

**ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022**  
**COMMITTEE STATEMENT**  
**LB800**

---

**Hearing Date:** Tuesday January 18, 2022  
**Committee On:** Urban Affairs  
**Introducer:** Urban Affairs  
**One Liner:** Change provisions relating to cities of the metropolitan class

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

---

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

---

**Oral Testimony:**

**Proponents:**  
Trevor Fitzgerald  
Jack Cheloha  
Christy Abraham

**Representing:**  
Urban Affairs Committee  
City of Omaha  
League of Nebraska Municipalities

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

---

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

LB 800 is a clean-up bill for statutes governing cities of the metropolitan class. The bill would amend sections of statute in Chapter 14 to make a variety of clean-up changes, including:

- Changing and correcting terminology;
  - Changing subject-verb agreement;
  - Clarifying references to cities' corporate limits or extraterritorial zoning jurisdiction (ETJ);
  - Clarifying references to improvement districts;
  - Clarifying references to legal newspapers;
  - Correcting references to city officials;
  - Correcting gender references;
  - Correcting internal statutory references;
  - Eliminating run-on sentences;
  - Harmonizing references to other statutory sections within Chapter 14 and the city charter; and
  - Replacing or eliminating antiquated, obsolete, or unnecessary language
- 

**Explanation of amendments:**

AM 2035 makes several additional clean-up changes to the underlying bill and incorporates the provisions of six other

---

municipal-related bills into the bill: LB 555, LB 724, LB 727, LB 799, LB 842 (as amended by AM 2033), and LB 1189 (as amended by AM 1953).

The committee voted to adopt AM 2035 on a 7-0 vote.

Changes to LB 800:

AM 2035 makes several additional clean-up changes and restores references to daily legal newspapers which were inadvertently struck from the bill.

LB 555 would require that reports filed under the Municipal Density and Missing Middle Housing Act include the percentage of residential areas in the city which have been declared substandard and blighted or extremely blighted under the Community Development Law.

Motion to include LB 555 as part of AM 2035:

Vote Results: 7-0

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

Voting Nay: None

Testifiers on LB 555:

Proponents:

Senator Matt Hansen, Legislative District 26

Opponents:

None

Neutral:

None

LB 724 would amend the Local Option Municipal Economic Development Act, commonly referred to as LB 840, to authorize the use of funds under the Act for the development and implementation of an affordable housing action plan.

LB 724 would also authorize cities of the first class, cities of the second class, and villages to include grants, loans, and funds for the construction of housing as part of an affordable housing action plan under the Act.

Motion to include LB 724 as part of AM 2035:

Vote Results: 7-0

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

Voting Nay: None

Testifiers on LB 724:

Proponents:

Senator Matt Hansen, Legislative District 26

Christy Abraham, League of Nebraska Municipalities

Carol Bodeen, Nebraska Housing Developers Association/Nebraska Economic Developers Association

Opponents:

None

Neutral:

None

LB 727 would eliminate unnecessary and redundant language related to sanitary and improvement district (SID) elections.

Motion to included LB 727 as part of AM 2035:

Vote Results: 7-0

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

Voting Nay: None

Testifiers on LB 727:

Proponents:

Senator Matt Hansen, Legislative District 26

Jon Cannon, Nebraska Association of County Officials

Opponents:

None

Neutral:

None

LB 799 would update and clarify reporting requirements under the Municipal Density and Missing Middle Housing Act.

Motion to include LB 799 as part of AM 2035:

Vote Results: 7-0

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

Voting Nay: None

Testifiers on LB 799:

Proponents:

Trevor Fitzgerald, Urban Affairs Committee

Lynn Rex, League of Nebraska Municipalities

Jack Cheloha, City of Omaha

Opponents:

None

Neutral:

None

LB 842 (as amended by AM 2033) would authorize tribal governments to apply for and receive grants under the Civic and Community Center Financing Act (CCCFA).

Motion to included LB 842 (as amended by AM 2033) as part of AM 2035:

Vote Results: 7-0

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

Voting Nay: None

Testifiers on LB 842:

Proponents:

Senator Tom Brewer, Legislative District 43

Kent Rogert, Ponca Tribe of Nebraska

Lynn Rex, League of Nebraska Municipalities

Opponents:

None

Neutral:

None

LB 1189 (as amended by AM 1953) would provide that if a sanitary drainage district which lies solely within the zoning jurisdiction of a city is discontinued, all funds, property, property rights, legal obligations, taxes, or assessments owned by or owed to the district shall revert to the city or a riverfront development authority created by the city.

Under the bill, a riverfront development authority shall only take title to and ownership of property or property rights of the discontinued sanitary drainage district contained within the boundaries of the riverfront development district managed by the authority.

AM 2035 adds the emergency clause, but only for the provisions of LB 1189 (as amended by AM 1953).

Motion to include LB 1189 (as amended by AM 1953) as part of AM 2035:

Vote Results: 7-0

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

Voting Nay: None

Testifiers on LB 1189:

Proponents:

Senator Mike Flood, Legislative District 19

Mayor Josh Moenning, City of Norfolk

Opponents:

None

Neutral:

None

Provisions of the bills contained in AM 2035 can be found in the following sections of the amendment:

LB 800 - Sections 7 through 325, 328 through 329, 339 through 341, 343

LB 555 - Sections 331, 340 through 341

LB 724 - Sections 327, 340 through 341

LB 727 - Sections 337, 340 through 341

LB 799 - Sections 330 through 331, 340 through 341

LB 842 (as amended by AM 2033) - Sections 1 through 6, 340 through 341

LB 1189 (as amended by AM 1953) - Sections 326, 332 through 336, 338, 340, 342, 344

---

Justin Wayne, Chairperson