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Urban Affairs Committee
January 19, 2016

[LB699 LB700 LB703 LB704]

The Committee on Urban Affairs met at 1:30 p.m. on Tuesday, January 19, 2016, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB703, LB704, LB699, and LB700. Senators present: Sue Crawford, Chairperson; John McCollister, Vice Chairperson; Laura Ebke; Matt Hansen; Sara Howard; and Dan Hughes. Senators absent: Colby Coash.

SENATOR CRAWFORD: Good afternoon, everyone, and welcome to the Urban Affairs Committee. My name is Senator Sue Crawford, and I represent the 45th Legislative District in Bellevue and eastern Sarpy County, and I serve as Chair of the Urban Affairs Committee. Welcome to a new legislative session in the Urban Affairs Committee. We will start off having members of the committee and committee staff do self-introductions, starting on my right with Senator Hughes.

SENATOR HUGHES: Dan Hughes, District 44--10 counties in southwest Nebraska: Chase, Dundy, Perkins, Hayes, Hitchcock, Red Willow, Furnas, Harlan, Gosper and...I know I shouldn't have done that without thinking about it. There's one more...Harlan, Gosper and Frontier. Thank you.

SENATOR McCOLLISTER: John McCollister, District 20: one little, small part of Omaha.

TREVOR FITZGERALD: Trevor Fitzgerald, committee legal counsel.

SENATOR HANSEN: Matt Hansen, District 26: northeast Lincoln.

SENATOR EBKE: Laura Ebke, District 32: Jefferson, Saline, Thayer, Fillmore Counties and the southwest corner of Lancaster.

CHRIS TRIEBSCH: And I'm Chris Triebsch, I'm the committee clerk.

SENATOR CRAWFORD: Also assisting...and as regulars know, we have senators who come in and out of the hearing rooms. We sometimes have bills we're introducing in other committees, so please know that if a senator is leaving the room, coming back into the room, they will be present to hear...that probably attending another hearing at that time. Also assisting our committee is our committee page, Kellie Wasikowski, from Omaha, who is a political science and sociology major at the University of Nebraska-Lincoln. This afternoon, we will be hearing four bills, and we will be taking them in the order listed outside of the room. On each of the

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tables in the back of the room, you will find blue testifier sheets. If you're planning on testifying today, please fill one out and hand it to Chris when you come up. This will help us keep an accurate record of the hearing. Please note that if you wish to have your position listed on the committee statement for a particular bill, you must testify during that bill's hearing. If you do not wish to testify, but would like to record your position on a bill, please fill out the pink sheets in the back of the room. We would ask that if you have any handouts that you please bring at least 10 copies and give them to one of the pages. And if you need additional copies, the pages can help you out. The testimony for each bill will begin with the introducer's opening statement. After the opening statement, we will hear from supporters of the bill and then from those in opposition, followed by those speaking in a neutral capacity. The introducer will then be given the opportunity to make closing statements, if they wish to do so. We ask that you begin your testimony by giving us your first and last name and to please spell them for the record. Generally in this committee, we take a show of hands of testifiers to see if we need to use the light system, and it looks like we do not need to use the light system today. So in that case, we ask that you keep your testimony under five minutes and still avoid repetitive testimony if possible. I would like to remind everyone, including senators, to please turn off your cellphones or put them on vibrate. And with that, we will begin today's hearing with LB703. LB703 is an Urban (Affairs) Committee bill, and so what is general practice on technical committee bills is that legal counsel introduces the bill and is able to answer questions of committee members on any technical, legal issues with that technical bill. So LB703 is one of those technical bills and so we have Trevor Fitzgerald, counsel for the committee, here to introduce the bill. Welcome. [LB703]

TREVOR FITZGERALD: Good afternoon, Chairwoman Crawford and members of the Urban Affairs Committee. For the record, my name is Trevor Fitzgerald, T-r-e-v-o-r F-i-t-z-g-e-r-a-l-d, and I'm introducing LB703 on behalf of the committee. LB703 is the first of several committee-introduced bills by the Urban Affairs Committee, and addresses nuisances in cities of the first class, cities of the second class, and villages. Over the past few years, the committee has been in the process of revising the statutory language dealing with nuisance violations. In 2013, the Legislature passed LB643, which amended the notice and appeal procedures for weeds and litter related nuisances in cities of the first class, cities of the second class, and villages. Under the changes in LB643, property owners or occupants who have received such a nuisance citation had a five-day period to appeal the citation. A hearing on the appeal had to have been held within 14 days after the appeal was filed, and a decision on the appeal must have been rendered within 5 business days of the hearing. Under LB703, the notice and appeal procedures for obstruction-related nuisances in cities of the first class, cities of the second class, and villages would be amended to mirror the procedures for weeds and litter-related nuisances that were established in 2013. Current statute on obstruction-related nuisances allows for an appeal, but does not specify the appeal procedure. Identical legislation to LB703 was introduced by the Urban Affairs Committee in 2014 and was advanced to General File, but failed to advance from General File due to lack of time at the end of session. Representatives with the League of Municipalities, as

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well as representatives from several cities are here to testify behind me, but I would be happy to answer any questions the committee may have at this time. [LB703]

SENATOR CRAWFORD: Thank you, Mr. Fitzgerald. Questions from the committee? Seeing none, thank you. We will now take testimony in support of LB703. Welcome. [LB703]

GARY KRUMLAND: (Exhibit 1) Senator Crawford, members of the committee, my name is Gary Krumland, it's K-r-u-m-l-a-n-d, representing the League of Nebraska Municipalities, here in support of LB703. As Trevor mentioned, this has to do with appeal procedure from nuisance citations in cities of the first class, cities of the second class, and villages. And I'll say this, the first hearing of this year, that cities of the first class are those between 5,000 and 100,000 citizens; cities of the second class are 800 to 5,000; and villages are those with a population below 800. So it would apply to all of those cities. It has to do with a nuisance created by a dead or diseased tree that is obstructing or possibly obstructing sidewalks or street's right of way. And as Trevor mentioned, in 2013, the Legislature passed LB643 to establish a procedure for appeals for nuisances, but this section was not amended. So what LB703 does is standardizes the appeal procedure for nuisances and sets a specific time for filing the appeal, for the decision, so that it's standardized and that it has a specific time frame involved. Current law just simply says an appeal and so there's nothing...everybody has to create their own or just guess what it does. And especially this is important when you have a dead or diseased tree that could be hanging over a sidewalk and there may be some reason why you really want to get it taken care of. Greg Butcher, who is the city attorney of Beatrice, was hoping to be here, but because of the snow asked if I would submit the letter, and that's what was handed out. He was involved with the original legislation. They had a court case where the court basically said since there's no procedure in the statutes for appeal, they pretty much just say as long as you file for an appeal, that's the end of it, nothing else happened. And so this...that was why LB643 was adopted in 2013, and this just clarifies another statute to do the same thing that the current law does for weeds and litter. So we ask the committee to advance the bill. It's more or less a technical change to make the laws consistent. And I'd be happy to answer any questions anybody would have. [LB703]

