

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT**  
**LB683**

---

**Hearing Date:** Tuesday February 07, 2023  
**Committee On:** Transportation and Telecommunications  
**Introducer:** Transportation and Telecommunications  
**One Liner:** Create the Nebraska Broadband Office and provide duties

---

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

---

**Vote Results:**  
**Aye:** 7 Senators Bostelman, Brandt, DeBoer, DeKay, Fredrickson, Geist, Moser  
**Nay:** 1 Senator Cavanaugh, M.  
**Absent:**  
**Present Not Voting:**

---

**Testimony:**

**Proponents:**

Mike Hybl  
  
Vicki Kramer  
Sarah Meier  
Julie Bushell  
Emily Haxby  
Danny DeLong  
Lash Chaffin  
Bruce Rieker

**Representing:**

Legal Counsel for Transportation and Telecommunications  
Committee  
Nebraska Department of Transportation  
Nebraska Rural Broadband Alliance  
Ethos Connected, LLC  
Self  
AARP Nebraska  
League of Nebraska Municipalities  
Nebraska Farm Bureau, Nebraska State Dairy Association,  
Nebraska Cattlemen, Nebraska Corn Growers Association,  
Nebraska Pork Producers, Nebraska Soybean Association,  
Nebraska Wheat Growers Association, Renewable Fuels  
Nebraska

**Opponents:**

**Neutral:**

Dan Watermeier  
Andrew Vinton  
Tip O'Neill  
Brian Thompson  
Cullen Robbins

**Representing:**

**Representing:**

Nebraska Public Service Commission  
Allo Communications  
Nebraska Telecommunications Association  
Consolidated Companies, Inc  
Nebraska Public Service Commission

\* ADA Accommodation Written Testimony

---

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

Section 1-Amends section 86-331- Legislative Intent; State Broadband Coordinator; Duties

The section is amended by striking current intent and language creating the position of state broadband coordinator which was to be located in the Office of Chief Information Officer.

The section is revised to establish the Nebraska Broadband Office, headed by the Director of Broadband. The Director of Broadband is to be appointed by the Governor and is subject to legislative confirmation. The Office is to be located within the Nebraska Department of Transportation for administrative and budget purposes. All administrative and budget decisions for the Office shall be made by the Director of Broadband.

The duties of the Broadband Office are:

- 1) Engage in outreach and collaborate with all interested parties;
- 2) Develop a broadband strategic plan for the state;
- 3) Coordinate the broadband activity of all state entities that maximizes all public and private resources and encourages innovative models infrastructure ownership;
- 4) Coordinate state agencies on policy matters affecting the use of federal and state funding for broadband purposes;
- 5) Provide state advocacy of broadband issues on the federal level;
- 6) Ensure funding is utilized in a cost effective manner;
- 7) Oversee the coordination of programs for schools and libraries and digital inclusion and equity projects; and
- 8) Provide public information and resources.

Section 2-Amends section 86-333- Official Nebraska Location Fabric Broadband Access Map; Public Service Commission; Powers and Duties.

This section provides that the Nebraska Public Service Commission (NPSC) shall have the duty to develop and maintain the state location fabric broadband map.

The bill transfers the duty and responsibility for the broadband map to the Nebraska Broadband Office.

Section 3-Amends section 86-1103; Rural Broadband Task Force Fund.

The section is amended by striking a reference to the state broadband coordinator being funded from the Rural Broadband Task Force Fund.

Section 4- Amends section 86-1309; Nebraska Broadband Bridge Fund; Created; Use.

The section is amended by striking language which states that any federal funds received shall be in addition to state General Funds appropriated for purposes of the Broadband Bridge Act, and federal funds may not be used as a substitute for General Funds.

The Emergency Clause is added.

---

**Explanation of amendments:**

The committee considered and adopted an amendment which accomplishes the following:

The amendment substitutes for the bill and retains the original provisions of LB 683 with the following changes:

Adds to the bill and amends section 66-4,100; Highway Cash Fund; expenditures by the Department of Transportation. The section is amended to provide that the fund may be used to provide office space, furniture, office supplies, and administrative and budgetary for the Nebraska Broadband Office.

A new section 2 is added which provides the Department of Transportation shall provide office space, supplies and other necessary support to operate the Nebraska Broadband Office. The Department and the Broadband Office shall to the extent possible seek

reimbursement for such expenses from federal funds.

The installation, operation and maintenance of broadband projects shall not be funded by the Department of Transportation, except for projects solely designed to meet the state's needs along the state highway system. The Department may utilize the Transportation Innovation Act for projects to meet highway needs and may work with the Nebraska Broadband Office for such projects and to solicit the use of federal highway funds for such projects. The Department of Transportation is not authorized to own, operate, manage, construct, or maintain fiber optic, broadband or similar technology outside of state highway property.

Language is added which provides that the Director of Broadband on December 1 of each year shall provide the legislature with a report on the status of the Broadband Office and the efforts of the Office to deploy broadband, engage in community outreach, and outline changes to the state's strategic broadband plan. The Transportation and Telecommunications Committee shall conduct a public hearing following receipt of the report.

Amends section 2 of the bill as introduced by adding a new (3) which provides if any final decision of the Nebraska Broadband Office relating to funding for projects is appealed to the district court the appeal shall be given precedence on the trial docket over all other cases and shall be assigned for hearing, trial, or argument at the earliest practicable date and be expedited.

Amends Section 86-1309 (section 5 of the amendment).

This section currently provides that Nebraska Public Service Commission shall administer the Nebraska Broadband Bridge Act and federal funds received for broadband enhancement purposes. The section is amended to provide that the Public Service Commission shall administer through the Broadband Bridge Act any federal broadband enhancement funds that are designated by the Governor.

---

Suzanne Geist, Chairperson