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# Nebraska Association of County Officials Legislative Report

**July 2019 - Session Final**

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## **2019 Legislative Session Adjourns Sine Die**

The 106th Nebraska Legislature, First Session adjourned on May 31, 2019. This Final 2019 Legislative Report is a brief synopsis of some of the 255 bills passed by the Legislature and signed by Governor Pete Ricketts and two proposed constitutional amendments. This report highlights particular provisions of interest to counties within the included bills and notes bills that were amended into other measures. Please review the actual legislative bills for more specifics. The full text of the final version of each bill, called the slip law, can be viewed on the [Legislature's website](#). Copies of bills can be requested from the Legislature's Bill Room at (402)471-0617. Also, consider contacting your county attorney with questions regarding the implementation of a particular bill in your county.

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More than 740 bills, resolutions, and constitutional amendments were introduced this year. Bills that were not adopted in 2019 carry over to 2020 with their existing status.

Most bills will take effect at 12:01 a.m. on September 1, 2019, which is three calendar months after the Legislature's adjournment. Bills passed with a specific operative date or emergency clause become effective on the specified date or upon the governor's signature.

The 60-day 2020 session is scheduled to convene on January 8. Pursuant to [Article III, section 10](#) of the Nebraska Constitution, regular sessions of the Legislature commence at 10:00 a.m. on the first Wednesday after the first Monday in January each year.

The NACO staff appreciates all county officials and employees who responded to requests to contact legislators, testify at hearings, review legislation, and answer surveys during this year's session. The direct involvement of county representatives is the key to a productive legislative session.

Please contact the NACO office or your affiliate group if you have suggestions for possible legislation for NACO to pursue in 2020. NACO's 2020 legislative priorities will be selected following NACO's 14th annual legislative conference on October 10 at McCook.

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**County Operations**

LB472 allows counties to implement a half-cent sales and use tax to help pay for federal judgments in excess of \$25 million. The bill, named the Qualified Judgment Payment Plan Act, terminates on January 1, 2027. It was introduced by Senator Myron Dorn, a former Gage County supervisor, to help Gage County pay a \$28.1 million federal judgment for the conviction of six Beatrice residents. To enact the tax, a county board must adopt a resolution by a two-thirds majority of all elected members. The tax terminates when the judgment is paid in full or after seven years, whichever is earlier. Counties implementing the sales and use tax must set their property tax levy at the maximum levy allowed by statute. Governor Ricketts vetoed LB472 but senators overrode the veto on a vote of 41 to 8; 30 votes are required to override a veto.

LB525 allows county boards to sell real property in fee simple to other political subdivisions, rather than going through a surplus property process. Notice of the intent to sell, the legal description of the property, and the address would have to be published at least 30 days prior to the sale.

LB609 allows counties to authorize employees to rent cars or use commercial charters rather than using their own vehicles for county travel and receiving reimbursement at the statutory mileage rate.

LB56 authorizes county boards and city councils to establish an expedited process for issuing special designated liquor licenses. The licenses could be issued 12 days, rather than 21 days, before an event. The bill also allows for electronic delivery of such licenses by the Liquor Control Commission.

LB23 recognizes the Property Assessed Clean Energy Act (PACE) as an economic development tool. Municipalities are given authority to waive the requirement that energy savings must exceed the cost of the project. LB124 clarifies that counties, cities, and villages may form clean energy assessment districts under the PACE Act. The districts may be separate, overlapping, or coterminous but cannot include areas within municipal boundaries or the extraterritorial jurisdiction of any city or village unless the city or village participates in the agreement. LB124 took effect on March 21 and LB23 took effect on May 1. An interim study, LR145, will continue the examination of PACE.

LB11 allows counties to enter into interlocal agreements with cities and villages for nuisance enforcement within the extraterritorial zoning jurisdiction of the city or village. The governing bodies of the participants must approve the agreement by ordinance or resolution.

LB334 changes the boundaries for Nebraska's planning and development regions. The bill moves Cass County from Region 6 to Region 8, the Metro Area Planning Agency. A one-year moratorium on future boundary changes allows for the development of procedures for future transfers. The bill also terminates the Angel Investment Tax Credit and moves its \$4 million appropriation to the Governor's Emergency Cash Fund in FY20-21 to be used for flood relief efforts.

LB622 authorizes the use of a single-bank pooled collateral method for pledging collateral for government investments in excess of FDIC insured amounts. Existing law provides for a dedicated method of collateral in which deposits of public funds are secured by providing securities or deposit guarantee bonds separately for each governmental unit. The bill allows the amount of the security to be based on the aggregate amount of public funds deposited. The Director of the Department of Banking must designate a bank, savings

association, trust company, or other qualified entity to administer the single-bank pooled method. The bill takes effect on July 1, 2020.

