



In Review - The 2023 Nebraska Legislative Session

Four major themes dominated the 2023 Nebraska Legislative Session: The Filibuster, The Christmas Trees, The Money and Controversial Issues.

The Filibuster

Senator Machaela Cavanaugh [spent hundreds of hours filibustering almost every bill debated on the floor of the Nebraska legislature in protest of a bill that restricts medical care to transgender minors](#). Because senators can speak three times for five minutes each on most amendments and motions, more than 2,000 amendments and 1,100 motions were filed to keep the filibuster going. A record number for certain. Eventually, that bill was modified to prohibit surgical procedures but allow other types of medical care after guidelines are established through a regulatory process. The bill was combined with another bill that, as amended, prohibits abortions after 12 weeks of gestational age.

The Christmas Trees

That same filibuster dramatically decreased the total number of bills that successfully made it across the finish line this session. [In the end only 33 bills passed; however, they contained 291 individually introduced bills packaged together](#) based on subject matter, colloquially referred to as “Christmas tree bills.”

The Money

Nebraska entered this budget-setting legislative session with more than \$4 billion in surplus funds at its disposal. That four billion comes from historic levels of tax collections that have been taken in by the state. In the end, the approved budget set spending at \$5.34 billion in FY2023-24 and \$5.37 billion in FY2024-25, limiting spending growth in the state budget to 2.0% over the next two years. The budget also includes approximately \$1.16 billion in one-time transfers from the cash reserve fund to pay for various projects. Even after those transfers, the state will maintain \$828.8 million in its rainy-day fund in case of future budget shortfalls.

[Big ticket items in the budget included](#) hundreds of millions of dollars for the Perkins County Canal, the final funds and spending authorization for a new state prison, billions in property tax credits, foundation aid for students and additional special education funding, income tax cuts, a transition from previously allocated federal ARPA funds for north and south Omaha to instead use general fund dollars and then reallocating those federal funds toward water and infrastructure related projects.

[A comprehensive summary of the budget can be found here.](#)

Controversial Issues

An [almost filibuster-proof majority of registered Republican senators](#) aligned to pass bills on a variety of issues. The [combined bill that restricted transgender medical care and abortions](#) was a headliner in terms of conservative social issues this session. That bill is [already the subject of a lawsuit](#) to prevent it from becoming law.

Nebraska's first school choice related bill passed this session. The bill [provides tax credits for donations to entities that offer scholarships to private schools](#). It was a major priority for Chair of the Revenue Committee, Senator Lou Ann Linehan, and Governor Jim Pillen. Within days of passage, the [teacher's union in Nebraska launched a ballot petition initiative](#) to invalidate it.

A [regulatory implementation process for voter ID](#) in Nebraska also passed this year, as did [repeal of Nebraska's motorcycle helmet law](#), and a [bill to allow permitless concealed carry of guns](#).

The 2nd Regular Session of the 108th Legislature

Attached is a copy of your final legislative chart which includes all bills that Mueller Robak monitored, supported or opposed on your behalf. The information contained in the document will be included on our **Statement of Activity that we must file on or before July 17, 2023**, with the Clerk of the Legislature to document which bills we lobbied or monitored on your behalf during the 2023 session. Please let Amber in our office know if you have any corrections or additions so we can ensure the filing has the correct information. She can be reached at amber@muellerrobak.com.

It was a pleasure to work for you this legislative session to promote and protect your interests and assist in navigating the complex and ever-changing public policy process in Nebraska. We look forward to working with you through the interim period on your legislative and government relations strategy. The Nebraska Legislature is scheduled to convene for the 2024 session on January 3.

