,462,800
Water, Sewer, Broadband					
34	LB 1014 Ft. Laramie-Gering Canal	32	23,100,000	0	23,100,000
35	LB 1014 State Fair Sewer Upgrades	52	0	20,000,000	20,000,000
36	LB 1014 Wastewater System Projects	35	0	8,100,000	8,100,000
37	LB 1014 State Colleges Facility & Equipment Upgrades	37	0	8,000,000	8,000,000
38	LB 1160 Grants for reverse osmosis systems	51	0	4,000,000	4,000,000
39	Hearing request- Wyuka Cemetery Stormwater Project	41	0	1,800,000	1,800,000
40	LB 1014 Drinking Water Projects	53	1,000,000	6,000,000	7,000,000
Funds Administration					
41	LB 1014 ARPA Fund Administration (including DHHS OCIO)	34	10,000,000	5,000,000	15,000,000
Bills in Other Committees					
42	LB 1081 Grants for water transport infrastructure	33	20,000,000	0	20,000,000
43	LB 1014 - ARPA Coronavirus State Fiscal Recovery Fund (CSFRF)		286,000,000	493,812,800	779,812,800
44	LB 805 Changes, prioritize applications Noxious Weed Control Act (to Gov. on 4/13/22)	--	0	2,000,000	2,000,000
45	LB 1024 Economic Recovery Act (to Gov. on 4/12/22)	--	0	250,000,000	250,000,000
46	LB 1068 Changes, Behavioral Health Education Center (UNMC) (to Gov. on 4/12/22)	--	0	1,000,000	1,000,000
47	LB 376 Family support program waiver, developmental disability (to Gov. on 4/13/22)		0	subtitle J	subtitle J
47	Total - ARPA Coronavirus State Fiscal Recovery Fund (CSFRF)		286,000,000	746,812,800	1,032,812,800
48	Total Available				1,040,000,000
49	Remaining Available				7,187,200