

Nebraska Association of County Officials Legislative Report



January 29, 2010

Minitruck Proposal Advanced to Select File

Minitrucks and utility-type vehicles (UTVs) could be used on certain Nebraska roads under a bill advanced from the first round of debate on Tuesday. **LB 650** would allow minitrucks to travel on all Nebraska roads except freeways. Because these trucks are equipped with tail lights, turn signals, and windshield wipers, they would be treated like other motor vehicles. Minitrucks would have to be titled and registered and could only be sold by licensed dealers. Drivers would need an operator's license and would have to carry insurance.

UTVs would be treated more like all-terrain vehicles. They would be titled, but not registered, and would be allowed on

roads with speeds under 35 mph pursuant to regulation by counties and cities. By definition, golf carts and low-speed vehicles would not be considered UTVs.

The Transportation and Telecommunications Committee has been working on legislation regulating these vehicles for three years.

Two bills were introduced this year to address vehicles not covered by LB 650. Both **LB 1100** and **LB 1004** would provide for the regulation of low-speed vehicles. LB 1004 would also regulate the use of golf cars. No hearings dates have been set.

Legislature Addresses Election Issues

Election commissioners and county clerks would be responsible for implementing a policy regarding whether a voter whose name does not appear on a precinct list of registered voters due to a clerical error or different address within the precinct should receive a regular ballot or a provisional ballot. **LB 325**, which was advanced from the second round of debate this week, would address concerns that poll workers, rather than county clerks or election commissioners, make such decisions. An amendment was offered and withdrawn that would have required a postcard to be mailed to voters who receive provisional ballots to inform them whether their vote was counted. An amendment was adopted to allow provisional ballots with certain minor errors to

be counted.

On Wednesday, the Government, Military and Veterans Affairs Committee heard testimony on four early voting bills. **LB 794** and **LB 951** would revise early voting and voter registration requirements to reflect the new federal Military and Overseas Voter Empowerment Act (MOVE). **LB 875** would provide for on-line voter registration through the Secretary of State's website. Registrations would be verified against driver's license records. **LB 850** would require postsecondary educational institutions to provide information about early voting to students. Information is currently provided regarding voter registration.

Transportation and Revenue Committees Advance Bills

- The Transportation and Telecommunications Committee sent several bills to the full Legislature on Wednesday. Money in the State Recreation Road Fund could be used to provide direct and immediate access to state veterans cemeteries, such as the one in Box Butte County, under **LB 749**. Motorcycle riders over the age of 21 and certain younger riders would not have wear helmets under **LB 200**. Disabled veterans would be allowed to have a specialty license plate on more than one vehicle under **LB 705**. Certain fertilizer and agricultural chemical application and distribution equipment would be exempt from requirements for

brakes, brake lights and turn signals by **LB 725**.

- Three bills requested by NACO were advanced by the Revenue Committee. **LB 708** would give county boards more time to hear exemption applications. **LB 806** would eliminate language that is unnecessary due to the elimination of recapture on greenbelted property. **LB 873** would eliminate a second notice of personal property taxes. The Committee killed **LB 823**, which would have required the appointment of county assessors, if approved by the county's voters.

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, Feb. 1

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 735 - Adopt the Kelsey Smith Act to require wireless carriers to provide call location information in certain emergency situations

Business and Labor Committee

Room 2102 1:30 p.m.

- LB 925 - Require employment of Nebraska laborers for public works projects during excessive unemployment

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

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LR 286CA - Constitutional amendment to create the Highway Trust Fund, designate revenue sources, and provide for uses
- LB 8 38 - Require certain provisions in highway and bridge contracts and require contractor-identifying signage

Urban Affairs Committee

Room 1510 1:30 p.m.

- LB 799 - Change state and local building code provisions
- LB 949 - Change provisions relating to state and local building codes
- LR 295CA - Constitutional amendment to authorize use of revenue bonds to develop property for use by nonprofit enterprises

Wednesday, Feb. 3

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB987 - Require the Department of Veterans' Affairs to contract for a study of lung cancer in veterans
- LB1035 - Provide powers for counties, cities, and villages to control and abate public health nuisances

Judiciary Committee

Room 1113 1:30 p.m.

- LB 756 - Adopt the Nebraska Uniform Real Property Transfer on Death Act
- LB 757 - Provide for nonprobate transfer on death motor vehicle certificates of title
- LB 1026 - Provide for transfers of civil actions in district court

(Wed, Feb. 3 con't.)

Revenue Committee

Room 1524 1:30 p.m.

- LB 1002 - Authorize state sales tax revenue assistance derived from the sale of alcoholic liquor for certain political subdivisions

Natural Resources Committee

Room 1525 1:30 p.m.

- LB 862 - Change provisions relating to issuance and repayment of river-flow enhancement bonds
- LB 932 - Change provisions relating to repayment of financial assistance by natural resources districts

Thursday, Feb. 4

Health and Human Services

Room 1510 1:30 p.m.

- LB 733 - Provide a sales tax exemption for local public health departments and provide for applicability of the Political Subdivisions Tort Claims Act to such departments

Revenue Committee

Room 1524 1:30 p.m.

- LB 972 - Change a date related to certain political subdivision budget filings
- LB 976 - Change a budget limitation
- LB 1008 - Provide for cash basis or modified accrual or encumbrance basis budget statements under the Nebraska Budget Act as prescribed
- LB 1097 - Change property tax levy limitations

Judiciary Committee

Room 1113 1:30 p.m.

- LB 842 - Change procedures in cases of death during apprehension by law enforcement officers or while in custody

Natural Resources Committee

Room 1525 1:30 p.m.

- LB 1048 - Provide for approval and taxation of certain power generating facilities using wind as a fuel source (Invited testimony on amendment to LB 1048 only)

Friday, Feb. 5

Revenue Committee

Room 1524 1:30 pm.

- LB 837 - Provide for entry of default orders by the TERC
- LB 1079 - Change the time for appealing to the TERC and certain dates relating to property tax assessment and equalization
- LR 271CA - Constitutional amendment to permit exemption of increased value resulting from home improvements