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Lower Platte South Natural Resources District
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Hearing Date	Status	Description
LB40	Blood	Monitor	Natural Resources	02/23/2023	Committee 01/09/2023	Adopt the Riparian and Water Quality Practices Act <i>Adopts the Riparian and Water Quality Practices Act. Directs the Department of Agriculture to establish a buffer protection map focused on all waterbodies in the state of Nebraska. The bill would mandate landowners with property adjacent to such waterbodies to install and maintain buffer strip protections or other approved riparian water quality protections to protect such waterbodies from pollution and degradation. Local water management authorities would be tasked with technical assistance and compliance enforcement at risk of losing state funding. The Department of Agriculture would be authorized to issue administrative penalties to landowners who do not comply.</i>
LB49	Dungan	Monitor with Amendment	Judiciary	02/23/2023	Committee 01/09/2023	Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action <i>The bill adds access to direct sunlight as a consideration in a county zoning plan as it relates to supporting solar energy development. Prohibits any real property restrictions that would prohibit or limit solar energy development and provides for a private cause of action against landlords or homeowners association with such limitation in place.</i>
LB79	Erdman	Oppose	Revenue	03/03/2023	Committee 01/09/2023 Erdman Priority Bill	Adopt the Nebraska EPIC Option Consumption Tax Act <i>Eliminates all state income, sales and use taxes, property taxes and inheritance taxes. Would impose a tax on the use or consumption in the State of Nebraska of taxable property or services. The rate of the consumption tax shall be 7.5%. The person purchasing taxable property or services in the State of Nebraska shall be liable for the tax, but it will be collected by the seller. The bill creates numerous exemptions for purchases such as groceries, used property, property or service purchased for a business purpose in a trade or business or agriculture, property or service used for educational purposes, etc.</i> <i>Funding for schools would be through an educational trust fund whereby schools would be eligible to have transferred to them annually an amount to cover the five-year average operational costs per school plus two percent. In addition an educational stabilization fund would be created and funds, but no more than 10% of what is transferred to the trust fund each year, would be distributed to schools from that fund based on a stabilization score that evaluates disabilities, transportation, textbooks, technology, etc. Would also establish a building and growth fund that will receive no more than 8% of what is funded in the trust fund each year where schools can apply to receive funds to engage in building construction and repairs. Other political subdivisions would be allowed to impose their own consumption taxes. Establishes a statewide board to provide representation and a process for all political subdivisions to receive adequate funding from the state consumption tax.</i>
LB121	Bostelman	Monitor	Natural Resources	02/16/2023	Committee 01/10/2023	Repeal the Trail Development Assistance Act <i>Would repeal the Trail Development Assistance Act which provides funding to Nebraska Game and Parks Commission for ongoing maintenance of designated rail-trails. Senator Bostelman has indicated the purpose of this bill is to be available as a shell bill if a situation arises after bill introduction.</i>
LB158	McDonnell	Monitor	Appropriations		Withdrawn 01/18/2023	Appropriate funds to the Department of Agriculture <i>Appropriates \$2 million for FY23/24 and FY24/25 to the NDA for program 78 to distribute grants for the management of vegetation within the banks or flood plains pursuant to the Noxious Weed and Invasive Plant Species Assistance Act.</i>
LB205	von Gillern	Monitor	Government, Military and Veterans Affairs	02/10/2023	General 02/16/2023	Adopt the Government Neutrality in Contracting Act <i>The intent of this bill is to add new language to the existing law that ensures no statement in a contract with the State of Nebraska can show a preference for or discriminate against bidders on a state contract that are represented by a collective bargaining agreement or those bidders who are not. Would essentially prohibit the requirement of a project labor agreement, unless otherwise required by federal law.</i>
LB218	Ibach	Support	Agriculture	02/07/2023	General 03/02/2023	Change provisions relating to intent to appropriate money for management of vegetation within the banks or flood plain of a natural stream <i>Funds in the Noxious Weed and Invasive Species Assistance Fund have been made available for grants to assist local control authorities and other weed management entities in the cost of implementing weed control programs. The bill would provide up to 6 million dollars in FY2023-24 (as compared to 3 million in FY2022-23 for such grants.)</i> <i>Provisions of LB218 are proposed to be amended into LB116.</i>
LB241	Briese	Monitor	Natural Resources	01/26/2023	Committee 01/12/2023	Change provisions relating to transfers of water to another state <i>For permits to withdraw and transport groundwater for use in another state, the bill would prohibit the permits from being allowed if the water is to be transported more than 10 miles outside the state unless necessary to comply with an interstate compact.</i>
LB244	Briese	Monitor	Revenue	02/09/2023	Committee 01/12/2023	Provide an additional tax credit under the Nebraska Property Tax Incentive Act <i>Adds a definition of general taxes (property taxes excluding those imposed by a community college, school district, but not taxes levied for bonded indebtedness, or the result of an override). The bill provides an income tax credit against property taxes paid for general taxes. Up to \$200 million in credits shall be available for this credit in 2024 and for each year after the credit amount will be increased by the allowable growth percentage.</i>