LB184 creates the Small Wireless Facilities Deployment Act. It is intended to facilitate the rapid deployment of 5G wireless coverage in Nebraska. It creates uniform procedures, rates, and fees for permit issuance in public rights-of-way and placement of small wireless facilities on state or local government infrastructure and poles. Wireless providers could collocate small wireless facilities and install, maintain, modify, operate and replace utility poles along, across, upon, and under the public right-of-way. Such placements are considered permitted uses and not subject to zoning review or approval. The bill sets out application fees, timelines for approval of applications, pole heights, and other details.

LB222 removes a duty for counties to approve and certify the list of volunteers serving as active emergency responders, rescue squad members, or volunteer firefighters who qualify for a \$250 income tax credit. Instead, the certification manager from the volunteer's fire or rescue department will file the information directly with the Department of Revenue and send a copy of the list, either by mail or electronically, to the governing body of the county, city, village, or rural or suburban fire district. The volunteer would claim the credit by including a copy of the certification with their income tax return. The bill becomes operative on January 1, 2020.

LB319 strikes a requirement for the Department of Natural Resources to notify county and city clerks by mail of proposed changes to the minimum standards for local flood plain management. The notice can be provided electronically.

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## **Property Taxes and Valuation**

LB512 provides a process for property owners to request an adjustment to the assessed value of their property due to significant property damage as the result of a calamity, such as a fire, flood or other natural event. The event must occur between January 1 and July 1 of the current assessment year and damage must exceed 20 percent of the assessed value. To qualify, property owners must file a report of the destroyed property by July 15 of the current assessment year. The county board of equalization must meet by July 25 to consider adjusting the valuation unless the board has adopted a resolution to extend the deadline to August 10. Form 425, the report of destroyed real property, and supplemental information for county boards of equalization and county assessors is available on the Property Assessment Division's website. Other sections of LB512 are cleanup provisions requested by the Department of Revenue.

LB185 requires owners of parcels of five acres or less that are seeking special valuation as agricultural or horticultural land to provide an IRS Form F showing a profit or loss from farming for two out of the last three years. The bill takes effect on January 1, 2020.

LB372 defines land capability groups that are used to value agricultural and horticultural land. Under existing law, the values are based on dryland farming categories. Under LB372, the specific use applied by the Natural Resources Conservation Service would be used for the land capability groups.

LB524 requires political subdivisions annexing property to file and record a certified copy of the annexation ordinance, petition, or resolution, including a full legal description, with the register of deeds and county assessor. If the record is received prior to July 1, the

valuation of the real property is considered within the taxable valuation of the subdivision for the current year. If the record is received on or after July 1, the valuation is considered for the following year. The deadline for annexations by a city of the metropolitan class to be included in the current year's valuation is prior to August 1. Senator Myron Dorn introduced LB524 at NACO's request to clarify the process for notifying counties of annexations and provide more time to make changes to taxing district boundaries after an annexation.

LB218 rewrites the definition of real property to include electric generation, transmission, distribution, and street lighting structures owned by political subdivisions. The bill was introduced in response to the Department of Revenue's determination that power lines and power poles are tangible personal property subject to sales tax.

LB663 makes corrections to like-kind exchange laws adopted last year. Last year's laws were intended to retain Nebraska's tax policy allowing the exchange of similar kinds of equipment despite federal tax law changes. However, further revisions were needed this year to clarify the process.

LB560 revises tax credit provisions of the Beginning Farmer Tax Credit Act.

LB77 updates the Real property Appraiser Act to comply with federal requirements.

LB470, a bill to make changes to the Nebraska Educational Savings Plan Trust, was amended to include a measure to treat privately-owned military housing as personal property. The military housing section of the bill, which was introduced as LB444, originally proposed reducing taxes on such housing by treating it as a homestead exemption. As amended into LB470, it would have implemented a payment in lieu of taxes to be distributed to local schools and the county and created an infrastructure development fund. After receiving an opinion from the Attorney General that this section was unconstitutional, Governor Ricketts vetoed LB470.

Numerous bills proposing property tax relief were offered by members of the Revenue Committee and other senators. AM1572 to LB289, a proposal from the Revenue, Education, and Retirement Systems Committees that would have increased state aid to education by shifting money from the Property Tax Credit to the school aid formula (TEEOSA), stalled after three hours of debate. It would have increased and expanded sales taxes, eliminated the personal property tax credit, and increased cigarette taxes.

LB183 pulled concepts from LB289 and proposed reducing the valuation of agricultural and horticultural land to 50 percent of its actual value to pay for school bonds. It was debated in conjunction with LB720, a bill to create new business incentives. Neither bill passed.

