

ITEMS OF INTEREST TO MUNICIPALITIES

- LB 532: TIF combo bill heard before Urban Affairs Committee
- LB 726: League opposes measure requiring electric system website
- John and Rita Stinner honored at NEBRASKAland Foundation Statehood Day Dinner
- LB 257: Bill to help municipal cemeteries has public hearing
- LB 505: Legislature hears electric vehicle charging station bill
- **LB 322:** League opposes bill to prevent joint public agencies from exercising any power or authority relating to tax after Oct. 1, 2023
- 2023 Legislative session calendar
- Committee Hearings schedule

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

LB 532: TIF combo bill heard before Urban Affairs Committee

n Tuesday, the Urban Affairs Committee heard its final taxincrement financing (TIF) bill for the year. LB 532, introduced by Omaha Sen. Terrell McKinney includes several items that were

introduced as bills last

year.



Sen. Terrell McKinney District 11

LB 532 includes provisions relating to: designation of an extremely blighted area to be valid for no less than 25 years; allowing cities or authorities to develop guidelines for the consideration of redevelopment projects; including in the report to the governing body information on the estimated amount of outstanding indebtedness for each redevelopment project and the estimated date it will be paid in full; outlining the process for "de-blighting" an area that has been declared substandard and blighted or extremely blighted; and prohibiting new redevelopment plans in an area declared substandard and blighted for more than 30 years unless the city conducts a new study or analysis to determine if the area continues to qualify

as substandard and blighted or extremely blighted.

Also included in LB 532 is a provision supported by the League that for cities other than Omaha, the housing study required to use TIF to construct workforce housing must be current within 60 months. The current law requires the study to be done within 24 months. Under LB 532, Omaha will still need a housing study within 24 months.

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The League supports all of the provisions included in LB 532, except the provision relating to the requirement that a substandard and blighted area of more than 30 years cannot have any new redevelopment projects without determining if the area is still substandard and blighted. The city of Omaha, the city of Lincoln, and the Commercial Property Owners Association also opposed that portion of the bill. Sen. McKinney indicated a willingness to work on language with the League, Lincoln, Omaha and other stakeholders to come to a compromise.

LB 726: League opposes measure requiring electric system website

n March 2, the Legislature's Natural Resources Committee heard testimony on LB 726 introduced by Sen. George Dungan from Lincoln.

LB 726 would require all Nebraska electric utilities, including municipal electric systems, to establish a publicly available website with the following information:

- Board meeting dates, times and locations, which shall be published at least 10 days before the date of the meeting.
- Board meeting agendas, which shall be published at least 10 days before the date of the meeting.
- Board meeting minutes, which shall be published no later than 10 days after the date of the meeting.
- Current rate schedules and fees, rents and other charges made or levied by the board.
- A full and complete statement

showing the receipts and disbursements of the electric utility.

- Fiscal year budget.
- Service territory map.
- A list of all board members currently serving.
- Board member district and subdistrict boundaries (if applicable) published as a map and in writing as described in the electric utility's charter.
- A method by which to contact board members.
- A method by which to contact the electric utility's staff. *Continued on page 4*

League of Nebraska Municipalities

LEGISLATIVE BULLETIN

John and Rita Stinner honored at NEBRASKAland Foundation Statehood Day Dinner



Gov. Jim Pillen, Former Senator John Stinner, Rita Stinner, Speaker of the Legislature John Arch and Katie Zulkoski, President of NEBRASKAland Foundation Board of Directors, pose for a picture at the NEBRASKAland Foundation Statehood Day Dinner. Photo courtesy of Chris Ruhaak of Heartland Photos and Design.

n March 4, Rita Stinner and her husband, former Senator John Stinner, were individually reconized as recipients of the Distinguished NEBRASKAlander Award, the highest award given by the State of Nebraska. The Stinners have both devoted their lives to helping Nebraskans live their best lives. Together with their servant leadership hearts at the forefront, coupled with their dedication and tireless devotion to leading our state, they both have had a tremendous impact.

Thank you and a big congratulations!