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LB268	Halloran	Monitor	Government, Military and Veterans Affairs	02/09/2023	Committee 01/12/2023	Authorize participation by certain entities in trusts or investment pools established by the State Treasurer <i>LB 268 allows any eligible entity to participate in a trust or investment pool established by the office of the State Treasurer. The State Treasurer shall administer and oversee such trust or investment pool.</i>
LB281	Jacobson	Support	Natural Resources	02/15/2023	Committee 01/13/2023	Require the Department of Economic Development to provide grants for youth outdoor education camp facilities <i>Note: \$10 million for grants to accomplish the purpose of LB281 has been included as part of the biennium budget bills.</i> <i>The bill would require DED to provide grants to nonprofits for the purpose of building or renovating youth outdoor education camp facilities. The grants shall require a 25% match in private funds or other money. No grants can be for more than \$30 million. Preference for grants shall be given to nonprofits using the funds to rebuild a facility that was damaged due to a natural or manmade disaster. Intent to appropriate \$50 million for the program.</i> <i>(Camp Halsey 4H camp)</i>
LB287	Brewer	Monitor	Government, Military and Veterans Affairs	03/24/2023	Committee 01/13/2023	Prohibit creation of joint public agencies under the Joint Public Agency Act <i>Would prohibit the creation of joint public agencies after October 1, 2023.</i>
LB292	Cavanaugh, M.	Monitor	Natural Resources	02/08/2023	Committee 01/13/2023	Prohibit the use of eminent domain under the Jobs and Economic Development Initiative Act <i>Would prohibit the use of eminent domain for projects under the Jobs and Economic Development Initiative Act, aka the Lake.</i>
LB297	Sanders	Monitor	Government, Military and Veterans Affairs	02/16/2023	General 03/07/2023 Low Priority Bill	Adopt the Personal Privacy Protection Act <i>The bill prohibits public agencies from requiring any individual or nonprofit organization from providing personal information or compelling the release of personal information. If in possession of personal information, each public agency is prohibited from releasing, publicizing, or publicly disclosing such information. Exemptions from certain disclosures are provided. Section 5 provides an operative date of January 1, 2024.</i> <i>Committee amendment AM633 adds further exceptions relating to the evaluation of applications for occupational and facilities licenses, performance of criminal history record information checks where expressly authorized by statute, and the Department of Banking and Finance related to its oversight. AM633 also includes language setting a maximum liquidated damages per violation and adds language allowing preliminary and other equitable or declaratory relief as appropriate.</i>
LB302	Linehan	Monitor	Government, Military and Veterans Affairs	02/15/2023	General 02/24/2023	Change provisions relating to conflicts of interest by certain officeholders and public employees <i>Would expand the conflict of interest provisions of the NE Political Accountability and Disclosure Act to any person holding an elective office of any political subdivision. The bill would add and apply the conflict of interest provisions for any public employee other than those in the executive branch to be held to a similar conflict of interest standard as well. Public employee means any employee of a state or political subdivision. Committee amendment AM503 strikes all instances of "person holding an elective office" and inserts "public official" and clarifies that any reference to salary indicates an annual sum.</i>
LB304	Linehan	Monitor	Government, Military and Veterans Affairs	02/09/2023	General 04/17/2023	Require political subdivisions to disclose membership dues and lobbying fees <i>Would require certain political subdivisions (including school district, esu, NRD and any other unit of local government) to disclose on their website membership dues paid to any association or organization, fees paid for lobbying services. If do not have a website shall make this information available upon request from the public.</i>
LB312	Lowe	Monitor	Government, Military and Veterans Affairs	02/09/2023	General 02/16/2023	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions <i>For purposes of governmental entities subject to the Budget Act the bill would specify that any funds forfeited for noncompliance with budget limits remains forfeited. Specifies that noncompliance beyond 1 year makes that entity ineligible for state aid until they come into compliance. The bill would also add the Highway Allocation fund as the recipient of any forfeited funds if there is no other eligible state aid recipient to receive them in the county.</i> <i>Governmental entity means joint airport authorities, esu, hospital district, learning community, NRD, any political subdivision with the authority to have a property tax request. The bill also adds the 1 year forfeiture provision to municipalities.</i>
LB322	Linehan	Monitor	Revenue	03/09/2023	Committee 01/13/2023	Prohibit creation of new joint public agencies with power or authority relating to tax <i>Would prohibit any future joint public agencies created from exercising any taxing authority.</i>

