

Transcript Prepared by Clerk of the Legislature Transcribers Office  
Urban Affairs Committee February 25, 2020

**WAYNE:** Are we on? Maybe? Kind of? In a way?

**TREVOR FITZGERALD:** OK.

**WAYNE:** [INAUDIBLE] Good afternoon and welcome to the Urban Affairs Committee. My name is Justin Wayne. I want to say, J-u-s-t-i-n. I'm so used to saying that right now. I represent Legislative District 13, which is north Omaha, northeast Douglas County. I serve as the Chair of Urban Affairs Committee. We will start by having committee members introduce themselves, starting with my right. Starting with my left [LAUGHTER].

**BRIESE:** Tom Briese, District 41.

**CRAWFORD:** Good afternoon. Sue Crawford, District 45.

**LOWE:** John Lowe, District 37.

**CONNER KOZISEK:** Conner Kozisek, committee clerk.

**ARCH:** John Arch, District 14, Papillion, La Vista, and Sarpy.

**TREVOR FITZGERALD:** Trevor Fitzgerald, committee legal counsel.

**WAYNE:** Assisting us also is our committee pages, Angie Pierre-Lewis from Pera-- Florida-- I am having a long day today-- in social-- majoring in social work, majoring in-- at Union College. And we also have Ashton-- Krebs or Kreebs [PHONETIC]?

**ASHTON KREBS:** It's Krebs.

**WAYNE:** --Krebs, from Nebraska, a political science major, going-- attending UNL. This afternoon we will have four-- four bills, and we'll be taking them in the order listed outside the room. Each-- on each of the tables in the back of the room, you'll find a blue testifier sheet. If you're planning on testifying today, please fill one out and hand it to Conner when you come up. This will make sure we keep accurate records. Please note: if you wish to have your position listed on the committee statement for a particular bill, you must testify during that position of that bill. If you do not wish to testify but would like to record your position on the bill, please fill out the gold sheet in the back of the room. I also note that the Legislature policy is that all letters for the record must be received by the committee by 5:00 p.m. prior to the hearing-- day prior to the

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hearing. Any handouts submitted by testifiers must also-- will also be included a part of the record. We ask that you have-- if you have any handouts, please bring ten copies with you. If you need additional copies, the page can make more. Testimony for each bill will begin with the introducer's opening statement. After the opening statement, you will hear the supporters of the bill. Then you'll hear from opposition, followed by those speaking in a neutral capacity. The introducer of the bill will then be given an opportunity to make closing statements. We ask that you begin your testimony by saying and spelling your first and last name. We will use the four-minute light system today. When you begin your testimony, the light will be green; when there's one minute left, it will be yellow; and then when it turns red, please wrap-- wrap up your final thoughts. I remind everyone, including senators, please turn off your cell phone or put them on vibrate. And with that-- I was going to let Senator Hansen introduce himself.

**M. HANSEN:** Matt Hansen, District 26, northeast Lincoln.

**WAYNE:** All right. With that, we'll begin our hearing with-- hearings with LB976. Senator Bolz, welcome to your Urban Affairs Committee.

**BOLZ:** Thank you, Senator Wayne. I am Senator Kate Bolz. That's K-a-t-e B-o-l-z. I'm here today to introduce LB976, which would adjust the state's eligibility for handicapped parking passes to include neurological impairment. In Nebraska, in order to receive a pass, a doctor must request one after declaring that the applicant has a medical condition that limits mobility to under 200 feet without rest or meets other qualifying criteria, as listed in the handout that's coming around to you. At the moment, our state statute does not specifically provide a way for doctors to incorporate lack of mobility relating to a neurological impairment when requesting a handicapped pass. In other words, it must be either limited mobility due to a visual impairment or limited mobility related to a physical impairment. A neurological impairment might include something like autism or Alzheimer's disease, which similarly limits mobility and can create challenges for individuals who are trying to go to the pharmacy or go to a doctor's office and equally need a handicapped parking spot. I think you'll hear from a mother of a child with autism today about how, because of his neurological impairment, he can be easily overwhelmed by the sights and sounds of a parking lot and going 200 feet can sometimes be a real challenge due to his neurological disorder. Currently, 38 states have inclusions for those with

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neurological impairment in their handicapped parking criteria. One of the things that you'll see in your handouts is a letter from a doctor explaining that, because of the way our statute is written, the DMV form to fill out to request and approve a handicapped parking pass does not include a neurological impairment. And so a doctor has no way to say that, in his or her professional opinion, this person has limited mobility related to their disability if that disability is neurological in nature. So LB976 would harmonize state statutes with federal standards, would align with other states, and would allow doctors to approve handicapped permits to individuals with neurological impairments. You also should receive a letter from the Department of Motor Vehicles, which supports the bill and explains that they would find that it's helpful in aligning state and federal law and allowing doctors to accurately reflect the nature of the disability that qualifies an individual for a handicapped parking spot. So I do want to address one question that has come up as related to this bill, and that is, do we have a sufficient number of handicapped parking spots currently, and as such should we expand this definition? I would say two things about this. One is we are not expanding the definition by very much because most people who-- who have disabilities, even those who have dis-- neurological disabilities, otherwise qualify for handicapped passes because of use of a walker or a heart condition or something along that lines, in fact-- and along those lines. In fact, the DMV fiscal note has no fiscal impact because they don't expect the number of applications to be significant. But I would also share with you, and it's reflected in your fact sheet, that in 2018, the Department of Motor Vehicles processed 40 thou-- 47,136 handicapped parking spots in Nebraska. The Legislative Research Office deserves wonderful credit because they helped me figure out exactly-- not exactly-- figure out an estimate of how many handicapped parking spots we currently have in the state. And that number is approximately 144,000. So the number of spots greatly out seeds-- out exceeds the number of passes. That doesn't mean that an individual who's going to the grocery store on a busy Saturday morning might not still have an opportunity to have an experience where they have a hard time getting a spot, but it does speak to the sufficiency of our handicapped parking spots. So I do not mean to speak too much about what is actually a very simple bill that is a one-word change [LAUGHTER] to our statute. But I do want to provide you sufficient background and information and would ask your favorable support for this piece of legislation. Thank you.

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**WAYNE:** Thank you, Senator Bolz. Any questions from the committee?  
Senator Arch, sorry.

**ARCH:** Thank you. Thank you, Senator Bolz. The definition of neurological, I see-- I see some of this is-- it identifies Alzheimer's, dementia, brain injury, autism, it-- but it's really any neurological that impairs the ability to walk. So it could be Parkinson's, it could be-- anything.

**BOLZ:** Correct. And-- and if I may, the important distinction there is that it's both, and-- so there are individuals who have autism, for example, or-- or Asperger's, who have a neurological disorder--

**ARCH:** Right.

**BOLZ:** --but that does not limit their mobility. And so a doctor--

**ARCH:** Right.

**BOLZ:** --has to determine that it's both.

**ARCH:** Thank you.

**BOLZ:** Thank you.

**WAYNE:** Any more questions from the committee? Seeing none, thank you.  
[INAUDIBLE]

**BOLZ:** I would say, I-- I-- I hope no questions come up because I do need to get back to Appropriations finalization. So I'll likely waive closing, but this is my final bill as a state senator. So I appreciate your thoughtful consideration.

**WAYNE:** I'll have somebody come and grab you if there is questions because I want to make sure that I'm in good standing with Appropriations [LAUGHTER]. First, we'll have proponents. Proponents. Welcome to your Urban Affairs Committee.