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## **Budgets and Levies**

LB103 requires taxing entities whose property tax request would increase from the prior year to hold a public hearing and pass a resolution or ordinance to set the property tax request. The resolution or ordinance must include statements outlining the differences in rates and collections and the record vote of the governing body in passing the resolution or ordinance. Because the bill carries an emergency clause, it applies to this year's budgets.

LB212 harmonizes publication deadlines in the County Budget Act and other budget sections to match requirements in the Nebraska Budget Act. The Nebraska Budget Act requires publication at least four calendar days prior to the hearing. This language was part of LB239, which was introduced by Senator Myron Dorn on behalf of NACO, and amended into LB212. Other provisions of the bill expand the use of video and telephone conferencing by certain public entities that are already permitted to conduct meetings by those methods and clean up outdated bonding references.

LB63 allows for modification of levy rates for fire districts that are part of a mutual finance organization. Mutual finance organizations are created through interlocal agreements to help finance operational and equipment needs for fire protection, emergency response, or training within the joint area of operation. Under existing law, the members had to agree to levy the same property tax rate within their boundaries to jointly fund the operations of all members. LB63, which took effect on March 7, 2019, requires agreements to have a duration of at least three years and requires members to levy the agreed upon rate for one of the three years. Adopted budget statements must be submitted to county clerks on or before September 20. Existing law sets an August 1 deadline.

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### **Treasurer's Tax Deeds**

LB463 revises tax sale and treasurer's tax deed processes, including requiring investors to provide more specific notice to owners of property with delinquent taxes before applying for a treasurer's deed. The bill includes a checklist of items that must be submitted with the application, including a new requirement for a copy of a title search prepared by a registered abstractor. It clarifies which statutes, in a series of nearly annual revisions between 2010 and 2017, apply to tax deed proceedings. It also requires the annual list of delinquent taxes to describe property as it appears on the tax list, including the parcel number, if any. Senator Matt Williams introduced LB463 on behalf of NACO, county treasurers, tax sale investors, and others.

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### **Elections**

LB411 is an election omnibus bill that contains provisions from ten additional bills. Some provisions and their initial bill numbers include:

- Allowing county commissioners to place the question of whether to increase the number of commissioners on the ballot by a majority vote of the board. Currently, this question can only be placed on the ballot through a petition (LB411)
- Defining the term "electioneering" to bring Nebraska into compliance with federal law (LB618)
- Harmonizing dates for elections to organize or discontinue townships (LB246)
- Modifying of provisional ballot timelines, write-in candidate requirements, recall petitions, and recount requests (LB246)
- Requiring accessibility of polling places (LB733)
- Eliminating outdated provisions regarding electronic voting (LB608)
- Reducing the number of signatures needed to place partisan candidates on the ballot to pre-2018 requirements (LB98)
- Requiring the appointment of a human resources director in counties exceeding 300,000 in population (LB522).

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## **Roads**

LB414 eliminates annual reports filed by county highway superintendents. The information is already included in the One-and-Six Year Plans and SSAR (Standardized System of Annual Reporting). Senator Tom Brandt introduced LB414 on NACO's behalf.

LB82 allows counties to certify completion of the One-and-Six Year road plans and other reporting documents to the state rather than submitting the entire document.

LB616 exempts highway construction projects with a payment schedule that exceeds the time beyond completion from paying contractor interest. It is intended to speed up development of the south beltway around Lincoln.

LB462 changes the One-Call Notification System Act. Excavators contact the one-call center for the location of underground lines before digging. The bill requires the one-call board of directors to assess enforcement programs, damage prevention, public awareness and other issues and report to the Governor and Legislature every two years. The Attorney General must make an annual report of the number of one-call complaints filed and prosecuted. An interim study, LR169, will continue to examine issues raised by the bill.

LB583 allows eligible counties and cities of the metropolitan or primary class to use a design-build process to carry out projects under the Transportation Innovation Act. The Act was adopted in 2016 to provide \$450 million for targeted infrastructure improvements, including county bridges.

LB117 revises procedures for contractors to become prequalified to bid on projects let by the Nebraska Department of Transportation.

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## **Motor Vehicles**

LB237 increases commissions to counties for collecting motor vehicle sales taxes. Currently counties and retailers collecting sales taxes receive a commission of 2.5 percent on the first \$3,000 of collections. LB237 adds an additional one-half of one percent commission on all amounts in excess of \$6,000 remitted each month. Prior to January 1, 2023, the money will be divided equally between the county general fund and the county road fund in order to provide additional funds for repair of roads damaged by flooding. After January 1, 2023, 75 percent of the additional amount will be placed in the county general fund and 25 percent will be deposited in the county road fund. In counties exceeding 150,000, the county treasurer will remit one dollar of the collection fee for the first 5,000 vehicles registered on or after January 1, 2020 to the state treasurer for credit to the Department of Revenue Enforcement Fund.

