

Neb. Legislature

Bill To Redevelop Tax-Delinquent Land Advances

BY ALISSA SKELTON  
Associated Press

LINCOLN, Neb. — Lawmakers on Wednesday advanced a measure that would let cities in Nebraska's largest metro area create a public authority or land bank to bid on tax-delinquent properties.

The bill is intended to help Omaha and Sarpy County acquire tax-delinquent properties so they can be redeveloped. Sen. Heath Mello of Omaha said he introduced the bill because Omaha needs a way to fix an increasing vacant property problem. Lawmakers voted 32-0 to move the bill to the next round of debate.

A Nebraska legislative study conducted last year found that Omaha has more than 15,000 vacant or abandoned properties. Most of those lots are east of Interstate 680. Sometimes owners owe more in back taxes than a property is worth, and the land keeps cycling through the foreclosure process "further deteriorating and creating a drain on the surrounding neighborhood," Mello said. Mello wants to redevelop these properties so they could be sold to create parks, new houses or businesses.

"Hundreds and even thousands of properties go through the tax foreclosure process multiple times, often spending more than a decade in limbo," Mello said.

Other states and cities are looking to land banks to free vacant or abandoned lots. Four states — Georgia, Missouri, New York and Pennsylvania — allow land banking to redevelop tax-delinquent properties.

Mello said current Nebraska law allows some political subdivisions to purchase tax sales certificates, which allows the subdivisions to acquire properties that owners fail to pay taxes on.

"If this exists in statutory authority, there is no reason not to give land banks the same authority as long as the full amount of taxes,

interest and costs owed are paid," he said. Sen. Ernie Chambers of Omaha had previously said he wanted the Legislature to establish who may sit on a land bank board. He wanted to make sure inner-city Omaha residents would not be excluded. Mello offered an amendment to address concerns by Chambers and other state senators.

Mello's amendment said a public authority would be required to have a seven-member board, with a representative from each City Council district to ensure people from north and south Omaha would be included on the board.

"This land bank is a very ambitious undertaking," Chambers said. "Everybody, based on the way Sen. Mello has presented it, has an opportunity and an invitation to participate in producing a final product."

The amendment also put in a provision that would make sure the land bank can't buy up all of the vacant properties and push private entities out of the market. The land bank could not hold titles for more than 7 percent of the total parcels of property in the city. It also clarifies tax financing issues.

The bill is LB97.

OTHER BILLS OF INTEREST

• Several Nebraska lawmakers criticized a bill that would replace state park permits with a \$7 vehicle registration fee to help pay for park maintenance.

Sen. Annette Dubas of Fullerton led a filibuster against the measure Wednesday. She says drivers shouldn't be charged more money to register their vehicles. Several other senators say the fee would be a burden to the poor.

The bill would provide the Nebraska Game and Parks Commission about \$12 million annually to help cover \$43 million in deferred maintenance costs. It would make state parks more accessible to people with disabilities.

The bill's sponsor, Sen. Bill Avery, says he doesn't like to pay new or increased fees. But Avery insists lawmakers need to find a way to fund the parks.

• A proposed salary increase for Nebraska judges has won first-round approval from lawmakers.

The bill that advanced Wednesday would give the Nebraska Supreme Court chief justice and its judges a 5 percent increase, starting on July 1. The judges would receive another 5 percent increase in July 2014.

Members of the state Supreme Court currently make \$145,615 per year. The bill would also apply to lower-court judges, whose salaries are tied to what the Supreme Court judges earn.

Lawmakers voted 26-2 to in favor of the proposal. Supporters argued that the increase is needed to help recruit and retain quality judges in Nebraska. Some opponents said they viewed the raise as unaffordable.

The bill is LB232.

• A bill that would help Nebraska qualify for more federal foster care money has won first-round approval from lawmakers.

The measure is part of the state's ongoing child welfare reforms. Recent reports to the Legislature have shown that Nebraska is not collecting all the federal aid for which it could qualify.

The bill would direct the Nebraska Department of Health and Human Services to develop new rules to help more foster care homes qualify for state licenses. The licenses are a key requirement for federal aid.

The department would also have to write policies that would allow the state to seek more federal reimbursement for child-care maintenance costs, such as clothing and school supplies.

The bill was introduced by Sen. Kathy Campbell, of Lincoln.

The bill is LB269

N.D. Attorney General Wants Fund For Abortion Fight

BY JAMES MACPHERSON  
Associated Press

BISMARCK, N.D. — North Dakota lawmakers began building a war chest Wednesday to defend against any lawsuits that arise from new state laws imposing the nation's toughest abortion restrictions.

The Senate Appropriations Committee voted unanimously to support a request by North Dakota Attorney General Wayne Stenehjem for a \$400,000 budget increase for a legal fight promised by abortion-rights activists.

