

Nebraska Association of County Officials Legislative Report



February 5, 2010

Filing Fee Increase Sent to Floor

The cost for filing most documents in registers of deeds offices would increase and a 50 cents per lot indexing fee would be eliminated under **LB 686**, which was advanced by the Government, Military and Veterans Affairs Committee on Tuesday. Sen. John Wightman introduced the bill to increase the filing fee from five dollars per page to ten dollars for the first page and six dollars for each additional page. Under a proposed committee amendment, the fee increase would be used for preserving and maintaining public records in the office of the register of deeds and for modernization and technology needs. The funds could not replace current allocations for such

purposes.

A related bill, **LB 295**, remains in committee. **LB 295** would create standards related to legibility, margins, and information about the parties for documents filed in the register of deeds offices. Sen. Kathy Campbell introduced the bill last year at NACO's request. NACO worked with the Realtors, Abstractors, Bankers, Bar Association and other parties to amend the bills into a single measure, but concerns about the ability to reject documents for non-substantive reasons delayed the advancement of **LB 295**.

County Consolidation Bill Killed

• On Thursday the Government, Military and Veterans Affairs Committee killed **LB 826**, a bill that would have created a committee to develop a plan to reduce the number of counties in Nebraska to thirty. NACO opposed the bill.

• The committee also killed **LB 1035**, a bill to expand the authority of counties and cities to regulate and abate public health nuisances.

Bills Advanced from Committee

• **LB 768**, NACO's bill to allow county boards to terminate individual inactive **townships**, was advanced to the floor. Sen. Arnie Stuthman introduced the bill at NACO's request as a way to provide access to township funds budgeted for roads and other purposes when the township board is vacant for an extended period. Under existing law, the county must assume responsibility for the township roads but cannot access the funds

held by the township to help pay for the costs.

• Counties undertaking **road ditch improvement projects** that require relocating electric lines would have to give at least 180 days notice prior to commencement of the work. A Natural Resources Committee amendment that was offered when **LB 643** was sent to the floor would decrease the notice period to 90 days.

Bills Advanced from General File

• Three bills requested by NACO were advanced from General File on Thursday. **LB 708** would give county boards more time to hear **exemption applications**. Existing law provides for applications to be submitted by Aug. 1 and a hearing by Aug. 15. The bill would move the filing deadline to July 1. **LB 806** would eliminate language that is unnecessary due to the repeal of recapture on property that is subject to **special valuation**. **LB**

873 would eliminate a redundant notice that is sent to personal property taxpayers. No similar **second-half notice** is provided to owners of real property.

• Money in the State **Recreation Road Fund** could be used to provide direct and immediate access to state veterans cemeteries, such as the one in Box Butte County, under **LB 749**.

NACO's Legislative Report will not be published next week due to the County Board Workshop.

Bills on Final Reading

- Two bills that would impact counties were scheduled for Final Reading on Friday. County clerks and election commissioners would be required to implement a policy regarding the use of **provisional ballots** by persons who move within the precinct or are not on the precinct list due to an error under **LB 325**.

- **LB 475** would provide for an auditor to report directly to the county board in counties with a city of the metropolitan class. Currently the **county comptroller**, who is the ex officio county clerk fills that role.

Selected Hearing Schedule

The following is a list of some of the bills with potential county impact that have been scheduled for public hearing in coming weeks. Please check the Legislature's website (www.nebraskalegislature.gov) for a full listing. The Legislature will be in recess on Feb. 12 and 15.

Monday, Feb. 8

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 810 - Change provisions relating to undercover license plates and drivers' licenses
- LB 841 - Amend the Motor Vehicle Operator's License Act to allow release of digital images or signatures to local law enforcement

Tuesday, Feb. 9

Transportation and Telecommunications Committee

Room 1113 1:30 p.m.

- LB 945 - Prohibit use of handheld wireless communication devices while driving
- LB 982 - Adopt the Build Nebraska Act and authorize issuance of highway bonds

Wednesday, Feb. 10

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB 718 - Change requirements for petitions and petition signatures
- LB 1059 - Provide for digital and electronic signatures on initiative and referendum petitions

Judiciary Committee

Room 1113 1:30 p.m.

- LB 868 - Change probation administrative sanctions, community service sentencing, and minors with alcohol-related criminal provisions and exempt community service offenders and probationers from workers' compensation coverage
- LB 874 - Change provisions relating to probation office expenses

Revenue Committee

Room 1524 1:30 p.m.

- LB 704 - Change a renewable energy tax credit

(Wednesday, Feb. 10, con't.)

- LB 774 - Change provisions relating to sales tax treatment of net metering
- LB 1049 - Change provisions relating to community-based energy projects
- LB 1080 - Provide tax incentives for wind energy projects

Thursday, Feb. 11

Natural Resources Committee

Room 1525 1:30 p.m.

- LB 1010 - Provide procedures and limitations on the use of eminent domain by natural resources districts for recreational trails
- LB 1011 - Limit the eminent domain power of natural resources districts to exclude certain recreational trails
- LB 1019 - Provide for trails dispute boards to decide disputes between county boards and natural resources districts concerning recreational trails

Revenue Committee

Room 1524 1:30 p.m.

- LB 975 - Change the Convention Center Facility Financing Assistance Act relating to projects undertaken in areas with a high concentration of poverty
- LB 1018 - Adopt the Nebraska Advantage Transformational Tourism and Redevelopment Act

Government, Military and Veterans Affairs Committee

Room 1507 1:30 p.m.

- LB 1009 - Change provisions relating to the date for fixing salaries of certain county officers
- LB 970 - Change provisions relating to appeals from county planning commission decisions
- LB 767 - Change county ordinance provisions to provide for notice to be given for abandoned motor vehicles
- LB 947 - Eliminate the Community Development Block Grant Program Advisory Committee

Reminder: NACO Scholarship Applications are Due March 1