

The Nebraska Planner

A joint publication of APA Nebraska and NPZA

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ANNOUNCEMENTS

LAST CALL FOR AWARD NOMINATIONS!

Deadlines for annual award nominations for NPZA and APA NE are fast approaching.

- NPZA award nominations are due February 1st at noon. For more information on how to submit, [click here](#).
- APA NE award nominations are due February 2nd at noon. For more information on how to submit, [click here](#).

REGISTRATION FOR THE NEBRASKA PLANNING CONFERENCE

The agenda has been set, and registration is open for the annual Nebraska Planning Conference in Kearney, NE. We will be returning to the Younes Conference Center North for this year's conference from Wednesday, March 8th through Friday, March 10th. For more information and to register, visit the conference [website here](#), or keep a close eye on your inbox.

CONGRATULATIONS ON PASSING THE AICP EXAM!

We had 4 Nebraska planners successfully pass the AICP exam during the November 2022 exam cycle. Please congratulate:

- Marcus Chaffee
- Marianna Foral
- Alexander Johnson
- Jason Kubicek

APA SPECIAL ELECTION

A special election is underway to elect the APA Nebraska Chapter's next Treasurer and Secretary. This election will also include voting on several changes to the Chapter's bylaws. You will receive a link to the voting ballot through your e-mail. Please be sure to vote!

UPCOMING NETWORKING EVENT

Thurs, February 9th; 4:30-6:30pm

PINTS WITH PLANNERS



Kros Strain Draftworks - Downtown
1209 Millwork Ave, Omaha



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PRESIDENTS' UPDATES

When I was asked to prepare the "From the President" update for the January newsletter it was mentioned to me that this would be the last time that I would be preparing this blurb for the newsletter, and that I'd probably have plenty to say about the past 8+ years. It's true, I could go on a rambling rant for multiple pages. But it would mostly be about the fun that I have had, and the friendships that I have gained over that timespan. NPZA is truly a great organization and I encourage everyone to get involved in this family of remarkable people.

The association has also changed quite a bit over that time, and the annual conference has too. Although we've been forced to weather "bomb cyclones", flooding, and the COVID-19 fallout, we are poised to continue to provide excellent planning and zoning training options to our members. I'm also confident that the next President of NPZA will do a tremendous job in my place.

One thing that isn't changing is the fact that NPZA Board members are hard at work on the upcoming conference. Back by popular demand, the Nebraska Planning Conference will be moving back to the Spring in 2023! Representatives for NPZA and Nebraska APA are hammering out the details for what's shaping up to be an excellent conference to be held March 8-10th in Kearney. We will have special tracts including ones on housing, alternative energy, economic development, and rural issues. More information regarding the event can be found on our website (<http://www.npza.org>), including online registration, which will open in late January. Also, check out NPZA's Facebook and Twitter accounts for updates and pictures from last year's conference.

The NPZA Board and I are excited about the upcoming conference and we look forward to seeing you there!



Christopher Solberg, AICP - NPZA President



Happy New Year! It is hard to believe that we are quickly approaching our Annual Planning Conference again. Kudos to the joint NPZA/NE APA committee and volunteers that are planning another conference six months after our successful fall conference. Please let an NE APA board member know if you are interested in assisting with the conference planning or at the conference March 8-10, 2023.

In addition to volunteers, this is election year for the NE APA board. While we are currently electing new Secretary and Treasurer positions to fulfill the remainder of the year, all four board positions will be on the ballot this summer for the 2024-2025 term. Please consider running or encourage your fellow planners to serve. If you have any questions, please reach out to me or any other board member.

Do not forget to vote and I'm looking forward to seeing all of you in March.



Jeff Ray, AICP - APA-NE President



BOOKED ON PLANNING - A YEAR IN REVIEW

BY: STEPHANIE ROUSE, AICP



In late 2021 APA Nebraska leadership applied for and received a Chapter Presidents Council grant to fund a new podcast intended to support AICP exam preparation and chapter member development. With a small team of four that included members Paul Barnes and Jennifer Hiatt, show host Stephanie Rouse, and APA Ohio member Jonathan Miller, Booked on Planning was launched.

While the show had one stable co-host, reading twenty-four books, several of which are lengthy textbooks, was a big ask for one person. Therefore, a rotating co-host of APA members across many chapters was brought on to help with the interviews.

Year One

Booked on Planning in its first year was a biweekly podcast devoted to reviewing and summarizing the main points of planning related literature, primarily focused on the books currently listed as recommended reading for AICP exam preparation. The podcast episodes featured interviews with the authors, or subject matter experts when authors were not available, and went beyond just covering book material but gained additional author insight. The podcast, while a project of the Nebraska Chapter, had a much broader application and audience. The show was hosted on all the major podcast platforms so not just the APA membership had access to it, but the public at large. In our first year we recorded 25 episodes and exceed 8,000 downloads with the top episodes getting over 400 downloads each.

We had 172 followers on Apple Podcasts, 45 of those gained in just the last two months. The show had strong growth and gained listeners as more episodes were released. While our listeners were primarily located in the United States (91%) we have seen coverage in 55 other countries. Our United States audience is spread throughout with only 8% of listeners coming from Nebraska.

A total of 955 cities are represented in our audience showing the broad reach our show has, and the potential for educating a wide audience. Some metrics include:

- **Top Episode:** Design with Nature by Ian McHarg, guest Frederick Steiner of the Ian L. McHarg Center for Urbanism and Ecology (529)
- **Top App:** Apple Podcasts (40%)
- **Top Country for Downloads Outside U.S.:** Canada (199)
- **Top City Outside Nebraska for Downloads:** New York (142)
- **Percent Listeners from Nebraska:** 8%



Figure 1: Booked on Planning Audience Location

Show Benefits

The show has contributed to the continuing education of not only our chapter and the American Planning Association membership, but to the design field in general. When we set out to launch a podcast, we were intending this to be a show to help AICP exam takers prepare by listening to episodes covering the recommended reading list. Whether or not you intend to take the exam however, the episodes cover a variety of material and fields and have some great takeaways for planners, designers, and individuals interested in cities in general.



Figure 2: All Time Downloads of last 20 episodes

In our first year we covered aspects of transportation, electricity generation, housing, right of way design, zoning, the history of planning, and more. There's bound to be an episode or two of interest to most individuals on our stream.

What's Next?

Planning is already underway for year two. Instead of biweekly episodes with rotating co-hosts, year two will have monthly releases with two stable co-hosts, Stephanie Rouse and Jennifer Hiatt.

Next year's episodes will also cover recent literature in the planning field, with the potential to add in additional short episodes covering articles or other more condensed literature of interest to our audience.

This includes important books covering equity, diversity, and inclusion topics such as the Color of Law (released as episode 1), Arbitrary Lines, and Segregation by Design.

If you don't listen already, we encourage you to check out the show at www.bookedonplanning.com or search for "Booked on Planning" wherever you listen to podcasts. We're on all the major platforms including Apple Podcasts, Google, Stitcher, Spotify, IHeart Radio, and more. While you are there, please give us a rating and review, it helps boost our rankings and reach a larger audience. You can also follow us on social media and subscribe to our eblast to get notified when new episodes are out.