LB80 allows county sheriffs to enter into agreements with motor vehicle franchisees to submit photographs and other documents electronically for title inspections.

LB 269 expands the use of school driver's permits to allow holders to drive to property used by the school he or she attends for purposes of school events or functions. The bill also contains language from LB579 that expands the use of ignition interlock devices to persons convicted of a DUI that caused serious bodily injury.

LB192 expands veterans' designations on driver's licenses to include "Guard-Veteran" and "Reserve-Veteran", as well as the existing "Veteran" designation. The bill takes effect on January 1, 2021.



[LB138](#) creates several specialty license plates for persons who have served in the armed forces and reserves, as well as new Support Our Troops license plates for persons who have not served but want to support servicemembers. Money generated from sales of the Support Our Troops plates will be used to fund a veterans' workforce development coordinator at the Department of Labor.

[LB356](#) creates new wildlife conservation license plates depicting sandhill cranes, bighorn sheep, and ornate box turtles, as well as other specialty plates supporting prostate cancer and childhood cancer awareness. The Department of Motor Vehicles will be allowed to cease issuance of certain specialty plates at the next issuance cycle if fewer than 250 plates were issued during the prior two-year period.

[LB156](#) enacts procedures for the titling, registration, and operation of a former military vehicle. Such vehicles were manufactured for use in any country's military forces and are maintained to accurately represent its military design and markings, regardless of the vehicle's size or weight, and are no longer used, or were never used, by a military's force.

[LB270](#) is the annual Department of Motor Vehicles clean-up bill. It updates and harmonizes statutes and implementation dates, addresses electronic certificates of title and salvage titles, provides for temporary stickers for certain specialty license plates, and other issues.

[LB79](#) is an annual update of motor vehicle laws that reflect changes in federal regulations. The bill also allows electronic registration certificates for certain apportionable motor vehicles.

[LB111](#) changes language in motor vehicle and motor boat titling statutes from "husband and wife" to "married couple."

[LB8](#) permits physician medical directors to display flashing or rotating red or red and blue lights in a manner similar to volunteer firefighters and peace officers. A physical medical director is a qualified physician who is responsible for the medical supervision of out-of-hospital emergency care providers. Before displaying such lights, physician medical directors will have to complete an emergency vehicle operator course and receive written permission from the county sheriff.

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## **Public Records**

[LB152](#) grants certain National Guard members the same protection of their residential addresses in assessors' and registers of deeds' records as is authorized for law enforcement officers. Bills to extend that protection to physicians and osteopathic physicians ( [LB118](#) ) and prohibit disclosure of residential addresses by registers of deeds except by written request ( [LB633](#) ) remain in the Government, Military and Veterans Affairs Committee.

[LB16](#) provides that details of physical and cyber assets of critical energy infrastructure or critical electric infrastructure may be withheld from disclosure as public records.

[LB375](#) exempts certain library, archive, and museum materials acquired from nongovernmental sources from disclosure as public records when the donor provides the materials on the condition that they are kept confidential for a specified period of time.

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## **Courts, Corrections, and Crimes**

### **Courts**

[LB505](#) requires support order payments made to clerks of the district court to be forwarded to the state disbursement unit by electronic transfer.

[LB309](#) adds an additional district court judgeship in the Douglas County District Court, effective July 1, 2021. This brings the number of judges in the fourth judicial district to 17.

[LB352](#) requires prosecutors to undertake measures to maintain searchable records of cases in which statements or trial testimony is provided by jailhouse informants and any benefit offered or provided in connection with the statement or testimony. Prosecutors would be required to disclose the information to the defense if they intended to use it at a defendant's trial.

[LB354](#) provides for the automatic sealing of juvenile court records if no charges are filed or charges are dismissed, or if the juvenile has successfully completed diversion, probation, mediation, or other required treatment or rehabilitation.

[LB595](#) add restorative justice programs to the Dispute Resolution Act. Restorative justice programs provide for conferences, mediation, panels and other interactions that provide an opportunity for persons causing harm to accept responsibility and for victims to describe the impact of the harm.

[LB179](#) authorizes the appeal of certain motions on sovereign immunity as final orders in response to a Nebraska Supreme Court opinion.

[LB532](#) harmonizes application procedures for harassment, sexual assault, and domestic abuse protection orders. In response to a Nebraska Supreme Court case, the bill clarifies that notice of a petition for a protection order constitutes notice that any type of protection order might be issued, regardless of the type initially petitioned for.

### **Law Enforcement/Corrections**

[LB390](#) requires agreements between schools and law enforcement or security agencies with officers serving as school resources officers (SROs). The agreements must require at least 20 hours of annual training for officers and school administrators and retaining records of student referrals for prosecution.