**CRISTAL PETERSEN:** Thank you, Senator Wayne and committee. My name is Cris Petersen. I'm a volunteer advocate ambassador for the state of Nebraska for Autism Speaks. I'll be serving on the Nebraska Council for Developmental Disability 2020 Planning Committee. I'm the founder of Sassy Mama for Autism LLC, established to provide resources to parents and children who are on the autism spectrum and I'm currently in the process of establishing-- establishing a nonprofit, Sassy Mom

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Inc., which will provide parent support groups and playdates for families with children on the spectrum. Being a parent of a child with a developmental disability can be very isolating. My goal is to provide a sense of belonging and inclusion in our state through those efforts. Today, I'm not representing any of those organizations I previously mentioned nor am I speaking on their behalf. Today I'm here as a mom, a mom of an amazing son, Maxwell. He's five years old and he's on the autism spectrum. He absolutely-- he's absolutely the love of our life and his safety is his number one priority. If you-- you may have heard the term, "If you've met one person with autism, then you've met one person with autism," by Dr. Steven Shore. When I first read that quote, I had no idea how very true it was. Children on the autism spectrum are just that: on the spectrum, a spectrum that refers to a broad range of conditions characterized by challenges, social skills, repetitive behaviors, speech, and nonverbal communication. Because autism is a spectrum, each person on the autism spectrum has a distinct set of strengths and challenges. For our son Maxwell, he can complete a 48-piece puzzle in under five minutes and has been able to since he was 2. He also has an aversion to litter; he can't stand it. One of our recent visits to the State Capitol, Max came across a lid from a convenience store cup tumbling across the Capitol lawn. Max immediately zeroed in on that lid and blocked everything else out. As the lid continued to tumble across the lawn, Max started to follow it. As the wind picked up, the lid started to tumble into traffic and Max was close behind, trying to pick-- pick it up so he could throw it away. My yells for stop were unheard. As Max was moments away from being-- from running into traffic to get the lid, I had to grab his jacket and pull him to the ground to protect him. He immediately laid on the ground and-- crying crocodile tears, not understanding why he wasn't allowed to pick it up or throw it away, all while he would-- I was trying to calm him down and lure him closer to the lawn. In my example, Max could have jumped and darted directly in front of traffic because he was overstimulated by the sound around him, the temperature change, his inability to pick up the trash. The list goes on and on. Transition for Max is a hard-- is hard and hard for many children on the spectrum. Transitioning a child from the car to a doctor's appointment, trip to a grocery store, drop off at school can be debilitating at times. I have provided several supporting documents: a letter from the pediatrician that Senator Bolz also provided; a letter from a parent who has a nonverbal son; some of the statutes about the state of Virginia, which implemented the same law in 2013. LB976 allows families to have loved ones with neurological disorders to eliminate one of many concerns that they have in making a trip to the

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car to a destination that's less of an elopement risk, less chance of putting the loved one, their caregivers, and the general public at risk. Imagine if I hadn't been able to stop him before entering traffic. The possibility outcomes are a nightmare, and they exist for not just Max, but for many families. I am here in support of LB976 and I appreciate your consideration. I'm open to any questions.

**WAYNE:** All right. Any questions from the committee? And can you spell your name just for the record?

**CRISTAL PETERSEN:** I'm-- I apologize.

**WAYNE:** You're OK.

**CRISTAL PETERSEN:** Cristal, C-r-i-s-t-a-l, Petersen, P-e-t-e-r-s-e-n.

**WAYNE:** Thank you. And I support this bill, but I really like the fact that you used 24-point-- 24 lb paper.

**CRISTAL PETERSEN:** Thank you [LAUGHTER].

**WAYNE:** It's a personal thing, so appreciate it.

**CRISTAL PETERSEN:** Thanks.

**WAYNE:** Thank you for coming.

**CRISTAL PETERSEN:** Thank you.

**WAYNE:** Any other proponents? Welcome to your Urban Affairs Committee.

**TERRY STREETMAN:** Thank you. Thank you, Chairman Wayne and committee for the opportunity. My name is Terry Streetman. That's T-e-r-r-y S-t-r-e-e-t-m-a-n. I'm here on behalf of the Alzheimer's Association, the more than 34,000 Nebraskans living with dementia and the 83,000 who serve as unpaid dementia caregivers. I'm here to support LB976. The Alzheimer's Association is the leading voluntary health organization in Alzheimer's sup-- care, support, and research. Our chapter serves statewide and provides education and resources while advancing research and policy initiatives. Six in ten people with dementia will wander. This is commonly recognized as a risk for elopement from a home or a care facility, but can also be a risk in environments like a crowded parking lot, at a shopping mall, a grocery store, or a doctor's office. Individuals with dementia may become overwhelmed and disoriented and sometimes can experience panic

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symptoms or struggle with movement. The potential consequences of a wandering event for a person with Alzheimer's are severe, as we've unfortunately seen in several recent cases here in Nebraska. Beyond the direct physical risks there-- these difficulties can result in a lack of access to social engagement, which is-- has been shown to be very important for people living with cognitive impairment and even limit access to necessary medical treatment. I'd like to share a couple of insights from advocates who shared with me their experiences. First was Alison Hunter of Omaha. Her mother, Anne Marie Hunter, was diagnosed with younger-onset Alzheimer's at age 54 and she passed several years later. Alison was 21 when she became the primary caregiver for her mother, her father having already passed, and took over responsibilities of parenting her 16-year-old sister. Because of her mother's lack of spatial awareness, her strides became shorter. She had difficulty dealing with differences in types of pavement and so she had trouble walking long distances. She also would often panic because of her confusion, and she didn't understand the need to use a wheelchair because she didn't believe anything was wrong with her ability to walk. Lori Reiner of Holdrege shared that her doc-- her husband, Dr. Richard Reiner, has struggled with his balance, gait, and depth perception, and said that parking areas have become a nightmare for him to try and navigate, especially in inclement weather that can already cause balance issues. Jena Johnson of Crete cares for her mother, who is living with dementia. Her mother, because of her symptoms, will sometimes come to a complete stop in the middle of the street, in the middle of a parking lot, and be unable to continue moving. And this is despite knowing that she needs to move. She simply is not able to physically move because of the way the dementia has affected her brain. Finally, Toni McLellan is a mother of a son with autism spectrum disorder and the sister and guardian to an adult brother with Down's syndrome. Toni, like many individuals, is providing care for her brother, who is now into his own-- his adulthood. Because of advances in medical technology, longer life expectancies, many people find themselves in this situation and may have their own mobility issues to deal with. Additionally, 50 percent of people with Down's syndrome in their sixties have Alzheimer's disease, so this is an issue that sort of touches on our work in many ways. I want to thank you for your op-- for the opportunity to provide testimony. Thanks, Senator Bolz, for introducing the bill. I urge the committee to advance LB976 and provide much needed relief for Nebraskans with dementia and those who serve as caregivers.

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**WAYNE:** Thank you. Any questions from the committee? Senator--

**BRIESE:** Thank you, Chairman Wayne.

**WAYNE:** Senator Briese [LAUGHTER]. I closed my eyes and was like, "That's not Arch" [LAUGHTER].

**BRIESE:** Thank you for your testimony here today. And the language of the bill suggests the neuro-- neurological impairment, which limits personal mobility and results in an inability to travel.

**TERRY STREETMAN:** Uh-huh.

**BRIESE:** Now relative to Alzheimer's, you've given us some examples where that-- that disease can certainly affect and-- mobility and ability-- and ability to walk.