LB 505: Legislature hears electric vehicle charging station bill

n March 8, the Revenue Committee heard testimony on LB 505 introduced by Sen. Eliot Bostar from Lincoln. As drafted, the measure would reflect the work of a year-long cooperative effort from public power entities, organizations representing entities relying on gas tax for roads construction and some private entities that want to install electric vehicle charging stations. The bill would increase the cost of motor vehicle registration *Continued on page 5*



Sen. Eliot Bostar District 29

LB 257: Bill to help municipal cemeteries has public hearing

B 257, introduced by Sen. John Lowe of Kearney, changes the statutes relating to cemeteries to provide cities, villages and counties a process to revest lots purchased for internment or burial in a cemetery owned by the local govern-

ment if no one has been buried in the lot for at least 30 years. The bill outlines notice proceedings that allows the owner of an abandoned lot the opportunity to file a valid claim disput-



Sen. John Lowe District 37

ing the lot has been abandoned. The bill allows the governing body to bring an action in district court to restore the cemetery lot to city, village or county if no valid claim by an owner is filed. LB 257 allows the local government to become the reversionary owner and it is then allowed to sell the plot to a new purchaser. The bill does not apply to a lot where a perpetual care contract has been entered into.

LB 257 is the result of a two-year study that included the General Affairs Committee staff, the City of Imperial and the City of Blair. Along with a representative of the **League**, the City of **Blair** testified about the struggle *Continued on page 4*

LB 322: League opposes bill to prevent joint public agencies from exercising any power or authority relating to tax after Oct. 1, 2023

n March 9, the Revenue Committee held a hearing on LB 322, introduced by Elkhorn Sen. Lou Ann Linehan, Chair of the Revenue Committee, to amend Section 13-2508 as follows: "Any combination of two or more public agencies may create one or more joint public agencies to exercise the powers and authority prescribed by the Joint Public Agency Act, except that no joint public agency created on or after October 1, 2023, shall exercise any power or authority relating to tax."

Thanks to the following organizations that testified with

Cemeteries

Continued from page 3

they are having in locating the heirs of various plots in the cemetery and the unclear process in current law as to how to declare a plot abandoned. The City of Imperial submitted a letter outlining how they have approximately 300 usable lots that were purchased over 100 years ago. The current process in state law for cities of the second class is not workable for Imperial because they have never charged any assessment fee which is required before a plot can be declared abandoned. Under the bill, both cities will have a clear process for determining and revesting abandoned plots.

LB 257 has been advanced from the General Affairs Committee and has been requested as a Speaker Priority Bill.

a League representative in opposition to LB 322, emphasizing the tremendous advantages of joint public agencies (JPAs) to leverage tax dollars: Nebraska Association of County Officials (NACO), ESU from Dodge and Saunders Counties, Nebraska Association of School Boards (NASB), City of Lincoln and Lancaster County.

The following organizations testified with Sen. Linehan in support of the bill: Nebraska Taxpayers for Freedom, Americans for Prosperity and the Lincoln Independent Business Association (LIBA).

The League representative and others

Website

Continued from page 2

LB 726 was opposed by a League representative; John McClure, General Counsel for the Nebraska Public Power District, James Dukesherer; Director of Government Relations for the Nebraska Rural Electric Association and the Nebraska Power Association. The Nebraska Power Review Board testified neutral on the measure.

League opposition first focused on the duplicative nature of this mandate. Every one of these items is already subject to a reasonable advance notice requirement, and/or a legal publication requirement, and/or a public hearing requirement. Additionally, some of these requirements are inconsistent with current requirements such as the ten day notice and the requirement to use minutes rather than official proceedings.

The League opposition also focused on the availability and sophistication of municipal websites, many of which are not staffed or designed to be regularly updated. And, it was noted that this issue is related to Nebraska's rural broadband deficiencies. If a village has upload speeds of less than 3 megabits per second, regular uploading of financial data could become a problem.



testified that JPAs do not authorize political subdivisions to increase their levy limits or spend more than allowed by the lid on restricted funds. In addition, any bonds issued by JPAs are subject to a vote of the people. JPAs are statutorily created to provide maximum transparency and are subject to the Open Meetings Act and laws governing public records.