[LB154](#) requires the Nebraska State Patrol to conduct a study to determine how to increase state criminal justice protective and investigative resources for reporting and identifying missing Native American women and children in Nebraska. The examination will include work with local law enforcement partners and will culminate in a report to the Executive Board of the Legislature by June 1, 2020.

[LB726](#) requires the Division of Medicaid and Long-Term Care of the Department of Health and Human Services to develop a protocol to assist persons who are eligible for medical parole to apply for and receive Medicaid benefits.

[LB200](#) clarifies licensure requirements for facilities used to house persons under civil protective custody. Recent interpretations of the law could prevent alcoholism centers that use locked rooms from being licensed to care for persons under civil protective custody commitments.



[LB686](#) was introduced to address prison overcrowding and was amended to become the Judiciary Committee's omnibus bill. It contains provisions to create an offense for intentionally providing an inmate of a correctional facility with a cell phone ([LB233](#)), allows judges to commit defendants who are incompetent to stand trial to a facility that is not owned by the state ([LB240](#)), and allows courts to enter deferred judgments that can be discharged after successful completion of probation ([LB691](#)). Other provisions prohibit placing members of vulnerable populations in restrictive housing ([LB739](#)) and remove a requirement for post-release supervision for certain felonies ([LB90](#)).

[LB690](#) creates the Healthy Pregnancies for Incarcerated Women Act. It prohibits detention facilities from using restraints such as flex cuffs, handcuffs, and belly chains during labor, delivery, or postpartum recovery. Restraints can be used in extraordinary circumstance if the facility administrator makes a determination that there is a substantial flight risk or other extraordinary medical or security need.

### **Crimes**

[LB149](#) increases the legal age for purchasing and possessing vaping equipment from 18 to 19, effective January 1, 2020.

[LB217](#) makes it illegal for an employer to discriminate against an employee who has inquired about, discussed, or disclosed information regarding employee wages, benefits, or other compensation.

[LB514](#) adds obtaining credit for paying child or spousal support to the list of offenses included in issuing a bad check.

[LB519](#) eliminates the statute of limitations on human trafficking of minors and extends the statute of limitations from three to seven years for adults. It adds definitions to the offense of sexual abuse of an inmate or parolee.

[LB7](#) adopts the Counterfeit Airbag Prevention Act. The Act creates a series of criminal penalties for knowingly and intentionally manufacturing or selling counterfeit air bags that result in bodily injuries or death.

[LB125](#) includes victims of theft of \$5,000 or more by an intimate partner within the list of victims with whom county attorneys must make a good faith effort to consult regarding the content and reasons for plea agreements.

[LB141](#) adds suffocation to the existing offense of strangulation and provides for enhanced penalties for the suffocation or strangulation of a pregnant woman.

[LB630](#) creates the offense of "revenge porn", distributing a private image of another person's intimate areas or a person engaged in sexually explicit conduct without their consent. The bill provides an affirmative defense for juveniles who possess images knowingly and voluntarily provided by another juvenile. [LB680](#) creates the Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act. The bill provides civil remedies for revenge porn.

### **Civil Actions**

[LB693](#), the Neighbor Spoofing Protection Act, prohibits knowingly transmitting misleading or inaccurate caller identification information with an intent to defraud, cause harm, or wrongfully obtain anything of value. The Public Service Commission can impose an administrative penalty of up to \$2,000 for violations.

[LB227](#) limits filing nuisance claims under the Nebraska Right to Farm Act to two years after the condition which is the subject matter of the suit reaches the level of offense sufficient to sustain a claim of nuisance.

[LB698](#) requires the contents of commercial motor vehicles and trailers to be properly distributed and adequately secured to prevent cargo from falling out of the vehicle. Violations are an infraction and can be subject to civil penalties.

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## **Retirement**

[LB34](#) eliminates disbursements of up to \$25,000 of their account to county and state retirement plan participants during the pendency of a grievance. Such distributions are out of compliance with IRS regulations. LB34 also contains provisions from three other bills. Language from [LB35](#) clarifies that a permanent county employee must be at least 18 years of age to participate in the county retirement plan. [LB36](#) makes changes to the school retirement plan. [LB565](#) identifies the current spouse of a retirement plan member as the beneficiary if the member dies without designating a beneficiary.

[LB32](#) modernizes and revises investment options for the County and State Retirement Plans.

[LB33](#) changes administrative provisions for the Public Employees Retirement Board, including increasing per diem payments from \$50 to \$75.