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LB361	Dorn	Monitor	Appropriations	03/01/2023	Committee 01/17/2023	State legislative intent to appropriate funds for the Precision Agriculture Infrastructure Grant Program
<p><i>Note: Provisions of LB361 were provided for in the biennium budget package.</i></p> <p><i>Appropriates \$2 million for the program for FY2023-24 and FY2024-25.</i></p>						
LB394	Erdman	Oppose	Judiciary	02/23/2023	Committee 01/17/2023	Change provisions relating to the determination of damages as a result of eminent domain
<p><i>Changes the determination of damages as a result of eminent domain. For agricultural land, the damages shall include: (i) Two times the fair market value of the condemned property; (ii) Reasonable severance damages (including replacement cost for any of the following located on the condemned property: Dwellings, garages, sheds, barns wells, septic systems, fences, and any other permanent structures.); and (iii) The condemnee's abstracting expenses. For all other property the damages shall include: (i) The fair market value of the condemned property; (ii) Reasonable severance damages; and (iii) The condemnee's abstracting expenses.</i></p>						
LB396	Erdman	Oppose	Natural Resources	03/01/2023	Committee 01/17/2023	Provide for streamflow augmentation projects and retention of water rights
<p><i>The bill states that a natural resources district has the power and authority to develop augmentation projects as described in subdivision (3)(e) of section 46-715 and to acquire real property for such augmentation projects. Once developed, the bill states natural resources districts owning such project shall sell the overlying surface interest but may retain and reserve the right to the ground water. The bill goes on to state the owner of the augmentation project are entitled to the reasonable and beneficial use of ground water and the quantity of such ground water available to the augmentation project shall be the same as if the overlying surface interest had been retained by the owner of the augmentation project.</i></p>						
LB400	Brewer	Monitor	Natural Resources	02/08/2023	Committee 01/17/2023	Adopt the Nebraska Pheasant Restoration Act
<p><i>Note: Provisions of LB400 have been amended into LB565, but the bounty aspect has been removed.</i></p> <p><i>\$10 per predator bounty up to \$50,000 per year. Predator means: badger, coyote, opossum, raccoon, red fox, and striped skunk.</i></p> <p><i>As amended into LB565 LB400 allows: 1) For any private landowner or tenant to destroy any predator preying on livestock or suspected of causing other damage on land owned or controlled by such person. For purposes of this subsection, predator means a badger, bobcat, coyote, gray fox, long-tailed weasel, mink, opossum, raccoon, red fox, or skunk; 2) For any private landowner or tenant or agent of such person to kill a mountain lion immediately without prior notice or permission from the commission if such person or agent encounters a mountain lion and the mountain lion is in the process of stalking, killing, or consuming livestock on such person's property. Such private landowner or tenant or agency shall be responsible for immediately notifying the commission and arranging with the commission to transfer the mountain lion to the commission.</i></p>						
LB401	Dorn	Support	Appropriations	03/14/2023	Committee 01/17/2023	State intent regarding appropriations to the Department of Natural Resources
<p><i>Note: During the committee hearing the introducer indicated that the intent was to work on this bill in the second year of the biennium.</i></p> <p><i>The bill would provide \$550,000 in FY2023-24 and FY2024-25 for the state's automated weather network system.</i></p>						
LB411	Dungan	Monitor	Appropriations	03/16/2023	Committee 01/17/2023	Appropriate funds for Wyuka Cemetery
<p><i>The bill would appropriate \$1.5 million from the general fund to rehome the Pershing auditorium mural.</i></p>						
LB425	Boestelman	Monitor	Natural Resources	02/09/2023	Committee 03/30/2023 Natural Resources Priority Bill	Change provisions relating to the Game and Parks Commission and the Game Law
<p><i>Note: LB425 has been amended into LB565</i></p> <p><i>The bill increases the the allowable hunting permit fee maximums. The bill adds that nonresident permit limitations can be imposed during a special predation seasons or extensions of an existing hunting season. The bill also states that an auction permit is not subject to the lifetime limit of 1 mountain sheep permit.</i></p>						
LB428	Walz	Support	Government, Military and Veterans Affairs	03/24/2023	IPP 04/17/2023	Require the Nebraska Emergency Management Agency to provide matching funding for the federal Hazard Mitigation Grant Program
<p><i>The bill would require NEMA to provide up to half of the match requirement required of a political subdivision seeking grant funds from the federal Hazard Mitigation Grant program. FEMA's hazard mitigation assistance provides funding for eligible mitigation measures that reduce disaster losses.</i></p>						

