

Nebraska Association of County Officials Legislative Report



February 6, 2009

Trapping in Right-of-Way Advanced

Senators spent two mornings this week debating **LB 5**, a bill that would repeal a two-year old prohibition against trapping in county rights-of-way, before advancing it to Select File on Feb. 5. As advanced, the bill would allow counties to enact resolutions prohibiting the trapping of wildlife in the county road right-of-way or certain areas of the right-of-way designated by the county.

Supporters of the ban cited the danger to workers, children and pets who enter public rights-of-way without knowledge of

possible traps. Opponents of the ban noted the need to control populations of burrowing rodents that destroy roads and ditches.

An amendment was offered and defeated that would have allowed counties to request permission from the Game and Parks Commission to permit trapping in signed, designated areas for reasonable wildlife management purposes. An amendment that would have required Nebraska tourism brochures to contain warnings about possible traps in ditches was also defeated.

Snapshots of County Issues

- **Audiovisual court appearances:** The Judiciary Committee advanced **LB 90**, which would remove the current requirement for written consent and waiver of a physical personal appearance when an audiovisual court appearance is made in nonevidentiary criminal proceedings.

- **Homestead exemptions:** Homeowners who purchase a different home but have not sold the original property would be able to transfer the homestead exemption under **LB 302**, which was introduced by Sen. Kathy Campbell at NACO's request. The bill is intended to assist persons who already receive a homestead exemption and are downsizing or moving to more accessible homes, but cannot sell their original property by August 15 due to the economy or other reasons. The Revenue Committee unanimously sent the bill to the floor.

No action was taken on two other homestead bills, **LB 94**, which would allow county boards to extend homestead exemption application deadlines for medical reasons, and **LB 239**, which would provide a homestead exemption based upon the percentage of disability certified by the U.S. Department of Veterans Affairs.

- **Specialty license plates:** The Transportation and Telecommunications Committee advanced **LB 110**, a bill to create a process for developing specialty license plates to promote an organization. As originally proposed, 150 paid applications would be required before such a plate would be

issued. A committee amendment would change that number to 500, as proposed in **LB 10**. Fees for specialty plates would be increased with most of the new revenue earmarked for the Highway Trust Fund.

- **Protest forms:** Property tax protesters would file a single copy of the protest form, rather than filing in triplicate, if **LB 166** is passed. The bill was advanced from Select File this week. Other sections of the bill set a July 31 date for accepting annexations that transfer property to other political subdivisions and allow county assessors to appoint designees to attend county board of equalization meetings.

- **Support for bonds:** Counties and other governmental units could back their bonds with letters of credit from U.S. governmental enterprises or certain banks in order to obtain greater security and lower interest rates under **LB 377**. The Banking, Commerce and Insurance Committee sent the bill to the floor on Wednesday.

- **Document filing standards:** A bill introduced at NACO's request to standardize documents filed in register of deeds offices will be held until parties with interests in land documents can fine-tune formatting details. When **LB 295** was heard by the Government, Military and Veterans Affairs Committee on Thursday, all testifiers noted the importance of preserving and standardizing documents and agreed to work on the bill this summer.

Due to NACO's County Board Workshop, no *Legislative Report* will be issued next week.

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.

Monday, February 9

Banking, Commerce and Insurance

Room 1507 1:30 p.m.

- LB 428 - Authorize deposit of public funds in credit unions and clarify FDIC and NCUA coverage

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 245 - Change provisions governing unlawful obstruction of railroad crossings.

Tuesday, February 10

Agriculture Committee

Room 1524 1:30 p.m.

- LB 581 - Change disposition of funds from Pesticide Act fees and weed book sales

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 272 - Redefine underground facility for purposes of the one-call notification system
- LB 652 - Change the Enhanced Wireless 911 Services Act

Wednesday, February 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

Judiciary Committee

Room 1113 1:30 p.m.

- LB 347 - Eliminate governmental agency liability with respect to dogs

Nebraska Retirement Systems

Room 1525 1:30 p.m.

- LB 188 - Change provisions of the County Employee Retirement Act and the State Employee Retirement Act
- LB 366 - Increase the mandatory contribution rate under the State Employees Retirement Act

Revenue Committee

Room 1524 1:30 p.m.

- LB 583 - Change sales, property, and income tax provisions and education funding
- LB 634 - Redefine household income for homestead exemption purposes

Thursday, February 12

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB 512 - Change airport zoning provisions relating to the regulation of airport hazards

February 13 and 16 - Recess

Tuesday, February 17

Agriculture Committee

Room 1524 1:30 p.m.

- LB 98 - Change noxious weed grant programs and the Riparian Vegetation Management Task Force

Urban Affairs Committee

Room 1510 1:30 p.m.

- LB 360 - Authorize creation of a land reutilization authority by a city of the metropolitan class

Wednesday, February 18

Revenue Committee

Room 1524 1:30 p.m.

- LB 670 - Change funding for the Property Tax Credit Act
- LB 121 - Provide for reassumption of property tax assessment functions by certain counties

Thursday, February 19

Revenue Committee

Room 1524 1:30 p.m.

- LB 480 - Change budget limit and tax levy limitation provisions

Friday, February 20

Natural Resources Committee

Room 1525 1:30 p.m.

- LB 643 - Change and provide notice requirements of road construction near electric lines

Revenue Committee

Room 1524 1:30 p.m.

- LB 13 - Change and rename the Property Tax Credit Act
- LB 270 - Create a homestead property tax exemption
- LB 271 - Adopt the Car Tax Reduction Act

Thursday, February 26

Revenue Committee

Room 1524 1:30 p.m.

- LB 212, LB 213, LB 553 and LB 580 - Change standards and procedures for tax protest and TERC hearings