Vehicle

Continued from page 3

for vehicles utilizing alternate fuels, establish an excise tax on electric energy used at commercial electric vehicle charging stations, establishes regulations of commercial electric vehicle (EV) charging stations, would allow private entities to charge on a kilowatt per hour basis for EV charging stations and change Nebraska law to allow private entities to access federal funding.

Existing EV charging stations charge on a time at the charging station basis.

Sen. Bostar introduced LB 505 based on assertions that the bill reflected a final compromise among the various entities selling electricity to entities with EV charging stations, entities relying on motor vehicle and gas tax revenue, state regulators and private entities that want to install additional EV charging stations. Unfortunately, the private entities that want to install EV charging stations decided to oppose the bill and demand that public power entities not be allowed to own EV charging stations and that public power entities (including municipalities) could not charge demand charges.

Sen. Bostar did not agree with these demands and asked the Committee to not advance LB 505. ■

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					May 29								

NEBRASKA UNICAMERAL LEGISLATURE 108th LEGISLATURE, FIRST 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, March 13, 2023

Appropriations Room 1307 - 1:30 p.m.

Agency 84		Environmental Quality, Department of
LB237	Wayne	Appropriate funds to the Department of Environment and Energy
LB534	Slama	Appropriate federal funds to the Department of Environment and Energy for community water systems
LB571	Lippincott	Appropriate funds to the Department of Environment and Energy to carry out the Water Well Standards and Contractors' Practice Act
LB613	McDonnell	State intent to appropriate funds to the Department of Environment and Energy
LB672	Hansen	Appropriate funds to the Department of Environment and Energy
LB766	DeKay	Appropriate Federal Funds to the Department of Environment and Energy for reverse osmosis systems
		Banking, Commerce and Insurance Room 1507 - 1:30 p.m.
LB354	Raybould	Change uninsured or underinsured motor vehicle insurance provisions
LB355	Raybould	Change a requirement for transportation network company insurance
LB423	DeBoer	Provide for umbrella and excess insurance coverage to be stacked with uninsured and underinsured motorist coverage
LB210	Bostar	Adopt the Prior Authorization Reform Act
LB446	Bostar	Adopt the Peer-to-Peer Vehicle Sharing Program Act
		Business and Labor Room 1524 - 1:30 p.m.
LB489	von Gillern	Exclude marketplace network contractors working for marketplace network platforms from the Employment Security Law
LB665	Riepe	Clarify language on rules and regulations under the Employment Security Law
LB666	Riepe	Change provisions of the Employment Security Law
LB618	McDonnell	Redefine public benefits and change provisions of the Employment Security Law relating to the disqualification of certain aliens
LB459	McDonnell	Require reimbursement by the State Fire Marshal for premiums for benefits provided pursuant to the Firefighter Cancer Benefits Act
LB501	Cavanaugh, M.	Provide for compensation under the Nebraska Workers' Compensation Act for cancers experienced by firefighters
LB502	Cavanaugh, M.	Adopt the Warehouse Worker Protection Act
LB752	Cavanaugh, M.	Prohibit discrimination in employment by any entity receiving state funding
LB367	Conrad	Adopt the Fair Chance Hiring Act
		Education
		Room 1525 - 1:30 p.m.
LB648	McDonnell	Provide powers and duties to the State Department of Education relating to the development of a workforce diploma program
LB724	Vargas	Eliminate certain basic skill and content test requirements for eligibility for teaching certificates
LB475	Wayne	Adopt the Nebraska Education Formula and terminate the Tax Equity and Educational Opportunities Support Act
LB238	Wayne	Include virtual school students in the state aid to schools formula
LB522	Walz	Change provisions relating to poverty allowances under the Tax Equity and Educational Opportunities Support Act

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Monday, March 13, 2023 (cont.)