**TERRY STREETMAN:** Correct.

**BRIESE:** In-- in the realm of autism, is that true also?

**TERRY STREETMAN:** So, Toni, who shared her story with me-- her experience with her son, who is on the autism spectrum, is that he would frequently be triggered by unexpected stimuli, like a loud noise or a bad smell, and would take off running just in a panic. And so that is not necessarily, in his case, a limitation on his ability to walk, but it becomes an issue where it's a significant risk to that child if they have to travel a much further distance between, say, a car and a doctor's office.

**BRIESE:** Yes, I agree. It's a risk. But does the language of this particular bill sufficiently address the issue of autism when an inability to-- "which limits personal mobility and results in an inability to travel"-- is that going to bring in the-- the autism situations that we're trying to bring in here?

**TERRY STREETMAN:** I believe it will bring in many autism situations that, as was said before, you see one person with autism, you've seen one with autism. Toni's situation with her son may not fall under this particular language, but I know that there are many folks who are on the spectrum who have significant mobility issues that would fall under, so I do believe this is a significant improvement. And unfortunately, I can't speak too closely on the autism issue because



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it's not my area of expertise. But I do believe this is a great benefit to folks on the spectrum.

**BRIESE:** A great benefit, but perhaps not a-- a catch-all for what is intended, maybe.

**TERRY STREETMAN:** I-- I would probably defer to the senator on that one.

**BRIESE:** OK. OK. Thank you.

**TERRY STREETMAN:** Thank you.

**WAYNE:** Thank you. Any more questions? Seeing none, thank you for coming today.

**TERRY STREETMAN:** Thank you.

**WAYNE:** Any other proponents? Proponents. Welcome back to your Urban Affairs Committee.

**BRAD MEURENS:** Good afternoon, Senator Wayne and members of the committee. For the record, my name is Brad, B-r-a-d, Meurens, M-e-u-r-r-e-n-s and I'm the public policy director at Disability Rights Nebraska. We are the designated protection and advocacy organization for persons with disabilities in Nebraska and I'm here today in support of LB976. LB976 is important. Nebraska recognizes persons with visual or physical conditions that impair their mobility to travel more than 200 feet without stopping or without the use of a wheelchair or other assistant device as needing or allowed to have a disability parking permit. However, for those individuals with a neurological impairment and/or their families that limits mobility to the same extent, it is uncertain whether they would meet the criteria for the same parking permit privilege. Nebraska easily recognizes the difficulties that visual impairment, physical disability, or other health conditions place on the ability of an individual to access their community-- grocery store, library, retail shops, etcetera-- and makes parking accommodations to make access easier and inviting. The same should be done for persons with neurological conditions, which similarly limit their access to the community. The crux of the matter is not the disability type, but the mobility impairment. LB976 is needed. The bill squarely addresses a glaring omission in Nebraska's criteria for granting a disability parking permit. The bill would harmonize language and intent with our surrounding states except

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Minnesota. I have included with my testimony a handout of the language of the surrounding states, plus a few extra and their criteria for disability parking permits. They all include neurological disorders. The bill also harmonizes language with federal regulations of the Department of Transportation used to provide guidelines to states for uniform disability parking systems. Ultimately, LB976 makes it easier for people with mobility-limiting neurological conditions to access and participate in their communities. And for that reason, Disability Rights Nebraska recommends the committee advance the bill. I am open to any questions that you may have.

**WAYNE:** Thank you. Thank you for your testimony. Any questions from the committee? Seeing none, thank you for coming today.

**BRAD MEURRENS:** Thank you.

**WAYNE:** Any other proponents? Proponents? Seeing none, any opponents? Opponents? Seeing none, anybody testifying in a neutral capacity? Seeing none, there are two letters of support from the Nebraska Department of Motor Vehicles and the Nebraska Academy of Family Physicians. And with that, that will close the hearing on LB976. Senator Hunt.

\_\_\_\_\_ : [INAUDIBLE]

**CONNER KOZISEK:** Yes. Sit here.

**HUNT:** Welcome to your Urban Affairs Committee.

**WAYNE:** Thank you. Good afternoon, Vice Chairwoman Hunt and members of the Urban Affairs Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha and northeast Douglas County. As some of you will recall, who have been on this committee, I introduced legislation in 2018, and I think I introduced it prior to that too, regarding the creation of a port authority in the city of Omaha. While most people think port authorities are strictly coastal states, a number of states have successfully implemented inland ports that focus on river barge traffic. At the time, the bill was focused on increasing barge traffic in the Missouri River and in the developing, the-- the area north of Eppley Airfield in my district. Examples of major inland ports include: Port of Huntington Tri-State, in West Virginia; Port of St. Louis, in Missouri; Port of Pittsburgh, in Pennsylvania; Port of Memphis, in Tennessee; Port of Kansas City, in Missouri. Notably, most

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of them are-- all of them are on the river. Over the interim, the concept of developing an inland port in Nebraska was among the recommendations of a Blueprint-- of the Blueprint Nebraska. I have distributed the relevant pages of the Blueprint Nebraska Report to the committee members. LB1078 would adopt the Municipal Inland Port Authority Act, similar to how the-- how the concept is envisioned in Blueprint Nebraska. The bill is designed to facilitate the development of major logistics and inter-- and industrial hubs. Under the bill, the city of the metropolitan class, city of the primary class, or city of the first class could create an inland port authority in eligible areas within their corporate boundaries or within their extraterritorial zoning jurisdiction. Eligible areas must be greater than 300 acres and within a certain distance of two forms of existing transportation infrastructure. One is, it could be a navigable river, major rail-- rail lines, or interstate highway system, or a four-lane divided highway, or major airports. LB1078-- under LB1078, each inland port authority would be governed by an elected board of commissioners of varying sizes, depending upon the classification of the city that established the authority. Most of the powers granted to an inland port authority under the bill are based off of port authorities in other states. LB1078 is largely based off of the statutes that are from Missouri and Utah. Several individuals are behind me to testify. I would be happy to answer any questions. Again, we started this concept to try to help develop the airport area in my district, but seeing how other cities after we had our first hearing were interested in this idea, it's grown to be a little bit bigger. But other states are doing it and they're doing it very efficiently and effectively, and I'll answer any questions.

**HUNT:** Thank you, Senator Wayne. Any questions from the committee?  
Senator Lowe.

**LOWE:** Thank you, Vice Chair Hunt. And Senator Wayne, how does this bill different-- differ from the last bill you brought?

**WAYNE:** The first bill was-- only dealt with the city of Omaha, so it expanded in that direction. And then it was an appointed board, and this is a elected board. So those are two major changes. And we added the clarification. It used to be just by a river of the city of the first class. And so we are now allowing-- in particular, we were looking at the Scottsbluff-Gering area and trying to create what we call a barbell state, where you have major hubs inside the state to

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drive the economics of both sides of the state. And so that's-- we added the smaller-- smaller class cities to-- to do that.

**LOWE:** So you have to have two forms of transportation?

**WAYNE:** Correct.

**LOWE:** So it could be the interstate and a railroad.

**WAYNE:** Correct.

**LOWE:** Something like that.

**WAYNE:** Correct.

**LOWE:** OK.

**WAYNE:** Now, we know transportation drives a lot of economic development, so we're trying to truly create an inland port. And-- and, you know, there's been a lot of talks of what it could look like, but this is the framework of at least getting it started.

**LOWE:** Thank you.

**HUNT:** Thank you, Senator Lowe. Any other questions from the committee? Senator Crawford.

**CRAWFORD:** Thank you, Senator Hunt. And thank you, Senator Wayne. I just wondered if you had-- I'm just reading quickly the MAPA letter, which suggested that some time-- that some of the jurisdictions that may be helpful for this kind of project would be outside of the city's jurisdiction. I don't know if you have seen that letter, if you have a response for that.

