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Nebraska Association of County Officials

Legislative Report

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Legislature Prepares to Adjourn Sine Die

After a contentious week of filibusters and cloture votes, six bills were passed by the Legislature today. The Legislature will be in recess next Monday and Tuesday. On Wednesday morning, the Legislature will take up [LR134](#), a resolution to adopt the standards that will be used for the 2021 redistricting process during the special session this fall. Motions to override gubernatorial vetoes will be scheduled for later on Wednesday.

On Thursday, May 27, Governor Ricketts will address the Legislature and any remaining motions will be considered. When that is complete, the One Hundred Seventh Legislature, First Session, will adjourn sine die.

Adjournment was originally [scheduled](#) for June 10, but since the substantive work of the body was done, Speaker Mike Hilgers called for an early adjournment. Bills that were not passed or indefinitely postponed will carry over to the 2022 session at the same stage of debate.

To date, 118 bills have been passed by the Legislature and signed by Governor Ricketts. Nearly 80 bills have been passed by the Legislature and are on the Governor's desk awaiting action.

Senators continued to introduce interim study resolutions this week, including an examination of county fees and fines ([LR215](#)). Other resolutions would examine a potential constitutional amendment to limit property taxes to residential property only ([LR230](#)) and examine assessment practices for each class of property ([LR232](#)).

Because no substantive debate appears on the agenda next week, a regular legislative newsletter will not be published. The final newsletter will be an end-of-session summary published in late June.

Bills Passed by the Legislature

This week began with efforts to advance nearly a dozen bills from Select File, the second round of debate. Because bills must lay over for at least one day before Final Reading, bills had to be advanced and read into the record no later than Tuesday so that they could be passed and eligible for a veto override, if necessary, on the final day of the session.

Not all of the Select File bills advanced. [LB241](#), a bill to require COVID-19 protections for workers in meat-packing plants was bracketed until June 10. Two bills, LB529 and LB376, were both filibustered for four hours before cloture votes to end debate were unsuccessful. [LB529](#) would have allocated lottery funds for education programs. A “poison pill” amendment was offered that would have allowed educators to use a physical emergency safety intervention to protect the student or others from injury. [LB376](#) would have allowed the state to seek a federal waiver for a pilot program to provide respite care and other services for developmentally disabled children. The votes on these bills set the tone for the rest of the week with more filibusters, extended debate, and other delays.

By the end of Friday’s debate, the following bills were among those sent to the governor’s desk.

[LB644](#) would require county assessors to send personalized postcards to all property owners when property taxes requested by counties, cities, school districts, or community colleges exceed allowable growth amounts. These entities would have to hold a joint hearing and each give a presentation on their tax request.

[LB2](#) would change the valuation of ag land from 75 percent to 50 percent of its actual value for taxes levied to pay the principal and interest on school district bonds that are approved by a vote of the people.

[LB307](#) would require counsel to be appointed for juveniles charged with a felony and court advisement of the juvenile’s right to retain counsel other instances. The Nebraska Supreme Court would develop a process to ensure that juveniles are provided the opportunity to consult with counsel in making the decision to waive the right to counsel.

[LB51](#) would increase the number of hours of annual training for law enforcement officers and require each agency to be accredited. Officers would be prohibited from using chokeholds or carotid restraint control holds. The bill sets out limitations on service by noncertified conditional officers and prioritizes small agencies to receive grant funding for training and accreditation costs.

[LB236](#) was introduced to give ordinance authority to counties to allow concealed carry of weapons without a permit. After an Attorney General’s opinion questioning the constitutionality of the bill, the original language was removed and replaced with requirements for the state to give notice of expiring concealed carry permits and a grace period for renewal.

[LB103](#) would appropriate \$2 million annually for the next two years for counties with a federal judgment in excess of \$25 million if the total cost of the judgment equals 20 percent or more of the county’s budget and the county has set its levy at the maximum. Gage County would be eligible for funding.

[LB388](#) would appropriate \$20 million annually for grants to encourage the development of broadband internet service in unserved and underserved areas.

[LB285](#) would change redistricting deadlines to reflect the delay in receiving census data and the Legislature’s upcoming special session. Other provisions of the bill update election laws and deadlines.

[LB271](#) would allow counties to implement a twice-daily testing program as an alternative to incarceration for offenses involving operating a motor vehicle under the influence of alcohol or drugs.

Bills Signed Into Law

On Friday, Governor Ricketts signed the following bills that impact counties:

LB313 extends the homestead exemption filing deadline for persons whose spouse has died. A similar extended application period is available to persons with a documented medical condition that impairs their ability to file the application in a timely manner.

LB291 requires property tax protests to include the requested valuation amount on the protest form. Forms will be prescribed by the Tax Commissioner unless the county has developed its own form that captures the same information.

LB521 requires requests for tax exemptions on real or personal property to include an estimated value of the property on the application form. Applications without the estimated value or any other required information will be denied.

LB407 extends workers' compensation coverage for mental injuries to corrections workers in facilities with high-risk populations in counties of more than 300,000.

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