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LB456	Brewer	Monitor	Natural Resources	02/09/2023	Committee 01/18/2023	Provide for claims for monetary compensation for damage caused by elk or mountain lions and authorize the control of elk and mountain lion populations <i>The bill is modeled on Wyoming's law. It provides a process for farmers and ranchers to be reimbursed for livestock killed by mountain lions and crop loss caused by elk. There is a prescribed number of days to submit notarized claims, an investigation and a response from the Game and Parks Commission. The bill allows counties to hire a wildlife services agent to control wild or feral elk and mountain lion populations so long as a portion of their services is funded with money provided by USDA. The bill exempts these agents from a variety of legal claims for their work on private property.</i>
LB457	Holdcroft	Monitor	Government, Military and Veterans Affairs	03/22/2023	Committee 01/18/2023	Require video surveillance of voting and provide requirements for paper ballots, vote scanning devices, and vote tabulating equipment <i>The bill requires video surveillance of ballots in polling places from when it is handed to the voter until sealed for vote counting. The bill would also establish serialized numbers and multiple other requirements for official ballots to prevent them from being counterfeited.</i>
LB483	Raybould	Monitor	Banking, Commerce and Insurance	03/07/2023	Committee 01/19/2023	Redefine qualifying mutual financial institution for purposes of regulation of public funds deposit security <i>The bill would allow credit unions to be eligible institutions in which public funds can be deposited.</i>
LB506	Bostar	Support with Testimony	Appropriations	03/14/2023	Committee 01/19/2023	State intent to appropriate federal funds to the Department of Natural Resources and the Department of Environment and Energy <i>Note: \$179 million in federal ARPA funds have been directed toward a grant process for cities of the primary class to be used to cover water purposes as part of the biennium budget bills.</i> <i>The bill would reappropriate \$200 million of federal ARPA funds to the Dept. of Natural Resources to award a grant to a city of the primary class. The grant shall be used to cover costs for a water treatment plant, water treatment transmission, and distribution in furtherance of additional water, land acquisition, permitting, a wellfield, pumping and transportation of water over 25 miles for the purpose of providing potable water to the municipality.</i> <i>The bill would reappropriate \$20 million of federal ARPA funds to NDEE to provide grants to small and rural communities to install reverse osmosis systems in community water systems where drinking water test levels are above 10 ppm for nitrate.</i>
LB513	Brewer	Monitor	Government, Military and Veterans Affairs	02/10/2023	General 02/16/2023	Change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act <i>Adds online publication to the section of law related to public notices that can be proved by affidavit. The bill states that until January 1, 2024 if a public body is unable to publish public notice in a newspaper due to refusal, neglect or inability by the newspaper the public body is allowed to post on their website and a public place in their jurisdiction. The bill states that after January 1, 2024 political subdivisions would be allowed to provide public notice through publication in a newspaper or on its website or on a statewide website established and maintained as a repository for such if no newspaper will be finalized prior to date/time of meeting. The bill would allow governing boards of city of the second class or village the same option, but also an option to merely posting in 3 conspicuous public places in the same city or village.</i>
LB514	Brewer	Monitor	Government, Military and Veterans Affairs	02/02/2023	Gov. Signed E- Clause 06/01/2023 Government, Military and Veterans Affairs Priority Bill	Change provisions relating to elections <i>LB514 would implement the provisions of an initiative petition approved by voters last year establishing a photo ID requirement to vote in Nebraska. The bill lays out the requirements for a valid form of photographic identification: a document issued by the state of Nebraska, an agency or a political subdivision of the state, the U.S. military, a Nebraska postsecondary educational institution or a recognized Native American tribe or band, hospital, assisted-living facility, nursing home or other skilled care facility record that includes a photo.</i> <i>The bill would require the secretary of state's office to provide a website dedicated to voter ID requirements and procedures and implement a public awareness campaign. No fee would be charged to Nebraska residents for an original, renewal or duplicate state ID card for voting purposes. Individuals without a photo ID would be allowed to vote provisionally at the polls if they have a "reasonable impediment" to voting — including disability or illness or lack of a birth certificate or other required documents — or a religious objection to being photographed.</i> <i>Mail-in ballots would be required to include a copy of the voter's photo ID or their Nebraska driver's license number or state ID card number. The secretary of state's office would be charged with matching that number to photo ID information available in the state's election database. Ballots that do not meet these requirements could be "cured" through the election commissioner or county clerk's office by providing missing information by the Tuesday following the election.</i>
LB531	McKinney	Monitor	Urban Affairs	03/07/2023	President/Speaker signed 06/01/2023 Urban Affairs Priority Bill	Change provisions of the Economic Recovery Act <i>The bill provides for appropriation of funds to projects approved in the coordinated plan and appendices for north and south Omaha.</i>

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						<p><i>The bill increases the amount of grant funds available from \$60 million to \$90 million for a business park located in a qualified census tract within a city of the metropolitan class. The bill removes all references to ARPA and would direct \$10 million from the general fund for administration of the Economic Recovery Act. The bill directs that grants shall only be allowed to projects listed in the coordination plan or appendixes as of January 10, 2023 and provides some additional prioritization for grants that will assist small business development, job creation, and economic development within communities and neighborhoods.</i></p> <p><i>The bill also adds additional grants for the following purposes: 1) no more than \$20 million to create a museum to honor Malcolm X within a qualified census tract within a city of the metropolitan class, and 2) no more than \$20 million to a federally qualified health center in a city of the metropolitan class.</i></p> <p><i>The bill also redirects interest earnings off of the Perkins County Canal Project Fund and any interest generated off of funds designated for development of a new prison to be credited to the Economic Recovery Fund. The bill would expand the entities eligible to apply for shovel ready grants.</i></p> <p><i>The bill has also been amended to include several other bills and provisions:</i></p> <p><i>LB33 clarifies when a mayor in a city of the first class or in a city of the second class can vote on any matter.</i></p> <p><i>LB 532 which changes provisions of the Community Development Law. These provisions include timely limits of how short an area may be designated as "extremely blighted," (no less than 25 years), extending the deadline for housing studies in cities other than those in the metropolitan class, (from 24 months to 60 months) and placing limits on the creation of new redevelopment plans in areas still designated as blighted (if it has had the designation for more than 30 years, the governing body of a city will not approve a new redevelopment plan unless the city conducts an analysis of the projects.)</i></p> <p><i>LB 45 creates the Revitalize Rural Nebraska Grant Fund for cities of the first/second class/village, which would provide for a dilapidated commercial property demolition.</i></p> <p><i>LB 342 removes the requirement that home inspectors should register with the Secretary of State every even-numbered year. The bill would also allow home inspectors to renew registration within 45 days of expiration, and have this registration be valid for 2 years.</i></p> <p><i>LB346 which amends the Local Municipal Economic Development Act to expand what is considered to be a qualifying business in certain municipalities.</i></p> <p><i>LB329 which would align state law with the federal American Innovation and Manufacturing (AIM) Act by permitting the use of refrigerants and equipment designated as acceptable in the federal legislation.</i></p> <p><i>LB 629 changes provisions of the Middle Income Workforce Housing Investment Act. The bill establishes a sub-account within the Middle Income Workforce Housing Investment Fund which shall be used to fund affordable housing under the Economic Recovery Act.</i></p> <p><i>LB 98 involves "Micro-TIF," which concerns redevelopment plans receiving an expedited review under §18-2155. LB 98 would add an optional resolution before declaring an area to be substandard and blighted, allow limits on the number of expedited reviews of redevelopment plans, and permit redevelopment plans to be denied.</i></p> <p><i>LB 170 matches the definition of "blighted area" under the Nebraska Investment Finance Authority Act with the definition under the Community Development Law (§18-2103.)</i></p> <p><i>LB 223 concerns the Municipal Density and Missing Middle Housing Act. It requires each city that adopts an affordable housing action plan electronically submit their plan to the Urban Affairs Committee. The bill also allows an option in the report to either (1) show efforts to affordable housing action plans or (2) efforts to implement an affordable housing action plan after such a plan is adopted.</i></p> <p><i>LB462 which would modify the definitions under Middle Income Workforce Housing Act to allow higher-cost housing construction projects to qualify under the act.</i></p> <p><i>LB474 which would appropriate funds for facility updates at the Fort Robinson historical site, for the purchase, necessary updates, and management of the Mayhew Cabin, and for funds to be made available for the continued development of the Standing Bear Museum.</i></p>
LB534	Slama	Support	Appropriations	03/13/2023	Committee 01/19/2023	<p>Appropriate federal funds to the Department of Environment and Energy for community water systems</p> <p><i>The bill would appropriate \$150 million from federal ARPA funds to NDEE to provide grants to small and rural communities to construct drinking water infrastructure projects in community water systems and if appropriate public wells where water test levels are 10 ppm or higher of nitrate.</i></p>