SENATOR CRAWFORD: Thank you, Mr. Krumland. Questions? Thank you. Is there anyone else wishing to testify in support of LB703? Is there anyone wishing to testify in opposition to LB703? Is there anyone wishing to testify in a neutral capacity concerning LB703? So we have with us a letter of support from the city of Beatrice for the record on LB703. And that is the only letter that we have testifying on LB703. So we will close the public hearing on LB703 and open the public hearing on LB704. LB704 is also a technical committee bill, so Mr. Fitzgerald will again provide the opening. Thank you. [LB703/LB704]

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TREVOR FITZGERALD: Good afternoon, Chairwoman Crawford and members of the Urban Affairs Committee. For the record, my name is Trevor Fitzgerald, spelled T-r-e-v-o-r F-i-t-z-g-e-r-a-l-d. I'm introducing LB704 on behalf of the committee. LB704 is a bill designed to clean up various statutes that deal with building codes and is largely technical in nature. As committee members may recall, the Building Construction Act both adopts the state building code and also provides the process by which political subdivisions adopt local building codes. While current language in the Building Construction Act clearly states that no political subdivision may adopt or enforce a local building or construction code other than as provided in the Building Construction Act, there are a handful of other sections of statute that address local building codes in some way. Roughly half of the changes in LB704 are designed to harmonize the language in the Building Construction Act and the other sections dealing with building codes. First, language in Sections 1, 2, 3 and 5 cross-reference language that local building and construction codes must be adopted and enforced as provided under the Building Construction Act. Second, the bill clarifies that political subdivisions must keep a copy of their local building code available for use and examination by the public as long as the code is in effect. This requirement essentially appears in two sections of statute currently, but is written in a way that seems to indicate that the political subdivision would only have to keep a copy of the code available before the code is adopted. Strict interpretation of current language would permit political subdivisions to no longer keep a copy of the code available once the code was adopted, so the bill adopts...sorry, the bill amends the current language as it appears in Section 3 and 5 of the bill and cross-references this requirement in Section 7. Third, the bill strikes duplicate language in Section 4 of the bill. Currently, Section 18-132 and 19-922 contain virtually identical language dealing with the adoption of codes by municipalities, but Section 18-132 applies to all classes of municipalities while Section 19-922 only applies to cities of the first class, cities of the second class, and villages. Section 4 of the bill would repeal the duplicate language in 19-922, leaving only the remaining language that provides that building codes and other zoning requirements apply within the extraterritorial zoning jurisdiction or ETJ of cities of the first class, cities of the second class, and villages. Fourth, the bill repeals language in Section 18-132 that provides for unconstitutional delegation of legislative authority by municipalities. Similar language was actually repealed from Section 19-922 in 2014, but the language in Section 18-132 was inadvertently left out of the 2014 legislation. The remaining sections...sorry, the remaining changes in Sections 6 and 7 of the bill are designed to streamline and clarify the process for local building code adoption. Current language dealing with the adoption of local building codes is somewhat confusing and in some cases has led to differing interpretations by city officials as to how local building codes are adopted. Under Section 6, the bill provides a definition of the term component for purposes of the Building Construction Act. Use of the word component in the act began in 2010, and was meant to refer to the three codes that currently make up the state building code. Because the word component is not typical "code language," some cities had expressed confusion about what actually constituted a component of the state building code. Next, the bill clarifies that counties and municipalities are the only political

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subdivisions that may adopt a local building code. While the Building Construction Act does not currently define political subdivision, the legislative history and other sections of statute that address local building codes indicate that only counties and municipalities were contemplated under the act. This clarification ensures that other types of political subdivisions, such as sanitary improvement districts or SIDs, natural resources districts, or community college areas would not be able to adopt their own local building codes. Most importantly, LB704 streamlines the process of local building code adoption. Most cities currently interpret the language in current statute as requiring a two-step process of local building code adoption, where they first must adopt the state building code and then second, can amend their local code as long as it conforms generally with the state building code. Section 7 restructures the language dealing with local code adoption to eliminate the two-step process, allowing political subdivisions the choice of either adopting the state building code or adopting a code that generally conforms to the state building code. Section 7 also clarifies that political subdivisions have the ability to opt-in to code provisions that were removed from the state building code. In 2011, when the Legislature specifically excluded the fire sprinkler mandate in the International Residential Code from the state building code, they also explicitly stated that political subdivisions could opt in to the fire sprinkler mandate. LB704 would provide similar opt-in language for the two provisions that were excluded from the state building code with the passage of LB540 last session. And those two provisions are the energy efficiency chapters in both the International Building Code and International Residential Code. Also, Section 7 clarifies that political subdivisions that adopt a local building code may also adopt other types of standard codes at the local level, such as plumbing codes, electrical codes, fire codes, and energy codes. Finally, LB704 clarifies that a political subdivision cannot adopt a prior edition of a component of the state building code. Under current law, when the state building code is updated, political subdivisions are required to regularly update their local building code, which is defined in statute as adopting the most recently enacted state building code within two years. While the current language gives political subdivisions the ability to modify or delete portions of the state building code for a variety of reasons, it does not give the authority to simply remain on the previous edition of the code. Section 7 clarifies this by clearly stating that a prior edition of any component or combination of components of the state building code does not conform generally with the state building code. There are several individuals here to testify behind me, but I would be happy to answer any questions the committee may have at this time. [LB704]

SENATOR CRAWFORD: Questions? Yes, Senator Hansen. [LB704]

SENATOR HANSEN: Thank you, Chair Crawford. Mr. Fitzgerald, I wanted to follow up on the last point you raised, specifically about political subdivisions enacting a prior component of the code. So what I heard you say is essentially that it's under current law you cannot adopt a prior code, although you can change your current adoption. Could you just elaborate on that a little more? [LB704]