**WAYNE:** Yes. So part of the conversation we keep having is, like, who can create this authority, inside or outside, city versus county? And quite honestly, I want it in our committee--

**CRAWFORD:** Right.

**WAYNE:** --so we kept it in the cities.

**CRAWFORD:** Yeah.

**WAYNE:** If we would have went to counties, I'd be presenting in front of the Government. So-- Government Committee. But we do think that--

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that amendment to that would be some kind of interlocal agreement or allow counties to do it. We were open to the idea but since this committee was more familiar with this sub-- subject, that's how we drafted it, because this will be the third-- third year we had conversations around this.

**CRAWFORD:** Thank you.

**HUNT:** Thank you, Senator Crawford. Any other questions? Senator Arch.

**ARCH:** Thank you. Could-- could you help us understand the fiscal notes? Do you happen to have those?

**WAYNE:** I don't have them in front of me. I'll grab them real quick. See, every year we get more conversations around it. The first year it was a no-questions, because nobody-- it was a foreign concept and now [LAUGHTER] it's catching on. I got to actually, like really, start digging into this. So what was your question on the fiscal note?

**ARCH:** Well, I guess my-- as I read it, my understanding is that this is enabling legislation that allows the cities to choose to do it under certain conditions.

**WAYNE:** Correct.

**ARCH:** It is up to them to fund it. It is up to them to find the resources to fund it. Am I correct--

**WAYNE:** Correct.

**ARCH:** --in that assumption?

**WAYNE:** Yes. All that's correct.

**ARCH:** OK.

**WAYNE:** And so when I first-- again, not just the airport, but then along-- along the lines of the airport where we-- when I first got elected, it was about developing around the airport. And then there was a major manufacturer who wanted to come here. And there was this whole conversation around supersites or megasites, and the lack of, that we don't have. And right now what happens if a major company wants to come in, they try to do options on land and try to figure it out. We don't have like a proactive approach. So with-- with the idea of a proactive approach, with the idea of developing around the

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airport, conversation just kind of evolved into what are other states doing. And Utah is doing it very well, using the port authority. And actually some states are creating some almost like tax-free zones around the ports to help move cargo from rail to interstate or rail to road. And they've really been growing their industrial tracts a lot. So it would be an enabling legislation for those cities if there's an amendment to the counties creating this and funding it themselves, so there is no fiscal note to the state. It's just enabling legislation.

**HUNT:** Thank you, Senator Arch. Any other questions?

**ARCH:** I have a follow-up question.

**HUNT:** Yeah, go ahead.

**ARCH:** So you've got the fiscal note.

**WAYNE:** Yes.

**ARCH:** Is that just a-- is that a mistake? That it's-- it would establish the Local Option Municipal Childcare Financing Act?

**HUNT:** You're looking at the wrong bill.

**ARCH:** LB867?

**TREVOR FITZGERALD:** That's the next bill.

**HUNT:** LB1078.

**WAYNE:** Whoa because I don't remember putting that in the port authority [LAUGHTER].

**ARCH:** Excuse the question [LAUGHTER].

**WAYNE:** Patty would be all over that bill if we ever--

**ARCH:** Thank you for that clarification.

**WAYNE:**--[INAUDIBLE] children and it would be all bad. [LAUGHTER].

**ARCH:** All right.

**WAYNE:** Any other questions? I do thank the committee for entertaining this idea and I think with Blueprint coming on board, or Blue-- Blueprint Nebraska coming on board, I do think this conversation is

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going to keep growing to how do we do more economic development. And this is one of those tools. So thank you.

**HUNT:** Thank you. Any other questions? Seeing none, thanks, Senator Wayne. First proponent for LB1078. Welcome to your Urban Affairs Committee.

**RICHARD SCHMELING:** Thank you, Senator Hunt, members of the committee. And it's nice of Senator Wayne to let Conner come down and get out of the office and get a chance to attend the hearing. I first met Conner when he was working for Senator Quick for the Transportation and Telecommunications Committee, and I found that he's a very bright young man. I live here in Lincoln in the southeast part of town, and the definition of an expert-- and I'll spell my name because I probably forgot to do that--

**HUNT:** Uh-huh.

**RICHARD SCHMELING:** --Richard, R-i-c-h-a-r-d, Schmeling, S-c-h-m-e-l-i-n-g. I live here in Lincoln. The definition of an expert is somebody that comes from more than 60 miles away. And since I don't come from 60 miles away, let me give you a little bit of my background. I grew up in Superior, Nebraska, in south central Nebraska. Graduated from high school down there. Attended UNL. I majored in history, minored in economics and political science. From there, I went to the University of Nebraska College of Law. I graduated from there in 1965. At that time, I had a commission in the U.S. Army as a reserves officer in the U.S. Army Reserve. I was assigned to the Transportation Corps Branch. I went to Fort Eustis, Virginia, which is the headquarters for the Transportation Corps Branch, and completed a course called TOBC, Transportation Officer Basic Course. As a part of that course, I studied all forms of transportation, including truck, air, water, and even aviation. I was then sent for a year, paid vacation, to sunny South Vietnam, came back to Nebraska, practiced law here in Lincoln and I'm now retired. I have been a lifelong student of transportation, and of necessity, that includes logistics. I want to thank Senator Wayne for introducing this bill. I am-- I was kind of curious about the port authority, but there is a port authority down in the state of Kansas, and it has no navigable water. But what they did down there was there was a Rock Island Railroad. Do you remember-- any of you remember the Rock Island? Ran through Lincoln, ran from Chicago to Denver. The Rock Island went bankrupt in 1980. When it went bankrupt, it was going to abandon all the track, then include a long stretch of track on the

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northern counties on the northern tier of Kansas. And they needed some way to save that railroad, so they formed the Mid-States Port Authority. That took over operation of those railroad lines. It's been a tremendous success and it's still functioning. Now, Senator Wayne's concept has to do with some sort of a facility that will transfer cargo between boats. And that's been the change in transportation during my lifetime. When I was first in the Army, we had containers. These were square containers known as CONEX, C-O-N-E-X. The Army still uses those. That was a good way to load your unit equipment inside a container. And it could go on land. It could go in a truck. It could go on a train. It could even go on an oceangoing ship and aviation. That whole process has been continuing and developing. Senator Briese, when you come down from Albion, you probably go across the Union Pacific Mainline at some point in time. And you'll notice that we have freight trains that have containers on them that are double stacks. Those containers are loaded in Asia, off-loaded in the West Coast ports, and then come all the way to wherever they're going. If you'll permit me, just a quick note to finish up.

**HUNT:** You can wrap up, thank you.

**RICHARD SCHMELING:** OK. What Senator Wayne is proposing is a natural because Omaha is right in the center of the country. It would be a great location to have an intermodal transfer station. And in addition, we would preserve service to the railroad lines that are running up into the north part of Omaha. Those could be abandoned if-- if indeed there isn't enough business. It would provide, in my opinion, some very highly skilled and highly paid jobs, which would represent a bunch of economic stimulus for that area of Omaha and for the whole state of Nebraska. So I would strongly urge you to go ahead and adopt this bill.

**HUNT:** Thank you very much for your testimony today. Are there any questions from the committee? Seeing none, thank you for the history lesson and for sharing your experience with us. Next proponent for LB1078. Welcome, sir.

