

**ONE HUNDRED SEVENTH LEGISLATURE - FIRST SESSION - 2021**  
**COMMITTEE STATEMENT**  
**LB131**

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**Hearing Date:** Tuesday February 23, 2021  
**Committee On:** Urban Affairs  
**Introducer:** Hunt  
**One Liner:** Change provisions relating to the enactment of ordinances

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

Advanced to General File with amendment(s)

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**Vote Results:**

**Aye:** 7 Senators Arch, Blood, Briese, Hansen, M., Hunt, Lowe, Wayne  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Oral Testimony:**

**Proponents:**

Senator Megan Hunt  
Lynn Rex

**Representing:**

Legislative District 8  
League of Nebraska Municipalities

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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

LB 131 would harmonize provisions which allow municipalities to suspend the requirement that ordinances be read on three different days prior to passage or adoption by the city council or village board of trustees.

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**Explanation of amendments:**

AM 751 incorporates the provisions of six other municipal-related bills into the bill: LB 99, LB 161, LB 162 (as amended by AM 153), LB 218 (as amended by AM 133 and AM 703), LB 549 (as amended by AM 741), and LB 556.

The committee voted to adopt AM 751 on a 7-0 vote

LB 99 would exempt areas which have been designated as an extremely blighted area from the maximum percentage of a city or village that may be designated as a blighted area under the Community Development Law.

Motion to include LB 99 as part of AM 751:

Vote Results: 5-1-0-1

Voting Aye: Senators Arch, Blood, Hansen, M., Hunt, Wayne

Voting Nay: Senator Lowe

Present Not Voting: Senator Briese

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Testifiers on LB 99:

Proponents:

Senator Lynne Walz, Legislative District 15

Dan Marvin, City of Lincoln

Opponents:

None

Neutral:

None

LB 161 would make several technical changes to the Building Construction Act, which governs state and local building codes, including:

- Eliminating redundant language regarding the state building code;
- Correcting a reference to the Department of Environment & Energy; and
- Clarifying that either the state building code or the local building or construction code adopted by a county, city, or village is the legally applicable building code regardless of whether the state, state agency, or applicable county, city, or village has provided for the administration or enforcement of such building code

Motion to include LB 161 as part of AM 751:

Vote results: 7-0-0-0

Voting Aye: Senators Arch, Blood, Briese, Hansen, M., Hunt, Lowe, Wayne

Voting Nay: None

Testifiers on LB 161:

Proponents:

Trevor Fitzgerald, Urban Affairs Committee

Opponents:

None

Neutral:

None

Submitted Written Testimony on LB 161:

Proponents:

Sara Kay, American Institute of Architects

Opponents:

None

Neutral:

None

LB 162 (as amended by AM 153) would establish uniform procedures for the detachment of territory from the corporate limits of municipalities. Generally, the procedure for the detachment of territory for all classes of municipalities would mirror the current process for cities of the first class. In cities of the metropolitan class and cities of the primary class, the detachment process must be initiated by the city.

Motion to include LB 162 (as amended by AM 153) as part of AM 751:

Vote results: 7-0-0-0

Voting Aye: Senators Arch, Blood, Briese, Hansen, M., Hunt, Lowe, Wayne

Voting Nay: None

Testifiers on LB 162:

Proponents:

Trevor Fitzgerald, Urban Affairs Committee

Opponents:

Jennifer Taylor, City of Omaha

Neutral:

None

Submitted Written Testimony on LB 162:

Proponents:

None

Opponents:

None

Neutral:

Jon Cannon, Nebraska Association of County Officials

LB 218 (as amended by AM 113 and AM 703) would update Nebraska's default plumbing code to the 2018 Uniform Plumbing Code (UPC) and harmonize the state building code to clarify that the 2018 UPC is the default plumbing code. The current default plumbing code is the 2009 UPC.

Motion to include LB 218 (as amended by AM 133 and AM 703) as part of AM 751:

Vote results: 6-0-0-1

Voting Aye: Senators Arch, Blood, Briese, Hansen, M., Hunt, Wayne

Voting Nay: None

Present Not Voting: Senator Lowe

Testifiers on LB 218:

Proponents:

Senator Justin Wayne, Legislative District 13

Opponents:

Richard Hauffe, International Code Council

Neutral:

None

Submitted Written Testimony on LB 218:

Proponents:

Justin Brady, Home Builders Association of Lincoln/Metro Omaha Builders Association

Opponents:

None

Neutral:

None

LB 549 (as amended by AM 741) would adopt the Municipal Natural Gas Emergency Assistance Act. Under the Act, municipalities which own or operate a natural gas plant or natural gas system could apply to the State Treasurer for emergency grant funding to cover up to ninety percent of extraordinary costs incurred by the municipality as a result of an extreme weather event.

LB 549 (as amended) provides for a one-time transfer of ten million dollars from the General Fund to provide emergency grants under the Act. The Act terminates on June 30, 2023 and contains the emergency clause.

Motion to include LB 549 (as amended by AM 741) as part of AM 751:

Vote results: 7-0-0-0

Voting Aye: Senators Arch, Blood, Briese, Hansen, M., Hunt, Lowe, Wayne

Voting Nay: None

Testifiers on LB 549:

Proponents:

Senator Justin Wayne, Legislative District 13

Christy Abraham, League of Nebraska Municipalities

Eric Gerrard, City of Lincoln

Jack Cheloha, City of Omaha

Opponents:

None

Neutral:

None

Submitted Written Testimony on LB 549:

Proponents:

Camdyn Kavan, Open Sky Policy Institute

Opponents:

None

Neutral:

None

LB 556 would clarify that municipalities may include any additional requirements deemed necessary in a redevelopment contract under the Community Development Law to ensure that a redevelopment plan or redevelopment project complies with the municipality's comprehensive redevelopment plan, affordable housing action plan, zoning regulations, or other reasonable planning requirements or goals established by the municipality.

Motion to include LB 556 as part of AM 751:

Vote results: 7-0-0-0

Voting Aye: Senators Arch, Blood, Briese, Hansen, M., Hunt, Lowe, Wayne

Voting Nay: None

Testifiers on LB 556:

Proponents:

Senator Matt Hansen, Legislative District 26

Jack Cheloha, City of Omaha

Christy Abraham, League of Nebraska Municipalities

Opponents:

None

Neutral:

None

Submitted Written Testimony on LB 556:

Proponents:

Matt Schaefer, Eastern Nebraska Development Council/Nebraska Association of Commercial Property Owners

Isabel Salas, South of Downtown Community Development Organization

Anna Graff, Renters Together

Opponents:

None

Neutral:

None

Provisions of the bills contained in AM 751 can be found in the following sections of the amendment:

LB 131 - Sections 10 through 12, 14, 25 through 26

LB 99 - Sections 19, 25 through 26

LB 161 - Sections 21 through 23, 25 through 26

LB 162 - Sections 13, 15, 24 through 27

LB 218 - Sections 16 through 17, 20 through 21, 23, 25 through 26

LB 549 - Sections 1 through 9, 24 through 26, 28

LB 556 - Sections 19, 25 through 26

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Justin Wayne, Chairperson