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TREVOR FITZGERALD: Yeah, that's correct. And it's somewhat complicated. The question of whether a political subdivision can adopt a prior edition of the code is something that has come to our office several times in the last year. Under current statutory language, it's in Section 71-6406, a political subdivision that has to follow that two-step process where they adopt the state code and then they amend their code to meet one of several criteria. The magic language that's always used is "conforms generally" with the state building code. But the criteria that are laid out in current statute are either: it conforms generally with the state building code; two, it adopts a special or differing building standard by modifying or deleting any portion of the state building code in order to reduce unnecessary cost of construction, increase safety, durability, efficiency, or address special local conditions; three, adopts any supplement, new edition, appendix, or component or components of the state building code; or four, adopts the fire sprinkler mandate that's in the IRC, as we've discussed before. As an example, if say a city...you know most recently we adopted the 2012 code. Say a city said, well, we want to just stay on the 2009 code past that two-year window. In order to do that under current law, they would have to first adopt the state building code and then, second, amend their code to go backward. The kind of the reasons that are laid out for code adoption to go backward...obviously it wouldn't be a situation where they are not adopting the fire sprinkler mandate, they are not adopting a new supplement or new edition, it's hard to argue that an entirely new code conforms generally with the state building code. The only option they have is the modifying or deleting standard, and that's kind of a hard test to meet if you're adopting a whole bunch of changed sections because a typical code update is going to contain hundreds of changes, not just a handful of changes. More importantly, the language currently in 71-6406...again, it requires that two-step process. The political subdivision must adopt the state building code and then must regularly update its code. So if two years afterward, the city updates the code and then amends backward to the code, the city really isn't regularly updating its code. It's ignoring that...basically that kind of interpretation ignores that language in statute and ignores the plain meaning of the words regularly update. So essentially, my legal opinion is that under current statute, a city or county cannot update a prior version of the code. [LB704]

SENATOR HANSEN: Okay, thank you. [LB704]

TREVOR FITZGERALD: Yeah. [LB704]

SENATOR CRAWFORD: Other questions? So if I...just want to clarify the component part of that language. So clearly, a city cannot say we'd like to adopt the 2006 code, right? [LB704]

TREVOR FITZGERALD: Under current law, yeah. [LB704]

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SENATOR CRAWFORD: Absolutely. So what I want to understand is the component part. So what the city would do was they would adopt the current state building code, there may be a component of that code which they think does not fit their city for the reasons listed. They might then choose to amend that. [LB704]

TREVOR FITZGERALD: Yes. [LB704]

SENATOR CRAWFORD: And when they amend it, it might look similar to an earlier year, but it would not be the case that they could just simply say, hey, we're going to go with the 2006 component x? [LB704]

TREVOR FITZGERALD: Yeah. And the component language generally refers to the three codes that are in our state building code. I purposefully didn't include that in the introduction. [LB704]

SENATOR CRAWFORD: Oh, okay. [LB704]

TREVOR FITZGERALD: Component refers to the International Building Code or IBC, the International Residential Code or IRC, and the International Existing Building Code or IEBC. So the component language generally means if a city chooses...I think the most common example is the city chooses not to include the Existing Building Code in their code. Under current law and also under LB704, the city can choose to just not adopt that particular code. [LB704]

SENATOR CRAWFORD: That's very helpful. Component means those big chunks. [LB704]

TREVOR FITZGERALD: Yes. Component relies to those three kind of, yeah... [LB704]

SENATOR CRAWFORD: Excellent. So smaller changes within a component...amendments that fit the criteria for an amendment would be appropriate in a city, but a city could not change an entire component, which is one of those three major sections. (Inaudible). [LB704]

TREVOR FITZGERALD: Yeah, and it is commonplace...I'm sure there will be people behind me to testify, it's commonplace for cities and counties to make a handful of amendments, but under current law they could not just remain on the old code. [LB704]

SENATOR CRAWFORD: Excellent, thank you. Any other questions? Thank you. Oh, yes, Senator Hughes. [LB704]

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SENATOR HUGHES: Thank you, Senator Crawford. So if the city or the village wants to amend the existing code, do they always have to amend it higher? Or can they amend it down? [LB704]

TREVOR FITZGERALD: No, they can amend it down. And the criteria that's in existing language on like unnecessary costs of construction, increasing safety durability, addressing special local conditions, that language is retained in the new restructuring of that section. So yeah, there are cases where cities can amend a particular provision backward for a variety of reasons. [LB704]

SENATOR HUGHES: Okay, thank you. [LB704]

SENATOR CRAWFORD: Excellent. Yes, Senator McCollister. [LB704]

SENATOR McCOLLISTER: Thank you, Chairwoman Crawford. Does that occur fairly frequently, that cities amend the state code? [LB704]

TREVOR FITZGERALD: My understanding is it's fairly commonplace. I do know that the committee, for testimony on LB540 last year, that the city of Omaha--a number of cities, you know, Gretna, Papillion, La Vista, Bellevue and the counties in that area, they all put together a package of amendments to the code that were basically uniform amongst those jurisdictions. [LB704]

SENATOR McCOLLISTER: So would you wish to characterize some of the amendments that cities make, they typically make? [LB704]

TREVOR FITZGERALD: I don't know if I'm the best person to answer that question. But I mean, they tend to be small changes is my basic understanding, but there might be someone behind me who would have a better idea. [LB704]

SENATOR McCOLLISTER: Thank you. [LB704]

SENATOR CRAWFORD: Thank you, Senator McCollister. Other questions? Thank you, Mr. Fitzgerald. We've been joined by Senator Howard. Welcome. [LB704]

SENATOR HOWARD: Thank you. [LB704]

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SENATOR CRAWFORD: So is there anyone wishing to testify in support of LB704? Welcome. [LB704]

