

Nebraska

Proposed Increase In Gas Tax Wins First-Round Approval

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A proposed gas tax increase won initial approval from Nebraska lawmakers on Wednesday but fell short of the veto-proof majority likely needed to override Gov. Pete Ricketts. The phased-in tax measure cleared the first of three required votes despite loud opposition from senators who said the state should consider other ways to pay for roads and bridges. The measure would raise the state's fuel excise tax by 6 cents per gallon over four years, for a total state tax of 31.6 cents per gallon. Senators voted 26-10 to advance the bill (LB610). Two more votes are required before it advances to Ricketts, a Republican who opposes the increase. If Ricketts vetoes the bill, supporters will need at least 30 senators for an override. "I am exceptionally disappointed to learn that members of the Legislature voted to advance a hike in Nebraska's gas tax," Ricketts said in a statement. "Unfortunately, the Legislature has yet to debate meaningful property tax relief this

session. Increasing taxes on hardworking Nebraskans is the wrong direction." Ricketts has said he's conducting a national search for a new roads director who can take a fresh look at how roads are funded and suggest alternatives. Sen. Jim Smith of Papillion, the bill's sponsor, said the tax increase is a better option than using general-fund dollars to pay for roads and bridges because other interests compete for that money. Using general-fund money to pay for infrastructure also makes it harder to cut income taxes, he said. "If you agree with me that we need tax reform, I believe this is a discussion we need to have," said Smith, the chairman of the Transportation and Telecommunications Committee. Opponents in the Legislature said the tax increase will disproportionately affect the poor because many spend a larger proportion of their incomes on gas. Conservatives argued the state's taxes are already driving Nebraska residents out of the state. Sen. Mike Groene of North Platte said lawmakers need to heed the call of constituents who have repeatedly called for

lower property taxes. Groene said any fuel tax increase should coincide with a reduction in property taxes, and he worried about giving extra revenue to the Department of Roads. Sen. Dave Bloomfield of Hoskins said he was initially undecided on the bill but came to oppose it after considering the potential burden on farmers. Bloomfield said he drives an old pickup that gets roughly 15 miles per gallon, and the efficiency drops to 8 miles per gallon when he hauls trailers. "I think this gasoline tax puts an unfair burden on those who have that type of vehicle," he said. Nebraska's gas was the 26th most expensive nationally because of its taxes and fees as of Jan. 1, according to the American Petroleum Institute. Last month, the state's gas tax fell behind Iowa's for the first time in decades after a new 32-cent gas tax went into effect there. Sen. Mark Kolterman of Seward said he initially hesitated to support a tax increase, but feedback from his constituents showed strong support for one. "If this is the type of bill that keeps me from being re-elected, so be it," he said.

Neb. Advances Livestock Guidelines

LINCOLN, Neb. (AP) — Livestock operations that want to expand will still have to comply with county requirements under a bill (LB106) that won first-round approval from Nebraska lawmakers. The legislation would create optional statewide standards for producers that want to build or expand facilities. Lawmakers voted 34-3 Wednesday on the proposal by Sen. Dan Watermeier of Syracuse. Advocates say the bill encourages growth of animal agriculture by simplifying the permit process for out-of-state producers. The original bill would have mandated the standards and created a state-level board that could overturn county-level decisions. After three days of fierce debate, senators compromised with a measure that would rely on state, county and university experts to create the standards. Counties would have the option to use them as guidelines.

Smoke Closes Hwy 212 At Gettysburg

GETTYSBURG (AP) — A 10-mile stretch of Highway 212 in central South Dakota is closed because of a grass fire. The South Dakota Department of Transportation says the fire created a dangerous situation for motorists from the heavy smoke creating zero visibility. The closed part of Highway 212 is about 60 miles northeast of Pierre from just east of Gettysburg to the junction of Highway 47 south of Lebanon. The South Dakota Highway Patrol is currently stopping traffic and motorists will need to find an alternate route until further notice. For information on road closures and conditions, visit www.safetravelusa.com/sd or dial 511.