LB516	Walz	Provide and change powers and duties for the State Department of Education, Commissioner of Education, State Board of Education, and the state school security director, provide grants to school districts for security-related infrastructure projects, and provide grants to educational service units and local public health departments to hire school psychologists and licensed mental health practitioners as prescribed
		General Affairs Room 1510 - 1:30 p.m.
LB148	Jacobson	Change powers and duties of the State Racing and Gaming Commission related to licensed racetrack enclosures and change dates related to the required market analysis and socioeconomic-impact studies
LB150	Dover	Change provisions relating to entertainment districts under the Nebraska Liquor Control Act
LB375	Lowe	Authorize certain licensees to purchase alcoholic liquor for resale from a gas station, grocery store, liquor store, or similar establishment under certain circumstances as prescribed under the Nebraska Liquor Control Act
LB403	Vargas	Change provisions relating to a craft brewery license under the Nebraska Liquor Control Act
LB404	Vargas	Change provisions relating to agreements between wholesalers and suppliers for the distribution of beer
LB493	Dungan	Remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device under the State Lottery Act
Appointment		Loos, Trent - State Racing and Gaming Commission
Appointment		Botsford, Brian - Nebraska Arts Council

Tuesday, March 14, 2023

Appropriations Room 1524 - 1:30 p.m.

Agency 29		Natural Resources, Department of		
LB125	Bostelman	Change provisions relating to interest earnings on the Surface Water Irrigation Infrastructure Fund		
LB401	Dorn	State intent regarding appropriations to the Department of Natural Resources		
LB506	Bostar	State intent to appropriate federal funds to the Department of Natural Resources and the Department of Environment and Energy		
LB768	DeKay	Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund		
Education Room 1525 - 1:30 p.m.				
Appointment		Meyer, Jerald - Board of Educational Lands and Funds		
Appointment		Fields, Joshua P Technical Advisory Committee for Statewide Assessment		
Appointment		Wittstruck, Courtney C Nebraska Educational Telecommunications Commission		
Appointment		Weber, Tamara D Coordinating Commission for Postsecondary Education		
Appointment		Kobza, Robert H Board of Educational Lands and Funds		
Appointment		Peterson, Carter - Board of Trustees of the Nebraska State Colleges		
Appointment		Reynaga, Adolfo - Board of Trustees of the Nebraska State Colleges		
LB627	Bostar	Adopt the Free Student Meals Act		

Tuesday, March 14, 2023 (cont.)

LB478	Wayne	Change provisions relating to the Nebraska Juvenile Code and education programs in state institutions that house juveniles, provide powers and duties to the State Department of Education and the State Board of education to establish an educational division responsible for the education of certain juveniles, and provide a termination date for the superintendent of institutional schools		
LB518	Walz	Adopt the Reducing Education Risk Factors and Property Tax Relief Act and change provisions of the Tax Equity and Educational Opportunities Support Act		
Urban Affairs Room 1510 - 1:30 p.m.				
LB546	Conrad	Provide requirements for bed and breakfast establishments regarding food, beverages, and fire safety		
LB329	Raybould	Prohibit the application of the state building code in a manner that would prohibit or limit the use of certain refrigerant		
LB342	Hardin	Change provisions relating to home inspectors		

Wednesday, March 15, 2023

Appropriations Room 1525 - 1:30 p.m.

Agency 13		Education, Department of
LB48	Dorn	Appropriate money to the State Department of Education for educational service units
LB319	Bostar	Create funds, transfer funds from the Cash Reserve Fund, and provide for child care funding
LB610	Lippincott	Appropriate funds to the State Department of Education
LB681	Clements	Change provisions relating to a fund and provide for transfers under the Tax Equity and Educational Opportunities Support Act
	Go	vernment, Military and Veterans Affairs Room 1507 - 1:30 p.m.
LR4CA	Cavanaugh, M.	Constitutional amendment to remove felony convictions other than treason from being a disqualification for voting
LB764	Lippincott	Change provisions relating to selection of and ballots cast by presidential electors
LB541	Lowe	Provide for nomination and election of public power district and public power and irrigation district directors on the partisan ballot
LB364	Hunt	Provide for election of election commissioners and eliminate certain deputy positions
		Health and Human Services Room 1510 - 1:00 p.m.
Appointment		Haas, Douglass - Health Information Technology Board
Appointment		Latta, Mark A Health Information Technology Board
Appointment		Vuchetich, Phillip James - Health Information Technology Board
LB88	Hunt	Change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits
LB85	Day	Provide for express lane eligibility under the Medical Assistance Act and the Children's Health Insurance Program

Wednesday, March 15, 2023 (cont.)