CHRIS CONNOLLY: Thank you. Thank you, Madam Chair, members of the committee. My name is Chris, C-h-r-i-s, Connolly, C-o-n-n-o-l-l-y. I'm an assistant city attorney for the city of Lincoln, and I'm here on behalf of the city today to thank you for proposing this LB and to express our support for it. We think this is a good bill that does a lot of clean up, that pulls together sort of a patchwork system of building codes and puts them into one location where everyone can find them and read them and understand how building codes are to be adopted and what kind of modifications can be made within certain limitations as Mr. Fitzgerald explained. Mr. Fitzgerald did a wonderful job in structuring this. He and I had some very good discussions last fall on how to put this together, and I think he did a great job in organizing it. Some of the benefits that go along with this bill, as Trevor suggested, is it clarifies the process for adopting bills. It also adds a best practices component...I say component, I don't mean one of the major pieces of legislation. But as part of it, there is the ability to add in best practices as a particular political subdivision may deem beneficial to the particular code. It also clarifies that other codes can be adopted, such as fire, plumbing or electrical, that would be separate from the construction building code. And then last is Mr. Fitzgerald was talking about mending out certain portions of the code...of the Building Construction Code, that the individual cities or villages or counties may feel are appropriate. And that is something that we do with Lincoln. We will take one of these major codes, the building code for example, we have a task force made up of citizens and city staff that will go over the codes and make suggested changes in particular chapters. It is usually not wholesale changes. There may be minor changes to individual sections of each building code. Then it goes to a code study committee that the city has that reviews those changes and then makes a recommendation to the mayor, who then sends it to the council for approval. So that's our process, that's not necessarily everybody else's process, but that's what we use. It's been beneficial for us. Like I said, pulling these sections together would be helpful. I find myself, when I'm looking at building code issues up to this point, I may look at something in Section 71-6406, but then I have to go and look at the other sections as well to make sure that whatever I'm trying to do doesn't somehow conflict with those other sections. And so that's why this will be beneficial to pull these together. And so with that, I'll be happy to answer any questions you may have. [LB704]

SENATOR CRAWFORD: Thank you, Mr. Connolly. Questions? Thank you. Thank you for taking the drive on a nasty day. [LB704]

CHRIS CONNOLLY: Thank you. Sure. [LB704]

SENATOR CRAWFORD: Welcome. [LB704]

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LYNN REX: Thank you, Senator Crawford, members of the committee. My name is Lynn Rex, L-y-n-n R-e-x, representing the League of Nebraska Municipalities. And first, we'd like to thank the committee for their hard work on this, and specifically the committee counsel. We think this bill goes a long way to try to help clarify the laws and how they are to be read together. And specifically, just in terms of...I think to us, one of the most important provisions is on page 7, and that is just the definition itself of what constitutes conforming generally with the state building code and how that can be done. So again, we think that this is an excellent step forward so that cities and even those that have to comply with this will understand what they need to do, and also, the clarifications, I think just the readability of it. It's just so much easier to read it and understand how it actually all relates together. In answer of your question, Senator McCollister, I can give you two examples about the kinds of amendments that cities might make, one of which I'm personally aware, one of which Gary Krumland leaned forward and whispered to me at this hearing. So the first one, that would be Valentine, Nebraska, years ago. Because of the composition of their soil, there's certain kinds of standards that they need and amendments that they needed in their building code because of the composition of the land itself and the dirt, if you will. And another example is one that Gary Krumland brought to my attention, and that is insulation--that a number of cities have amendments dealing with that, based on where they are and what their needs happen to be. So again, we think that this is just an outstanding effort to try to clarify the law so everybody understands what it is and how they're to apply it. I'd be happy to respond to any questions that you might have. [LB704]

SENATOR CRAWFORD: Thank you, Ms. Rex. Questions? Seeing none, thank you for your testimony. [LB704]

LYNN REX: Thank you very much. [LB704]

SENATOR CRAWFORD: Welcome. [LB704]

JACK CHELOHA: Good afternoon, Chairman Crawford, members of the Urban Affairs Committee. My name is Jack Cheloha, that's J-a-c-k for the first name, last name is spelled C-h-e-l-o-h-a. I'm the registered lobbyist for the city of Omaha and I want to testify in favor of LB704 today. Frankly, I'm testifying on behalf of Jay Davis, from the city of Omaha's Planning Department. Jay's official title is our assistant planning director, superintendent of permits and inspection division. He apologized that he couldn't be here today. It wasn't so much the weather that kept him away, but he's busy with a project in the Old Market in Omaha right now that maybe you're familiar with. A landmark restaurant had a fire a few weeks ago and they're still investigating. But basically, Jay wanted me to make the record for the city of Omaha and support the bill. Thank you for working on it and putting it in this format for us. We think it's very helpful. I think his quote basically says it modernizes the language and allows us to adopt and

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amend, which is crucial for cities. I can't remember who said it, but somebody mentioned that a collaboration of city inspectors in the metro area--metro Omaha get together and they work on pieces of the puzzle, because a lot of the same builders, if you will, reside and work on projects within the metro area. And so we find that to be helpful to have that flexibility to work together. This code allows it. Actually, you know, it takes a special kind of person to work on these committees that write these codes and to read them and understand it. And so I think this just gives them a good tool and framework to work with. And for those reasons, we support it. Thank you. I'll answer questions. [LB704]

SENATOR CRAWFORD: Thank you, Mr. Cheloha. Questions from the committee? Thank you. [LB704]

JACK CHELOHA: Thank you. [LB704]

SENATOR CRAWFORD: Anyone else wishing to testify in support of LB704? Anyone wishing to testify in opposition to LB704? Anyone wishing to testify in a neutral capacity to LB704? And I believe we have no letters. We have no letters of record, so I will close the hearing on LB704. And the next two bills are bills introduced by Senator Mello, so we may need a moment to allow him to arrive. He's opening hearings in Appropriations. Oh, here he is. Great. So we have just opened the hearing on LB699. Welcome, Senator Mello. [LB704]

SENATOR MELLO: Good afternoon, Chairwoman Crawford, members of my second-favorite committee, the Urban Affairs Committee. My name is Heath Mello, H-e-a-t-h M-e-l-l-o, and I represent the 5th Legislative District in south Omaha. LB699 was drafted as a cleanup bill to update the Nebraska Municipal Land Bank Act. In 2013, the Legislature unanimously passed LB97, the Nebraska Municipal Land Bank Act. The concept was introduced to give Nebraska municipalities a new set of tools to strategically address problem in vacant, abandoned properties, without straining public resources. A land bank is a public authority created to efficiently acquire, hold, manage and develop vacant, abandoned, and tax foreclosed properties. LB97 was advanced unanimously by the Revenue Committee, passed without opposition and was signed by then-Governor Heineman. With the new law in place, the city of Omaha recently established the Omaha Municipal Land Bank by ordinance in July 2014. LB699 would amend provisions of the Nebraska Municipal Land Bank Act to update the law in response to recommendations from the Omaha Municipal Land Bank and incorporate other improvements. First, the bill would revise membership requirement provisions for board membership, to allow for more flexibility in filling vacancies. Second, the bill would add urban agriculture activities included, including the establishment of community gardens to the list of priority considerations for land use. This change was requested by the Community Gardens Task Force established in 2015, through LB175, the Community Gardens Act. And third, the language expands the