VAN DEN WYMELLENBERG SELECTED TO LEAD UNL COLLEGE OF ARCHITECTURE

BY: JULIE KUNDHI, REPRINTED FROM [NEBRASKA TODAY, OCTOBER 24, 2022](#)

Kevin Van Den Wymelenberg has been named the new dean of the University of Nebraska–Lincoln’s [College of Architecture](#).

Van Den Wymelenberg officially assumed the position Jan. 5, after approval by the University of Nebraska Board of Regents. Katherine Ankerson, executive vice chancellor, made the announcement on Oct. 24.

“I am excited to welcome Kevin to Nebraska,” Ankerson said. “He brings the experience and expertise to lead the college into the future while building on its rich culture and traditions. His entrepreneurial spirit, commitment to innovation, diversity, equity and inclusion efforts, and interdisciplinary scholarship will complement and amplify the exceptional work of the college’s faculty, staff, and students.

“Not only is Kevin an accomplished educator and leader, he brings an understanding of how the hands-on learning that happens in the studio can inform relevant research that in turn further informs transformative teaching within the classroom.”

Van Den Wymelenberg comes to Nebraska from the University of Oregon, where he is the Julie Neupert Stott Chair in Design, associate dean for research at the College of Design, director for the School of Architecture and Environment, and professor of architecture.

During the past 20 years, Van Den Wymelenberg has developed diverse and progressive administrative and management responsibilities including 18 years running research labs, centers and institutes including a large team of tenure- and non-tenure related faculty, officers of administration, postdocs and students from multiple academic departments.



Portrait of Kevin Van Den Wymelenberg

He served as interim department head for the Department of Architecture and Interior Architecture during the reorganization of the College of Design and School of Architecture and Environment, of which he is currently director.

He founded and directs the Institute for Health in the Built Environment, directs the Biology and the Built Environment Center and directs the Energy Studies in Buildings Laboratory in the cities of Portland and Eugene. Prior to Oregon, he was a professor at University of Idaho in Boise where he founded the Integrated Design Lab.

Van Den Wymelenberg’s research and creative practice seeks to facilitate integration among a broad network of researchers and practitioners on issues concerning health, comfort, and sustainability in the human ecosystem to support human, community and planetary health.

Since 2004, he has secured more than \$40 million in research funding related to indoor environmental quality from organizations such as the United States Economic Development Administration, National Science Foundation, United States Environmental Protection Agency, United States Department of Energy, United States Department of Agriculture, the Alfred P. Sloan Foundation, Business Oregon, the Northwest Energy Efficiency Alliance, Nike, Microsoft, Siemens, Thermo Fisher Scientific and several other private companies. He has published three books and over 100 peer-reviewed articles and he has made nearly 300 invited lectures.

“I am honored to lead the College of Architecture at Nebraska,” Van Den Wymelenberg said. “I am incredibly impressed with the culture and community of this diverse and talented group of scholars, thinkers, planners, and makers. I am excited to work closely as a team in service to the college’s mission of ‘creating a resilient, healthy and beautiful world, within a diverse and inclusive culture of rigorous inquiry and innovation, united by the transformative power of planning and design.’”

Guided by the university’s [N2025 strategic plan](#), and with sharp focus on innovation and impact, Van Den Wymelenberg will work with the executive vice chancellor in collaboration to support the mission and vision of College of Architecture’s architecture, interior design, landscape architecture, and community and regional planning programs.

Van Den Wymelenberg holds a Bachelor of Science in architectural studies with a minor in art history and a certificate in urban planning from the University of Wisconsin-Milwaukee. He received his Master of Architecture and doctorate in built environments from the University of Washington.

EQUITY IN RURAL AREAS: IS THERE A DISCREPANCY IN PUBLIC HEALTH?

BY: MASON HERMAN, MARVIN PLANNING CONSULTANTS

What are the key issues today for public health in rural areas? Is there an equity issue in rural areas vs. urban areas regarding Public Health?

STaR's very own Keith Marvin, AICP, and Chad Nabity, AICP, hosted a session on this topic at the Nebraska Planning Conference, a joint effort of the Nebraska chapter of the APA and the Nebraska Planning and Zoning Association (NPZA) held in September in Kearney, Nebraska.

The session was a facilitated (group-centric) discussion, revolving around the four questions below.

1. *Based on your understanding of equity and your knowledge of your community, what issues are there with public health in your community? Especially regarding access, quality, and availability?*

Access to care was at the top of the list for both groups. Access issues listed were for specialized services, transportation, or for healthy food. Communication barriers makes access difficult as well. Barriers listed include language and fiber availability. Lastly, workforce availability was a top issue. The COVID pandemic exacerbated this issue, creating burnout for young professionals.

2. *What can be done to create greater equity for rural areas regarding health care and public health?*

Funding was listed as the greatest impediment. Grants, lower payment for services received, or wage increases for the workforce are all needed. Second, improved accessibility must happen. Drive through clinics could help, as could education for the public on available services.

Lastly, people must work together to move forward.

Departments acting as separate silos does not work anymore – we must collaborate and share resources.

3. *Are there policy issues needing to be addressed? What are they and why do they need to be addressed?*

Policy issues listed revolved around access, housing, and funding. The utmost policy issues that must be addressed are as follows:

- Medicare/Medicaid (education, costs)
- Insurance (malpractice, price, coverage)
- Affordable housing
- Food access
- Water usage and contamination

4. *What, if anything, needs to be done to make public health more equitable between rural and urban areas?*

Attendees felt that a lot needs to be done. It begins and ends with people; workers need to be paid more to do the work necessary. Access to that work needs to be increased for people, as does the education of what services are available. Communication will be paramount for these items. Lastly, as with above responses, a regional approach will be necessary. Working in silos does not work anymore.

A PRIMER ON MISSING MIDDLE HOUSING

BY: ROBERT STEUTSEVILLE, REPRINTED FROM [CONGRESS ON NEW URBANISM, JANUARY 6, 2023](#)

AARP, an interest group representing older Americans that claims 38 million members, has increasingly become involved in housing issues (including [ongoing work with CNU on code reform](#)). In between sending me direct mail for many years, AARP has found time to release a useful primer on “Missing Middle Housing,” with architect and urban designer Dan Parolek of Opticos Design.

The report, called *Discovering and Developing Missing Middle Housing*, is available as [a free download](#). The report explains missing middle housing, why it is missing, its benefits, and tips on its planning, design, and development in communities.

“Across the United States, there is a mismatch between the available housing stock and what the market wants and needs,” the report states. “As a nation, we need a shift in how homes are designed and developed. So-called Missing Middle Housing is a critical part of the solution.”

A few years ago, [I interviewed](#) Parolek, his wife and business partner Karen Parolek, and developer Paddy Steinschneider about Missing Middle for the 25 Great Ideas of the New Urbanism series.



Examples of Missing Middle Housing Types

Here’s how I led into the topic: “Berkeley-based architect Dan Parolek coined the term missing middle, accompanied with a diagram, to communicate the housing choices—increasingly in demand today—that are ignored or discouraged by conventional planning and development. These types range from small-lot single family and townhouses, to stacked townhouses and flats, duplexes, triplexes, quadriplexes, courtyard housing of various kinds, and small apartment buildings.

