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## Nebraska Association of County Officials

# Legislative Report

January 7, 2022 [Legislative Report Archive](#)

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### NACO Legislative Update 1-7-2022



### 2022 Legislative Session Convenes

The 107th Legislature, Second Session convened on Wednesday, January 5, to begin a "short" 60-day [session](#). Senators began bill introductions on the first day and will continue to introduce bills

during the first ten days of the session. By the end of the third day, 222 bills and four constitutional amendments had been [introduced](#). Bills that were not passed or killed in 2021 carried over to the 2022 session.

## **Urgent Senator Contact Needed: Inheritance Tax Elimination to be Debated Next Week**

On Monday or Tuesday, January 10 or 11, the Legislature will begin debating [LB310](#), a bill to reduce or eliminate inheritance taxes.

Currently, the bill is on General File with a [committee amendment](#) which more than doubles the exemption amounts and reduces the rates. Senator Joni Albrecht has filed an [amendment](#) which would phase the inheritance tax out entirely by 2028. It is possible that another amendment will be filed that would repeal the inheritance tax entirely this year.

County officials need to make our Legislature aware of the impact of a repeal or reduction. Please contact your state [senator](#) and tell them the story of what your county uses your inheritance taxes for. Stress that these are things that are otherwise going to be paid for by raising property taxes. In many counties, the inheritance tax fund acts as a reserve or rainy day fund. Advise your senator that if the inheritance tax goes away, NACO will be advising all counties to start building up a reserve, which will take time and could mean several years of property tax increases. Contact information for senators is available [here](#).

If your senator has any questions, please refer them to [Jon Cannon](#).

## **NACO Legislative Committee to Meet January 21**

NACO's Legislative Committee will meet at 9:00 a.m. (CST) on Friday, January 21 to review and take positions on bills that have been introduced through the first eight days of the 2022 legislative session. Due to COVID precautions, the meeting will be conducted through Zoom. Each affiliate group has been asked to review the bills pertinent to their office prior to the meeting and select one of their members to speak to their recommended positions on bills. Register for the webinar [here](#). After registering, you will receive a confirmation email containing information about joining the webinar.

The Committee will meet again on January 27 to take positions on bills introduced during the final two days of introductions. A webinar will not be held so comments on those bills should be provided to your NACO Board representative to share at the meeting.

## **Updated Legislative Procedures and Information**

### **Legislative Process**

New bills will continue to be introduced through January 20, the tenth day of the session. Each bill is assigned to one of the Legislature's [committees](#) for a public hearing. In a return to pre-covid procedures, floor debate will be scheduled for the mornings and hearings will be held in the afternoons except during the week of January 10 when full days of debate will be held on carryover bills. After hearings conclude on March 3, the Legislature will return to full days of floor debate. Senators have been asked to keep their evenings open beginning March 14 if extended floor debate is needed.

Speaker Hilgers announced his intent to schedule debate on 2022 [priority bills](#) first, followed by the remaining 2021 priority bills, then bills in worksheet order as they were advanced by committees. However, he cautioned the body that there may not be time to take up all 2022 priority bills. During each session, each senator is allowed to designate one priority bill and each committee can select two priorities.

When a committee advances a bill to the full legislature, it must advance through three rounds of floor [debate](#) -- General File, Select File, and Final Reading -- before passage. Bills that pass are sent to the Governor for a signature or veto. Unless a different date is specified or a bill carries an emergency clause, bills take effect three calendar months after adjournment. Adjournment is tentatively scheduled for April 20.

## Special Events

Governor Pete Ricketts will present his State of the State address at 10:00 a.m. on January 13. Nebraska Supreme Court Chief Justice Mike Heavican will present his State of the Judiciary address on January 21. Both presentations will be livestreamed as part of the regular session coverage by [Nebraska Public Media](#).

## Floor and Committee Procedures

This session's [procedures](#) for hearings and floor interactions relax some of the covid protocols enacted last year. Although limited numbers of legislative staff and media will be allowed in the Warner Chamber during debate, access from the Rotunda is again available. Committee chairs may enact mask requirements but masks are not otherwise required in the Capitol.