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reporting requirements to reflect that a land bank's annual report to the Legislature would be submitted to both the Revenue Committee and this committee, the Urban Affairs Committee. The language also changes the date from December 31 to March 1 of each year. This particular change was suggested by the Omaha Municipal Land Bank because of financial timelines. I believe a representative from the Omaha Municipal Land Bank will be testifying after me. He can speak more to that specific issue. I do want to note that their 2015 annual report was filed prior to the December 31 deadline and is available to the entire Legislature. In addition to the changes including in LB699 as introduced, committee members should have received a copy of AM1861 for your consideration. AM1861 would add one member of the governing body of the municipality to the land bank board as a nonvoting ex officio member, established under the Nebraska Municipal Land Bank Act. Thank you for your time, and I'd be happy to answer any questions that you may have. [LB699]

SENATOR CRAWFORD: Thank you, Senator Mello. Questions from the committee? Seeing none, we'll go to testifiers. Those who are wishing to testify in support of LB699. Welcome. [LB699]

JULIA PLUCKER: Good afternoon. My name is Julia Plucker, J-u-l-i-a, last name, P-l-u-c-k-e-r. I found out about 15 minutes ago that I was going to testify on behalf of the land bank board, which I'm happy to do, but Randy Lenhoff...oh, I'm sorry. Look at this, I'm a lobbyist and I forgot my testifier sheet (laughter). I told you, I'm a little discombobulated. Randy Lenhoff, one of our voting members, was going to be down and testify, but the roads were a hindrance to get him from Omaha to here, so I will read his remarks. I am a nonvoting member on the board, and we have been meeting for almost a year now and things are progressing quite nicely. Because of the Legislature's unanimous support of the enabling legislation in 2013, the actions of the Omaha City Council in the summer of 2014, and the generous financial support of public and private donors, our community created the Omaha Municipal Land Bank. The mission is to facilitate the return of vacant, abandoned, tax delinquent property to productive use. And our board is in full support of LB699. We support the removal of the requirement that each voting board member represent a specific industry and instead, that the land bank board members must collectively embody a variety of industry-related experiences, including experience related to nonprofit affordable housing, being a realtor, large-scale residential or commercial property rental, real estate development, and banking and chamber of commerce representation. Additionally, we would support the inclusion of community gardening as a land use that we can have the ability to prioritize. We also support moving the due date for the report due to the Legislature from December 31 to March 1. Moving the date back will give us enough time to prepare a full calendar year report on our activities and outcomes. We are an organization in our infancy, but 2016 will be a year of significant growth. We look forward to building partnerships and making an impact in our neighborhoods. I'd be happy to answer any questions. I think the way this came about is we did have a vacancy on the board for a number of months, when a south Omaha

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district, who is also the banking representative, had to withdraw from the board. And we just wanted to see a little bit of a relaxing in that, so it wasn't so specific that we couldn't find another board member, which is what the case was for about seven months. So that's kind of how that change came about. I'd be happy to answer any questions. [LB699]

SENATOR CRAWFORD: Thank you, Ms. Plucker. Questions from the committee? All right, thank you. [LB699]

JULIA PLUCKER: Thank you. [LB699]

SENATOR CRAWFORD: Welcome. [LB699]

JENNIFER CREAGER: Thank you. Chairwoman Crawford, members of the committee, my name is Jennifer Creager, J-e-n-n-i-f-e-r C-r-e-a-g-e-r. I'm the director of public policy for the Greater Omaha Chamber, here in support of LB699. On behalf of the chamber, we thank Senator Mello for bringing this to the committee. The chamber has supported the establishment of the land bank since the idea was proposed, as a means of helping address the issue of vacant and abandoned urban land, and we thank the committee and the Legislature for helping with this. Urban redevelopment has long been a core part of our community development mission, and we believe the land bank will go a long way to getting land back into productive use. I defer technical details on LB699 to those who work directly in its operations, but I do want you to know of our strong support for this. The legislation establishing the framework for a land bank predates me as a chamber representative, but I have worked closely with chamber members and staff who teamed up to make this happen. LB699 follows your previous legislation in setting up a structure that we believe will set a standard for addressing the pressing problem of abandoned property and revitalizing neighborhoods. Thank you. [LB699]

SENATOR CRAWFORD: Thank you, Ms. Creager. Questions by the committee? So this is not a question specific to the bill, but in what you've seen so far, can you speak to any of the positive developments that you've seen out of the land bank work thus far? [LB699]

JENNIFER CREAGER: I think...and again, I just joined the chamber a year ago, so I wasn't there when the legislation was developed, but I think that they've spent the majority of their time really getting organized, hiring staff. So I think they feel really ready that this is their year to kind of take off. But I think it's been really organizational up to this point. [LB699]

SENATOR CRAWFORD: Excellent, thank you. Any other questions from committee members? Thank you for your testimony. [LB699]

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JENNIFER CREAGER: Thank you. [LB699]

SENATOR CRAWFORD: Welcome. [LB699]

CHARLES GOULD: Good afternoon. I'm Charles Gould, G-o-u-l-d. I live in Senator Howard's District 9 and am a recently retired teacher from Millard. And now I'm a member of the Housing and Neighborhood Revitalization Action Team, Omaha Together One Community, known as OTOC. OTOC is a 20-year-old coalition of congregations and community organizations in the metro Omaha area. OTOC works with a variety of issues that surface during individual and small-group meetings in our member institutions. The OTOC housing action team has been active for six years and has long supported the idea of a municipal land bank, appearing here at the Legislature in support of Senator Mello's bill to create Nebraska Municipal Land Bank Act in 2013 and in Omaha in support of the city ordinance to establish the Omaha Municipal Land Bank of 2014. We know that the land bank can be a part of revitalizing older neighborhoods where there are abandoned and tax-delinquent properties. I have attended the land bank monthly board meetings in the last several months as an observer. And I'm here today representing OTOC in support of LB699 and its efforts to improve Nebraska's Municipal Land Bank Act by revising its language. OTOC supports the first of the purposes of revision, which is to revise membership requirement provisions to allow more flexibility in hiring vacancies. This increased flexibility would allow the mayor to appoint citizens to the Omaha Municipal Land Bank board of directors who are the most highly qualified and in the several of the required areas, and to maintain a balanced board in terms of expertise and city-wide representation. I've seen the current board that is made up of highly-accomplished people, people from across the community. And while OTOC appreciates the intent of the original bill to obtain people with diverse skills from all seven city council districts, the implementation of the design has caused delay and difficulty in filling those board positions that OTOC believes the proposed changes are warranted. Building the best board of directors will always be in everyone's best interest. We also support the second purpose of the legislation, which is to add urban agricultural activities, including the establishment of community gardens to the list of potential priorities for land use. There are quite a number of blocks in urban Omaha where the empty lots outnumber the houses. In some of those areas, there are low-income residents and other businesspersons who would like to grow fresh food for the burgeoning farmers markets in Omaha. OTOC believes that the land bank should be able to encourage the establishment of both urban agriculture and community gardens, since this will put some of the lots to good use until the time that they might be redeveloped. OTOC looks forward to continuing in its support of the Omaha Municipal Land Bank as it grows and develops as a key tool for the Omaha community to improve the vitality and the safety of our neighborhoods. Thank you. [LB699]