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## **Filings**

[LB186](#) creates the Online Public Notary Act. It allows registered online notaries to use technology to accept notarizations for acknowledgments, jurats, verifications or proofs, and oaths or affirmations. The Secretary of State will adopt and promulgate rules and regulations to create standards and ensure the integrity, security, and authenticity of online notarial acts. The bill requires the register of deeds or county clerk in each county to provide one or more electronic recording services for purposes of accepting electronically submitted real estate documents for recording by July 1, 2020.

[LB42](#) requires the administrative body of a condominium association to annually file a statement with the register of deeds listing the name of the body and the names and addresses of the officers of the body. The filing must be made on or before December 31. The filing is intended to provide information about where legal notices and other important information should be sent.

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## **Tax Increment Financing**

[LR14CA](#) is a proposed constitutional amendment that would extend the duration of tax increment financing (TIF) projects by five years in extremely blighted areas. Existing provisions limit the amount of time community redevelopment projects have to pay off their bonds to 15 years. LR14CA would allow cities and villages to pledge taxes for up to 20 years if more than half of the property in the project area is designated as extremely blighted due to a high rate of unemployment and high poverty.

[LB86](#) sets out procedures for cities to declare an area extremely blighted for purposes of workforce housing development. Projects in extremely blighted areas would be given priority by the Department of Economic Development when grants and loans are made from the Affordable Housing Trust Fund.

[LB87](#) gives priority to federally-designated opportunity zones when funds are distributed through the Affordable Housing Trust and other funds.

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### **Planning, Zoning, and Codes**

[LB96](#) makes the state building code the default code for any county or city that does not otherwise enact a code within two years after an update to the state building code. The code does not apply to construction on a farm or for farm purposes.

[LB405](#) updates statutory references to the International Building Code and International Residential Code that are used by the state, counties and cities. After the bill takes effect on July 1, 2020, counties, cities, and villages will have to notify the State Energy Office within 30 days if they amend the local building code in a way that deletes portions of the state code.

[LB348](#) updates the state building code to reflect the latest version of the international codes.

[LB155](#) states the intent of the state of Nebraska to protect its land, natural resources, and cultural resources for economic and aesthetic purposes by regulation of energy generation projects. It creates a rebuttable presumption that the exercise of eminent domain to provide needed transmission lines and related facilities for a privately developed renewable energy generation facility is a public use.

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### **Veterans and Military**

[LB12](#) exempts active duty service members and their spouses from paying fees for real estate broker or salesperson licenses when they are assigned to a permanent duty station in Nebraska if the applicant is already licensed in another jurisdiction or was licensed in Nebraska within the past three years.

[LB112](#) waives fees for initial credentials under the Uniform Credentialing Act for military families, low-income individuals, and young workers. The actual cost of fingerprints and criminal background checks would not be waived.

[LB6](#) changes residency requirements for in-state tuition for spouses and dependents of active duty military personnel. Such students are deemed to have established residency if the service member was assigned to a permanent duty station in Nebraska at the time the student was accepted for admission at a state postsecondary educational institution and the student has continually remained enrolled since the time of acceptance.

[LB122](#) provides that military service members and veterans who are receiving vocational rehabilitation for service-connected disabilities, their spouses, and their dependents are eligible for resident tuition rates at public colleges. The bill took effect when signed on March 4, 2019.

[LB486](#) creates the Veterans and Active Duty Supportive Postsecondary Institution Act. Schools meeting specified criteria could request the designation.

[LB115](#) allows children of military families to enroll in a school district if the parent presents evidence of military orders that the family will be stationed in Nebraska during the current or following school year.

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### **State Budget**

The state's \$9.3 billion biennial [budget](#) package is found in [LB293](#) through [LB300](#). It contains a \$275 million appropriation to the Property Tax Credit Cash Fund and \$135 million in school aid to help provide property tax relief. Four million dollars in one-time funding is provided to replace aging election accessibility equipment before the 2020 election cycle. The budget addresses prison overcrowding by providing funding for specialty courts and more maximum security beds. Other provisions allow County Justice Reinvestment Grant Funds to be used to supplement existing programs, services, and approaches to reduce jail populations and costs. The budget also appropriates \$11 million over the biennium for the Governor's Emergency Program to assist the state and its political subdivisions in responding to and recovering from natural and man-made disasters.

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### **Other Issues**

[LB81](#) expands the Rules of the Road relating to trains to on-track equipment. It adds two requirements for drivers to stop - when there is a stop sign present and if there is a passive warning device and a train or on-track equipment is in hazardous proximity to the crossing.

[LB284](#) requires internet retailers without a physical presence in Nebraska to collect state sales taxes. Retailers are deemed to be conducting business in the state if the amount of total retail sales exceeded \$100,000 and there were 200 or more separate transactions in the previous or current calendar year. The bill took effect on April 1, 2019.