Speed Limits Raised On S.D. Interstates

SIoux FALLS (AP) — Speed demons in South Dakota can now drive up to 80 mph on two state interstates but that increase comes with a price. Department of Transportation workers on Wednesday put up new 80 mph signs on Interstate 90 and Interstate 29. And drivers are now paying 6 cents more per gallon of gas thanks to an increase in the state's gas tax. Both changes that took effect Wednesday are the result of a measure Gov. Dennis Daugaard signed into law last month. The gas tax hike will increase funding for road and bridge projects along with increased license plate fees and a higher motor vehicle excise tax. The measure is expected to raise tens of millions for the state's roads and bridges.

Neb. SNAP Lawsuit Now A Class-Action

LINCOLN, Neb. (AP) — A judge has granted class-action status to a lawsuit alleging that Nebraska consistently failed to process food-benefit applications and renewals in a timely manner. The ruling this week allows all recipients affected by delays to challenge the state's practices. The 2014 lawsuit was filed on behalf of Tami Leiting-Hall, a single, working mother in Lincoln. Leiting-Hall is represented by the Lincoln-based Nebraska Appleeed and the National Center for Law and Economic Justice in New York. The plaintiffs allege the Department of Health and Human Services created unlawful delays for low-income residents who requested benefits through the Supplemental Nutrition Assistance Program. Department officials have said they don't comment on pending lawsuits. Molly McCleery, a Nebraska Appleeed staff attorney, says the ruling recognizes that the problem isn't isolated to a few cases.

N.D. Saltwater Leak Impacts Wetlands

BISMARCK, N.D. (AP) — The state Department of Health says a pipeline that leaked about 21,000 gallons of saltwater in northwest North Dakota has impacted a nearby wetland. The pipeline owned by Oasis Petroleum LLC leaked approximately 500 barrels of saltwater, or brine, about 11 miles northwest of Powers Lake. The health department says 475 barrels of the spill have been recovered. It's unclear how much of the nearby wetland has been impacted. The health department is on site and says it is providing oversight of the cleanup. The North Dakota Oil and Gas Division has also been at the cleanup. Brine is an unwanted byproduct of oil production and is considered an environmental hazard by the state. It is many times saltier than sea water and can easily kill vegetation exposed to it.

Funding Approved For Business-Filing Upgrade

BY BOB MERCER
State Capitol Bureau

PIERRE — The Legislature provided an extra \$275,000 to South Dakota's new secretary of state during the final days of the 2015 session. The lawmakers hope she finishes a project to improve business services that her predecessor dropped in a dispute with the vendor. Shantel Krebs said she is restarting the contract with the Smithfield, Utah, company called Tecuity Inc. It is the first step in what she intends to be a three-year upgrade of business-record filing programs throughout the office that could cost close to \$700,000. "I just want to run it more like a business," Krebs said. The Legislature appropriated \$160,000 in 2012 to modernize the office's system for uniform commercial code (UCC) filings. That was done in conjunction with a significant revision of South Dakota's UCC laws for businesses. The work wasn't completed, however, by then-Secretary of State Jason Gant. House and Senate lawmakers who comprise the Legislature's Joint Committee on Appropriations formally clarified Monday that Krebs could use the \$275,000 only for computer-system upgrades. She must provide the committee with a detailed spending report by Dec. 1. Lawmakers don't want a repeat of what happened under Gant. "It was never done, but we

were never told it wasn't done," Sen. Larry Tidemann, R-Brookings, said. Krebs, a former state legislator from Renner, said her goal is reducing hand entry of records information by her staff wherever possible. That means allowing business people to digitally file their documents directly into her office's computer systems. The wait time for a business record to be processed is currently three to four weeks. Approximately 80 percent of business filings require hand entry at this time. Some businesses do have special access to her office's 1994-era mainframe system, but those documents sometimes get kicked out. "It's quite antiquated," she said. Her goal is to slash the processing time to one or two days by letting all filers have on-line access. She said the corporations division of the office has been handling approximately 200 telephone calls daily from people inquiring about their records. Fielding the calls puts the staff farther behind, she said. A future piece of the long-range upgrade would be for the office to directly receive credit-card payments by filers. Users of credit cards currently go through a third-party private business in Pierre that Gant routinely used for many technology projects. It sometimes takes one to two days for the secretary of state office to receive those credit-card payments.