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LB560	Blood	Support	Appropriations	03/06/2023	Committee 01/19/2023	State intent to seek federal funds under the Inflation Reduction Act of 2022 <i>It is the intent of the Legislature to seek all funds made available to the state through the federal Department of Energy, the federal Environmental Protection Agency, the federal Department of the Interior, the federal Department of Transportation, or the federal Department of Agriculture from the Inflation Reduction Act of 2022 for the purposes of: (1) Increasing energy efficiency in homes and businesses; (2) Supporting electric vehicle infrastructure; (3) Upgrading utility infrastructure; (4) Assisting in transition to cleaner energy; (5) Supporting agricultural practices that are more drought resistant and decrease the use of water and fertilizer; and (6) Create jobs and stimulate the economy.</i>
LB565	Bostelman	Monitor	Natural Resources	02/01/2023	Gov. Signed E- Clause 05/30/2023 Natural Resources Priority Bill	Provide a grant program related to hydrogen hub designations <i>Appropriates \$500,000 for grants to NPPD to be used for engineering and modeling work to prepare and support Nebraska in competing for one of the clean hydrogen hub designations.</i> <i>The bill incorporates several other bills into the package:</i> <i>LB567 as incorporated would making changes to qualifications of high level managers employed by one public power district to be able to serve as a member of the board of directors of another public power and irrigation district, defines reliability to update the terms currently used in conversations about public power and adds a requirement that the annual load and capability report filed with the Nebraska Power Review Board on behalf of the utilities contain additional information if requested by the Board in writing,</i> <i>LB568 as incorporated would create a work group to evaluate and make recommendations regarding the workforce training needs of the nuclear and hydrogen industries in Nebraska and provide an opportunity for collaboration of the industries and higher education in the state to provide grants, training, curriculum, programming, and marketing to meet the workforce needs of the industry as identified by the work group.</i> <i>LB723 as incorporated would enables the Department of Natural Resources to employ alternative methods of contracting for public water and natural resources public surface water or groundwater-related infrastructure project. Regardless of the funding source. Would authorize the department to solicit and execute three additional methods of contracting – design-build, progressive design-build, or construction manager-general contractor contracts for public surface water or groundwater-related infrastructure projects. The bill would authorize the department to hire an engineering or architectural consultant to assist with the development of project performance criteria and requests for proposals and any additional services as requested by the department in relation to a project and precludes consultants used from providing services in a proposal for a project upon which they have consulted. And directs the department to obtain requests for qualifications and compile and publish a pre-qualified contractor list, and authorizes the use of public-private partnerships, with the department responsible for oversight of any function that is delegated to or otherwise performed by a private partner.</i> <i>LB425 increases the allowable hunting permit fee maximums. The bill adds that nonresident permit limitations can be imposed during a special predation seasons or extensions of an existing hunting season. The bill also states that an auction permit is not subject to the lifetime limit of 1 mountain sheep permit.</i> <i>LB400 as amended and incorporated would replace eliminate the Pheasant Bounty Program and instead authorize landowners, their tenants, or agent, to destroy or have destroyed any predator preying on livestock or poultry or suspected of causing other damage on their land.</i> <i>LB395 increases the amount of allowable compensation to Oil and Gas Commissioners and to set future increases.</i> <i>LB217 extends the grants available under the Waste Reduction and Recycling Incentive Fund through 2029.</i>
LB571	Lippincott	Support	Appropriations	03/13/2023	Committee 01/19/2023	Appropriate funds to the Department of Environment and Energy to carry out the Water Well Standards and Contractors' Practice Act <i>The bill would appropriate \$750,000 from the general fund for FY23/24 and FY24/25 to NDEE to assist in carrying out the Water Well Standards and Contractors Practice Act.</i>
LB576	Cavanaugh, J.	Monitor	Judiciary	03/03/2023	Committee 01/19/2023	Provide limitations on liability and nuisance related to land-management burning <i>In any negligence action arising out of or related to land-management burning conducted in accordance with section 81-520.05, compliance with all terms of an approved permit and plan for such land-management burning shall constitute an affirmative defense to such cause of action. In any nuisance action arising out of or related to landmanagement burning, compliance with section 81-520.05 and any applicable state or local air pollution law, rule, or regulation shall constitute an affirmative defense to such cause of action.</i>
LB613	McDonnell	Monitor	Appropriations	03/13/2023	Committee 01/19/2023	State intent to appropriate funds to the Department of Environment and Energy <i>Note: \$10 million has been appropriated for this purpose as part of the biennium budget package.</i> <i>Appropriates \$22.5 million in each year of the biennium to expedite the replacement of homeowner-owned lead service lines.</i>