**LANCE HEDQUIST:** Thank you, members of the Urban Affairs Committee. I'm Lance Hedquist, H-e-d-q-u-i-s-t. I'm the city administrator of the city of South Sioux City. In behalf-- on behalf of the Nebraska Economic Developers [SIC] Association, the Nebraska League of Municipalities, and the city of South Sioux City, I want to express our support for LB1078, as introduced by Senator Wayne. The state of Nebraska, being located in the heart of the nation and between Canada



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and Mexico, we are an ideal location for an inland port authority. The-- this furtherance is helped by the state of Nebraska's airports, commercial airline services in the state, our great train routes within the state of Nebraska, and of course, I think the underutilized Missouri River that's located adjacent to our city is obviously adjacent to the city of Omaha. The port authority would have several major advantages for Nebraska. It would enhance the trucking industry by establishing these hubs across the state, including transloading facilities to rail and possibly barge service. It will encourage foreign investments in Nebraska to see-- to receive these transportation services. It also foster expansions and creations of foreign trade zones within the state of Nebraska, thus making Nebraska a premier-- premier destination for global business. It would lead to additional warehousing opportunities for those locations across the state. In-- in-- in addition, port authorities, where they do exist, have increased wages in their areas. We'd expect that would happen here as well, as well as it provides a good training program and education prom-- programs for the new workforce that would come in to these local areas. It provides the marketing of agricultural products directly and value-added agricultural products to global destinations. It encourages entrepreneurship. As the area develops, some people will want to start new companies, be located in these areas to be able to reach the foreign markets. If we build on a culture of innovation and remain-- and remain relevant to and increasing our global economy, we would encourage you to support this bill.

**HUNT:** Thank you very much. Any questions from the committee? Seeing none, appreciate you coming down here.

**LANCE HEDQUIST:** Thank you.

**HUNT:** Nice to see you. Next proponent. Welcome.

**MARK NORMAN:** Thank you. Good afternoon, Senators. My name is Mark Norman, M-a-r-k N-o-r-m-a-n. And I serve as the senior director of business interaction and expansion for the Greater Omaha Chamber and the Greater Omaha Economic Development Partnership. The Economic Development Partnership serves seven counties in the eastern part of the state, ranging from Nebraska City in Otoe County to the south; Blair, Washington County to the north; and Fremont, Dodge County to the northwest. And of course, Douglas and Sarpy Counties. I'm here to offer our support for LB1078 as introduced by Senator Wayne. As part of our economic development efforts across this region, we have learned that we need to be proactive about developing sites in order

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to be prepared for new and expanding businesses in the area. We found that we were losing out on a lot of projects due to a lack of developed sites. The process of site selection is a misnomer. It is site elimination. If you don't have the ability to meet the needs of the client when it comes to real estate, you're going to get checked off the list from the very beginning. Nebraska was being eliminated because other states had the sites and the tools to make development easy and-- and affordable. In the partnership region we created the Go! Ready Site Certification program to create virtual shovel-ready sites and shorten the development timeline. But that can only take us so far. I'm sure you all remember the Toyota-Mazda search from several years ago. The Department of Economic Development submitted several sites across the state for this project in this highly competitive national search to locate a \$1 billion auto assembly facility. While the proposal submitted by the state was competitive financially, the process did show that we were not ready at all when it came to site preparedness and we did not have the development tools necessary to get the sites ready for projects of this size. We need to be proactive in getting sites ready and give local governments the tools required to attract businesses of this type. The port authority legislation provides this tool and allows the state and local communities to compete for these game-changing projects that can have an impact on both statewide and local levels. As was discussed earlier, many states have port authorities and have used those successfully to locate business and facilities to facilitate interstate commerce through increased access to multiple modes of transportation: air, road, rail, and barge. Currently, two of our neighbors, Iowa and Missouri, have active port authorities. On a recent trip to the Kansas City Port Authority, we saw firsthand how the port was able to help businesses create jobs and make capital investments through the financing tools they have available as part of the port authority legislation. A recent report by the Missouri Department of Transportation showed that the eight ports in Missouri had an annual economic impact of over \$100 billion. Adding this legislation to our toolbox will help keep us competitive against these states that we compete with on a frequent basis. Developing a site that is large enough to provide access to these multiple modes of transportation is key. The legislation that an area must be 300 acres or larger to be eligible for port authority, I could see the port authority needing to be outside of the ETJ or the city limits for that. As such, we do support the concept of amending the legislation to allow for counties to be part of this process. So I can think of several areas across the state that would serve as an excellent megasite port authority development. And I know my time is

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up, so in conclusion, I would support the passage of the Inland Port Authority bill. And thank you. Happy to answer any questions you may have.

**HUNT:** Thank you, Mr. Norman. Any questions from the committee? Senator Briese.

**BRIESE:** Thank you, Senator Hunt. Thank you for your testimony here today. I'm still a little unclear about the benefits of, or the need for, what we're talking about here, but-- is it basically, the site acquisition is the greatest concern here?

**MARK NORMAN:** Providing sites and having those sites developed. And so currently in the state-- site development is developer-driven. And so basically the cost of developing those sites, extending infrastructure, creating roads for the most part is-- is borne by the developer. That can make it sometimes not cost-effective to develop a site and especially when you're talking larger sites. It's-- it's very difficult to bear that cost upfront. And so if you're able to utilize the-- the port authority to create a-- which they do have bonding authority-- revenue bond authority, not general bond, revenue-- then if that project then comes in there, that creates a funding stream for the port authority, then to pay back those bonds. So it's a way of financing some of that development ahead of time. You still have to have a way to repay those bonds. But that's just, again-- another economic tool to help create the financing for the infrastructure.

**BRIESE:** And the port authority would also have the ability to raise sales taxes to do that also, correct?

**MARK NORMAN:** The way that it's currently written is if the-- the elected board supports that sales tax, then they could institute an additional sales tax, yes.

**BRIESE:** OK. OK, thank you.

**HUNT:** Thank you, Senator Briese. Senator Lowe.

**LOWE:** Thank you, Vice Chair. And thanks for coming today.

**MARK NORMAN:** You bet.

**LOWE:** We may be discussing LB720, the Imagine Nebraska Act--

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**MARK NORMAN:** Yes.

**LOWE:** --coming up here--

**MARK NORMAN:** Uh-huh.

**LOWE:** --sometime on the floor. Are you saying that that is not enough to entice these companies to come to Nebraska? That we also need a port authority?

**MARK NORMAN:** It's addressing a different-- different part of the development process. Again, the port authority is really looking at the infrastructure side of things and how can you create sites that are going to be attractive. LB720 obviously is looking at business operation costs, which development is part of that but it's a much wider type of deal. So this is more specific to infrastructure. So we need both [LAUGHS].

**LOWE:** I thought that might be what you might say.

**MARK NORMAN:** Yeah.

**LOWE:** All right. Thank you.

**MARK NORMAN:** LB720 first.

**HUNT:** Thank you, Senator Lowe. Any other questions? Seeing none, appreciate it, Mr. Norman. Thanks for being here.

**MARK NORMAN:** Thank you.

**HUNT:** Any other proponents for LB1078? Anyone here testifying in opposition? Anyone wishing to testify in the neutral capacity? Seeing none, Senator Wayne, you are invited to close. While he's moving up here, we have no letters for the record on LB1078.

