

Nebraska Association of County Officials Legislative Report



February 2, 2007

Additional Requirements for Spite Protestors Added to Cleanup Bill

Persons filing property tax protests on parcels they do not own, sometimes called spite protests, would have to provide notice to the property owner under amendments adopted to **LB 166**. As originally introduced, the bill would have limited the filing of valuation protests to owners, persons filing on behalf of the owner, or the person responsible for paying the taxes. The narrow language was intended to facilitate discussion of the issue. In the form advanced to Select File debate, spite protestors would have to send a copy of the protest by certified mail, return receipt requested, to each owner of record of the parcel at the last-known address of each owner of record as shown in the assessor's records on May 20. The protestor would also have to provide evidence of service to the county clerk before the county could

take action with regard to the protest. The county board of equalization would be required to mail notice of the date of the hearing before the board to all protestors and the owner of record at least seven days prior to the hearing.

Another amendment addresses greenbelt recapture, which was phased out by legislation adopted last year. Language was adopted to allow land that lost greenbelt status last year due to definitional changes to avoid paying recapture taxes.

Other sections of the advanced bill revise membership in the Greenbelt Advisory Board, eliminate a requirement that mobile home transfer statements be produced in duplicate, and allow tax lists to be kept and recorded electronically, rather than in books.

NACO's Jury Summons and Fence Viewing Bills Reported to General File

Two bills that were introduced at NACO's request were advanced by their respective committees this week. **LB 67** was introduced by Sen. Arnie Stuthman to allow the mailing of jury summons by first class, rather than registered or certified mail. In addition to cost savings, first class mailings might reach potential jurors who do not pickup registered or certified mail. A committee amendment would exempt potential jurors from contempt charges if they failed to respond to a summons sent by first-class mail.

LB 108, which would eliminate duties of county clerks related

to fence viewing, was advanced by the Agriculture Committee on Wednesday. The bill provides for the resolution of fence disputes through mediation. Both bills appeared on the Legislature's General File agenda on Thursday but were not debated due to lack of time.

Another NACO bill, **LB 44**, was advanced to Final Reading with no debate. The bill would allow county clerks and election commissioners to combine sign-in registers and voter lists into a single document.

Road Funding Bill Advanced to Second Round

More than \$9 million would be allocated to roads, rather than deposited in the state's General Fund, under a bill that advanced to Select File last Friday. As **LB 305** was amended, the sales tax on vehicles leased for 31 days or more would be placed in the Highway Trust Fund for distribution to counties, cities and the state. Counties and cities would receive approximately \$2.4

million. Although the bill advanced from the first round of debate on a 34-3 vote, several senators indicated that it was too early in the session to spend that much. An amendment has been offered by Sen. Deb Fischer, the bill's introducer, to add an emergency clause to the bill on Select File. The bill has not appeared on the agenda for second round debate.

Selected Hearing Schedule for the Weeks of Feb. 5 and Feb. 12

The following is a list of some of the bills with county impact that have been scheduled for public hearing next two weeks. Not all committees have released hearing schedules for the week of Feb. 12. Please check the Legislature's website (www.nebraskalegislature.gov) for a full listing.

Monday, February 5

Transportation and Telecommunications Committee - Room 1113 - 1:30 p.m.

- **LB 466** - Provide for private party In Transit stickers

Retirement Systems Committee - Room 1525 - 12:15 p.m.

- **LB 370** - Adopt the Law Enforcement Officers Retirement Survey Act
- **LB 371** - Adopt the Nebraska Peace Officer Retirement Act
- **LB 372** - Adopt the Law Enforcement Officer Retirement Act

Tuesday, February 6

Transportation and Telecommunications Committee - Room 1113 - 1:30 p.m.

- **LB 147** - Change penalty provisions for vehicle loads
- **LB 561** - Change provisions relating to removal of disabled or immobilized vehicles

Urban Affairs Committee - Room 1510 - 1:30 p.m.

- **LR 2CA** - Constitutional amendment changing provisions related to substandard and blighted property

Wednesday, February 7

Revenue Committee - Room 1524 - 2:30 p.m.