Significant changes were made to processes for [submitting written testimony](#) for public hearings. Position comments must be submitted electronically with or without a request to include the comments as an exhibit in the permanent record of the hearing. These must be submitted through a link near the top of the bill's page prior to 12 p.m. CST the workday prior to the hearing. Comments submitted electronically will be available to senators and staff throughout the session. Although emailed or hand-delivered comments will no longer be included as part of the hearing record, these remain viable ways of contacting senators individually. In-person testimony will continue to be recorded on committee statements.

## Legislative Information

The Legislature's website contains a wealth of information pertinent to legislative activities: [daily](#) and [session](#) calendars, text of bills and amendments, daily agendas, hearing schedules, [transcripts](#) of debate, state [laws](#), and more. Live video streaming of floor debate and committee hearings is provided by [Nebraska Public Media](#).

A list of senators and their contact information is [here](#). Due to construction projects at the Capitol, some senators' room numbers may have changed over the interim.

Check out NACO's YouTube [channel](#) for weekly legislative updates. New videos are posted every Friday.

## 2022 Bills Affecting Counties

Among the bills introduced this week were measures to earmark funds appropriated to the state from the American Rescue Plan (ARPA), property tax relief, and election updates. Here are some of the bills that could affect counties.

### County Operations

[LB712](#) (Hughes) Change provisions of the Black-Tailed Prairie Dog Management Act

[LB791](#) (Lowe) Change a population requirement relating to county surveyors, engineers, and highway superintendents

[LB805](#) (Hughes) Change provisions relating to prioritization of applications and intent to appropriate funds under the Noxious Weed Control Act

[LB811](#) (Dorn) Change provisions relating to auctioneers of real estate

[LB840](#) (Brewer) Change provisions relating to publication and rates for legal notices

[LB859](#) (Clements) Require city-county health departments to obtain approval for directed health measures

## **Property Tax**

[LB687](#) (Blood) Adopt the Property Tax Circuit Breaker Act

[LB735](#) (Bostar) Change an interest rate relating to property tax refunds

[LB850](#) (Bostar) Change provisions relating to the cancellation and extinguishment of certain delinquent property tax

[LB860](#) (Pahls) Change the valuation of certain real property for property tax purposes

[LR264CA](#) (Erdman) Constitutional amendment to prohibit the imposition of taxes other than retail consumption taxes and excise taxes

## **Open Meetings**

[LB742](#) (Erdman) Provide for minutes to be kept in an electronic record under the Open Meetings Act

[LB743](#) (Erdman) Change provisions relating to when closed sessions may be held under the Open Meetings Act

## **Elections**

[LB727](#) (Hansen, M.) Change provisions relating to the board of trustees of a sanitary and improvement district

[LB785](#) (Groene) Change provisions relating to early voting

[LB828](#) (Briese) Prohibit manipulation of elections under the Election Act and provide a penalty

[LB841](#) (Brewer) Provide for applications to register to vote and obtain ballots for Nebraska National Guard and certain emergency response providers

[LB843](#) (Brewer) Change provisions relating to elections

[LB858](#) (Clements) Restrict funding for elections under the Election Act

## **Motor Vehicles**

[LB748](#) (Friesen) Change forfeiture provisions under the Uniform Controlled Substances Act as prescribed

[LB749](#) (Friesen) Change an identification inspection provision under the Motor Vehicle Certificate of Title Act

[LB750](#) (Friesen) Change provisions relating to transfer-on-death motor vehicle certificates of title, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, and the International Fuel Tax Agreement Act

## **Roads**

[LB757](#) (Brandt) Change and eliminate distance restrictions for oversize loads under the Nebraska Rules of the Road

## **Planning and Zoning**

[LB695](#) (Blood) Prohibit conditional use permits and zoning exceptions for delinquent property taxpayers

## **Firearms and Concealed Carry**

[LB773](#) (Brewer) Provide for carrying of concealed handgun without a permit and prohibit regulation of such carrying by cities, villages, and counties

## **Courts and Law Enforcement**

[LB878](#) (Cavanaugh, J.) Provide for automatic review of bail and conditions of release for misdemeanors or violations of city or village ordinances

[LB880](#) (McKinney) Provide requirements for commissaries in detention facilities and adult correctional facilities