SENATOR CRAWFORD: Thank you, Mr. Gould. Questions? Seeing none, thank you for your testimony. So we are currently taking testimony in support of LB699. Welcome. [LB699]

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JACK CHELOHA: (Exhibit 1) Thank you. Good afternoon, Senator Crawford, members of the Urban Affairs Committee. My name is Jack Cheloha, that's spelled J-a-c-k, last name is C-h-e-l-o-h-a. I'm the lobbyist for the city of Omaha. I want to testify in support of LB699 this afternoon. First, let me thank Senator Mello for introducing and carrying and successfully passing the first land bank legislation in Nebraska: LB97. The city of Omaha supported that bill. Likewise, let me thank him for introducing LB699 today, which as he termed it, is the cleanup of that initial legislation. We would be supportive of it. I talked with your legal counsel, a letter was submitted by our council president Ben Gray, and if I could, I would just like to read it into the record. "Dear Senator Crawford and committee members, I write in support of LB699, which would modify several provisions of the Nebraska Municipal Land Bank. I had hoped to appear in person to testify today, but am unable to attend today's hearing because of the inclement weather. LB699 would approximately relax some of the required qualifications and expertise of the land bank board members. I believe the changes would improve the city's ability to find highly-qualified board members possessing both a broad public interest and appropriate qualifications, while continuing to ensure representation from each city council district. I respectfully urge the committee to advance LB699. Sincerely, Ben Gray." I won't hand it out, because I think you already have copies handed out. First, let me tell you this legislation in Omaha, I've been involved working with it through the legislative process here, but likewise on the Omaha City Council. It was met with great enthusiasm to try and deal with a lot of properties where we had vacant and abandoned properties, or there were flat out no homes left on them anymore. And it's exciting because it's a public and private partnership where the community works together. We're very excited that the board has done most of their organizing. As a previous testifier stated, we now have an executive director hired, staff, we're moving forward with their local rules and regulations within the body. We think this appointment will be helpful to find the qualified people to relax some of the standards a little bit, just so we can find the right people to be on the board. In terms of reporting, I don't know if the city necessarily has a comment on the due dates there. But in terms of the amendment that Senator Mello offered to the committee right at the beginning of his testimony, AM1861, this would add a member of the governing body, which would be the Omaha City Council, to be on the land bank board. Of course they would be nonvoting, and an ex officio member. And we think that would be a good opportunity for elected council member to work with them, to work with a private enterprise, to work with those board members that are appointed. We think this is a good inclusion. Councilmember Gray and other councilmembers have been very active in regards to the land bank anyway, and so we think this is a good idea to put that in statute. And with that, I'll try to answer any other questions you have. But we support LB699. [LB699]

SENATOR CRAWFORD: Thank you. Questions from committee members? Seeing none, thank you for your testimony. [LB699]

JACK CHELOHA: Thank you. [LB699]

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SENATOR CRAWFORD: Anyone...yes, there is someone else wishing to testify. Welcome.
[LB699]

LYNN REX: Thank you, Senator Crawford, members of the committee. My name is Lynn Rex, L-y-n-n R-e-x, representing the League of Nebraska Municipalities. We also would like to thank Senator Mello for both pieces of legislation: the original, enabling legislation; plus LB699. We especially like the provision that he's embraced in your amendment, so that you have the connection and the nexus between the city council and also the land bank. We think this is really the best of what legislation ought to be, public/private partnerships and also trying to address some serious issues on the local level. With that, I'd be happy to answer any questions that you might have. And we, by the way, would hope this will be...the committee could advance the bill and get it on the consent calendar. [LB699]

SENATOR CRAWFORD: Thank you. Questions? Seeing none, thank you for your testimony.
[LB699]

LYNN REX: Thank you very much. [LB699]

SENATOR CRAWFORD: Thank you. Anyone else wishing to testify in support of LB699? Anyone wishing to testify in opposition to LB699? Anyone wishing to testify in a neutral capacity on LB699? As was noted earlier, we do have a letter of support from Councilman Ben Gray. And for committee members, that's in your folders already. And with that...excuse me. Senator Mello, would you like to close on LB699? [LB699]

SENATOR MELLO: I waive closing. [LB699]

SENATOR CRAWFORD: You are not waiving, you are wanting to close. [LB699]

SENATOR MELLO: No, I'm waiving closing. [LB699]

SENATOR CRAWFORD: Oh, you're waiving closing? Okay. Then with that, we will close the public hearing on LB699 and open the public hearing on LB700. Welcome, Senator Mello.
[LB699]

SENATOR MELLO: (Exhibit 1, 2) Good afternoon, Chairwoman Crawford, members of the Urban Affairs Committee. My name is Heath Mello, H-e-a-t-h M-e-l-l-o, and I represent the 5th Legislative District in south Omaha. LB700 would enhance requested communication between neighborhood associations and their municipal government. Specifically, LB700 would expand