Missing middle offers low-rise density, diversity, and forms the backbone of the quintessential American neighborhood.”

The concept has been refined since my interview, and that is reflected in the AARP report. Those refinements include some very good images, such as the ones at the top of the article, which help to further explain the concept.

LIMITING LANDFILL GREENHOUSE GAS EMISSIONS

REPRINTED FROM [RESEARCH AT NEBRASKA](#)

Landfills are never going to be anyone's favorite landscape feature. But there may be a way to move them down the "not in my backyard" list.

Nebraska researchers are studying how to remediate gas emissions from landfills with an innovative ground-covering system.

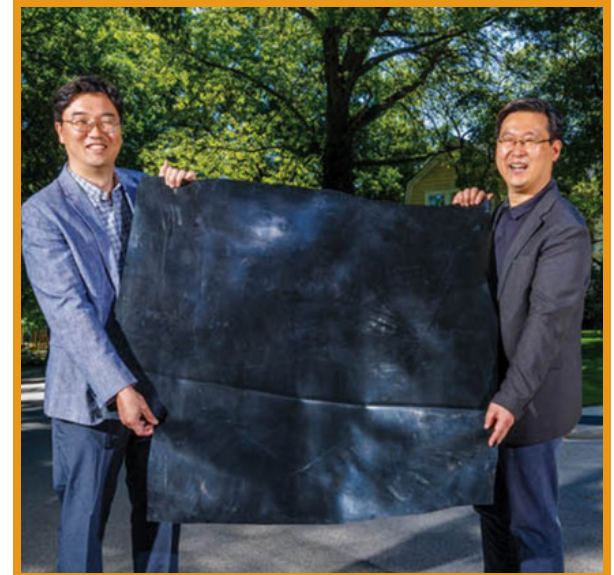
Jongwan Eun, associate professor of civil and environmental engineering, and Yunwoo Nam, associate professor of community and regional planning, began their work four years ago with a grant from the Nebraska Environmental Trust. They're using a cover made from an extruded geomembrane with an ethylene vinyl-alcohol layer sandwiched between two inner, low-density polyethylene layers. The team is comparing this system in field tests to traditional covering systems made of low-density polyethylene and no covering.

This is the first time this approach has been tested.

Preliminary research results are promising: The new system, tested at a 3-acre landfill in Butler County, Nebraska, reduced gas emissions by 30 to 40% over conventional covers. Landfill gas emissions are the third largest source of greenhouse gases in the United States. They include hazardous, noxious gases that often worry landfill neighbors.



Pictured: Workers deploy the geomembrane cover on the landfill in Butler County



Pictured: Jongwan Eun and Yunwoo Nam hold the extruded geomembrane

Researchers also are gathering and analyzing data about the new system's potential impact on any given community using gas dispersion modeling. Knowing how far the gas travels with this new covering system is important for landfill planning.

The team also analyzed the new technology's cost effectiveness. "Although initially more expensive to install than the traditional approach, based on our simulation for the sixth and seventh year, there is a turning point where you will see a return on investment," Nam said.

With less gas emissions, higher gas collection and greater return on investment, the method may soon be adopted by communities looking to upgrade their systems. "I wanted to provide information that others can use for a good alternative to control and manage the greenhouse gases from landfills, which will be a huge benefit for the environment," Eun said.

LEGISLATIVE UPDATE

BY: HANNES ZETZSCHE, JUSTIN SHELDON, & THOMAS NORVELL, EDITED BY DAVID C. LEVY.

REPRINTED FROM [BAIRD HOLM'S THE DIRT ALERT, JANUARY 25, 2023](#)

The First Regular Session of the 108th Nebraska Legislature convened on January 4, 2023. As of January 25, 2023, 75 legislative days remain in the session. The Legislature will adjourn sine die on June 9, 2023.

Bill introduction concluded on January 18, 2023. We identified 91 introduced bills that warrant particular attention. Below are summaries of those bills:

LB 21 (Wayne) proposes to increase the number of city council members in cities of the metropolitan class from seven to nine. This increase would take effect beginning with the 2025 general election. At least six weeks prior the filing deadline for a city council or mayoral candidate in the 2025 general election, the city council of a city of the metropolitan class would have to divide the city into nine city council districts of a “compact and contiguous territory.” On January 9, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 33 (Jacobson) would allow the mayor of a city of the first or second class to vote on any matter requiring either a majority vote of the city council if (a) the city council has divided equally or (b) the city council cannot reach a majority due to the absence, vacancy or abstention of one or more members. On January 9, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 44 (Dungan) proposes to adopt the Midwest Interstate Passenger Rail Compact. This Act would create a commission to identify and develop opportunities for passenger-rail improvements in Nebraska. The Act directs the commission to do so in concert with certain states, including Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota and Wisconsin.

Before Nebraska may join a compact with any of these states, the Legislature must approve such partnership via another bill. On January 5, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 45 (Dorn) would establish the Revitalize Rural Nebraska Grant Program and create the Revitalize Rural Nebraska Fund. This program would allow a city of the first or second class or a village to apply to the Department of Environment and Energy for a demolition grant for dilapidated commercial property. This bill would give priority to cities of the second class and villages. Upon receiving a grant, the city or village would have 24 months to demolish the dilapidated commercial property. On January 9, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 49 (Dungan) proposes to prohibit the imposition or enforcement of any covenant or other land restriction prohibiting the installation or use of solar energy infrastructure. This bill also would find solar and wind energy sources are a necessary alternative to fossil fuels. On January 5, 2023, the Legislature referred this bill to the Judiciary Committee.

LB 90 (Day) would eliminate tax incentive performance audits for the Nebraska Advantage Act and the Nebraska Job Creation and Mainstreet Revitalization Act. This bill would also update the code designations under the North American Industry Classification System, including those definition for “high-tech firm” and “renewable energy firm.” On January 9, 2023, the Legislature referred this bill to the Executive Board.

LB 98 (Jacobson) proposes to amend the Community Development Law to delay approval of certain redevelopment plans and potentially limit cities' indebtedness capacities. The bill would require the city's governing body, after first proposing a blighted and substandard designation for an area, to adopt a resolution declaring that substandard and blighted conditions exist in the area under study. Only then could the governing body declare the area to be a substandard and blighted area without further public hearing. Additionally, authorities could only incur indebtedness related to the redevelopment in the lesser of the agreed-upon costs of the redevelopment project or the amount of estimated project taxes generated over a 15-year period. The bill also specifies certain conditions under which a governing body could deny a redevelopment plan, including (i) failure to comply with the Law's requirements, (ii) approval would exceed the governing body's designated annual limit and (iii) inconsistency with the city's comprehensive redevelopment plan. On January 10, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 100 (Erdman) would amend the ImagiNE Nebraska Act by adding "Waste Water Treatment and Disposal" to the business activities eligible for incentives under the Act. On January 10, 2023, the Legislature referred this bill to the Revenue Committee.

LB 113 (McDonnell) proposes to appropriate an additional \$10,500,000 in each of the next two years to the Department of Economic Development. The funds would aid the Community and Rural Development Program in contracting with the Nebraska Investment Finance Authority for developments eligible under 4 percent and 9 percent federal low-income housing credits. On January 10, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 118 (Brandt) would decrease the minimum investment amount for livestock modernization or expansion to receive a refundable credit under the Nebraska Advantage Rural Development Act. Under this bill, the minimum investment amount would decrease from \$50,000 to \$10,000 for all applications filed on or after January 1, 2024. On January 10, 2023, the Legislature referred this bill to the Revenue Committee.

