

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB1412

Hearing Date: Tuesday January 30, 2024
Committee On: Appropriations
Introducer: Speaker Arch
One Liner: Provide, change, and eliminate appropriations for operation of state government, postsecondary education, state aid, capital construction, and federal funds allocated to the State of Nebraska from the federal American Rescue Plan Act of 2021

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

Vote Results:

Aye: 9 Senators Armendariz, Clements, Dorn, Dover, Erdman, Lippincott, McDonnell, Vargas, Wishart
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Lee Will
Vicki Kramer
Kelly Lammers
Jim Macy
Tom Riley
Ryan McIntosh

Opponents:

Craig Beck
Ele Nugent
Annette Sudbeck

Katie Torpy
Eric Gottschalk
Kristal Stoner
John Heaston

Neutral:

* ADA Accommodation Written Testimony

Representing:

Opening Presenter
Nebraska Department of Transportation
Nebraska Department of Banking and Finance
Nebraska Department of Environment and Energy
Department of Natural Resources
National Guard, State Volunteer Firefighters, Fire Chiefs Association

Representing:

OpenSky Policy Institute
Ducks Unlimited
Lewis & Clark Natural Resources District, Cedar Knox Rural Water Project
Nature Conservancy
Lower Platte North Natural Resources District
Auduban Great Plains
Nebraska Sportsman's Foundation

Representing:



Summary of purpose and/or changes:

LB 1412, introduced by the Speaker at the request of the Governor, is a part of the Governor's mid-biennium budget recommendations for the biennium that begins July 1, 2023, and ends on June 30, 2025. This measure includes the budget recommendations for all State operations and aid programs. The bill makes adjustments to appropriations and reappropriations for state operations, aid, and construction programs, and modifies intent language and earmarks accompanying appropriations approved by the 108th Legislature, First Session, for the current fiscal year ending June 30, 2024 and the next fiscal year ending June 30, 2025. This legislative bill contains the emergency clause.

Explanation of amendments:

The amendment, AM2566, becomes the bill. The amendment contains the Appropriations Committee's recommendation for adjustments to appropriations and reappropriations for state operations, aid, and construction programs, and modifies intent language and earmarks accompanying appropriations approved by the 108th Legislature, First Session, for the current fiscal year ending June 30, 2024 and the next fiscal year ending June 30, 2025. Adjustments to statutorily authorized transfers among funds are made in conformance with budget requirements as are transfers from the General Fund.

Please refer to " Appropriations Committee Budget Proposal: Mid-Biennium Budget Adjustments FY2023-24 and FY2024-25" published March, 2024.

Significant increases and reductions from the current year are listed on page 26. A narrative description of General Fund highlights of the recommendation begins on page 24. Tabular data follows in additional sections, itemizing the recommendation by agency, aid program, and all fund sources. A listing of all appropriations by fund source can be found in the appendices.

Bills incorporated into LB 1412:

LB 850 (Jacobson) – The bill clarifies the use of \$10 million in ARPA Coronavirus State Fiscal Recovery Funds, which were appropriated to the Department of Economic Development for the Rural Workforce Housing Act, to be used for other specific types of housing projects administered by the department.

Motion to include LB 850 in AM 2566

Vote Results: 7-1-0-1

Voting Aye: Senator Clements, Senator Lippincott, Senator Vargas, Senator Dorn, Senator Dover, Senator Wishart, Senator Armendariz

Voting Nay: Senator Erdman

Present Not Voting: None

Absent: Senator McDonnell

Testimony:

Proponents: Representing:

Mike Jacobson Opening Presenter

Shannon Harner Nebraska Investment Finance Authority

Terry Doyle City Councilman, City of Beatrice

Ward F. Hoppe Self

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

Brandon Kelliher City of North Platte, NE

Brad Muerrens Disability Rights Nebraska

Ryan McIntosh Nebraska Bankers Association

Dexter Schrodt Nebraska Independent Community Bankers

Opponents: None

Neutral: None

LB 858 (Linehan) – As introduced, the bill appropriates General Funds to Department of Education for two new FTEs



in the office of finance and administrative services. The Committee amended the bill to provide appropriation for one new Program Specialist III in FY2024-25. Funds appropriated equal \$120,662, with a corresponding salary limit of \$74,784.

Motion to include LB 858 as amended into AM 2566

Vote Result:7-2-0-0

Voting Aye: Senator Clements, Senator Dorn, Senator Dover, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: Senator Erdman, Senator Armendariz

Present Not Voting: None

Not Present: None

Testimony:

Proponents: Representing:

Lou Ann Linehan Opening Presenter

Sean Molloy STANCE, Fairbury Public Schools

Cory Worrell STANCE, Waverly Public Schools

Opponents: NONE

Neutral: NONE

LB 930 (Frederickson) –The amends earmark language for an existing \$400,000 per year General Fund appropriation to the University of Nebraska to allow funds to also be used for youth rehabilitation and treatment centers and county correctional facilities for programs for students studying to become behavioral health professionals.

