

# Nebraska Association of County Officials Legislative Report



January 22, 2010

## Noxious Weed Control Fund Clarification Advances

Counties without separate noxious weed control funds in their budgets would be able to deposit revenue from seed cleaning into the general fund without violating state statute under **LB 731**. The Agriculture Committee held a public hearing on the bill on Tuesday and voted to advance the measure to the full Legislature. The bill does not change levels of funding or expand the uses of noxious weed control funds, but is intended

to clean up a technicality within county budgets. Because some counties have eliminated stand-alone noxious weed control funds in an effort to streamline their budgets, the bill states that counties without such a fund can deposit the money into the general fund. Counties that have a noxious weed fund would continue to follow current procedures.

Senator Dennis Utter introduced LB 731 at NACO's request.

## Licensing of Minitrucks Sent to Floor

Minitrucks and utility-type vehicles (UTVs) could be operated on certain roads under **LB 650**, a bill advanced from the Transportation and Telecommunications Committee this week. Both types of vehicles would be titled, but only minitrucks would be registered and carry license plates. Minitruck drivers would need to hold an operator's license and carry the same insurance required for motor vehicles. UTVs would not include golf carts or low-speed vehicles.

Two bills were introduced this year to address similar issues. **LB 1004** provides for titling and registration of low-speed

vehicles and would allow counties to regulate these vehicles by ordinance. **LB 1100** would also require low-speed vehicles to be titled and registered. Under both bills, operators would need a drivers' license and liability insurance.

The Transportation Committee killed **LB 416**, which would have required vehicles to carry one license plate, and **LB 652**, which would have revised the distribution to wireless carriers of the E911 surcharge collected on cell phones.

## Change to Tort Claims Act Fails to Advance

A bill to expand the time period to file a tort claim against a political subdivision failed to advance from General File on Tuesday. Existing law requires claims to be filed initially with the governing body. If the claim is rejected, the injured party can pursue the legal remedies set out in the Political

Subdivisions Tort Claims Act (PSTCA) or State Tort Claims Act. **LB 304** would have harmonized the one-year deadline for filing with political subdivisions with the two-year filing deadline for claims against the state.

## On the NACO Website

Check out following items on the NACO website ([www.nacone.org](http://www.nacone.org)):

- NACO's County Board Workshop is scheduled for Feb. 10-12 in Kearney. Register on-line
- 2010 scholarship applications are due March 1. Click the Services tab, then Scholarship.
- Updated county directories will be available soon. Order forms are online.

## Selected Hearing Schedule

The following is a list of some of the bills with county impact that have been scheduled for public hearing next week. Not all committees had completed next week's schedule at the time this newsletter went to print. Please check the Legislature's website for a full listing.

### Monday, Jan. 25

#### *General Affairs Committee*

Room 1510 1:30 p.m.

- LB 825 and LR277CA - Provide for parimutuel wagering on horseraces at satellite wagering facilities

#### *Transportation and Telecommunications Committee*

Room 1113 1:30 p.m.

- LB 719 - Change provisions relating to use of a rotating or flashing amber light on a motor vehicle
- LB 856 - Provide for requirement for memorials in the highway right-of-way

#### *Business and Labor Committee*

Room 2102 1:30 p.m.

- LB 884 - Require employers to provide employees with wage and deduction information as prescribed
- LB 913 - Adopt the Criminal Offender Employment Act

### Tuesday, Jan. 26

#### *Transportation and Telecommunications Committee*

Room 1113 1:30 p.m.

- LB 821 - Change provisions relating to road priorities

### Wednesday, Jan. 27

#### *Revenue Committee*

Room 1524 1:30 p.m.

- LB 708 - Change certain date provisions relating to property tax exemptions
- LB692 - Change a duty of county assessors relating to real property valuation
- LB873 - Eliminate provision relating to notification of delinquent property taxes
- LB806 - Change provisions relating to agricultural land valuation

#### *Government, Military and Veterans Affairs Committee*

Room 1507 1:30 p.m.

- LB 794 - Change early voting provisions
- LB951 - Change provisions relating to early voting at elections
- LB875 - Provide for voter registration on the Secretary of State's web site
- LB850 - Require public postsecondary educational institutions to provide information on early voting to students

#### *Judiciary Committee*

Room 1113 1:30 p.m.

- LB 923 - Change provisions relating to sealing of juvenile criminal justice records

### Thursday, Jan. 28

#### *Revenue Committee*

Room 1524 1:30 p.m.

- LR 276CA - Constitutional amendment to permit exemption from taxation of real property, the use of which is donated to the state or a governmental subdivision
- LB 893 - Provide refund procedures for unconstitutional taxes and assessments

#### *Government, Military and Veterans Affairs Committee*

Room 1507 1:30 p.m.

- LB 815 - Change requirements for political subdivision budget statements and financial information on the state web site

#### *Natural Resources Committee*

Room 1525 1:30 p.m.

- LB 696 - Change provisions relating to disposal fees under the Integrated Solid Waste Management Act

#### *Judiciary Committee*

Room 1113 1:30 p.m.

- LB 732 - Change provisions relating to certain forced sales of real property

### Friday, Jan. 29

#### *Revenue Committee*

Room 1524 1:30 p.m.

- LB 958 - Exempt retirement benefits and social security benefits from income tax
- LB 897 - Change income limits for homestead tax exemption purposes

### Monday, Feb. 1

#### *Transportation and Telecommunications Committee*

Room 1113 1:30 p.m.

- LB 723 - Change surcharge remittance requirements for telephone companies
- LB 735 - Adopt the Kelsey Smith Act to require wireless carriers to provide call location information in certain emergency situations
- LB 811 - Change appeal procedures relating to the Public Service Commission

### Tuesday, Feb. 2

#### *Agriculture Committee*

Room 2102 1:30 p.m.

- LB 865 - Adopt the Livestock Animal Welfare Act
- LB 882 - Change provisions relating to disposal of dead animals