LB 119 (Bostelman) proposes to define "eligible telecommunications carrier" under the Nebraska Broadband Bridge Act consistently with federal law. Under 42 U.S.C. section 214(e), a state commission may designate a common carrier as an eligible telecommunications carrier if it offers certain services and advertises the same using media of general distribution. On January 10, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 120 (Bostelman) would eliminate Nebraska Revised Statutes sections 70-1029, 70-1030, 70-1031 and 70-1033. Those provisions authorized a 2014 Power Review Board study to identify opportunities for electric transmission improvements. On January 10, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 133 (Cavanaugh, J.) proposes to make any entity, whether public or private, that exercises the power of eminent domain a "public body" subject to the Open Meetings Act. On January 10, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 134 (Cavanaugh, J.) would require any state or municipal authority, before installing small wireless facilities, to notify adjacent property owners or residents and ensure such installation complies with the Americans with Disabilities Act and is consistent with traffic and right-of-way restrictions. On January 10, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 155 (DeBoer) proposes to amend the Small Wireless Facilities Deployment Act that limits the State of Nebraska or any agency, county, city, village or other political subdivision's ability to (a) impose or collect a tax, fee or rate on a communications service provider authorized to operate in a right-of-way by federal, state or local law, (b) adopt or enforce any regulations or requirements on the placement or operation of communications facilities in the right-of-way by the communications service provider or (c) regulate any communications services. This addition clarifies that the existing limitation does not apply to the activities of a communications service provider that are outside the scope of the Small Wireless Facilities Deployment Act. On January 11, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 164 (McKinney) would update the state building code with reference to certain sections of the 2021 International Building and Residential Codes. This bill would similarly update minimum standards for municipal building codes. On January 11, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 166 (Bostelman) proposes amendments to the Transportation Innovation Act to require contracting agencies to disclose in their requests for proposal how they intend to evaluate proposals. Specifically, contracting agencies would need to disclose desired criteria such as experience, available resources and historic reasonableness of costs. Such historic reasonableness of costs must carry at least 50 percent of contracting agencies' evaluative weight. On January 11, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 170 (McKinney) would redefine "blighted area" under the Nebraska Investment Finance Authority Act in accordance with the Community Development Law. On January 11, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 171 (McKinney) proposes to eliminate sections in the Metropolitan Utilities District Act providing for an "outside member" on the board of directors of a metropolitan utilities district. This bill provides that the seven members of the board of directors of a metropolitan utilities district will be chosen by the registered voters within each respective election subdivision of the district and that terms of the members will be staggered. On January 11, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 175 (Dungan) would adopt the Residential Tenant Clean Slate Act. Under the Act, a tenant could petition a trial court for an order granting "clean slate relief." Such relief would require the court to seal the tenant's eviction records and prevent their dissemination. On January 11, 2023, the Legislature referred this bill to the Judiciary Committee.

LB 186 (Cavanaugh, J.) proposes to adopt the Unlawful Restrictive Covenant Modification Act. Under the Act, any person whose property is under a restrictive covenant that violates Nebraska Revised Statutes section 20-318 may petition the Register of Deeds to modify the covenant. Section 20-318 enumerates discriminatory and other prohibited practices in leasing or conveying real estate. The Register of Deeds must consult with the County Attorney and, if the modification is appropriate, replace the offending covenant with the modification. On January 11, 2023, the Legislature referred this bill to the Judiciary Committee.

LB 187 (Cavanaugh, J.) would require that before any unrepresented tenant in Lincoln or Omaha faces a residential or mobile-home eviction proceeding, the court must appoint counsel for the tenant. The county must pay for the cost of such counsel. The landlord's summons must also notify the tenant that he or she will have access to appointed counsel. On January 11, 2023, the Legislature referred this bill to the Judiciary Committee.

LB 208 (Bostar) proposes to prohibit counties from prohibiting the use of residential property for short-term rentals. This bill defines short-term rentals as residential properties that tenants rent for no longer than 30 consecutive days at a time. Under this bill, a county may only regulate such properties for a legitimate health and safety reason or to prevent illegal activity. The Legislature has not yet referred this bill to a committee.

LB 209 (Bostar) would provide certain tax exemptions to data centers. This bill exempts from personal property tax any computers and related equipment that a person operating a data center in the state acquires and uses in the operation or maintenance of the data center. In addition, this bill exempts from sales and use tax any tangible personal property, electricity or other fuel or computers and related equipment that the data center purchases for use. The Legislature has not yet referred this bill to a committee.

LB 211 (Blood) proposes to adopt the Property Tax Circuit Breaker Act. The Act would provide a refundable income tax credit for qualifying agriculture taxpayers and qualifying residential taxpayers with limited income available to pay property taxes. To carry out this exemption, the Department of Revenue would receive \$74,000,000 in each of 2024 and 2025. The Legislature has not yet referred this bill to a committee.

LB 213 (Slama) would extend the application deadline under the Nebraska Job Creation and Mainstreet Revitalization Act to December 31, 2026, and to extend allocation of such credits therein to December 31, 2031. This bill additionally would limit eligible expenditures to costs incurred for improvement of historically significant real property located in a city of the second class or village. The original program was available to projects throughout Nebraska. Also, under the Rural Workforce Housing Investment Act, this bill would reduce the required percentage of matching funds for applicants in a city of the second class or village. The Legislature has not yet referred this bill to a committee.

LB 223 (McKinney) proposes to amend the Municipal Density and Missing Middle Housing Act to incentivize cities to adopt an affordable housing action plan, implement such plan and transmit evidence of the same to the Urban Affairs Committee. The Legislature has not yet referred this bill to a committee.

LB 224 (McKinney) would adopt the Aid to Municipalities Act. The Act would provide state aid to municipalities in the form of grants which may be used to pay for infrastructure projects within the municipalities. The Act would appropriate \$15,000,000 to the Department of Economic Development annually to allocate to municipalities for qualifying infrastructure projects. The Legislature has not yet referred this bill to a committee.

LB 235 (Wayne) proposes an amendment under the ImagiNE Nebraska Act to redefine “economic development area” as any area that (1) exceeds 150 percent of the average statewide unemployment rate and (2) falls below the poverty rate in at least 20 percent of its area. This would entitle residents and developers in such areas to certain tax advantages, including taxpayer-sponsored childcare. The Legislature has not yet referred this bill to a committee.

LB 246 (McKinney) would subject any sanitary and improvement district within the extraterritorial zoning jurisdiction of a municipality to the municipality's comprehensive development plan, affordable house action plan, municipal zoning regulations and other reasonable planning requirements. In addition, the sanitary and improvement district would need to obtain prior approval from the municipality for any new plans or contracts under Nebraska Revised Statutes section 31-740. The Legislature has not yet referred this bill to a committee.