Motion to include LB 930 in AM 2566

Vote Result: 9-0-0-0

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Dover, Senator Erdman, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Presenting: NONE

Testimony:

Proponents: Representing:

John Fredrickson Opening Presenter

Erin Schneider University of Nebraska

Opponents: NONE

Neutral: NONE

LB 941 (Dorn) – As introduced, the bill stated intent to appropriate \$2.9 million General Funds and \$4.1 million Federal Funds to the Department of Health and Human Services for Medicaid assisted-living facility rates to increase the daily rate to \$78.45 for all types of assisted-living waiver days. The Committee amended the bill to appropriate \$1,499,657 in federal ARPA Coronavirus State Fiscal Recovery Funds in FY2023-24 to increase the daily rate to \$67.03 for rural assisted-living facilities only.

Motion to include LB 941 in AM 2566

Vote Result: 6-0-1-2

Voting Aye: Senator Dorn, Senator Dover, Senator Armendariz, Senator McDonnell, Senator Lippincott, Senator Erdman

Voting Nay: NONE

Present Not Voting: Senator Clements

Not Present: Senator Vargas, Senator Wishart

Testimony:

Proponents: Representing:



Myron Dorn Opening Presenter
Marv Fritz Evergreen Assisted Living
Vincent "Josephine" Litwinowicz Higher Power Church
Dawn Brock Self
Eldonna Rayburn The Lexington Assisted Living
Kierstin Reed Leading Age Nebraska
Jalene Carpenter Nebraska Assisted Living Association
Opponents: NONE
Neutral: NONE

LB 1077 (McDonnell) – As introduced, the bill appropriates \$2 million General Funds in FY2024-25 to the Department of Labor for grants for workforce development and career readiness. The Committee amended the bill to appropriate \$900,000 in federal ARPA Coronavirus State Fiscal Recovery Funds in FY2023-24 for grants for workforce development and career readiness.

Motion to include LB 1077 as Amended to AM 2566

Vote Result: 7-2-0-0

Voting Aye: Senator Armendariz, Senator Dorn, Senator Dover, Senator Erdman, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: Senator Clements, Senator Lippincott,

Present Not Voting: NONE

Not Present: NONE

Testimony:

Proponents: Representing:

Mike McDonnell Opening Presenter

Terry Hanna Westside Community Foundation

Courtney Wittstruck Self

Opponents: NONE

Neutral: NONE

LB 1099 (McDonnell) – The bill clarifies the use of \$5 million in ARPA Coronavirus State Fiscal Recovery Funds, which were appropriated to the Department of Health and Human Services for nursing scholarships so that quarterly students may receive a scholarship of \$3,500 per quarter.

Motion to Include LB 1099 in AM 2566

Vote Result: 9-0-0-0

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Dover, Senator Erdman, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Present: NONE

Testifiers:

Proponents: Representing:

Andy Hale Nebraska Hospital Association

Vincent "Josephine" Litwinowicz Higher Power Church

Opponents: NONE

Neutral: NONE

LB 1124 (Vargas) – As introduced, the bill appropriates \$900,000 per fiscal year General Funds to the Department of Health and Human Services for evidence-based early intervention nurse home visitation programs. The Committee amended this bill to appropriate include the provisions of LB 1125, and as amended, the bill appropriates \$1.4 million



per fiscal year from the Medicaid Managed Care Excess Profit Fund to the Department of Health and Human Services for evidence-based early intervention home visitation programs with earmark language for a portion for nurse visitation programs. The Committee also amended the statutory uses of the Medicaid Managed Care Excess Profit Fund to explicitly allow this purpose for those cash funds.

Motion to include LB 1124 as Amended in AM 2566

Vote Results: 6-0-0-3

Voting Aye: Senator Clements, Senator Erdman, Senator Lippincott, Senator Vargas, Senator Dorn, Senator Dover

Voting Nay: None

Present Not Voting: None

Not Present: Senator Wishart, Senator McDonnell, Senator Armendariz

Testimony:

Proponents: Representing:

Senator Tony Vargas Opening Presenter

Kim Anderson Nebraska Children's Home Society

Hailey Crumley Self

Sara Howard First Five Nebraska

Opponents: None

Neutral: None

LB 1125 (Wishart) – As introduced, the bill appropriates \$500,000 per fiscal year from the Medicaid Managed Care Excess Profit Fund to the Department of Health and Human Services for evidence-based early intervention nurse home visitation programs. The Committee amended this bill into LB 1124.