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Document	Senator	Position	Committee	Hearing Date	Status	Description
LB614	McDonnell	Monitor	Appropriations	02/22/2023	Committee 01/19/2023	Appropriate funds to the Department of Agriculture <i>The bill would appropriate \$1.5 million from the general fund in FY23/24 to provide dollar-for-dollar match to fund a pilot program to test emerging technologies for sustainable irrigation.</i>
LB637	Albrecht	Monitor	Government, Military and Veterans Affairs	02/24/2023	General 03/22/2023	Require members of the public to be allowed to speak at each meeting subject to the Open Meetings Act <i>The bill specifies that other than a closed session a public body shall allow members of the public an opportunity to speak at each meeting.</i>
LB651	McDonnell	Support	Appropriations	03/16/2023	Committee 01/20/2023	Provide for appropriations relating to cybersecurity improvements for state agencies and political subdivisions <i>The bill appropriates \$20 million annually beginning in FY23/24 to DAS to engage in a variety of cybersecurity preparedness and response investments. The bill would direct \$8 million annually for a program to be created to provide political subdivisions with the ability to upgrade technology infrastructure.</i>
LB655	McDonnell	Monitor	Government, Military and Veterans Affairs	02/16/2023	Committee 01/20/2023	Appropriate funds to the State Fire Marshal <i>Appropriates \$2.5M for the purpose of partnering with the Nebraska Forest Service by providing a state match on a Community Wildfire Defense Grant to the United States and to establish two statewide firefighting crews with technical expertise to support rural communities, to provide extra resources for wildfires, and to assist local fire departments in the prescribed burning to control the spread of Eastern Red Cedar trees.</i>
LB656	McDonnell	Monitor	Natural Resources	03/01/2023	Committee 01/20/2023	Change provisions relating to the Small Watersheds Flood Control Fund <i>Provides that it is the intent of the Legislature to transfer forty million dollars each fiscal year from the General Fund to the Small Watersheds Flood Control Fund until the total local cost-share is met for all Nebraska watershed and flood prevention operations projects active on December 31, 2022.</i>
LB662	Ballard	Oppose	Agriculture	02/14/2023	Committee 01/20/2023	Change provisions of the Nebraska Right to Farm Act relating to certain public or private nuisances <i>The bill would limit who is permitted to file nuisance actions to recover damages in which an agricultural operation is alleged to be a public or private nuisance to only such persons who own a majority interest in the real property affected and the property is located within 1/2 mile of the operation and the ag operation materially violated a federal, state or local law. The bill also specifies that if an ag operation is being conducted in a manner consistent with commonly accepted ag practices or is in material compliance with all applicable laws/regulations there shall not be found to be a nuisance. The bill specifies that a change in ownership or increase in size, nonpermanent cessation or interruption of use, participation in government program, employment of new technology or change in type of farm product produced shall not cause an ag operation to be considered a nuisance. The bill also limits the time a nuisance suit must be brought from within 2 years after the level of offense is sufficient to bring a claim down to 1 year.</i>
LB695	Linehan	Monitor	Revenue	03/23/2023	Committee 01/20/2023	Provide a property tax exemption <i>Would provide that the first twenty-five thousand dollars of taxable valuation of any real property in this state shall be exempt from real property taxes, except that such exemption shall only apply if the real property is owned by a resident of this state or by an entity organized under the laws of this state.</i>
LB721	Ballard	Monitor	Transportation and Telecommunications	02/28/2023	Committee 01/20/2023	Appropriate funds to the Department of Transportation for the East Beltway project in Lancaster County <i>The bill appropriates \$25 million to NDOT to begin planning for the east beltway project in Lancaster County.</i>
LB723	Bostelman	Monitor	Natural Resources	02/02/2023	Committee 01/20/2023	Adopt the Public Water and Natural Resources Project Contracting Act <i>Note: Provisions of LB723 have been amended into LB565.</i> <i>The bill would allow DNR alternative methods for contracting for public water and natural resource projects to include design-build, progressive design-build and construction manager- general contractor procurement processes.</i>
LB749	Cavanaugh, M.	Monitor	Judiciary	03/16/2023	Committee 01/20/2023	Prohibit possession of deadly weapons in the State Capitol or on State Capitol grounds <i>Guns and other deadly weapons would be prohibited on the grounds of the Nebraska State Capitol.</i>
LB750	Albrecht	Monitor	Revenue	02/02/2023	Committee 01/20/2023	Change provisions relating to the valuation of agricultural land and horticultural land <i>Shell bill related to the Governor's proposal to value agricultural and horticultural land based on income properties. e.g. Iowa.</i>
LB766	DeKay	Monitor	Appropriations	03/13/2023	Committee 01/20/2023	Appropriate Federal Funds to the Department of Environment and Energy for reverse osmosis systems <i>The bill would appropriate \$3.25 million from federal ARPA funds in FY23/24 and FY24/25 to NDEE for reverse osmosis systems.</i>

