

# Nebraska Association of County Officials Legislative Report



January 30, 2009

## Revenue Committee Hears State Aid Proposal

A proposal offered by NACO in an attempt to resolve on-going opposition to fully funding county jail reimbursement was heard by the Revenue Committee on Wednesday. **LB 218** proposes combining funding for three existing state-aid programs into a single formula, with the total appropriation based upon a percentage of valuation statewide. After nearly a decade of seeking appropriations to fully fund the state's commitment to reimburse counties for holding state prisoners and dealing with an uncertain appropriation for County Property Tax Relief, **LB 218** is a good faith attempt to assure a minimum level of state funding for all counties.

Revenue Committee members expressed support that NACO is taking the initiative to propose a funding mechanism that might be more acceptable, reliable and sustainable in future years even though it will create some shifts in funding compared to the prior year. Most of the discussion focused on jail reimbursement issues, including the policy of the state to pay for prisoners held under state laws and whether funding should be tied to a number that can vary yearly. In addition, senators asked whether **LB 218** would eliminate future requests for state funding for counties.

The committee has not reported any action on the bill.

## Snapshots of County Issues

Because a number of bills of interest to county officials have been the subject of hearings or debate this week, this section is intended to provide an overview of issues. If you have questions about a particular bill, please consult the Legislature's website ([www.nebraskalegislature.gov](http://www.nebraskalegislature.gov)) or contact NACO for additional information. As the session progresses, there may be weeks when the primary topic of debate is not an issue related to counties, and no *Legislative Report* is published.

- **Motor Vehicles: LB 49**, which would require all motor vehicle titling functions to be performed by county treasurers, rather than county clerks, was advanced on a voice vote during the second round of debate. The transition to one-stop would occur by Jan. 1, 2011.

**LB 28**, which would authorize the issuance of undercover license plates and driver's licenses to federal agencies, and **LB 331**, a Department of Motor Vehicles clean-up bill, were advanced by the Transportation and Telecommunications Committee.

The committee indefinitely postponed **LB 108**, which would have exempted ATVs purchased in other states from inspection requirements.

On Feb. 2, the committee will hear seven bills proposing changes to specialty license plates. On Feb. 3, the committee will hear a bill to give county treasurers authority to cancel a registration if a bad check is issued (**LB 129**) and a measure to provide for electronic notation of liens on titles (**LB 202**).

- **Residency Requirements:** Clerks of the district court would

be subject to the same residency requirements as other elected county officials under **LB 7**, which was advanced by a unanimous vote of the Government Committee. NACO and clerks of the district court requested introduction of the bill.

- **Filing fees: LB 8**, which would have increased filing fees for certain documents filed in the register of deeds office, was killed by the Government Committee.

- **Trapping:** The Natural Resources Committee advanced a bill to strike prohibitions on trapping in county rights of way. **LB 5** would eliminate language enacted two years ago. The bill has appeared on the agenda for General File debate but has not been discussed due to time.

- **County Attorney Qualifications:** The Government Committee advanced **LB 55**, an effort to require persons seeking the post of county attorney in counties smaller than 20,000 to be admitted to the practice of law in Nebraska. The bill would require the Attorney General to have practiced law for at least two years in the state prior to taking office.

**Save the Date – NACO's Legislative Day is April 16**

## Selected Hearing Schedule

The following is a list of some of the bills with county impact that have been scheduled for public hearing during the next two weeks. A full listing of hearings each day is available by clicking on the Calendar tab on the Legislature's website. A block at the bottom of each day indicates the number of hearings and can be clicked for the daily list.

### Monday, Feb. 2

#### *Transportation and Telecommunications Committee*

Room 1113 1:30 p.m.

- LB 10 - Provide for specialty license plates
- LB 110 - Change motor vehicle registration fees and fee distribution and provide for specialty license plates
- LB 211 - Provide for issuance of certain license plates to spouses of veterans
- LB 225 - Provide for volunteer firefighter license plates
- LB 329 - Provide for firefighter license plates and training for emergency response personnel
- LB 398 - Provide for collegiate spirit license plates for private colleges and universities
- LB 642 - Provide for Nebraska agriculture license plates

### Tuesday, Feb. 3

#### *Transportation and Telecommunications Committee*

Room 1113 1:30 p.m.

- LB 129 - Authorize actions and procedures for invalid financial transactions when registering a vehicle – NACO Bill
- LB 202 - Provide for electronic certificates of title and lien notification
- LB 175 - Change provisions for replacing lost license plates
- LB 416 - Provide for one license plate on motor vehicles

#### *Urban Affairs Committee*

Room 1510 1:30 p.m.

- LB 412 - Change provisions relating to sanitary and improvement district elections – NACO Bill

### Wednesday, Feb. 4

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

Room 1507 1:30 p.m.

- LB 131 - Change the boundary descriptions of Merrick and Polk counties
- LB 273 - Change sheriff's fees and handgun certificate fees

#### *Judiciary Committee*

Room 1113 1:30 p.m.

- LB 304 - Change limitation of action provisions under the Political Subdivisions Tort Claims Act
- LB 305 - Include state identification card holders in jury lists
- LB 433 - Change provisions relating to interchange of court judges and court jurisdiction

#### *Natural Resources Committee*

Room 1525 1:30 p.m.

- LB 491 - Provide for home energy efficiency loans
- LB 565 - Adopt the Woody Biomass Energy Act
- LB 624 - Provide for energy efficiency loans for public buildings

### Wednesday, Feb. 4 con't.

#### *Revenue Committee*

Room 1524 1:30 p.m.

- LB 69 and LB 70 - Exclude military retirement benefits from income taxation as prescribed
- LB 538 - Exempt government employee retirement benefits from income tax

### Thursday, Feb. 5

#### *Revenue Committee*

Room 1524 1:30 p.m.

- LB 282 - Adopt the Nebraska Advantage Film Production Incentive Act

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

Room 1507 1:30 p.m.

- LB 295 - Provide and change recording requirements for filings with the register of deeds - NACO Bill

#### *Health and Human Services Committee*

Room 1510 1:30 p.m.

- LB 275 - Require crisis, information, and referral services relating to behavioral health
- LB 346 - Require the Department of Health and Human Services to provide services relating to children's behavioral health and adoption and guardianship families
- LB 619 - Change mental health board membership provisions

### Friday, Feb. 6

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

Room 1507 1:30 p.m.

- LB 348 - Change access and fee provisions relating to real estate tax statements
- LB 350 - Change provisions relating to real estate tracts and the designation of industrial areas

#### *Health and Human Services Committee*

Room 1510 1:30 p.m.

- LB 611 - Amend the Nebraska Clean Indoor Air Act to provide cities, villages, and counties the authority to regulate smoking

### Wednesday, Feb. 11

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

Room 1507 1:30 p.m.

- LB 324 - Provide for designation of voting entrances and change restrictions on electioneering
- LB 325 - Change provisions relating to elections
- LB 434 - Change ballot questions regarding township organization - NACO Bill
- LB 544 - Require the Secretary of State to publish guidelines for election workers