[LB315](#) updates inheritance tax proceeds to clarify that life insurance proceeds paid to an inter vivos or testamentary trust are not subject to inheritance tax. This codifies the current practice.

[LB320](#) revises the Pesticide Act to reflect updated federal requirements that establish standards for state certification programs.

[LB564](#) revises eligibility for grants under the Civic and Community Center Financing Act to include facilities jointly owned by municipalities and counties or other political subdivisions, provided that the municipal ownership is at least 50 percent.

[LB570](#) requires the Department of Health and Human Services, in collaboration with several other agencies, to develop a plan to provide services to qualified individuals with disabilities in integrated community-based settings.

[LB638](#) changes the guidelines for automatic transfers from the state's General Fund to the Cash Reserve Fund when tax collections exceed the certified forecast.

[LB641](#) allocates money from the Health Care Cash Fund to operate the 211 Information and Referral Network for two years. 211 is a

community resources hotline that is currently operated by the United Way of the Midlands.

[LB657](#) enacts the Nebraska Hemp Farming Act to allow Nebraska farmers to grow hemp as a commercial crop. The Department of Agriculture will seek federal approval for a state plan to regulate the cultivation, handling and processing of hemp. Among other requirements, growers would have to be licensed and fields identified by maps and GPS coordinates.

[LR1CA](#) is a proposed constitutional amendment that would remove references to slavery or involuntary servitude as a punishment for a crime from the Nebraska Constitution. The question will appear before voters on the November 2020 ballot.

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### **Interim Studies**

What follows is a partial listing of interim study resolutions that were introduced for examination during the summer and fall months. This listing represents only those studies determined to be of significant interest and importance to county government. Public hearings have been scheduled on some resolutions. Other public [hearings dates](#) will be posted on the Legislature's website as they are scheduled. A complete list of the studies is available [here](#).

#### **Agriculture Committee**

[LR220](#) (Halloran) Interim study to review provisions governing carcass disposal requirements and options

#### **Appropriations Committee**

[LR116](#) (Cavanaugh) Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund. Hearing on Sept. 20 at 9:00 a.m. in State Capitol Room 1003

[LR184](#) (Quick) Interim study to examine how to provide a sustainable and adequate stream of state funds to local public health departments to ensure they are able to meet their core responsibilities. Hearing on Sept. 20 at 9:00 a.m. in State Capitol Room 1003

#### **Banking, Commerce and Insurance Committee**

[LR57](#) (Williams) Interim study to determine whether the Real Property Appraiser Act should be updated

#### **Business and Labor Committee**

[LR128](#) (Hansen, M.) Interim study to review the Nebraska Wage Payment and Collection Act and the Wage and Hour Act

#### **Executive Board**

[LR159](#) (Crawford) Interim study to examine the rules of the Legislature regarding information required to be included in records of the committees of the Legislature

[LR199](#) (DeBoer) Interim study to examine Nebraska's redistricting process

[LR223](#) (Cavanaugh) Interim study to appoint a special committee to carry out a comprehensive study of incarceration and mental health services in Nebraska

[LR241](#) (Pansing Brooks) Interim study to create a select committee to develop an environmental action plan for the state, including assessments of vulnerability, risks, economic impacts, and mitigation strategies

### **General Affairs Committee**

[LR98](#) (Lowe) Interim study to examine the special designated license issued by the Nebraska Liquor Control Commission and review potential reforms

[LR117](#) (Howard) Interim study to examine matters related to cemeteries

### **Government, Military and Veterans Affairs Committee**

[LR143](#) (Albrecht) Interim study to examine the laws for accounting and financial reporting in political subdivisions to determine a more uniform method of reporting

[LR149](#) (Wayne) Interim study to examine the burden of unfunded mandates on county budgets

[LR247](#) (La Grone) Interim study to examine the long-term sustainability of recurring election technology replacement

### **Health and Human Services Committee**

[LR95](#) (Slama) Interim study to examine the prevalence and economic costs of methamphetamine use in the state

[LR160](#) (Howard) Interim study to assess the mental and behavioral health needs of Nebraskans and the current shortages of services and resources

[LR162](#) (Bostelman) Interim study to examine issues impacting volunteer emergency medical personnel

[LR172](#) (Williams) Interim study to analyze state and local policy and initiatives to retain and incentivize health care providers and health-related businesses in the state to remain and expand in the state

[LR249](#) (Friesen) Interim study to examine how the state administers federal Older Americans Act funds

### **Judiciary Committee**

[LR124](#) (Hansen, M.) Interim study to examine the practices for juvenile interrogations by law enforcement and potential improvements to protect the rights of juveniles and the safety of the public

[LR127](#) (Hunt) Interim study to ensure youth in the foster care system and juvenile justice system understand their rights, to ensure their rights are being upheld, and to explore the need for additional rights