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LB768	DeKay	Monitor	Appropriations	03/14/2023	Committee 01/20/2023 DeKay Priority Bill	Transfer money from the Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund <i>The bill would appropriate a \$30 million transfer from the cash reserve to the Critical Infrastructure Facilities Cash Fund. The fund resides within DNR and can be used to offset costs related to soil and water improvements intended to protect critical infrastructure facilities, provide grants to irrigation districts.</i>
LB776	Bostar	Monitor	Government, Military and Veterans Affairs	03/02/2023	Committee 01/20/2023	Provide for nomination and election of candidates on the nonpartisan ballot
LB808	Halloran	Monitor	Government, Military and Veterans Affairs	03/22/2023	Committee 01/20/2023	Provide for counting and recounting ballots under the Election Act by hand count <i>The bill would allow for hand recounts of ballots. The bill would allow a candidate to petition for a hand recount and for such recount to be then conducted by hand.</i>
LB814	Arch	Monitor	Appropriations	02/13/2023	President/Speaker signed 05/18/2023	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2025, and appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021
LR1CA	Blood	Monitor/Support	Government, Military and Veterans Affairs	02/24/2023	General 03/03/2023 Blood Priority Bill	Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed <i>The Nebraska Legislature would be required to provide full reimbursement to political subdivisions for any new program or expansion of an existing program.</i>
LR6CA	Erdman	Oppose	Revenue	03/03/2023	Committee 01/09/2023	Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes <i>Constitutional amendment to prohibit governmental entities from imposing any taxes other than retail consumption taxes and excise taxes.</i>
LR7CA	Erdman	Oppose	Revenue	03/03/2023	Committee 01/09/2023	Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items <i>Constitutional amendment to require the state to impose a consumption tax or an excise tax on all new goods and services and to provide a tax exemption for grocery items.</i>
LR30CA	Murman	Monitor	Revenue	03/02/2023	Committee 01/20/2023	Constitutional amendment to provide for a different method of taxing commercial real property <i>Would amend the Constitution to allow the Legislature to provide that commercial real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing commercial real property which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of commercial real property</i>
LR156	McDonnell		Government, Military and Veterans Affairs		Committee 05/23/2023	Interim study to examine the impact and increased frequency and intensity of wildfires in Nebraska and the sufficiency of the firefighting response to such wildfires
LR176	Ballard		Agriculture		Committee 05/23/2023	Interim study to examine the provisions of the Nebraska Right to Farm Act in comparison to similar laws in other states who rely on agriculture and recruitment of agriculture-related businesses as a significant portion of their economy
LR208	Dorn		Appropriations		Committee 05/23/2023	Interim study to examine the current funding mechanisms and operations of Nebraska's Mesonet system
LR224	Brewer		Natural Resources		Committee 05/23/2023	Interim study to examine laws governing the ring-necked pheasant upland game bird in hopes of improving the population of the species
LR247	Cavanaugh, J.		Government, Military and Veterans Affairs		Committee 05/23/2023	Interim study to examine issues raised in LB133, 2023, relating to laws regarding the use of eminent domain by state agencies, boards, commissions, and other political subdivisions