**WAYNE:** Thank you, colleagues. Again, I think-- to Senator Lowe's question-- part of it is, the port authority in the-- the legislation in different states is a little bit different. And so like in Utah, they have a-- they have a area around 1,600 acres that-- that they developed for industrial. It's all private business, but it's part of the port-- port authority where they have special tax incentives and tax breaks-- really, not tax incentives, tax breaks. Missouri's a little different. Missouri and-- and Iowa and Illinois in particular, they have there on the Mississippi where the quad cities are, they

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have a port authority that really went from nothing, in about 10 years, major size development. And part of it is just being able to work together from county to county and work through how to develop that area. So it's more of a mechanism of working with bodies, governmental bodies to develop areas, and to-- it can be whatever we want it to be. Some of you were here when there was a bill introduced where there would be a tax-free zone in the middle of the state. That could be a port authority. But the idea is, we have to figure out how to grow these areas through transportation and industry. And we are continuing to miss out on some major developments because we can't figure out how to put the sites together quick enough. And this would help those areas do that. It would help the state to be able to look at key areas across our state and-- and do things. And I think about Sidney, Nebraska, with the number of jobs they are losing or potentially could be losing there and how a port authority could help them out with attracting new businesses and in development that way. So with that, I'm just here to answer any other questions.

**HUNT:** Thank you, Senator Wayne. Any questions? Senator Crawford.

**CRAWFORD:** Thank you, Vice Chair Hunt. Thanks, Senator Wayne. So just to clarify, this would go beyond what a city could do in-- in what way?

**WAYNE:** Well, it would be-- if-- if a county wanted to do it, we could add that language. But it would be--

**CRAWFORD:** No, no, no. I mean, I mean, just, you know, the-- what-- what tools we're giving that go beyond what a city could do in that area.

**WAYNE:** Well, that's just a city-- this would be a board that would be established and those people who would run for that board with the intent of mind of economic development.

**CRAWFORD:** So [INAUDIBLE]--

**WAYNE:** I think that's different than-- than the city council. When you run for city council, you may run on lowering taxes or fixing-- in Omaha, fixing your streets, not necessarily truly just economic development. So it's a way to focus in. If people run for school board, they run for education. They don't-- they don't run to fix

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potholes. So it's a way to centralize and focus that-- that group around development.

**CRAWFORD:** Thank you.

**HUNT:** Senator Lowe.

**LOWE:** Thank you, Vice Chair. And as far as the taxing authority of these boards, would it be better if they weren't able to tax?

**WAYNE:** This is-- each board and each state has done it differently. And this has been an ongoing conversation among the chambers and everybody about what it looks like. And my position has been, if they have taxing authority, they have to be elected. If they are appointed, we can remove the taxing authority. But I am not comfortable putting to this body or to the-- to this committee or to the body a taxing authority without at least an election. That's why you see "an elected board." But I'm open to any of those conversations. But there are concerns about not being able to have the funds to-- to acquire some of this and do some of the development. But I do understand the concern of-- of taxes. So that's been an ongoing conversation we've had internally. So the first time we saw this bill was not-- three years ago, there was an appointed board without taxing authority, and this year, it's one with taxing authority. That's an elected board. So--

**LOWE:** Thank you.

**HUNT:** Thank you, Senator Lowe. Any other questions? Seeing none, thank you, Senator Wayne.

**WAYNE:** Thank you.

**HUNT:** Next up, we have LB867, introduced by Senator Matt Hansen.

**WAYNE:** Welcome to your Urban Affairs Committee, Senator Hansen.

**M. HANSEN:** Thank you. Good afternoon, Chairman Wayne and fellow members of the Urban Affairs Committee. For the record, my name is Matt Hansen, M-a-t-t H-a-n-s-e-n, and I represent District 26 in northeast Lincoln. I'm here today to introduce LB867, which would adopt the Local Option Municipal Childcare Financing Act. This act would allow municipalities to appropriate funds, if approved by voters, from local option sales taxes levied by the municipality for economic development programs that provide financing assistance to

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local childcare businesses. The act mirrors provisions and procedures in the existing Local Option Municipal Economic Development Act, also known as the LB840 program. As you're all aware, there's a severe shortage of childcare providers across the state. According to a recent report from the Nebraska Early Childhood Workforce Commission, 84 percent of Nebraska counties do not have enough childcare slots to meet the needs of families with young children. In fact, there are 11 counties with no licensed childcare facility at all. According to the Center for American Progress, almost one third Nebraskans live in what is called a childcare desert, defined as any census tract with more than 50 children under the age of five that contains either no childcare providers or so few options that there are more than three times as many children as licensed childcare slots. The shortage comes partly as a result of well-known difficulties for childcare providers to have to run the business. The cost for families is high. The profit margins for providers are small, and they are often forced to pay workers low wages and therefore face high turnover, which in turn negatively affects the quality of childcare provided. For these reasons, investment in our childcare providers has a clear payoff. We have agreed as a state that we should allow cities the opportunity to raise funds to help area businesses in order to spur economic development. It only makes sense that we should include childcare centers, businesses that are essential to the livelihood of any community. The issue is clearly closely linked to a workforce shortage. Businesses rely on employees and employees rely on childcare. Here in Nebraska, we have a labor shortage of approximately 58,000 workers. According to Kids Count report from Voices for Children, there are one thou-- sorry, excuse me. There were 11,768 Nebraska parents of young children who quit, did not take, or greatly change their jobs because of childcare problems in 2017-2018. We simply cannot afford to lose workers because they are unable to find adequate childcare for their young children. Under LB867, the municipality must develop a local economic program plan which forms the basis for the municipality's economic development program. The governing body would need to hold hearings on the plan and submit the question to voters at an election. Funds raised under the act could be spent in two ways: one, in loans and grants to qualifying childcare businesses; and two, payment of costs and expenses of the program. A municipality which has already enacted an economic development program under LB840 would actually not be eligible to enact an economic development program under this bill, the Local Option Municipal Childcare Financing Act. They already have an LB8-- LB840 program. Childcare businesses are already eligible for those programs. So LB867

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is basically a slimmed-down version of LB840 just for the specific targeted purpose. Let me end with this. The Legislature, and this committee in particular, has passed legislation because we realize that communities don't have jobs and don't have places for people who work in those jobs to live, their communities won't succeed. We passed legislation to encourage economic development in towns across Nebraska and to incentivize workforce housing. It only makes sense to include assistance for businesses that take care of young children of the workforce to allow for cities to raise funds and to administer those programs. With that, I will close there and be happy to take any questions from the committee.

**WAYNE:** Any questions from the committee? Senator Arch [LAUGHTER].

**ARCH:** I think I had my question cleared up in the last hearing. Thank you [LAUGHTER].

**WAYNE:** It's the last Urban Affairs hearing. You got to have a little fun [LAUGHTER]. Seeing none, thank you.

**M. HANSEN:** Thank you.

**WAYNE:** Will you stay for closing?

**M. HANSEN:** Of course.

**WAYNE:** First proponent. Welcome to your Urban Affairs Committee.

**JOEY ADLER:** Thank you, Chairman Wayne and members of the Urban Affairs Committee. My name is Joey Adler, J-o-e-y A-d-l-e-r, and I'm here on behalf of the Holland Children's Movement, a nonpartisan, not-for-profit organization that strives to fulfill its vision for Nebraska to become the national beacon in economic security and opportunity for all children and families, in support of LB867. I'd first like to thank Senator Hansen for bringing LB867, which would adopt the Local Option Municipal Childcare Financing Act. The act would allow municipalities to ask voters to levy property taxes or other taxes for economic development programs that would provide financing assistance for childcare businesses. Research conducted by the Holland Children's Institute showed that Nebraskans overwhelmingly support early childhood education and affordable childcare. Nearly four in five voters support state government adopting policies to make childcare more affordable and expand access to early childhood education. When asked if they would support state government



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investment in early childhood education and childcare, or if they believe that childcare and early childhood education is a personal responsibility, Nebraskans opt for government to invest by nearly a 20-point margin. According to the Buffett Early Childhood Institute, 84 percent of Nebraska counties do not have enough childcare slots, as Senator Hansen mentioned, and three quarters of childcare centers report that they experienced turnover of lead teachers or assistant teachers during the prior year. The Economic Policy Institute, which I handed out, shows some information about Nebraska's childcare situation. You can look into my testimony and look at that handout to see more specifics about that. I don't need to go over them with you guys. You have a copy of it, so I'd be happy to take any questions. We support this bill. Appreciate it.