"The \$400,000 is just my best estimate," Stenehjem told The Associated Press Wednesday. "It could be more; it could be less."

Stenehjem said he came up with the estimate after speaking with attorneys general in other states that have faced similar lawsuits.

North Dakota's Senate and House still must approve the budget amendment that also includes \$10 million for additional law enforcement to address skyrocketing crime stemming from increased population in the state's booming oil patch.

Republican Gov. Jack Dalrymple signed abortion bills last month that would make North Dakota the most restrictive state in the nation to get the procedure. One measure would ban abortions as early as six weeks into a pregnancy, when a fetal heartbeat

can first be detected. Another would prohibit women from having an abortion because a fetus has a genetic defect, such as Down syndrome.

A third measure would require a doctor who performs abortions to be a physician with hospital-admitting privileges.

In signing the bills, Dalrymple urged the Legislature to set aside money for a "litigation fund" that would allow the state's attorney general to defend the measure against lawsuits.

Abortion-rights advocates say the measures are an attempt to close the Red River Women's Clinic in Fargo — the state's sole abortion clinic. Supporters of the so-called fetal heartbeat measure, including Dalrymple, say it's a challenge the U.S. Supreme Court's 1973 Roe v. Wade ruling that legalized abortion up until a fetus is considered viable, usually at 22 to 24 weeks.

The North Dakota measures are slated to take effect Aug. 1 and abortion rights advocates have promised a legal fight to block the restrictions.

Secretary of State Al Jaeger said his office received requests last week for petitions to give voters an opportunity to repeal North Dakota's new abortion laws.

Jaeger's office has until April 11 to approve titles for the three petitions, and each needs at least 13,452 valid signatures from North Dakota voters to qualify for a statewide vote. The deadline to gather the signatures is June 24.

Attorney General Stenehjem said if voters repeal the abortion legislation "there won't be a lawsuit because there won't be the laws."

If a lawsuit moves forward, lawyers from his office would defend the legislation or outside attorneys could be hired.

New York-based Center for Reproductive Rights has said it is committed to challenging the fetal heartbeat bill on behalf of the Fargo clinic. The group already represented the clinic for free in a lawsuit over a 2011 law banning the widely accepted use of a medication that induces abortion.

A judge has temporarily blocked enforcement of the law, and a trial is slated next week in Fargo.

The state has spent about \$23,000 in legal costs to date defending the 2011 legislation, according to agency records obtained by the AP.

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Neb. Board Of Education Hires National Firm

LINCOLN, Neb. (AP) — The Nebraska State Board of Education is hiring a national firm to help with the search for a new commissioner.

The board says interested search firms can submit an application online until noon on April 25. A search committee will then narrow the list of applicants to three.

Representatives from the selected firms will be interviewed May 6. A firm will be selected the following day.

Nebraska Education Commissioner Roger Breed announced last month that he plans to retire at the end of June. He's had the job since October 2008, and he has served as an educator in Nebraska for nearly 42 years.

Monthly Tax Receipts For Neb. Down In March

LINCOLN, Neb. (AP) — Nebraska's net tax receipts in the month of March dipped below projections.

The state tax commissioner reported Wednesday that net receipts were \$273 million, a little more than 6 percent below the state's certified forecast.

The commissioner says net sales-and-use taxes, individual income taxes and net miscellaneous taxes were all below the forecast. Net corporate income taxes came in above the projections.

The comparisons in the report were based on a forecast made by the Nebraska Economic Forecasting Advisory Board in February 2012. The forecast was adjusted for bills that were passed last year.

School Board Ends Prayers To Open Meetings

KEARNEY, Neb. (AP) — The Kearney school board has decided to end its practice of opening prayers at board meetings.

The *Kearney Hub* reports that board President Tim Higgins told board members at Monday's meeting that the district needed to follow the advice of its attorney and the lawyers for the Nebraska Association of School Boards.

Local ministers had been giving the invocations, but when they stopped recently the legality of prayers at public board meetings was double-checked.

Keystone XL Opponents Circulating Petition

LINCOLN, Neb. (AP) — Opponents of the Keystone XL pipeline in Nebraska are circulating a petition to try to halt the project.

The group Bold Nebraska sent out an email Wednesday, urging its supporters to sign an online petition that would ask President Barack Obama to deny federal approval.

The group pointed to a recent tar-sands oil pipeline leak in Arkansas as evidence that regulators should reject the Keystone XL.

The proposed Canada-to-Texas pipeline is at the center of a political battle. A coalition of environmentalists, Native Americans and some landowners are fighting the project. Oil companies, labor unions and the Canadian government are pushing for project approval.

Circulators say the petition will be sent to Obama, Nebraska Gov. Dave Heineman, U.S. Secretary of State John Kerry and Keystone XL developer TransCanada.

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