- **LB 423** - Change sales and use tax collection fees

Natural Resources Committee - Room 1525 - 1:30 p.m.

- **LB 652** - Require the state and political subdivisions to do energy audits

Government, Military and Veterans Affairs Committee - Room 1507 - 1:30 p.m.

- **LB 268** - Change election provisions for county board members
- **LB 284** - Require election recounts to be done manually
- **LB 289** - Change procedure relating to elections to exceed the tax levy limit
- **LB 310** - Change provisions relating to early voting
- **LB 312** - Change provisions relating to resignations, vacancy appointments, and recall elections

Judiciary Committee - Room 1113 - 1:30 p.m.

- **LB 78** - Change amounts recoverable under the Political Subdivisions Tort Claims Act
- **LB 197** - Change the Political Subdivisions Tort Claims Act
- **LB 448** - Change limitation of action provisions under the Political Subdivisions Tort Claims Act

Thursday, Feb. 8

Natural Resources Committee - Room 1525 - 1:30 p.m.

- **LB 530** - Change Storm Water Management Plan Program provisions

- **LB 534** - Change provisions relating to urban storm water drainage

Government, Military and Veterans Affairs Committee - Room 1507 - 1:30 p.m.

- **LB 133** - Provide for the transfer of development rights as prescribed
- **LB 135** - Provide for confidentiality of certain public entity records

Judiciary Committee - Room 1113 - 1:30 p.m.

- **LB 428** - Adopt the Peace Officer Employer - Employee Relations Act

Feb. 8, Judiciary Committee, cont.

- **LB 525** - Modify provisions relating to liability involved in vehicular pursuits
- **LB 179** - Require electronic recording of custodial interrogations

Monday, February 12

Education Committee - Room 1525 - 1:30 p.m.

- **LB 219** - Change requirements for freeholder petitions
- **LB 230** - Change provisions relating to resident students for purposes of certain reorganizations
- **LB 630** - Change provisions relating to freeholder petitions
- **LB 678** - Change school district boundary provisions relating to annexed territory

Transportation and Telecommunications Committee - Room 1113 - 1:30 p.m.

- **LB 663** - Change distribution and allocation of motor vehicle registration fees

Tuesday February 13

Transportation and Telecommunications Committee - Room 1113 - 1:30 p.m.

- **LB 598** - Provide for Shriners license plates
- **LB 360** and **LB 421** - Change limitations on the issuance of Purple Heart license plates
- **LB 570** - Provide for Gold Star license plates
- **LB 419** - Authorize issuance of Nebraska Agriculture specialty and personalized message license plates
- **LB 93** - Authorize a new firefighter license plate and fund emergency training
- **LB 437** - Change provisions relating to issuance of specialty and personalized license plates

Wednesday, February 14

Revenue Committee - Room 1524 - 1:30 p.m.

- **LB 356** - Change provisions relating to greenbelted agricultural land
- **LB 484** - Change provisions relating to payment of tax proceeds to certain political subdivisions
- **LB 519** - Require a review of property valuations
- **LB 294** - Change a standard of review for appeals to the Tax Equalization and Review Commission
- **LB 332** - Change procedures for appeals to the Tax Equalization and Review Commission

Judiciary Committee - Room 1113 - 1:30 p.m.

- **LB 225** - Provide for acknowledgment of satisfaction of judgment and unsworn certification
- **LB 564** - Change the Recreational Liability Act

- **LB 566** - Adopt the Public Recreational Liability Act
- **LB 567** - Change the Recreational Liability Act

Thursday, February 15

Revenue Committee - Room 1524 - 1:30 p.m.

- **LB 278** - Change permitted uses of county sales tax revenue
- **LB 443** - Authorize transportation development districts and authorize a local sales tax
- **LB 565** - Adopt the Entertainment and Tourism Development Act
- **LB 697** - Adopt the Entertainment and Tourism Development Act
- **LB 551** - Provide for sales tax revenue appropriations under the Convention Center Facility Financing Assistance Act