Motion to include LB 1125 in LB 1124

Vote Results: 6-0-0-3

Voting Aye: Senator Clements, Senator Erdman, Senator Lippincott, Senator Vargas, Senator Dorn, Senator Dover

Voting Nay: None

Present Not Voting: None

Not Present: Senator Wishart, Senator McDonnell, Senator Armendariz

Testimony:

Proponents: Representing:

Senator Anna Wishart Opening Presenter

Kerry Kernen Lincoln Lancaster County Health Department

Sandra Spicciati Visiting Nurse Association

Sara Howard First Five Nebraska

Opponents: None

Neutral: None

LB 1209 (Bosn) – As introduced, the bill appropriates \$2.5 million General Funds in FY2024-25 to the Department Health and Human Services for a grant to a licensed and accredited residential child-caring agency in a city of the primary class. The Committee amended the bill to appropriate \$2 million in federal ARPA Coronavirus State Fiscal Recovery Funds in FY2023-24 for v a grant to a licensed and accredited residential child-caring agency in a city of the primary class.

Motion to include LB 1209 as amended in AM 2566

Vote Result: 7-1-0-1

Voting Aye: Senator Clements, Senator Dorn, Senator Erdman, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: Senator Armendariz

Present Not Voting: NONE

Not Present: Senator Dover



Testimony:

Proponents Representing:

Caroline Bosn Opening Presenter

Sara Hoyle Lancaster County

Michon Morrow Lincoln Police Department

Quiotis Cross Cedars Youth Services

Pamela Mock I've Got A Name

John Goldrich Cedars Youth Services

James R. Blue Cedars Youth Services

Opponents: NONE

Neutral: NONE

LB 1210 (Clements) – The bill appropriates \$1.5 million to the Department of Administrative Services for the 5th Floor State Capitol Renovation and transfers \$1.5 million from the Cash Reserve Fund to the Nebraska Capital Construction Fund to fund the expense.

Motion to include LB 1210 in AM 2566

Vote Result: 8-0-0-1

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Dover, Senator Erdman, Senator Lippincott, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Present: Senator McDonnell

Testimony:

Proponents: Representing:

Robert Clements Opening Presenter

Vicki McDonald Nebraska Association of Former Legislators

Bob Ripley Self

Dan Worth BVH Architects

Ben Richter Sampson Construction

Heidi Uhing Civic Nebraska

Opponents: NONE

Neutral:

Brett Daugherty Interim Capitol Administrator

LB 1242 (McDonnell) – As introduced, the bill appropriates \$350,000 General Funds in FY2024-25 to the Board of Regents of the University of Nebraska for a study on the viability of using roof-collected rainwater as a safe and sustainable source of drinking water. The Committee amended the bill to appropriate \$350,000 in federal ARPA Coronavirus State Fiscal Recovery Funds in FY2023-24 to the Board of Regents of the University of Nebraska for a study on the viability of using roof-collected rainwater as a safe and sustainable source of drinking water.

Motion to include LB 1242 as amended in AM 2566

Vote Result: 7-0-1-1

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Erdman, Senator Lippincott, Senator Wishart

Voting Nay: NONE

Present Not Voting: Senator Dover

Not Present: Senator Vargas

Testifiers:

Proponents: Representing:

Mike McDonnell Opening Presenter



Bing Chen Self

Opponents: NONE

Neutral: NONE

LB 1264 (Wishart) – The bill moves the federal funds appropriated for developmental disability services from Program 348 (Medical Assistance Act) to Program 424 (Developmental Disability).

Motion in include LB 1264 in AM 2566

Vote Result: 9-0-0-0

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Dover, Senator Erdman, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Present: NONE

Testimony:

Proponents: Representing:

Anna Wishart Opening Presenter

Joe Dondlinger APACE (Formerly Region V Services)

Opponents: NONE

Neutral: NONE

LB 1275 (Brewer) – As introduced, the bill states intent to appropriate \$23 million General Funds in FY2024-25 to the Department of Administrative Services to continue the program from 2023 to establish interoperable communications and training for operability for volunteer departments. The Committee amended the bill to appropriate \$2,000,000 in Revolving Funds in FY2024-25 to the Department of Administrative Services for establishing interoperable communications and training for operability for volunteer departments and transfer \$2,000,000 from the Cash Reserve Fund to the Nebraska Public Safety Communication System Revolving Fund to fund this expense.

