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## Nebraska Association of County Officials

# Legislative Report

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### Full Days of Debate Begin

The Legislature shifted to full days of floor debate this week. Tuesday began with the passage of consent calendar bills. Next Monday, March 14, the final group of consent calendar bills is scheduled for first-round debate. Some of these include [LB1165](#) that would allow a voter-approved bond to be included in a political subdivision's levy prior to the bond being issued, [LB742](#) that would allow all public bodies to store their meeting minutes electronically, and [LB908](#) that would expand authority for public bodies to hold meetings by virtual conferencing. Other bills scheduled for debate would provide for year-round daylight savings time ([LB283](#)) and prohibit assault on certain officers, emergency responders, and health care professionals ([LB661](#)). First-round debate on [LR263CA](#), which would require the state to reimburse political subdivisions for unfunded mandates, also appears on Monday's agenda.

Debate on [budget](#) and ARPA bills will begin on Tuesday and take precedence over the next two weeks. Priority bills will be scheduled as time is available throughout the budget debate. Debate is expected to run until 7:30 or 8:00 p.m. on many nights.

### Motor Vehicle Christmas Tree Advanced from First Round

[LB750](#), the Department of Motor Vehicles' annual cleanup bill, was amended to include seven bills heard by the Transportation and Telecommunications Committee before it advanced from the first round of debate on Friday. Some of the original sections of the bill would strike the requirement for a driver improvement course in every county because of availability online and allow for the issuance of previously salvaged titles if the vehicle has been properly inspected.

The bills amended into LB750 would clarify that the construction and maintenance of highway approaches damaged due to an extreme weather event or faulty engineering would be the responsibility of the Department of Transportation ([LB913](#)). Fees collected for 24/7 sobriety programs would be distributed to the county issuing the permit, rather than the county of residence of the

person receiving the permit ([LB1022](#)). Law enforcement officers could disclose the age of the motor vehicle operator in motor vehicle accident reports ([LB1145](#)). The maximum issuance fees for new license plates and renewals would be increased from \$3.50 to not more than \$4.25 ([LB1259](#)). As originally introduced, LB1259 would also have extended the period for plate issuance to ten years but the adopted committee amendment retained the existing six-year time frame. Common carriers would be allowed to offer senior discounts ([LB1266](#)). Drivers' license fees collected by the Department of Motor Vehicles would be reallocated to provide funding for a new service center in Lancaster County ([LB714](#)). Motor carrier safety statutes would be harmonized with federal law ([LB720](#)).

## Concealed Carry Bill Pulled from Committee, Advanced

[LB773](#), a bill to allow handguns to be carried without a permit, was pulled from the Judiciary Committee on Tuesday, debated all day Thursday, and advanced from the first round of debate on Friday. Counties, cities and villages would not be allowed to regulate the ownership, possession and transportation of a concealed handgun except as expressly provided in state law. Senator Tom Brewer, who introduced and prioritized the bill, described the differences between concealed carry and constitutional carry of handguns. He said it is legal in Nebraska to carry a weapon in the open, but carrying the weapon in the same way while wearing a coat that covers the weapon is considered concealed carry and subject to concealed carry laws. For eight hours, senators spoke on constitutional rights, training for persons carrying weapons, and costs for permits. Several amendments and motions were offered during the filibuster. A cloture vote was successful and the bill advanced on a 35-9 vote.

## Bills Advanced from General File

The Legislature used a consent calendar process and regular floor debate to advance bills from General File, the first round of debate.

[LB807](#) would revise budget and audit requirements for nonprofit county historical societies or associations. These entities would provide a detailed written report and presentation to the county board of how county funds have been used within one year of receipt of the funds. They would be ineligible to receive funding until the report and presentation were made.

[LB344](#) would change the agency responsible for investigating complaints under the One-Call Notification Act. The Act requires anyone who is planning to dig to request the location of utility lines through [Nebraska811](#) before digging. Currently the Attorney General investigates and prosecutes complaints. Because proposed revisions to the bill that would shift responsibility to the State Fire Marshal have not been the subject of a public hearing, the Transportation and Telecommunications Committee will hold a public hearing on March 22 to discuss [AM1880](#).

## Bills Advanced from Select File

The Legislature advanced the following measures of interest to counties from Select File this week.

[LB840](#) would increase the maximum amount that could be charged for legal publications in newspapers. The rate has not increased since 1995. The bill would also require legal notices that must be published for a specified number of days or weeks to be posted by the newspaper on a statewide website established for such purposes by a majority of Nebraska newspapers.

[LR283CA](#) would allow the state, counties, cities and other political subdivisions that own or operate an airport to expend revenue to develop or expand regularly scheduled commercial passenger air service at the airport. Senator Eliot Bostar offered the proposed constitutional amendment after Delta

Airlines dropped service to Lincoln. If passed by the Legislature, the issue would appear on the November 2022 ballot.

[\*\*LB998\*\*](#) would allow non-profit economic development corporations to apply directly to the Department of Economic Development for the designation of an inland port authority if a city or county has not taken steps to create one. The Municipal Inland Port Authority Act was adopted last year as an economic tool to allow cities of the metropolitan, primary or first class, and counties larger than 20,000 to develop shovel-ready commercial and industrial sites or transportation hubs.

[\*\*LB1065\*\*](#) would make changes to the expedited review process for tax increment financing (TIF) for smaller projects in counties under 100,000 or in areas that have been declared extremely blighted. The maximum period for these micro-TIF projects would be increased from 10 to 15 years. Existing structures would have to have been within the corporate limits of a municipality for at least 60 years and vacant lots would need to have been platted for at least 60 years. The Urban Affairs Committee will continue to examine TIF during the interim.

[\*\*LB717\*\*](#) would increase the amount of compensation paid to public safety officers killed in the line of duty from \$50,000 to \$250,000.

## Bills Passed This Week

On Tuesday, the Legislature passed six bills. [\*\*LB791\*\*](#) would increase the population threshold at which county surveyors serve as highway superintendents from 60,000 to 100,000. Hall County's population exceeded 60,000 in the most recent census.

[\*\*LB749\*\*](#) would revise laws allowing motor vehicle dealers to compile information to submit to sheriffs for inspections of out-of-state vehicles. Legislation adopted in 2021 that expanded eligibility to all licensed motor vehicle dealers unintentionally made the law apply to vehicles after they are sold, rather than when they are part of the inventory. The bill corrects this oversight.

[\*\*LB786\*\*](#) would revise candidate financial disclosures under the Nebraska Political Accountability and Disclosure Act to clarify that any real property used as a residence is not subject to reporting. This has been the interpretation of the Nebraska Accountability and Disclosure Commission and already appears within their rulings, forms and instructions. It would take effect on January 2, 2023.

[\*\*LB847\*\*](#) would add certain public power districts to the list of political subdivisions that can use the design-build method of construction for water infrastructure projects. [\*\*LB567\*\*](#) would change state unemployment benefits to take federal benefits into account. [\*\*LB704\*\*](#) would amend licensing requirements for funeral directors and embalmers.