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the existing neighborhood association legal notice requirements for municipalities to two new areas: initial zoning adoption and the creation of business improvement districts. Traditionally called courtesy notices, notifications to neighborhood associations regarding zoning changes were codified in state statute in 1993, through an amendment offered by then-Senator Don Preister, from Legislative District 5. In 1995, the neighborhood association concept was expanded to include redevelopment plans, under the Community Development Law, through Senator Preister's LB140. Currently, neighborhood associations can opt in to receiving notices about zoning changes and redevelopment projects that affect the area of concern for that neighborhood association. These statutes have provided a helpful tool to notify residents of impending changes that affect their community. In 2014, I introduced and the Legislature passed LB679, which amended the two sections of statute that provide for notices to neighborhood associations, to allow for greater flexibility in the manner of the notice provided. Under current statute, each neighborhood association receiving planning notices has the option to select a preferred method of notice: either e-mail or regular, certified or registered mail. The intent of the changes in LB679 was to allow planning notices to be provided via e-mail and help city planning departments reduce postage costs, as well as make the process more convenient for neighborhood associations that receive multiple notices each month. Adding notice for initial zoning and business improvement districts would provide new opportunities for neighborhood associations to engage and receive official communication from their city, regarding activities that affect their membership. Neighborhood associations serve as a critical role as a conduit in helping communities stay up to date with city activities. LB700 builds on previous legislative work to strengthen the opportunities for neighborhood associations to take an active role in receiving communication. I want to emphasize that under current statute, neighborhood associations have the choice to opt-in to receive notices regarding their areas, and the same would be true for these two categories proposed in LB700. The legislation is supported by Omaha Neighborhood Engagement Initiative, or ONE Omaha, who intended to testify today, but could not make it to the Capitol due to the inclement weather. I'm submitting their letter of support for the record and an additional letter of support from the Northwest Omaha Neighborhood Alliance. Thank you for your time, and I'd be happy to answer any questions that you may have. [LB700]

SENATOR CRAWFORD: Thank you, Senator Mello. Questions by committee members? Yes, Senator Howard. [LB700]

SENATOR HOWARD: Thank you, Senator Crawford. I have a lot of neighborhood associations in my district who are very vocal, but may not be as tech savvy. So they're still able to receive notices via post if they prefer? [LB700]

SENATOR MELLO: It is under current law, neighborhood association gets to select how they would choose to receive their notifications. We included the e-mail notification in 2014, just in

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the sense of trying to give the city more flexibility in regards to how neighborhood associations may want to receive that communication. But a neighborhood association could request regular mail, certified and/or registered mail, if that is the choice that they would want. [LB700]

SENATOR HOWARD: Okay, thank you. [LB700]

SENATOR CRAWFORD: Thank you. Other questions by committee members? Seeing none, thank you, Senator Mello. [LB700]

SENATOR MELLO: Thank you. [LB700]

SENATOR CRAWFORD: Is there anyone wishing to testify in support of LB700? Anyone wishing to testify in opposition to LB700? Anyone wishing to testify in a neutral capacity to LB700? Welcome. [LB700]

JACK CHELOHA: Good afternoon, Senator Crawford, members of the Urban Affairs Committee. My name is Jack Cheloha, the last name is spelled C-h-e-l-o-h-a. I'm the registered lobbyist for the city of Omaha, and I want to testify in the neutral capacity on LB700. First of all, let me thank Senator Mello for introducing the bill and also for his watchfulness in terms of helping his constituents and our citizens and all the...at least for the city I represent, all the residents of the city of Omaha, relative to their ability to become informed and to understand what local city government is up to in terms of zoning changes or other notices we might bring up. Or likewise in this bill, we also address the BIDs, or business improvement districts. And so I just wanted to thank him for that. And the reason why I came in neutral, if you will, as I sent this bill out to members of the city of Omaha staff, from our planning department through our city legal department, it drew a number of comments, if you will. And a lot of times, we--meaning me as the lobbyist--have to inform the people that I work with, you know, as to what the true intent of the bill is, and that if these neighborhood groups ask to be given these notices, it's an opt-in. And so at first, there was some worry that maybe we're mandating some extra work on the departments, but it's key to remember that it's an option. That if they ask for it, then we have a duty...the legal duty is triggered to do it any of these ways. In terms of the BID, you know, just some of the comments that I received back on that is typically business improvement districts are as by the name itself says, business. And so you wonder, well, is there a residential element, which typically might be a neighborhood group, but yet at the same time, there can be some resident groups that reside within an overlap of a business improvement district. So in that sense, I think it makes sense that we would offer such notices as well. So there's many reasons why we could like such a bill. Sometimes there's fear of the unknown, that you don't know how many people are going to ask for the notices, and so will it be more duty on city staff to provide them? But yet at the same time, whatever you decide is best is what they'll do, and they'll follow the law

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and get these notices out. Finally, one last comment some people made was relative to the year that we live in. You know, it's 2016. It seems like the volume of U.S. Postal...or mail or snail mail is down. And so on previous bills, some neighborhood presidents didn't want to receive certified mail, because they weren't there to sign for it. And so that's why we gave it the flexibility to go another way. And now, as Senator Howard pointed out, sometimes, you know, people still may not be up to speed relative to e-mail or having computer technology, and so we need to have a number of options in place. One comment I guess we did get is maybe certified mail would be a little bit too onerous. Maybe the committee would entertain just giving the choice of regular U.S. mail or e-mail, and we think maybe that would cover it in this day and age. But we'll let you...you know, maybe if you would talk that over in your executive session and see what you might think is the best way to go. But for those reasons, just because the comments and feedback I received were kind of all over the board, that's why I'm here in neutral. But yet, it's still an important topic and it's important to keep our citizens informed. So there's many good things and some concerns. But thank you very much. I'll try to answer any questions. [LB700]

SENATOR CRAWFORD: Thank you. Okay, thank you. Questions from committee members? Senator Howard. [LB700]

SENATOR HOWARD: Thank you, Senator Crawford. Thank you for your testimony today. I actually have a business improvement district that overlaps with one of my neighborhood associations in the Blackstone District at 40th and Farnam. [LB700]

JACK CHELOHA: Oh, perfect. Exactly. [LB700]

SENATOR HOWARD: And they are getting along very well. [LB700]

JACK CHELOHA: Good. [LB700]

SENATOR HOWARD: That area's had a lot of challenges, which I'm sure if you can ask anybody, we used to have a bar on the corner that had shootings and really difficult circumstances. [LB700]

JACK CHELOHA: Absolutely. [LB700]

SENATOR HOWARD: How often would a neighborhood association, because the leadership turns over fairly regularly with most of mine, how often would they be able to make modifications to the way that they're receiving the notice? [LB700]

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JACK CHELOHA: I think we...I can't remember if the bill specifically talks about that, but it's typical...my understanding with neighborhood groups that they elect their leaders or president, if you will, on an annual basis. And the city does keep and maintain a list of neighborhood groups, but yet it's voluntarily fed the information to us in terms of us keeping track of who the president is. And so I think it would be on an annual basis then, Senator Howard. [LB700]