LB 248 (Vargas) proposes to prohibit residential landlords from discriminating against renters on the basis of any “lawful source of income.” Under this bill, lawful source of income includes income from social security, child support, foster care subsidies, alimony, veterans benefits, any form of housing assistance payments or any form of government subsidy or assistance. This bill would also create the Landlord Guarantee Program, which would provide grants to reimburse eligible landlords for unpaid rent or damages arising from residential tenancies. The Equal Opportunity Commission would have \$50,000 from which to award such grants. The Legislature has not yet referred this bill to a committee.

LB 249 (Briese) would amend the Rural Workforce Housing Investment Act to permit nonprofit development organizations to apply for more than one grant, subject to a \$5,000,000 limit on grant awards over a two-year period. In addition, the Rural Workforce Housing Investment Fund would receive \$20,000,000. The Legislature has not yet referred this bill to a committee.

LB 255 (Brewer) proposes to limit certain public power districts’ ability to develop renewable energy resources. This bill would prohibit Omaha Public Power District, Lincoln Electric System and Nebraska Public Power District from exercising their power of eminent domain to acquire any property for renewable energy generation. This bill would also limit the definition of “privately developed renewable energy generation facility” to remove any facilities that the foregoing entities own, and it would prohibit those entities from becoming a qualified owner in any new C-BED project or submitting any special generation application for renewable energy generation under Nebraska Revised Statutes section 70-1014.01. The Legislature has not yet referred this bill to a committee.

LB 267 (Brewer) would adopt the Critical Infrastructure Utility Worker Protection Act. The Act requires the Governor, upon declaring a civil defense emergency, disaster or emergency, to provide critical infrastructure utility workers with adequate protection and care, including priority access to personal protective equipment, medical screening, testing, preventive health services, medical treatment and any U.S. Food and Drug Administration-approved vaccines. The Act defines “critical infrastructure utility worker” in accordance with the U.S. Department of Homeland Security’s Guidance on the Essential Critical Infrastructure Workforce, Version 4.1. The Legislature has not yet referred this bill to a committee.

LB 270 (McKinney) proposes to require residential landlords to replace any lead service lines on the premises with modern service lines. Additionally, this bill would require any municipality that has adopted a rental registration ordinance to notify tenants of any code violations the municipality finds. Before condemning a rental property for violations of code, the municipality would need to meet with tenants and have a plan for providing their housing, food, transportation, moving expenses, and legal services. The Legislature has not yet referred this bill to a committee.

LB 278 (Walz) would require the Nebraska Investment Finance Authority, in collaboration with the Department of Health and Human Services, to apply for state and federal grants that will help to build safe, affordable and accessible housing for individuals with disabilities. The Legislature has not yet referred this bill to a committee.

LB 278 (Walz) proposes to require the Nebraska Investment Finance Authority and the Department of Economic Development to use their best efforts and collaborate with the Department of Health and Human Services to obtain state and federal grants to build affordable and accessible housing for individuals with disabilities under the Olmstead Plan. On January 12, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 287 (Brewer) would prohibit the creation of any joint public agency on or after October 1, 2023. On January 11, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 289 (Bostelman) proposes to amend the powers of an agency created under the Municipal Cooperative Financing Act to include the power (1) to own, operate or lease advanced metering infrastructure technology and to provide for advanced metering infrastructure services and (2) to provide services related to information technology, physical security, physical infrastructure management, regulator reporting and administration regarding publicly owned utility and municipal infrastructure systems. On January 13, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 292 (Cavanaugh, M.) would amend the Jobs and Economic Development Initiative Act, which last year appropriated funds for the Department of Natural Resources to develop a lake between Lincoln and Omaha. This bill would prohibit political subdivisions from annexing land necessary for the lake, and it would prohibit the state from using eminent domain to acquire land for the project. On January 13, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 299 (Linehan) proposes to amend the Interlocal Cooperation Act to limit the ability of a joint entity that includes a Nebraska school district or educational service unit to issue bonds without the approval of the majority of the qualified electors within the school district or educational service unit. The bill also proposes notice requirements and limitations on the election. On January 13, 2023, the Legislature referred this bill to the Education Committee.

LB 312 (Lowe) would add provisions for the withholding of money due to noncompliance with budget limits and annual audits.

This bill would codify that a governmental unit would continue to forfeit state aid until State Treasurer received notice of compliance from the Auditor of Public Accounts. The bill would further prohibit any governmental unit to for future distributions of state aid if the government unit failed to reach compliance within twelve months after notice of delinquency. On January 13, 2023, the Legislature referred this bill to Government, Military and Veterans Affairs Committee.

LB 322 (Linehan) proposes to prohibit any joint public agency created on or after October 1, 2023 from exercising any power or authority relating to tax. On January 13, 2023, the Legislature referred this bill to the Revenue Committee.

LB 325 (Dungan) would amend the State Tort Claims Act and Political Subdivisions Tort Claims Act to immunize the state and political subdivisions from claims alleging a failure to control or protect a person over whom the state or political subdivision has taken charge. On January 13, 2023, the Legislature referred this bill to the Judiciary Committee.

LB 359 (Hughes) proposes to amend the Nebraska Broadband Bridge Act to require the Public Service Commission to publish notices of grant application deadlines on its website. On January 17, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 360 (Cavanaugh, M.) would adopt the Office of Inspector General of Nebraska Procurement Act to deter and identify fraud, waste and abuse in the state's procurement system across all state agencies. On January 17, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 389 (Linehan) proposes to amend the Community Development Law to prohibit the a parcel of real property to have any ad valorem taxes divided as part of a redevelopment project if such parcel's taxes had previously been divided during the preceding fifty years. On January 17, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 394 (Erdman) would standardize damages calculations in eminent domain proceedings and give a premium to owners of agricultural land. Damages presently equal the fair and reasonable market value of the damages. *Douglas Cnty. Sch. Dist. No. 10 v. Tribedo, LLC*, 307 Neb. 716, 726 (2020). This bill would codify that rule for non-agricultural land and allow for reasonable severance damages and abstracting expenses. For agricultural land, however, this bill would set damages at two times the fair market value of the condemned property, in addition to reasonable severance damages, abstracting expenses and the replacement costs for any dwellings, garages, sheds, barns, wells, septic systems, fences and other permanent structures. On January 17, 2023, the Legislature referred this bill to the Judiciary Committee.

LB 399 (Brewer) proposes to subject private renewable energy developers to additional oversight by the Power Review Board. Nebraska Revised Statutes section 47-1014.02 permits certain privately developed renewable energy generation facilities to commence construction upon filing a notice to the Board. This bill, however, would first require an application for such facilities and a hearing and opportunity for public comment before the Board. After the hearing, the Board could approve or deny the application. On January 17, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 412 (Geist) would amend the Nebraska Broadband Bridge Act to permit the Public Service Commission to allocate federal funds from the American Rescue Plan Act of 2021 to any portion of a local exchange area containing a city of the second class or village.

On January 17, 2023, the Legislature referred this bill to the Transportation and Telecommunications Committee.

