

# Nebraska Association of County Officials Legislative Report



March 25, 2011

## Road Funding Bill Advances

Senators spent nearly ten hours on Thursday and Friday in sometimes heated debate on a proposal to increase funding for state, county, and city roads. A cloture motion was needed to end a filibuster and proceed to a vote on advancement of the bill from General File.

Senator Deb Fischer, Chair of the Transportation and Telecommunications Committee, introduced [LB 84](#) to provide needed funds for state, county and city roads. As originally written, the bill would direct a half-cent of existing sales tax to the State Highway Capital Improvement Fund. Of the estimated \$125 million per year generated by the tax, 83 percent would go

to the state and the remainder would be divided between cities and counties. Counties would receive more than \$10.5 million in FY 13-14 and future years. In addition, the state would be authorized to issue up to \$500 million in highway bonds.

Thanks to all county officials who contacted senators asking for support of LB 84. The next round of debate will be just as challenging and your continued contact with your state senator asking for support of LB 84 will be essential. Watch your email and this newsletter for updates on the Select File scheduling of the bill. Please thank your senators for their continued support of county government.

## Election Bills Advanced from Government Committee

The Government, Military and Veterans Affairs Committee reported several election bills to General File. [LB 550](#) clarifies the definition of "incumbent" for purposes of filing deadlines. Existing law sets a February 15 filing deadline for incumbents and a March 1 deadline for other candidates. It is not clear whether an incumbent is the person currently holding the office for which the filing is being made or whether any person holding an elective office is considered an incumbent. LB 550 specifies that any person holding elective office is deemed to be an incumbent for purposes of the filing deadline.

[LB 449](#) makes several changes to election laws. The committee amendment, which would replace the original version of the bill, would require voter registration forms to include space for an email address. The address could be kept private at

the request of the applicant. Other provisions would allow election commissioners to be appointed to fill an elective office during their term, require additional training for deputy registrars, and increase the maximum size of voting precincts. The bill has been designated as a Speaker priority bill.

Civil officers of the state could be impeached for misdemeanors occurring in office or in pursuit of such office if [LR19CA](#) is passed by the Legislature and adopted by voters. The measure would expand the current constitutional language allowing impeachment for offenses occurring in office.

The committee indefinitely postponed [LR45CA](#). The proposed constitutional amendment would have allowed for recalls of state elective officer such as governor, lieutenant governor, secretary of state, attorney general and others.

## Register now for NACO's Legislative Day on April 7

County officials are invited to come to Lincoln to watch the Legislature in person on April 7. Registration begins at the NACO office at 8:30 a.m. and moves to the Warner Chamber of the State Capitol at 9:15. Governor Heineman will welcome attendees and several senators, including Speaker of the Legislature Mike Flood are scheduled to address the group.

Following a lunch with senators, county officials can visit state offices, tour the Capitol and governor's mansion, and watch legislative debate. On-line registration is available on the NACO website at [www.nacone.org](http://www.nacone.org).

Registrations are also being taken for NACO's County Board of Equalization Workshop on May 26 in Kearney.

## Snapshots of County Issues

### Advanced from Committee

- [LB 277](#) would streamline the procedure for using the County Visitors Improvement Fund for specific promotional purposes. Existing law authorizes counties to establish a County Visitors Improvement Fund and a visitors committee to administer the proceeds of the Fund to improve the visitor attractions and facilities in the county. If the committee determines that the visitor attractions are adequate and do not require improvement, the committee may use the fund to promote, encourage, and

attract visitors to the county to use the county's travel and tourism facilities. In addition, the visitors committee, rather than the county board, decides when to use the Improvement Fund proceeds for promotional purposes. Since the committee is advisory to the county board, [LB 277](#) clarifies this language to indicate that final authority for use of the Fund lies with the county board. The bill was placed on General File by the Government, Military and Veterans Affairs Committee.

### Advanced from Select File

- The time and location of drainage district elections would be provided on the notice of election under [LB 342](#). As advanced, references to specific hours for the election are replaced with the requirement to provide election information in the notice of the

election. Drainage district elections are not subject to the state's Election Act. The bill was advanced from Select File to Final Reading on a voice vote.