Motion to include LB 1275 in AM 2566

Vote Result: 7-0-0-2

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Erdman, Senator Lippincott, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Present: Senator Dover, Senator McDonnell,

Testimony:

Proponents: Representing:

Tom Brewer Opening Presenter

Justin Scamehorn Waco Volunteer Fire, Nebraska State Volunteer Firefighters, National Volunteer Fire Council

Kenny Krause Nebraska State Volunteers Fire Association, Nebraska State Fire Chiefs

Michael Dwyer Nebraska State Volunteer Firefighters Association

John Bomar Nebraska State Volunteer Firefighters Association

Marlene Bomar Nebraska Emergency Medical Services Association, Nebraska State Volunteer Firefighters Association

Eric Johnson Firth Rural Fire

Jason Whalen Kearney Volunteer Fire Department, Buffalo County Mutual Aid Association

Gary Schuett Self

Tim Wragge Norfolk Fire & Rescue, Battle Creek Fire and Rescue

Neil Miller Nebraska Sheriff's Association, Police Chiefs of Nebraska, Police Officer Association of Nebraska.



Opposition: NONE
Neutral:
Connie Reinke Self
Dave Collett Self

LB 1289 (Bostar) – As introduced, the bill states intent to appropriate \$14 million General Funds in FY2024-25 to the Military Department for a grant to a municipal airport located in a city of the primary class for specific projects and transfers \$14 million from the Cash Reserve Fund to the General Fund. The Committee amended the bill to appropriate \$3 million General Funds FY2024-25 to the Military Department for a grant to a municipal airport located in a city of the primary class for specific projects and transfer \$3 million from the Cash Reserve Fund to the General Fund in FY2024-25 to fund this expense.

Motion to include LB 1289 as amended to AM 2566

Vote Results: 7-0-0-2

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Erdman, Senator Lippincott, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Present: Senator Dover, Senator McDonnell

Testimony:

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| Proponents: | Representing: |
| Eliot Bostar | Opening Presenter |
| David Haring | Lincoln Airport |
| Bruce Bohrer | Lincoln Chamber of Commerce |
| Ryan McIntosh | National Guard Association of Nebraska |

Opponents: NONE

Neutral: NONE

LB 1378 (Dover) – As introduced, the bill states intent to appropriate \$xx Revolving Funds in FY2024-25 to the Department of Administrative Services for establishing interoperable communications and training for operability for certain volunteer departments. The bill also transfers \$xx from the 911 Service System Fund to the Nebraska Public Safety Communication System Fund to fund this expense. The Committee amended the bill to appropriate \$425,000 in Revolving Funds in FY2024-25 to the Department of Administrative Services for establishing interoperable communications and training for operability for certain volunteer departments and transfer \$425,000 from the Cash Reserve Fund to the Nebraska Public Safety Communication System Revolving Fund to fund this expense.

Motion to include LB 1378 as amended in AM 2566

Vote Results: 8-0-0-1

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Erdman, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Present Not Voting: NONE

Not Present: Senator Dover

Testimony:

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|---------------|--|
| Proponents: | Representing: |
| Robert Dover | Opening Presenter |
| Kenny Krause | Nebraska State Volunteers Fire Association, Nebraska State Fire Chiefs |
| Michael Dwyer | Nebraska State Volunteer Firefighters Association |
| John Bomar | Nebraska State Volunteer Firefighters Association |
| Marlene Bomar | Nebraska Emergency Medical Services Association, Nebraska State Volunteer Firefighters Association |
| Eric Johnson | Firth Rural Fire |



Jason Whalen Kearney Volunteer Fire Department, Buffalo County Mutual Aid Association
 Gary Schuett Self
 Tim Wragge Norfolk Fire & Rescue, Battle Creek Fire and Rescue
 Neil Miller Nebraska Sheriff's Association, Police Chiefs of Nebraska, Police Officer Association
 of Nebraska.
 Candace Meredith Nebraska Association of County Officials
 Opposition:
 Dan Watermeier Nebraska Public Service Commission
 Neutral:
 Connie Reinke Self
 Dave Collette Self

LB 1380 (Dover) – As introduced, the bill states intent to appropriate \$375,000 Revolving Funds in FY2024-25 to the Department of Administrative Services for capital construction at Wyuka Cemetery and transfer funds from the Cash Reserve Fund to the Nebraska Capital Construction Fund to fund the expense. The Committee amended the bill to appropriate \$375,000 in federal ARPA Coronavirus State Fiscal Recovery Funds in FY2023-24 for a grant to a state-owned cemetery for sediment control and stormwater projects.

Motion to include LB 1380 as amended in AM 2566

Vote Results: 9-0-0-0

Voting Aye: Senator Clements, Senator Armendariz, Senator Dorn, Senator Dover, Senator Erdman, Senator Lippincott, Senator McDonnell, Senator Vargas, Senator Wishart

Voting Nay: NONE

Present Not Voting: NONE

Not Present: NONE

Testimony:

Proponents: Representing:

Robert Dover Opening Presenter

Greg Osborn Wyuka Cemetery & Funeral Home

Steve Peregrine Wyuka Historical Foundation

Opponents: NONE

Neutral: NONE

Robert Clements, Chairperson