LB 424 (DeBoer) proposes to address the fragmentation of housing related issues among multiple state agencies by consolidating and creating the Department of Housing and Urban Development. The bill would also create the Housing Advisory Commission to Department of Housing and Urban Development. Effective July 1, 2024, all duties of the Housing Division of the Department of Economic Development and certain duties of the Department of Economic Development would transfer to the Department of Housing and Urban Development. On January 18, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 446 (Bostar) would adopt the Peer-to-Peer Vehicle Sharing Program Act. Effective in 2024, his Act would regulate business platforms that connect private vehicles with individuals wanting to rent them. Under the Act, the business platform would need to assure financial responsibility and insurance coverage for the vehicles, collect and verify records pertaining to use and revenue from shared vehicles, verify certain safety information regarding each driver and shared vehicle and disclose certain information to each driver. On January 17, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 450 (Brewer) proposes to amend the Integrated Solid Waste Management Act to prohibit the land disposal of wind turbine blades and their component parts. On January 18, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 462 (Conrad) would redefine the term "workforce housing" in the Middle Income Workforce Housing Investment Act to include owner-occupied housing units that cost no more than \$330,000 to construct. The Act previously capped this standard to no more than \$275,000. On January 18, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 476 (Wayne) proposes to adopt the Public Entities Investment Trust Act. The Act would authorize the creation of a trust to provide an investment pool to any governmental, public or quasi-public entity. Eligible investments under the Act include any investment not prohibited by state law or Article XI, Section 1, of the Constitution of Nebraska. On January 19, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 477 (Wayne) would appropriate \$100,000,000 to the Omaha Streetcar Authority to help establish, maintain and operate the Omaha streetcar. The bill would express a preference for one-half of the money to go toward developing a North Omaha line. On January 19, 2023, the Legislature referred this bill to the Appropriations Committee.

LB 481 (Raybould) proposes to adopt the Housing Incentive District Act. The Act would allow cities and counties to assist directly in the financing of public improvements that would support housing in areas that experience housing shortages. Prior to designating a housing incentive district, the cities and counties must conduct a housing needs analysis to determine what, if any, housing needs exist within the proposed incentive district and adopt a resolution that depicts the area and the findings of the analysis. On January 19, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 504 (Aguilar) would appropriate \$25,000,000 in each of the next two years to the Rural Workforce Housing Investment Fund to provide workforce housing grants under the Rural Workforce Housing Investment Act. The bill also proposes to appropriate \$25,000,000 in each of the next two years to the Affordable Housing Trust Fund to finance loans, grants, subsidies, credit enhancements and other financial assistance for community affordable housing projects. On January 19, 2023, the Legislature referred this bill to the Appropriations Committee.

LB 505 (Bostar) proposes to reduce the standard vehicle registration fee for plug-in hybrid vehicles and adjust certain excise taxes for vehicle fuels. For gas, diesel and ethanol power vehicles, the excise tax would equal \$.09 per gallon, and for electric-powered vehicles, the excise tax would equal \$.03 per kilowatt hour used for charging. The bill would also permit commercial electric vehicle charging stations to offtake energy directly from renewable energy generators. On January 19, 2023, the Legislature referred this bill to the Revenue Committee.

LB 515 (Walz) would adopt the Rural Economic Development Initiative Act. Under the Act the Economic Development Grant Program would be established for the issuance of grants to counties to use to hire an additional employee to assist with economic development measures in the county. On January 19, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 530 (McKinney) proposes to amend the Nebraska Housing Agency Act. The bill would require two of the seven commissioners of a local housing agency be elected by adults who receive direct assistance from the local housing agency. The five other commissioners would remain appointed by the chief elected official of the city. Additionally, all commissioners of a local housing agency established by a city of the metropolitan class elected or appointed would serve for a term of four years. The bill would also require the executive director of a housing agency established by a city of the metropolitan class to be elected by adults who receive direct assistance from the local housing agency. On January 19, 2023, the Legislature referred this bill to the Revenue Committee.

LB 531 (McKinney) would amend the Economic Recovery Act. The bill would remove the responsibility of the Economic Recovery and Incentives Division of the Department of Economic Development to develop a coordinated plan and grant application and scoring process regarding the use of funds derived from the American Rescue Plan Act of 2021 or other federal or state sources.

The bill would also prioritize the use of grants used within the boundaries of a city of the metropolitan class. On January 19, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 532 (McKinney) proposes to amend provisions of the Community Development Law relating to extremely blighted areas and the removal of substandard and blighted area designations. The amendment would require an area's designation as extremely blighted to remain valid for at least 25 years, unless removed prior following a review by the governing body of the city. On January 19, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 534 (Slama) would appropriate \$150,000,000 of federal funds from the American Rescue Plan Act of 2021 to the Department of Environment and Energy to provide grants for small and rural communities to address nitrate in drinking water. The Department would administer the funds via the Drinking Water State Revolving Fund to facilities at which drinking water test levels are above 10 parts per million of nitrate. On January 19, 2023, the Legislature referred this bill to the Appropriations Committee.

LB 541 (Lowe) proposes to provide for the nomination and election of public power and public power and irrigation district directors on a partisan ballot. On January 19, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 559 (Blood) would allow the electronic filing of statements of financial interests under the Nebraska Political Accountability and Disclosure Act. On January 19, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 563 (Dorn) proposes to appropriate \$250,000 in each of the next two years to the State Historical Society. The bill would direct the Society to contract with programs that provide educational programming and technical expertise related to downtown or maintstreet revitalization, business growth and historical preservation.

On January 19, 2023, the Legislature referred this bill to the Appropriations Committee.

LB 565 (Bostelman) would appropriate \$250,000 in each of the next two years to the Department of Economic Development to award grants for Nebraska Public Power District to apply for a regional clean hydrogen hub designation and associated federal funding. This follows from Nebraska Revised Statute section 66-2301, which the Legislature adopted last year. On January 19, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 566 (Bostelman) proposes to direct the Natural Resources Committee to study the economic impacts of an increased reliance on intermittent renewable energy. The Committee would need to support a report to the Legislature by November 15, 2023. On January 19, 2023, the Legislature referred this bill to the Executive Board.

LB 567 (Bostelman) would redefine "reliable or reliability" under Nebraska Revised Statutes section 70-1001.01 to mean the ability of an electric supplier to supply the aggregate electric power and energy requirements of its electricity consumers at all times under normal operating conditions. On January 19, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 568 (Bostelman) proposes to adopt the Nuclear and Hydrogen Development Act. The Act would require the Department of Economic Development to create a Nuclear and Hydrogen Industry Work Group, with representatives from the community colleges, state universities, nuclear and hydrogen industries, public power districts and Legislature. The Group would determine the workforce training needs of the nuclear and hydrogen industries and establish grant criteria for supporting those needs. On January 19, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 569 (Bostelman) would prohibit any member of a county board of county planning commission, including such member's immediate family, from having a financial interest in a contract for development, construction, management or operation of a Nebraska electric generation facility or in the land underlying such facility. The bill clarifies it would not affect the validity of existing contracts. On January 19, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 594 (Hardin) proposes to allow for the creation of local government investment pools for the purpose of investing the funds of two or more political subdivisions. The local government investment pool would have the power and authority to invest and reinvest funds in commercial paper that meets the requirements set forth in the bill. On January 19, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 621 (McDonnell) would expand eligible activities under the Site and Building Development Fund to include grants to governmental subdivisions and Nebraska nonprofit organizations for the construction of an outdoor soccer stadium with a capacity of no more than 10,000 seats. The bill also proposes to appropriate \$50,000,000 from the Cash Reserve Fund to the Site Building Development Fund on July 15, 2023. On January 19, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 622 (McDonnell) proposes to redefine "covered property" in the Sports Arena Facility Financing Assistance Act to include any real property, as of the date of application, is part of a project previously approved under the Act or a project previously approved under the Convention Center Facility Financing Assistance Act. The bill also proposes to expand the definition of "Eligible sports arena facility" to include any large public stadium in which initial occupancy occurs on or after March 1, 2025. The bill also proposes to define "Large public stadium" as a publicly owned open-air facility that primarily includes an outdoor field that may include some indoor areas used for competitive sports.