SENATOR CRAWFORD: I'm just going to have legal counsel address that as well, if that's okay with you, Senator Howard and Mr. Cheloha. [LB700]

SENATOR HOWARD: No, that's wonderful. [LB700]

TREVOR FITZGERALD: Yes, the question about how that would be updated. If you look at as an example, the language on page 2, lines 23 through 25 basically spells out that the registration of a neighborhood association to receive these notices shall be in accordance with any rules adopted and propagated by the city. So the city can adopt the process by which they would get updates from the neighborhood association. [LB700]

SENATOR HOWARD: Do you currently ask...I apologize. [LB700]

SENATOR CRAWFORD: No, please go ahead, Senator Howard. [LB700]

SENATOR HOWARD: Do you currently ask, when they're updating their information, how they would like to receive notice? [LB700]

JACK CHELOHA: I think we do, only if they do ask for such notice. To be honest with you, Senator, there was some confusion as to which things...do planning have to send a mandatory notice? And then which ones are optional? And under this bill, these are still optional. And so therefore, we need to make sure we keep an accurate list of who requested to be notified. And so that's something that I have to work back with my department...city planning in Omaha, and make sure that they're current, up to speed and following state law. [LB700]

SENATOR HOWARD: Okay, thank you. [LB700]

SENATOR CRAWFORD: Other questions by committee members? So I have a question based on your last comment. [LB700]

JACK CHELOHA: Yes, ma'am. [LB700]

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SENATOR CRAWFORD: I believe probably the bills have made it optional to make it easier for the city. Are you telling us it would be easier for the city if they just knew they sent it to all of the neighborhood associations that are registered? I mean, is it harder to keep track of who asked or is it harder to send it to everyone? Which would be the preference, do you think? [LB700]

JACK CHELOHA: Yeah, I see your point. I absolutely do. I mean the issue then, we'd have to make sure we defined, you know, who has a vested interest. I mean, does it actually physically border, is it adjacent and congruent to it? I think we're most comfortable now with the requested information, it's just anytime you have multiple city clerks and turnover, etcetera, that's the only concern. So I just need to make sure they understand what the law says and they're doing what it says. [LB700]

SENATOR CRAWFORD: Yeah, right. It wasn't a facetious question, but it was a legitimate question. [LB700]

JACK CHELOHA: No, I know. I know. Yeah, okay. Thank you. [LB700]

SENATOR CRAWFORD: Thank you, Mr. Cheloha. Other questions from the committee? Thank you. Anyone else wishing to testify in a neutral capacity on LB700? So we do have letters of support from Julie Smith, from the Omaha Neighborhood Engagement Institute and Dennis Brown, from the NorthWest Omaha Neighborhood Alliance. Senator Mello, would you like to close? [LB700]

SENATOR MELLO: It's just maybe one point. Thank you, Chairwoman Crawford. Thank you, members of the committee. It's just more the sense that any bill that I've done in my time in the Legislature...where this is I think one of the only times where I've not had supporters who intended to be down here to testify in support of the bill, they were unable to be here. And so I want to reiterate the sense that we got communication about noon that the roads coming down from Omaha were really bad. Julie Smith, representing ONE Omaha, is the one major neighborhood organization in the city of Omaha that's funded by the city of Omaha partially, as well as by private donors, came and supported the bill, as did a separate neighborhood alliance that she also represents, came in support of the bill. So I just wanted to make sure to clarify that again for the record, that we did have the support of a major neighborhood organization within the city of Omaha in this concept. [LB700]

SENATOR CRAWFORD: Excellent. Other questions by committee members. I would ask you, the comment was made about certified or registered mail. How important do you think it is for those options to be available? [LB700]

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SENATOR MELLO: I was hoping you were going to ask me the question you asked the neutral capacity in the sense of... [LB700]

SENATOR CRAWFORD: I can still ask another question. [LB700]

SENATOR MELLO: ...what it turned out to seem almost like a neutral turning into a support of the legislation. I think the legislative history regarding the certified mail issue stem from my predecessor, former Senator Don Preister, who was in the Legislature for 16 years. That at the time, in the early 1990s, was the only surefire way to ensure that a property owner, through a neighborhood association, would get the notification from the city. We had this conversation a little bit I think in 2014, that we didn't eliminate certified mail because there are some neighborhood associations who prefer to get that as an option. Our hope would be that with the engagement of ONE Omaha and other neighborhood associations in the city of Lincoln and other areas of the state, that they would choose a more effective manner for them to get it. Which e-mail seems to be, for some populations, the best way to do it. Senator Howard asked the question, which is...I've heard a number of my neighborhood associations in District 5 who would still like to receive the mail copy, whether it's registered mail, certified or regular mail. That's left still up to the neighborhood association. I think if the city would get back and say there's a compelling reason why to get rid of certified mail so to speak, moving forward, I think if the committee wants to entertain that as an option, that's something I think the committee should entertain. But I think it's more so giving the right back to the property owner, to the neighborhood association, to the community to say here is how we want to be engaged. With some...I mean, some of these notices are fairly important notices in regards to redevelopment plans, business improvement districts, zoning changes, has a dramatic impact in regards to the fabric of a neighborhood in a community, in the sense of wanting to make sure that they're not caught off guard, they are well aware of what's going on in city government. Which sometimes, information, as we all know...I've had regular mail that's gotten lost. Hopefully, you have not had the same experience, but everyone I know generally has lost mail somewhere down the line. So if you're losing sometimes regular mail, that's the only surefire way to ensure sometimes very important government documents get to the property owner and/or the neighborhood association. So that's a decision that is not part of our bill. It's something that if someone else wants to introduce that as a separate bill, maybe in 2017, maybe that's something that someone can consider. But I appreciate the city wanting more flexibility. The hope would be that the city would reach out to neighborhood associations in the process that Senator Howard asked a little about and the legal counsel discussed a little bit, that neighborhood associations would pick what's best for them. And hopefully, that would be e-mail or electronic means, but if not, that they are more sparing in regards to utilizing registered or certified mail. [LB700]

SENATOR CRAWFORD: All right. Excellent. Any other questions? Any other closing comments that you wish to make? [LB700]

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SENATOR MELLO: Thank you. [LB700]

SENATOR CRAWFORD: All right, thank you. With that, we will close the public hearing on LB700. And that closes our public hearing. We will be having a short Executive Session next, so I would ask if you are leaving, if you would quietly leave the room, please. [LB700]