**WAYNE:** Thank you. Any questions from the committee?

**JOEY ADLER:** Thank you.

**WAYNE:** Seeing none, thank you for coming today. Next proponent.

**ELIZABETH EVERETT:** Good afternoon, Chairman Wayne and members of the Urban Affairs Committee. Thank you for allowing me to testify today. My name is Elizabeth Everett, E-l-i-z-a-b-e-t-h E-v-e-r-e-t-t, and I am the senior policy associate with First Five Nebraska, a statewide early childhood policy organization. I am here today to testify in support of LB867 on behalf of First Five Nebraska. We would like to thank Senator Matt Hansen for introducing LB867. As you know, communities require a strong and diverse infrastructure to thrive economically. This includes elements such as housing, roads, telecommunications, and job training. It also includes community assets that attract people and promote economic productivity. High-quality early learning and childcare programs are among the most important of these economic assets. As previously mentioned, LB867 would allow municipalities to appropriate funds, if approved by voters, from local option sales or property taxes levied by the municipality for economic development programs providing financing assistance to childcare businesses. This bill is very similar to LB160, which passed last year. It allows communities to use local option municipal economic development funds for early childhood infrastructure. Since its passage, many communities have looked at ways to access LB840 funds to address their quality childcare shortage. We do believe that it's necessary for those communities who don't have access to LB840 funds to have the same financial resource to do so. Again, we thank Senator Hansen for his dedication and

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leadership on introducing LB867. Access to quality childcare is of the utmost importance to our workforce. At this time I can take any questions, but pretty brief. Thank you again for allowing me to testify today.

**WAYNE:** Any questions from the committee? Senator Briese.

**BRIESE:** Thank you, Chairman Wayne. Thanks for your testimony here today. How is this different than LB840, and why do we need this when we have LB160 and LB840 combined?

**ELIZABETH EVERETT:** It's my understanding that it's very similar to LB840. But those communities, again, that don't have access to those funds, we believe that is necessary for them to-- again, to have another financial resource. And so LB867 would be very similar.

**BRIESE:** And how does this enable them to get access that they couldn't get under LB840?

**ELIZABETH EVERETT:** Well, it's again, my understanding that some communities have access to LB840 funds and those communities can right now use those for early childhood purposes. But some communities don't have an economic development or LB840 program in their community. So this is again, just allowing communities, if they want to, to develop an economic development program and use some local revenue sources to fund qualifying childcare businesses.

**BRIESE:** OK. Thank you.

**ELIZABETH EVERETT:** Uh-huh.

**WAYNE:** Any other questions from the committee? Seeing none, thank you for coming today.

**ELIZABETH EVERETT:** Thank you.

**WAYNE:** Any other proponents? Welcome to your Urban Affairs Committee.

**CHRISTY ABRAHAM:** Hello, Senator Wayne and members of the Urban Affairs Committee. My name is Christy Abraham, C-h-r-i-s-t-y A-b-r-a-h-a-m, here represent-- representing the League of Nebraska Municipalities. I just wanna say, first off, thanks to so many of you for coming to our League lunch today. It was very nice to see all of you. I hope our city officials were nice to you. Because we-- all of our mayors have been in town for the last two days, we've had a lot of conversations

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with them. And in one of my meetings with mayors, they said, there's really a trifecta that we need in our communities to grow. Number one is workforce housing. And I know you've heard us say that over and over. Number two is good Wi-Fi. Boy, they-- they want good Wi-Fi in their communities. And number three, they need quality childcare. And so these are really important issues, and we're very grateful for Senator Hansen to bring this issue up. And he's really thinking of new ways to provide quality childcare for our municipality. It is a great need. You've heard the previous testifiers mention that. We supported LB160 last year. As you've heard, this bill is very, very similar to LB840 programs. There are 72 communities across the state that have LB840 programs. So those communities would not be eligible for this-- for this program. That's right. I'm saying it the right way. But they-- they could adopt this. I guess one of the things we were hoping to work with Senator Hansen on is possibly expanding the LB840 programs to be even more inclusive for early childhood. I mean, I think that last year, we did put in for infrastructure, but maybe we could be even more expansive. Maybe a whole new act isn't necessary. Maybe we could just amend the LB840 programs. And if we are going to amend, the other thing we would ask is that this not be subject to initiative. We've had some bad experiences in the past where there have been initiatives to sort of undo an LB840 program. So we would like to work on that language with Senator Hansen also. But we are supportive of this concept and we thank this committee for their time today.

**WAYNE:** Thank you. Any questions from the committee? Senator Briese.

**BRIESE:** Thank you, Chairman Wayne. Thank you for your testimony. So LB160 last year, that dealt with infrastructure.

**CHRISTY ABRAHAM:** Yes, that--

**BRIESE:** Is that the key difference here between that and what we're talking about today?

**CHRISTY ABRAHAM:** Yes. And I certainly appreciate the other testifiers' comments that they-- they feel that that amendment to the LB840 program is similar to this. My first reading, I guess, was that this might be more expansive, that this might include more than infrastructure. It's going to be, we're going to support this childcare business that's moving, and not just with infrastructure, but startup costs or anything else that they might need to get the business going in that community. We see this as being more expansive.

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We certainly appreciate-- Senator Hansen knows this bill better than I do. But we certainly read this as being a bit more expansive than what's allowed in the LB840 programs.

**BRIESE:** OK. OK. Thank you.

**CHRISTY ABRAHAM:** You're welcome.

**WAYNE:** Any other questions from the committee? Senator Arch.

**ARCH:** Thank you. So help-- help me just play this out. In an-- in an area of shortage where childcare is not readily available or there's-- there's-- there's a lack of it, there may be a provider that's providing but it's not enough, or two providers or whatever, but there's a shortage. And so they would be able to fund a new provider coming into town. Is that-- do I-- do I understand that correctly, then?

**CHRISTY ABRAHAM:** And as I read this bill, and it's, I think, pretty expansive language, it could be a couple of things. It could be you have a provider in town, but they don't have enough space for everybody. So they want to build an addition on to their childcare and hire more people.

**ARCH:** Uh-huh.

**CHRISTY ABRAHAM:** They could use this to be able to do that. Or it could be, another provider comes into town and says, ooh, we can't really afford startup costs, or we can't afford this infrastructure. Can you help us with that? And under this, the city would be able to help them with that also. I think it's written very expansively. It could be used for lots of things.

**ARCH:** So it is within the realm of possibility that you could fund a competitor coming into town to compete with existing childcare providers?

**CHRISTY ABRAHAM:** I don't see anything in this bill that says you couldn't. I mean, I don't think there's any language in there that says, but if you already have a childcare provider--

**ARCH:** Uh-huh.

**CHRISTY ABRAHAM:** --you can't have a second one.

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**ARCH:** No, right.