On January 19, 2023, the Legislature referred this bill to the Revenue Committee.

LB 623 (McDonnell) would redefine "eligible sports arena facility" in the Sports Arena Facility Financing Assistance Act to include any enclosed, temperature-controlled building owned by a public entity or nonprofit organization that is primarily used for live music performances with a capacity of at least 2,500, but no more than 3,500 people. On January 19, 2023, the Legislature referred this bill to the Revenue Committee.

LB 629 (McKinney) proposes to amend the definition "workforce housing" in the Middle Income Workforce Housing Investment Act to include owner occupied housing units that have a "total housing construction cost" of at least \$125,000 but not more than \$275,000. The amendment would exclude infrastructure improvements, lot acquisition and similar construction preparation costs from the calculation of "total housing construction cost." The bill also proposes to transfer a yet to be determined amount of money to the Middle Income Workforce Housing Investment Fund. On January 20, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 633 (McKinney) would require the Department of Economic Development to contract with a private contractor which has a headquarters in Nebraska to market financial incentives provided by the State of Nebraska for key industries in Nebraska. The financial incentives to be marketed would include, but not be limited to, those created under the Business Innovation Act and the Site and Building Development Act. On January 20, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 636 (Albrecht) proposes to prohibit political subdivisions from enacting regulations that have the effect of restricting or prohibiting the types of permissible fuel sources by natural gas utilities, natural gas transmission companies or propane providers. On January 20, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 637 (Albrecht) would amend the Open Meetings Act to require public meetings, except during closed sessions, to permit members of the public to speak at each meeting. On January 20, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 644 (McDonnell) proposes to appropriate \$80,000,000 from the Cash Reserve Fund to the Site and Building Development Fund for fiscal year 2023-24 and fiscal year 2024-25. The appropriated funds are to be placed in a subaccount and be used to support identifying, evaluating and developing large commercial and industrial sites and building infrastructure to attract major investment and employment opportunities. On January 20, 2023, the Legislature referred this bill to the Banking, Commerce and Insurance Committee.

LB 662 (Ballard) would amend the Right to Farm Act to prohibit most nuisance actions against agricultural operations. Under the bill, the only such nuisance actions that could stand are those brought by a person who either (a) owns a majority interest in real property that is within one-half mile of the defendant and affected by the alleged nuisance or (b) can show a violation of federal, state or local law. Commonly accepted agricultural practices, as well as employment of new technology or changes in the type of farm product produced, could not give rise to nuisance liability. On January 20, 2023, the Legislature referred this bill to the Agriculture Committee.

LB 691 (Linehan) proposes to require all project-related costs for natural gas and water utilities related to the construction of a fixed rail or streetcar system in a city of the metropolitan class to be paid for by the city or the owner of the fixed rail or streetcar system. Project-related costs under the bill include all necessary utility work required for the construction of the fixed rail or streetcar system and include engineering services performed for all gas and water utility work. On January 20, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 692 (Linehan) would adopt the Good Life Transformational Projects Act. The Act would allow for state assistance to political subdivisions for the development and redevelopment of eligible areas within the state by authorizing cities and villages to establish good life districts. The amount of state assistance would be limited to a designated portion of state sales tax revenue collected within such good life district. Commencing July 1, 2023, the sales tax levy would be 6.00% on transactions occurring within a good life district. On January 20, 2023, the Legislature referred this bill to the Revenue Committee.

LB 697 (Conrad) proposes to amend the definition of improvements under the Nebraska Job Creation and Mainstreet Revitalization Act to mean a rehabilitation, preservation or restoration project that contributes to the basis, functionality or value of historically significant real property and that has a total cost which equals or exceeds \$5,000. The bill would also increase the nonrefundable tax credit under the act to (1) twenty-five percent of eligible expenditures for historically significant real property located in a county that includes a city of the metropolitan class or a city of the primary class and (2) thirty percent of eligible expenditures for historically significant real property in any other county. The maximum credit allocated to any one project under the bill would increase to \$2,000,000. For calendar years beginning after January 1, 2025, the bill reduces the total amount of credits available under the act to \$12,000,000, of which \$4,000,000 would go for applications seeking an allocation of credits of less than \$100,000. On January 20, 2023, the Legislature referred this bill to the Revenue Committee.

LB 707 (Dungan) would create the Transforming Cities of the Primary Class Program to award up to \$10,000,000 in grants to cities of the primary class for the purpose of constructing housing to address affordable housing needs. The bill proposes to appropriate \$10,000,000 to the Affordable Housing Trust Fund. On January 20, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 712 (Hardin) proposes to create the Ground Based Strategic Deterrent Deployment Fund to support incorporated municipalities and extraterritorial jurisdiction to address certain deficiencies to support the Ground Based Strategic Deterrent Deployment and Minuteman III Decommissioning and Disposal Accommodation if Nebraska is selected for the headquarters. The bill also proposes the appropriation of \$20,000,000 from the Cash Reserve Fund to the Ground based Strategic Deterrent Deployment Fund. On January 20, 2023, the Legislature referred this bill to the Government, Military and Veterans Affairs Committee.

LB 714 (Cavanaugh, J.) would amend provisions of the Nebraska Affordable Housing Act to allow for-profit entities to receive assistance under the Nebraska Affordable Housing Act, but only for new funds as of January 1, 2023 that have been transferred from the General Fund or Cash Reserve Fund to the Affordable Housing Trust Fund. The bill would also appropriate \$25,000,000 from the General Fund for fiscal year 2023-24 and fiscal year 2024-25 to the Affordable Housing Trust Fund. On January 20, 2023, the Legislature referred this bill to the Health and Human Services Committee.

LB 725 (Dungan) proposes to prohibit certain electric companies and electric cooperative corporations from using ratepayer proceeds to campaign or lobby in elections. Violation of that ban could result in a criminal prosecution. On January 20, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 726 (Dungan) would adopt the Nebraska Electric Consumer Right to Transparency and Local Control Act. The Act would require each electric utility to publish the following information on its website: (1) board meeting dates, times and locations; (2) board meeting agendas; (3) board meeting minutes; (4) current rate schedules and fees, rents and other charges; (5) a full and complete statement of receipts and disbursements of the electric utility; (6) the fiscal year budget; (7) service territory, if applicable; (8) a list of all board members;

(9) board member district and subdistrict boundaries; and (10) a method by which to contact board members and the electric utility's staff. On January 20, 2023, the Legislature referred this bill to the Natural Resources Committee.