Judiciary Room 1113 - 1:30 p.m.

LB549	Ballard	Change restrictions based on age for certain health care, power of attorney, and financial documents
LB167	Slama	Provide requirements for depositions of certain children
LB127	Day	Change sentencing provisions for crimes committed by a person under eighteen years of age
LB620	McDonnell	Change provisions relating to arraignment and hearings for certain juveniles
LB717	Cavanaugh, J.	Provide for criminal prosecutions of persons under fourteen years of age for murder in the first or second degree and change jurisdiction under the Nebraska Juvenile Code
		Nebraska Retirement Systems Room 1307 - 12:30 p.m.
LB221	Ibach	Redefine salary under the retirement plan for firefighters of a city of the first class
LB406	Brandt	Change retirement system contribution rates for firefighters of cities of the first class
		Revenue
		Room 1524 - 1:30 p.m.
LB235	Wayne	Change provisions relating to the use of tax credits under the ImagiNE Nebraska Act
LB350	Wayne	Adopt the Pioneer Economic Tax Credit Act
LB185	Cavanaugh, J.	Require the Department of Revenue to distribute funds to individuals as prescribed
LB36	DeBoer	Change individual income tax brackets and rates
LB211	Blood	Adopt the Property Tax Circuit Breaker Act

Thursday, March 16, 2023

Appropriations Room 1525 - 1:30 p.m.

Agency 65		Administrative Services, Department of
LB411	Dungan	Appropriate funds for Wyuka Cemetery
LB511	Brewer	Appropriate funds to the Department of Administrative Services
LB547	Conrad	Create the Capitol Preservation, Restoration, and Enhancement Endowment Fund for the courtyards of the State Capitol
LB612	McDonnell	Appropriate funds to the Department of Administrative Services
LB651	McDonnell	Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions
LB812	Clements	State intent to appropriate funds to the Department of Administrative Services
	Go	overnment, Military and Veterans Affairs Room 1507 - 1:30 p.m.
LB742	Vargas	Change provisions relating to registration to vote and voting under the Election Act

LB742	Vargas	Change provisions relating to registration to vote and voting under the Election Act
LB604	Raybould	Change provisions relating to voting early under the Election Act
LB365	Hunt	Permit counties to conduct elections by mail

Thursday, March 16, 2023 (cont.)

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

LR18CA	Hunt	Constitutional amendment to protect the right to reproductive freedom
LR19CA	Hunt	Constitutional amendment to protect the right to reproductive freedom and prohibit the state from taking adverse action for exercising or assisting in the exercise of such right
		Judiciary
		Room 1113 - 1:30 PM
LB162	McDonnell	Prohibit tampering with electronic monitoring devices required by court order or as a condition of parole
LB338	McKinney	Change provisions relating to pretrial release, sentencing, failure to appear, revocation and sanctions under probation and parole, and suspension of licenses under the License Suspension Act
LR27CA	McKinney	Constitutional amendment to change provisions relating to pardons and the Board of Pardons and to create the Board of Commutation
LR17CA	McKinney	Constitutional amendment to prohibit the death penalty
LB749	Cavanaugh, M.	Prohibit possession of deadly weapons in the State Capitol or on State Capitol grounds
		Revenue Room 1524 - 1:30 p.m.
LB623	McDonnell	Redefine eligible sports arena facility under the Sports Arena Facility Financing Assistance Act
LB100	Erdman	Change provisions relating to qualified locations under the ImagiNE Nebraska Act
LB118	Brandt	Change provisions of the Nebraska Advantage Rural Development Act
LB498	Linehan	Provide a sales tax credit for certain franchise fees paid
LR23CA	Riepe	Constitutional amendment to prohibit the levying of an inheritance tax

NEBRASKA UNICAMERAL LEGISLATURE 108th LEGISLATURE, FIRST SESSION

TENTATIVE SCHEDULE OF COMMITTEE HEARINGS

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

Tuesday, March 21, 2023

Appropriations Room 1524 - 1:30 p.m.

