

Nebraska Association of County Officials Legislative Report



March 13, 2009

Reassumption of Assessment Advances to Second Round

The nine counties that transferred property assessment functions to the state would have to begin paying the state for performing assessments and eventually reassume those functions under **LB 121**, which was advanced from General File debate on Thursday. Sen. John Wightman, who introduced and prioritized the bill, noted that the option to transfer assessments to the state has been in statute since 1967, but no county had requested it until legislation adopted in 1997 provided funding and details about the transfer process. Although more counties have asked the state to assume the assessment function, state budget shortfalls have limited transfers to nine counties.

Proponents of the measure argued that assessment by the state results in taxpayers from 84 counties funding that process for the other nine counties. Senators debated levy and budget impacts on counties reassuming the assessment function, the timing of the election of an assessor in the affected counties, and the process for transferring state employees to the county.

An amendment was adopted to expand the reimbursement period from three years to four years so that the final transfer would occur by 2013. An amendment to require a special election to select an assessor was withdrawn. More amendments to clarify the process will be offered on Select File.

Safe-Haven Compromise Sought

After emotional debate on children's behavioral and mental health and other issues related to safe-haven proposals, eleven senators agreed to work together to find common ground before five bills are debated on Select File. Speaker Mike Flood told the senators that if a consensus could be reached, the block of bills could be debated after April 1, but before decisions are made on the budget. If no agreement is reached, the bills will not appear on the agenda until after the budget is adopted in late May. The five bills are:

- **LB 346** (Gay, at the request of the Governor), which would provide \$7.8 million in funding over two years to pay for a 24-hour hotline for families in crisis, peer support, and post-adoption and guardianship services.
- **LB 356** (Dubas), which would provide \$30 million in the next

two years to behavioral health regions to fund behavioral and mental health services for children under adopted Judiciary Committee amendments.

- **LB 136** (Avery), which would make more children eligible for Kids Connection, the state's children's health insurance program.
- **LB 601** (Nordquist), which would direct the Nebraska Department of Health and Human Services to submit an application to allow Medicaid payments for various community-based mental health services
- **LB 603** (Health and Human Services Committee), which creates a Behavioral Health Education Center to help increase the number of psychiatry professionals in Nebraska.

Snapshots of County Issues

- **Signed into law: LB 5**, which allows counties to adopt resolutions prohibiting trapping in county road right-of-way, and **LB 7**, which creates residency requirements for clerks of the district court, were signed by Governor Heineman on March 5.
- **Passed by the Legislature:** On Thursday, the Legislature passed **LB 90**, which expands authority for the use of audiovisual equipment for court appearances. Also passed was **LB 52** which changes qualifications for veterans service

officers.

- **Inheritance tax:** The Revenue Committee indefinitely postponed a number of bills including **LB 119**, which would have reduced the inheritance tax rate for Class III beneficiaries. Other bills killed include: **LB 239**, a homestead exemption for disabled veterans; **LB 270**, an exemption of a home's first \$15,000 in value from property tax; and **LB 271**, a tax relief package distributed through car taxes.

Selected Hearing Schedule

The following is a list of some of the bills with county impact that have been scheduled for public hearing. 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.

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
- Hearing on County Law Enforcement Officer Retirement Act (LB 427) has been 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

Judiciary Committee

Room 1113 1:30 p.m.

- LB 147 - Provide name-change court orders to update the central register of child protection cases and the central registry of sex offenders

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
- LB 559 - Change the Convention Center Facility Financing Assistance Act

Friday, March 20

Revenue Committee

Room 1524 1:30 p.m.

- LB 385 - Terminate sales tax provisions
- LB 386 - Change and suspend sales tax exemptions, change collection fees, change tax rates, state intent relating to property tax relief

Judiciary Committee

Room 1113 1:30 p.m.

- LB 513 - Eliminate subrogation and contribution rights against a political subdivision or the state for property damage related to a vehicular pursuit

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)

Revenue Committee

Room 1524 1:30 p.m.

- LB 380 - Change a state aid program relating to Indian reservations
- LB 294 - Change the length of time for county building levies
- LB 474 - Change provisions relating to property exempt from property taxes
- LB 308 - Change levy provisions for rural and suburban fire protection districts

Thursday, March 26

Revenue Committee

Room 1524 1:30 p.m.

- LB 418 - Require valuation changes by the Tax Equalization and Review Commission among counties which have learning communities
- LB 469 - Create the Agricultural Land Valuation Task Force

Priority Bills Designated

March 12 marked the deadline for senators and standing committees to select their priority bills. Each senator may select one priority bill and committees may designate two priorities. The Speaker may select up to 25 priority bills. Although a consent calendar process is planned in April to advance noncontroversial bills, most bills without priority

designations are not likely to see debate. A complete list of priority bills is available on the front page of the Legislature's website (www.nebraskalegislature.gov).

After recess days on March 13 and 16, senators will return on March 17, the 44th day of the 90-day session.