LB 746 (Cavanaugh, M.) proposes to amend the Community Development Law to restrict the division of taxes if the total amount of ad valorem taxes to be generated for any redevelopment project exceeds \$20,000,000, unless the question of dividing the taxes has been submitted at a primary, general or special election and approved by voters. On January 20, 2023, the Legislature referred this bill to the Urban Affairs Committee.

LB 756 (Vargas) would amend the definition of improvements under the Nebraska Job Creation and Mainstreet Revitalization Act to mean a rehabilitation, preservation or restoration project that contributes to the basis, functionality or value of historically significant real property and that has a total cost which equals or exceeds \$5,000. The bill would also increase the nonrefundable tax credit under the act to (1) twenty-five percent of eligible expenditures for historically significant real property located in a county that includes a city of the metropolitan class or a city of the primary class and (2) thirty percent of eligible expenditures for historically significant real property in any other county. The maximum credit allocated to any one project under the bill would be increased to \$2,000,000. For calendar years beginning after January 1, 2024, the bill would reduce the total amount of credits available under the act to \$12,000,000, of which \$4,000,000 would go for applications seeking an allocation of credits of less than \$100,000. On January 20, 2023, the Legislature referred this bill to the Revenue Committee.

PLANNERS BOOK CLUB - ARBITRARY LINES

Join your fellow planners and allied professionals in the Spring 2023 Planners Book Club hosted by the APA Nebraska Chapter's Emerging Planners Group. Here is how it works:

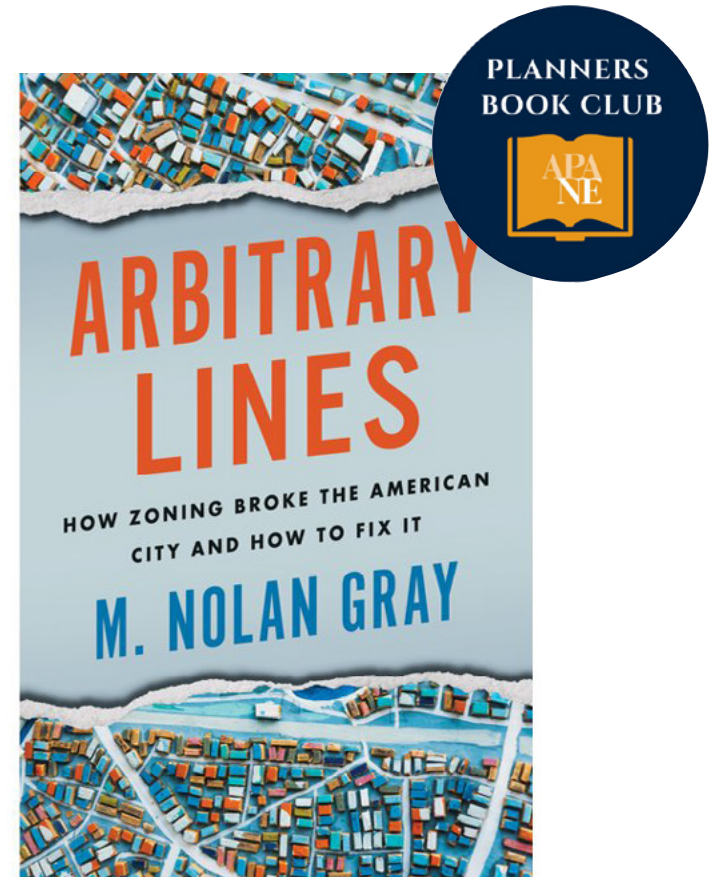
1. Register to participate at the following link: <https://forms.gle/ca5W4PNmwXmtV7Dq6>.
2. Read or listen to the book (available in physical, digital, and audio formats).
3. Join us for a lively discussion in April. A Doodle poll will be sent out to book club participants several weeks in advance to find a time that works for everyone for the discussion.
4. Earn CM credit for participating in the discussion.

Book Selection: *Arbitrary Lines* - M. Nolan Gray

What if scrapping one flawed policy could bring US cities closer to addressing debilitating housing shortages, stunted growth and innovation, persistent racial and economic segregation, and car-dependent development? It's time for America to move beyond zoning, argues city planner M. Nolan Gray in *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*.

With lively explanations and stories, Gray shows why zoning abolition is a necessary—if not sufficient—condition for building more affordable, vibrant, equitable, and sustainable cities. The arbitrary lines of zoning maps across the country have come to dictate where Americans may live and work, forcing cities into a pattern of growth that is segregated and sprawling. The good news is that it doesn't have to be this way. Reform is in the air, with cities and states across the country critically reevaluating zoning.

In cities as diverse as Minneapolis, Fayetteville, and Hartford, the key pillars of zoning are under fire, with apartment bans being scrapped, minimum lot sizes dropping, and off-street parking requirements disappearing altogether. Some American cities—including Houston, America's fourth-largest city—already make land-use planning work without zoning.



In *Arbitrary Lines*, Gray lays the groundwork for this ambitious cause by clearing up common confusions and myths about how American cities regulate growth and examining the major contemporary critiques of zoning. Gray sets out some of the efforts currently underway to reform zoning and charts how land-use regulation might work in the post-zoning American city.

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The Nebraska Chapter of the APA would like to thank our annual sponsors for supporting our chapter and professional development programs. These sponsorships support Emerging Planners Group events, our Mentor Match Program, and allow us to provide a quality Spring Workshop and other educational and professional development opportunities throughout the year. If you are interested in learning more or to become a sponsor today, please email Stephanie at rouseplanning@gmail.com.

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UPCOMING EVENTS

OHIO CHAPTER WEBINAR SERIES

1. February 3, 2023 with Guest Hosts APA Technology, Sustainable Communities, and Hazard Mitigation and Disaster Recovery Planning Divisions: [The Climate Data Power Hour](#) at 12:00 PM CT
2. February 10, 2023 with guest host APA Food Systems Division: [The Promise of Urban Agriculture, and Why Planners Sould Care](#) at 12:00 PM CT
3. March 3, 2023 with guest host APA Northern New England Chapter: [Main Street After COVID: Lessons Learned on Design and Land Use](#) at 12:00 PM CT

NEBRASKA PLANNING CONFERENCE

- [March 8-10, Younes Conference Center North, Kearney, NE](#)

UNL COLLEGE OF ARCHITECTURE HYDE LECTURE SERIES

1. February 9, 2023: [Project 2022 Symposium Panel](#) at 6:00pm, Omaha By Design
2. March 3, 2023: [Nisha Botchwey \(University of Minnesota\)](#) at 4:00pm, Richards Hall, Room 15, University of Nebraska-Lincoln
3. April 7, 2023: [Rana Abudayyeh \(University of Tennessee\)](#) at 4:00pm, Richards Hall, Room 15, University of Nebraska-Lincoln

PINTS WITH PLANNERS NETWORKING EVENT

- Thursday, February 9, 2023; 4:30-6:30; Kros Strain Draftworks at Millwork Commons, 1209 Millwork Ave, Omaha, NE 68102

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SUBMIT YOUR CONTENT!

The NE Planner welcomes readers and associates to submit articles for publication within the newsletter. We are happy to include RFP/RFQ's, new job postings, and upcoming events. For your content to be included in the next newsletter, please email cbrodersen@cityoflavista.org.

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