

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LB889**

---

**Hearing Date:** February 14, 2008

**Committee On:** Government, Military and Veterans Affairs

**Introducer(s):** (Flood)

**Title:** Provide construction alternatives for political subdivisions

---

**Roll Call Vote - Final Committee Action:**

Placed on General File with Amendments

---

**Vote Results:**

8 Yes	Senators Adams, Aguilar, Avery, Friend, Karpisek, Lautenbaugh, Pahls, Rogert
0 No	
0 Absent	
0 Present, not voting	

---

**Proponents:**

Senator Mike Flood  
Dale Munhall  
Jim Suttle  
Lowell Beckenhauer  
Mark Benjamin  
Mike Ayars  
Cristy K. Joy  
Dennis Baack  
Stan Carpenter  
Jack Cheloha  
Beth Bazyn Ferrell

**Representing:**

Introducer  
Self  
Self  
Self  
BD Construction Inc. (Kearney)  
Self  
Architecture Etc.  
Nebraska Community College Association  
Nebraska State Colleges  
City of Omaha  
Nebraska Association of County Officials

**Opponents:**

Larry Ruth

**Representing:**

Associated General Contractors – NE  
Chapter

**Neutral:**

**Representing:**

---

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

LB 889 amends the Nebraska Schools Construction Alternatives Act to allow political subdivisions to enter into design-build or construction management at risk contracts for public building projects. Also, the name of the act is changed to the Political Subdivisions Construction Alternatives Act.

Political subdivisions are defined as municipalities, counties, school districts, community colleges, state colleges, public power districts, or natural resources district and any other unit of government created by the state, including any entity created pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act.

The bill outright repeals section 79-2014 which limited the number of contracts executed under this act to 24.

**Explanation of amendments, if any:**

The committee amendment makes several changes to the bill.

The amendment narrows which political subdivisions are authorized to use the act to counties, cities, villages, school districts, community colleges and state colleges.

The amendment also prohibits political subdivisions from using design-build or construction management at risk contracts for road, street, highway, water, wastewater, utility, or sewer construction projects except that a city of the metropolitan class may use such contracts for the purpose of complying with state or federal requirements to control or minimize overflows from combined sewers.

Finally, the amendment requires at least a two-thirds affirmative vote of a governing body of a political subdivision to adopt a resolution selecting the design-build or construction management at risk contract delivery system. The current act requires an affirmative vote of at least seventy five percent.

---

Senator Ray Aguilar, Chairperson