

Nebraska Association of County Officials Legislative Report



February 27, 2009

Preliminary Budget Released

On Thursday, senators received a preliminary state budget proposal for the next two years with a caveat that the figures will change substantially. Appropriations Committee Chair Lavon Heidemann noted four major changes that will affect the budget, including a meeting of the Nebraska Economic Forecasting Advisory Board today that may result in a decrease in projected revenues by as much as \$300 million. The federal stimulus package, which could provide as much as \$1.2 billion to Nebraska, may offset some of those numbers, but losses to the state's defined benefit retirement plans for school

employees, judges and State Patrol officers could translate into more spending in the future. Heidemann also noted that some state reserves could be used but would be needed in the future when federal stimulus funding ends. Using special authority provided by the Legislature to introduce budget bills after regular bill introductions have ended, the Appropriations Committee introduced **LB 680** to appropriate funds to carry out the federal stimulus act. The Appropriations Committee must send its final budget to the Legislature by April 29.

Snapshots of County Issues

- **Election issues:** The Secretary of State would develop guidelines for election workers under **LB 544**, which was sent to the floor by the Government, Military and Veterans Affairs Committee this week. The committee also advanced **LB 325**, which proposes technical changes to the election laws related to provisional ballots and would require candidates for city or village office to file with the election commissioner or county clerk.

The Urban Affairs Committee advanced **LB 412**, a bill introduced by Sen. Bob Giese at NACO's request to change time lines for sanitary and improvement district elections. As clarified by the committee amendment, ballots would have to be returned by 5 p.m. on the date of the election, which is the same deadline as all-mail elections.

- **Roadside trapping:** This morning senators passed **LB 5** on a 30-18 vote. The bill would allow counties to adopt a resolution having the force and effect of law to prohibit trapping in all or a designated portion of the county road right-of-way. Traps would be limited in size to those currently allowed for use on Game and Parks Commission lands.

- **Bad checks:** County treasurers would be given authority to cancel motor vehicle registrations if an insufficient funds check is issued under **LB 129**, which was advanced by the Transportation and Telecommunications Committee. A committee amendment would provide for counties to mail notice to the vehicle owner by first-class mail, as well as

certified or registered mail, and make recovery of the license plates by the sheriff discretionary. The bill was introduced by Sen. Annette Dubas at NACO's request.

- **Clerks of the district court residency: LB 7**, which would harmonize residency requirements for clerks of the district court with other county offices, was passed on Final Reading. Sen. John Wightman introduced the bill at NACO's request.

- **County attorney standards:** Candidates for the office of county attorney would have to be admitted to practice law in Nebraska under **LB 55**. The bill passed on Final Reading.

- **Specialty license plates:** Fees for personalized license plates would increase from \$30 to \$40 and procedures would be implemented to develop new kinds of specialty plates under **LB 110**, which was advanced from General File on Thursday. The Highway Trust Fund would receive 25 percent of the increased fee.

- **Veterans service officer qualifications:** Veterans service officers would no longer be required to have served in active duty during wartime if **LB 52** passes. The bill was advanced from Select File.

- **Audiovisual court appearances:** Counties could save money transporting prisoners to hearings under provisions of **LB 90**, which expands authority for the use of audiovisual court appearances. The bill advanced from Select File on a voice vote. NACO supports the bill.

Final Reminder: NACO Scholarship Applications Due March 2

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 coming 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. Hearings will conclude on March 26 and full days of debate will begin on March 31.

Monday, March 2

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 60 - Redefine abandoned vehicle
- LB 560 - Change provisions relating to towing motor vehicles

Banking, Commerce and Insurance

Room 1507 1:30 p.m.

- LB 637 - Require disclosure of information by certain group health carriers

Business and Labor Committee

Room 2102 1:30 p.m.

- LB 552 - Adopt the Nebraska Construction Prompt Pay Act

Tuesday, March 3

Agriculture Committee

Room 1510 1:30 p.m.

- LB 516 - Require compensation for certain structures located on the Nebraska State Fairgrounds in Lancaster County

Wednesday, March 4

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB 626 - Change prohibited activities for public officials and public employees use of public resources

Tuesday, March 10

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 334 - Designate the state expressway system and change provisions relating to highway planning
- LB 649 - Change provisions for special permits for overweight vehicles

Wednesday, March 11

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB 575 - Change initiative and referendum petition provisions

Natural Resources Committee

Room 1525 1:30 p.m.

- LB 439 - Adopt the Home Energy Alternatives Act

Thursday, March 12

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB 475 - Eliminate the position of county comptroller

Wednesday, March 18

Appropriations Committee

- LB 648 - State intent relating to funding for a highway-related study

Nebraska Retirement Systems

Room 1525 12:10 p.m.

- LB 426 - Name and change provisions relating to the Police Officers Retirement Act
- LB 427 - Hearing on County Law Enforcement Officer Retirement Act rescheduled to March 25

Revenue Committee

Room 1524 1:30 p.m.

- LB 249 - Change sales tax collection fees
- LB 186 - Change sales and use tax collection fees

Thursday, March 19

Revenue Committee

Room 1524 1:30 p.m.

- LB 615 - Adopt the Family Entertainment and Sports Attraction Act and rename the Municipal Infrastructure Redevelopment Fund Act and authorize a county sales tax
- LB 616 - Rename and change provisions of the Municipal Infrastructure Redevelopment Fund Act and change cigarette tax distribution provisions
- LB 617 - Change provisions relating to county community buildings, authorize a community building district, and authorize a sales and use tax
- LB 618 - Adopt the Family Entertainment and Sports Attraction Act, authorize use of sales and use taxes, and authorize a county sales tax

Wednesday, March 25

Nebraska Retirement Systems

Room 1525 12:10 p.m.

- LB 427 - Adopt the County Law Enforcement Officer Retirement Act (rescheduled from March 18)

No Legislative Report Next Week

Because debate next week will focus on two bills with limited county impact, no Legislative Report will be issued next week. On Monday, debate will begin on **LB 260**, a measure to allow

wrongfully convicted persons to file claims against the state. Upon completion, debate will begin on **LB 307**, which would eliminate the possibility of life imprisonment for minors.