

Nebraska Association of County Officials Legislative Report



February 8, 2008

Election Issues Heard, Advanced

Voters casting ballots in an all-mail special election would not have to use an additional envelope under **LB 838**, which was heard by the Government, Military and Veterans Affairs Committee on Thursday. The bill, which was introduced by Sen. Russ Karpisek at NACO's request, would implement procedures identical to those used by voters who return absentee ballots by mail. County officials and NACO also testified in support of **LB 1067**, a bill setting minimum charges for political subdivisions placing issues on primary and general election ballots. Under the cost-sharing provisions of existing law, some small entities have paid as little as \$10 for their portion of ballot costs. County officials provided input on **LB 878**, a bill requiring recall petitions to include allegations of malfeasance, misfeasance or nonfeasance in office. An amendment was offered that would replace language on the petition stating an estimate of costs with a reference that recall elections are conducted at taxpayers' expense.

Lancaster County commissioners would be elected by district by Sen. Amanda McGill's priority bill, **LB 268**. The bill was

advanced from the first round of debate this week. Existing law provides for counties between 150,000 and 300,000 with a commissioner form of government to vote by district in the primary election and at-large in the general election. Currently only Lancaster County meets the population criteria but Sarpy County is quickly approaching 150,000 population.

An amendment to allow 16 and 17 year olds to circulate petitions was withdrawn and senators voted on Wednesday to adopt **LB 39**. As sent to the governor, the bill would prohibit petition circulators from being paid per signature, and require them to meet state standards for being eligible to vote.

Two bills NACO supported were passed by the Legislature last week but have not yet been signed into law. A recall election could be cancelled if the subject of the recall resigns at least 16 days prior to the election under **LB 312**. In addition, the bill requires resignations of public officials to be made in writing. **LB 269**, which would clarify the number of county commissioners and their districts if a county changes from a township form to a commissioner form, was also passed.

Preliminary Appropriations Committee Report Released

The Appropriations Committee's preliminary \$60 million budget was released this week and is available on the Legislature's website at www.nebraskalegislature.gov. The final budget is due by March 12, the 40th day of the session. The

Nebraska Economic Forecasting Advisory Board will meet on Feb. 22 to revenue estimates. Because the preliminary budget is based on October's forecast, significant changes are anticipated to reflect decreased estimates.

Snapshots of County Issues

- Certain beneficiaries would pay less **inheritance taxes** under a proposal that will be heard by the Revenue Committee on Feb. 13. **LB 913** would decrease the rate paid by second class beneficiaries from 13 percent to 10 percent.
- **Deputy clerks of the district court** would not have to be residents of the county they serve under **LB 775**. This NACO-requested bill was advanced to the floor by the Judiciary Committee.
- **County coroners** would have to complete a preliminary investigation in a time frame compatible with preserving and recovering organs and tissue for donation under **LB 246**. The bill was passed by the Legislature but has not yet been signed.

- Closing **railroad crossings** is the subject of a bill sent to the floor by the Transportation and Telecommunications Committee. A committee amendment to **LB 837** strikes the original bill and provides for an exemption from closing upon a written request from an engineer.
- **LB 179**, which addresses the **recording of custodial interrogations** by law enforcement, was advanced to Final Reading on a voice vote.
- The Revenue Committee advanced **LB 965**, which would eliminate multi-part **Form 521's** for reporting the sale of real property and address several clean-up issues.

Selected Hearing Schedule for Coming Weeks

The following is a list of some of the bills with county impact that have been scheduled for public hearing in coming weeks. Please check the Legislature's website for the full listing every Friday. Hearings will conclude on Feb. 28 and full days of debate will begin on March 4.

Monday, Feb. 11

Transportation and Telecommunications

Room 1113 - 1:30 pm.

- LB 1051 Change provisions regarding mowing and tree trimming along county roads

Wednesday, Feb. 13

Revenue

Room 1524 - 1:30 p.m.

- LB1026 Change tax-exempt status of housing agency property
- LR230CA Constitutional amendment to permit exemption of the increased value of a homestead from taxation
- LB732 Exempt first \$25,000 of residential property values from taxation
- LB733 Create a homestead exemption
- LR220CA Constitutional amendment to authorize different property tax treatment of residential property
- LB913 Change inheritance tax provisions

Judiciary

Room 1113 - 1:30 p.m.

- LB1055 Change provisions relating to dangerous dogs and dogs running at large

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

- LB962 Change public body meeting provisions of the Open Meetings Act

Natural Resources

Room 1525 - 1:30 p.m.

- LB1131 Authorize a collection fee for collection of a natural resources district occupation tax
- LB1132 Change provisions relating to river-flow enhancement bonds

Thursday, Feb. 14

Judiciary

Room 1113 - 1:30 p.m.

- LB 1130 Provide for the merger of adult probation and parole services
- LB1159 Change provisions relating to truancy and parenting plans

Government, Military and Veterans Affairs

Room 1507 - 1:30 p.m.

- LB927 Change factors favoring the change of county boundaries
- LB889 Provide construction alternatives for political subdivisions

Thursday, Feb. 14 con't.

Appropriations

Room 1003 - 1:30 p.m.

- LB 811 State intent to appropriate \$5 million to the public transportation assistance program
- LB 771, LB 1035, LB 1139 Provide funding for expressway system

Tuesday, Feb. 19

Banking, Commerce and Insurance

Room 1507 - 1:30 p.m.

- LB953 Change lien provisions relating to mobile homes and manufactured homes

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

- LB1129 Change provisions relating to highway planning
- LR232 Authorize the Transportation Committee to review the uncompleted segments of the 1988 expressway plan

Urban Affairs

Room 1510 - 1:30 p.m.

- LB1166 Provide for the extension of the corporate limits of a city of the metropolitan class into an adjoining county

Wednesday, Feb. 20

Judiciary

Room 1113 - 1:30 p.m.

- LR234 Retrocede jurisdiction over the Omaha Indian Reservation

Revenue

Room 1524 - 1:30 p.m.

- LB777 Change provisions relating to property valuation
- LB1118 Require filing additional budget and levy information
- LB1008 Provide for reassumption of the tax assessment function by counties
- LB1039 Create an agricultural land valuation task force
- LB1110 Adopt the Property Tax Review Court Act

Thursday, Feb. 21

Natural Resources

Room 1525 - 1:30 p.m.

- LB1164 Adopt the Wildlife Damage Act

Friday, Feb. 22

Revenue

Room 1524 - 1:30 p.m.

- LB1007 Change budget and tax levy limits
- LB1017 Change tax levy relating to risk management pools
- LB1098 Change tax levy provisions for fire protection districts