**CHRISTY ABRAHAM:** I think it's anyone who's-- meets the criteria under this bill, would--

**ARCH:** OK.

**CHRISTY ABRAHAM:** --would be allowed to be-- at least to apply for those funds. I guess the city could make that determination--

**ARCH:** Uh-huh.

**CHRISTY ABRAHAM:** --about whether they want to give that fund to the competitor, but they would be eligible.

**ARCH:** All right. Thank you.

**CHRISTY ABRAHAM:** Thanks, Senator Arch.

**WAYNE:** Any other questions? Senator Lowe.

**LOWE:** Thank you, Chairman Wayne. So a city that is already receiving LB840 funds--

**CHRISTY ABRAHAM:** Uh-huh.

**LOWE:** --did you say that they could also apply for LB867 funds, too?

**CHRISTY ABRAHAM:** As I read this bill you can have one or the other. You can have LB840 or you can have this. So the 72 communities that have LB840 programs right now can't have this. I mean, I guess they could eliminate their LB840 program and-- and do this--

**LOWE:** [INAUDIBLE].

**CHRISTY ABRAHAM:** -- but I don't know that they necessarily want to do that. But yes, it has to be one or the other.

**LOWE:** OK. Thank you.

**CHRISTY ABRAHAM:** You're welcome.

**WAYNE:** Any other questions from the committee? Seeing none, thank you.

**CHRISTY ABRAHAM:** Thank you.

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**WAYNE:** Any other proponents? Any opponents? Anyone testifying in a neutral capacity? Senator Hansen.

**M. HANSEN:** Thank you, Chairman Wayne and members of the committee. I appreciate some of the testimony-- appreciate all the testimony, but I appreciate some of the testimony that really focused on kind of the intersection between affordable housing and childcare. We'll hear that from a lot of municipal leaders, a lot of economic leaders. That's what we really need our communities to grow. At the same time, I know I hear that from my constituents, in terms of-- especially young families, young parents. The two biggest burdens are often housing and childcare. We already have multiple proposals in front of this body and in front of this committee dealing with affordable housing. And I don't think we had as many dealing with affordable childcare, which is part of the reason I introduced LB867. So it-- so-- to go into the questions of why-- why is it similar to LB840. We're actually kind of constitutionally limited in what we can and can't do in terms of municipalities in the state wading into the private marketplace. So the constitutional provision that authorizes LB840 has the same one that would authorize LB867. So in some ways they were always going to be need-- just needed to be a little bit similar because that's the only thing we're allowed to do. We don't have the ability of other states just to forgive people's taxes and do all sorts of other things that, you know, Missouri and Kansas can do. We have these kind of really narrow-- narrow exemptions. And it is a little bit different than LB840 in the sense that we tried to make it streamlined for cities that, say, didn't necessarily want to have a full LB840 plan, didn't want to necessarily have a full kind of economic development plan and get into lots of different areas, get into lots of different things. If they were just, hey, we need one childcare center in our county and we're willing to kind of provide the startup capital, you know, they would have a little bit more narrow and nimble plan. Senator Arch, your question? I do think, absolutely. You could, in theory, create a rival or pay for a rival to an existing one. Pragmatically, the plan has to be publicly approved, have a public hearing, and then get approved by the voters. So I would only imagine that would happen in a scenario where there's broad consensus that the current provider, for whatever reason, needs that competition for lack of a better sense. I would expect you'd have some probably pretty clear opposition if everybody, or from-- from that initial provider that would probably stop or at minimum slow any of those procedures. With that, I think this is something we're going to have to continue to focus on, and we'll hear it time and time again, kind of housing,

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you know, childcare are some of the bigger barriers to our cities and to our workforce. So I'd be happy to keep working with the committee on this issue.

**WAYNE:** Thank you. Senator Crawford.

**CRAWFORD:** Thank you, Chairman Wayne. And thank you, Senator Hansen. So just to-- just wanted to clarify.

**M. HANSEN:** Uh-huh.

**CRAWFORD:** Why would a city want to go through LB867, as opposed to going through the LB840 with childcare? So what-- what are the advantages of-- like what is slimmed down? What's the advantage in this path for them, as opposed to--

**M. HANSEN:** Sure.

**CRAWFORD:** --LB840 with childcare?

**M. HANSEN:** Sure. One of the-- one of the-- I think, distinctions is, we-- we-- since it was just-- just to childcare-- you still would have to have the public hearing of the proposal.

**CRAWFORD:** Right.

**M. HANSEN:** But you wouldn't necessarily have-- there was, I believe, an LB840 group.

**TREVOR FITZGERALD:** Like a board.

**CRAWFORD:** A board?

**M. HANSEN:** An LB840 board that you had to establish to kind of oversee the whole program, whereas as opposed to this, I don't believe we re-created that board. So that would be kind of one less tier of bureaucracy that we-- that we would do, so you could just kind of say, if all we want is, you know, say, like a loan fund or something like that for childcare, you know, here's our plan. Here it is. You don't necessarily have to create a board and have an extra kind of political subdivision group and a few other things like that, to just kind of make this a little narrow while still having voter approval for the project and annual reports and audits.

**CRAWFORD:** The city council basically acts as the--

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**M. HANSEN:** Right.

**CRAWFORD:** --overseer.

**M. HANSEN:** Yep.

**CRAWFORD:** Thank you.

**WAYNE:** Any other questions? Seeing none, thank you. We have--

**M. HANSEN:** Thank you.

**WAYNE:** --one letter of support from Voices for Children, and I appreciate you, Senator Hansen, for expanding our jurisdiction into childcare. That will close the hearing on LB867.

**HUNT:** Next, we have LB1077, introduced by Senator Wayne.

**WAYNE:** Thank you, Vice Chairwoman Hunt and members of the Urban Affairs Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e and I represent District 13, which is north Omaha and northeast Douglas County. As this committee recalls the last session, LB492 was adopted by our body of the Regional Metro Transit Authority Act. Under the Act, an existing transit authority established under our previous-- previous transit authority statutes-- transit authority law could convert into a regional transit authority upon two-thirds vote of the existing transit authority. After driving in Lincoln quite a bit and Ralston, I introduced this bill to expand it across the entire state and the United States. OK, I've not [LAUGHTER]. This is less-- Gerard, are you ready to testify? OK. So Lincoln will be supporting this bill. No, this is actually the last bill we're going to end off to this committee. Because it was a new bill last year, we wanted to give a year to try to work through some things and see if they were anything we need to work on. And so this is just a placeholder. So do not advance this bill because we don't have anything to advance it with. [LAUGHTER] So with that, if you're here to testify, this bill is not going anywhere. But if Lincoln wants one, we can amend it right now. OK. Thank you.

**ARCH:** I have a question.

**HUNT:** Thank you, Senator Wayne.

**WAYNE:** Yeah.



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**HUNT:** Senator Arch.

**ARCH:** Could you please address the fiscal-- [LAUGHTER]. Thank you.  
Thank you for your response.

**HUNT:** Any other questions?

**WAYNE:** [INAUDIBLE]

**HUNT:** Seeing none, any proponents of LB1077? Seeing none, any  
opponents? Seeing none, anyone here to testify in a neutral capacity?  
Seeing none, would Senator Wayne like to close? He waives closing. We  
have one letter of support from the Sierra Club Nebraska Chapter  
[LAUGHTER]. And with that, I'll close the hearing on LB1077 and close  
our Urban Affairs Committee hearing. Thank you.

**WAYNE:** Thank you. Colleagues, I would like-- [RECORDER MALFUNCTION]