		Health and Human Services
Agency 25		Note: (Operations, Medicaid and Long Term Care, Children and Family Services)
LB112	McDonnell	State intent regarding appropriations to the Department of Health and Human Services for child advocacy centers
LB415	Dorn	State intent regarding appropriations to the Department of Health and Human Services
LB470	McDonnell	State intent regarding an increase in reimbursement rates for child welfare service providers
LB509	Conrad	Provide for an increase for reimbursement rates for child welfare services
LB663	Riepe	State intent to appropriate funds to the Department of Health and Human Services
LB739	Raybould	State intent to appropriate funds to the Department of Health and Human Services
		Banking, Commerce and Insurance Room 1507 - 1:30 p.m.
LB710	Dungan	Change provisions of the Credit Union Act
LB778	Bostar	Change the Pharmacy Benefit Manager Licensure and Regulation Act
LB448	Bostar	Prohibit certain provisions in a health plan in relation to clinician- administered drugs
LB538	Slama	Change provisions relating to the board of directors of a bank
LB537	Slama	Change provisions relating to the Nebraska Uniform Limited Liability Company Act
		Urban Affairs
		Room 1510 - 1:30 p.m.
LB481	Raybould	Adopt the Housing Incentive District Act
LB533	McKinney	Change plumbing board membership for cities of the primary class and provide for licensure requirements for plumbers in certain cities and
		villages
		Wednesday Manch 22, 2022
		Wednesday, March 22, 2023
		Appropriations Room 1525 - 1:30 p.m.
		Health and Human Services
Agency 25		Note: (Division of Developmental Disabilities, Public Health, Behavioral Health)
LB362	Dorn	State intent regarding appropriations for a rate increase for behavioral health services
LB526	Fredrickson	State intent to appropriate funds to the Department of Health and Human Services for Developmental Disability Aid
LB601	Dungan	State intent regarding increases to reimbursement rates paid to providers of developmental disability services

Thursday, March 23, 2023

Appropriations Room 1525 - 1:30 p.m.

LB46	Dorn	Appropriate funds to the Department of Health and Human Services for a provider rate study
LB128	Dorn	State intent regarding appropriations to the Department of Health and Human Services
LB129	Dorn	State intent regarding appropriations to the Department of Health and Human Services for medicaid nursing facilities
LB130	Dorn	Create the medicaid nursing facilities services budgetary program
LB131	Dorn	State intent regarding appropriations to the Department of Health and Human Services for medicaid assisted-living facilities
LB149	Jacobson	State intent regarding appropriations and rebasing rates under the medical assistance program
LB525	Fredrickson	State intent to appropriate funds to the Department of Health and Human Services for rate increases for psychiatric diagnostic evaluation

Friday, March 24, 2023

Appropriations Room 1525 - 1:30 p.m.

LB108	McDonnell	State intent regarding appropriations to the Department of Health and Human Services for community health centers
LB114	Vargas	State intent to appropriate funds to the Department of Health and Human Services for evidence-based early intervention home visitation programs
LB490	von Gillern	Appropriate federal funds to the Department of Health and Human Services for health aid
LB539	Vargas	State intent regarding use of the Nebraska Health Care Cash Fund for the Tobacco Prevention and Control Program
LB652	McDonnell	Appropriate federal funds to the Department of Health and Human Services
LB653	McDonnell	Appropriate federal funds to the Department of Health and Human Services
LB736	Raybould	State intent to appropriate funds to the Department of Health and Human Services
LB763	DeBoer	Adopt the Emergency Food Assistance Act

If auxiliary aids or reasonable accommodations are needed for attendance at a hearing, please call the Clerk of the Legislature's Office at (402) 471-2271. Advance notice of ten business days is needed when requesting an interpreter.