[LR144](#) (Hansen, M.) Interim study to examine the effectiveness of cash bail and cash bonds for misdemeanors and city and village ordinance violations. Hearing on Sept. 13 at 9:00 a.m. in State Capitol Room 1507

[LR146](#) (Wayne) Interim study to examine the feasibility of adopting a Prosecutor Transparency Act in Nebraska

[LR148](#) (La Grone) Interim study to examine issues related to unfunded mandates to county governments for the administration of judicial proceedings

[LR156](#) (DeBoer) Interim study to examine strategies to prevent suicide by youth involved in the Nebraska juvenile justice system

[LR176](#) (Cavanaugh) Interim study to examine the metrics used in the juvenile justice system to track outcomes for youth who are under



system supervision and after contact with the juvenile justice system

[LR183](#) (Geist) Interim study to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement

[LR189](#) (Hansen, M.) Interim study to examine the effectiveness of 24/7 sobriety programs and determine potential standards for statewide implementation

[LR197](#) (Vargas) Interim study to conduct a comprehensive study of due process for inmates in restrictive housing

[LR201](#) (Vargas) Interim study to examine the role truancy plays in the school-to-prison pipeline and explore possible alternatives to reduce truancy

[LR204](#) (Lathrop) Interim study to examine issues under the jurisdiction of the Judiciary Committee. Hearing on Sept. 27 at 9:00 a.m. in State Capitol Room 1507

[LR206](#) (Lathrop) Interim study to examine options for the elimination of cash bail, appearance bonds, and related provisions, and examine risk assessment tools for pretrial release, post-conviction custody, and supervision status determinations

[LR235](#) (Lathrop) Interim study to examine the efficacy of testing and monitoring programs to reduce recidivism for driving under the influence and controlled substances offenses

[LR236](#) (Lathrop) Interim study to examine issues related to juvenile justice

[LR237](#) (Lathrop) Interim study to examine issues related to Nebraska's correctional system

[LR248](#) (Wayne) Interim study to analyze and assess the arrangement for chemical testing of items seized pursuant to arrests for controlled substances

[LR253](#) (Brewer) Interim study to investigate the laws of self-defense and defense of third parties as they apply to the defense of persons victimized by domestic violence and human trafficking

#### **Natural Resources Committee**

[LR138](#) (McDonnell) Interim study to identify for adoption by the Legislature three to five infrastructure project opportunities in eastern Nebraska to provide flood control, a reliable drinking water supply, power generation, climate change mitigation, and recreation

[LR154](#) (Groene) Interim study to examine statutes related to augmentation projects in relationship to the Nebraska Cooperative Republican Platte Enhancement interlocal project in Lincoln County

#### **Nebraska Retirement Systems Committee**

[LR65](#) (Kolterman) Interim study to provide for presentation of reports by all political subdivisions with underfunded defined benefit plans

[LR66](#) (Kolterman) Interim study to examine the public employees' retirement systems administered by the Public Employees Retirement Board

#### **Revenue Committee**

[LR232](#) (McCollister) Interim study to examine the processes and procedures used in the assessment and valuation of real property and

in appeals before the Tax Equalization and Review Commission

[LR262](#) (Revenue Committee) Interim study to examine issues under the jurisdiction of the Revenue Committee

### **Transportation and Telecommunications Committee**

[LR166](#) (Friesen) Interim study to review the report of the Rural Broadband Task Force that was created by Laws 2018, LB994

[LR167](#) (Friesen) Interim study to review the current model of collecting taxes to build and repair roads

[LR168](#) (Friesen) Interim study to examine issues under the jurisdiction of the Transportation and Telecommunications Committee

[LR169](#) (Friesen) Interim study to examine issues raised by LB462, 2019, and examine potential improvements to the enforcement of the One-Call Notification System Act

[LR174](#) (Cavanaugh) Interim study to examine the Highway Trust Fund and ways to increase transit infrastructure in areas with limited access

[LR175](#) (Cavanaugh) Interim study to ensure accelerated broadband deployment statewide

### **Urban Affairs Committee**

[LR111](#) (Urban Affairs Committee) Interim study to examine issues under the jurisdiction of the Urban Affairs Committee

[LR119](#) (Urban Affairs Committee) Interim study to examine issues related to the disconnection or detachment of territory from the corporate limits of municipalities

[LR131](#) (Wayne) Interim study to examine issues related to the regulation of solar energy by municipalities and sanitary and improvement districts

[LR132](#) (Wayne) Interim study to examine issues related to plumbing codes

[LR145](#) (Hunt) Interim study to examine the financing of energy efficiency and renewable energy improvements on single-family residential property under the Property Assessed Clean Energy Act

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