

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT**  
**LB155**

---

**Hearing Date:** Tuesday February 07, 2023  
**Committee On:** Transportation and Telecommunications  
**Introducer:** DeBoer  
**One Liner:** Change provisions regarding the applicability of the Small Wireless Facilities Deployment Act

---

**Roll Call Vote - Final Committee Action:**  
Advanced to General File

---

**Vote Results:**

**Aye:** 8 Senators Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Geist, Moser  
**Nay:**  
**Absent:**  
**Present Not Voting:**

---

**Testimony:**

**Proponents:**

Wendy DeBoer  
Bernard in den Bosch  
Lash Chaffin

**Representing:**

Introducer  
City of Omaha  
League of Nebraska Municipalities

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

---

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

Amends section 86-1241; Small Wireless Deployment Act; Authority; Powers and Duties; Limitation

This section summarizes the powers and limitations of powers of authorities under the Small Wireless Facilities Deployment Act. (An "authority" is defined as the state, any state agency, county, city, village, or other political subdivision excluding public power providers, state courts having jurisdiction over an authority, or an entity that does not have zoning or permit-granting authority).

Subsection (2) of the section currently provides that unless expressly allowed an authority may not impose any tax, fee or rate on a communications service provider authorized to operate in the right-of-way for the provision of communications service over their own facilities in the right-of-way, enforce any requirement on the placement or operation of facilities in the right-of-way or regulate any communications services.

The subsection is amended by stating that it does not apply to the activities of a

communications service provider that are outside the scope of the provisions of the Small Wireless Facilities Deployment Act.

---

---

Suzanne Geist, Chairperson