Tecuity installed web-based programs for corporate records offices in the state governments of Tennessee and Wyoming with good results, according to Krebs. The company was hired to do the same for South Dakota in 2012 by Gant, after the Legislature appropriated \$160,000 for that specific purpose. A year later, Tecuity and Gant disagreed over the amount the company should be paid and over the scope of the work covered by the original agreement. Gant stopped paying the company and the company stopped working on the project. Krebs, who took office in January, said she met with a top official for the company about reviving the project and moving forward on other improvements. She said \$24,071 remains of the \$160,000 appropriated by the Legislature in 2012. The \$160,000 was added by the state Senate to a complex revision of the uniform commercial code. The main legislation was sponsored by then-House Republican leader David Lust of Rapid City. The \$160,000 amendment came from Sen. Corey Brown, R-Gettysburg, who was the then-chairman of the Senate Appropriations Committee. The current \$275,000 is intended as one-time funding, according to legislators. Gant was a legislator when he ran for the Republican nomination for secretary of state in 2010. He defeated two opponents, Teresa Bray and

Tom Deadrick, for the nomination. After Gant won the office that November, some staff members left nearly immediately. There eventually became more than 100 percent turnover. In August 2013, amid widespread complaints about the office's performance since Gant took over, Krebs filed a statement of candidacy. Gant announced a short time later he wouldn't run again. Now Bray and Deadrick, as well as the elections supervisor who left when Gant came in, Kea Warne, are the three deputies for Krebs. Krebs plans to attempt to raise another \$400,000-plus if possible for the three-year project through fee increases. She said all of the fees are under a review she and Deadrick, a former legislator, are conducting. During the past two years the office has generated about \$6 million annually in fees. The office kept approximately \$300,000 and funds itself from a variety of federal, state and other sources. The rest of the fees revenue went to state government's general fund for spending on other purposes. Krebs said she plans to ask the Legislature for authority to keep a larger portion of the fees revenue as part of seeking the fee increases. "Our goal is to become a self-sustaining office," she said.



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Please Join Us for these April Classes, Tastings & Tours

- **Tuesday 4/7 6:30 pm:** Cooking Class with Chef Scott, Grown-Up Mac N Cheese. Cost: \$20. Register with chef Schott in the Deli or email 1899CheeseSpecDept@hy-vee.com
- **Monday 4/20 5:30pm:** Diabetes Class- Learn how to control diabetes with diet and physical activity. Kenny Tomek, Registered Dietitian. Register at Customer Service, or email ktomek@hy-vee.com
- **Wednesday 4/8 7:00 pm:** Hy-Vee Wine & Spirits Wine Tasting at Ben's Copper Room, 222 W. 3rd Street. Cost \$15. Register at Hy-Vee Wine & Spirits or email 1899winespiritsdept@hy-vee.com
- **Tuesday 4/21 6:30 pm:** Cooking Class with Chef Scott, Grown-Up Mac N Cheese. Cost: \$20. Register with Chef Scott in the Deli or email 1899CheeseSpecDept@hy-vee.com
- **Saturday 4/11 10:00 am:** Kid's in the Kitchen Cooking Class with Kenny Tomek, Registered Dietitian. Cost: \$5. Register at Customer Service or email ktomek@hy-vee.com
- **Thursday 4/23 6:00 pm:** Cooking Class with Chef Staci. Spring Recipe Ideas. Cost: \$20. Register with Chef Staci or email 1899chef@hy-vee.com
- **Monday 4/13 5:30 pm:** Gluten Free Store Tour with Kenny Tomek, Registered Dietitian. Register at Customer Service or email ktomek@hy-vee.com
- **Sunday 4/26 1:30 pm:** Cooking Class with Chef Staci. Cost: \$20.
- **Tuesday, 4/28 7:00 pm :** Spring Floral Arranging with Jan Byrkeland. Cost: \$15. Register at Hy-Vee Floral.
- **Tuesday 4/14 5:30 pm:** Diabetes Class- Learn how to control diabetes with diet and physical activity. Kenny Tomek, Registered Dietitian. Register at Customer Service, or email ktomek@hy-vee.com
- **Wednesday 4/29 6:00 pm:** Starbucks Coffee Club with Coffee Master Linda Nickel. Cost \$10. Frappuccino Frenzy tasting. Register at Starbucks.
- **Thursday 4/16 6:00 pm:** Kid's in the Kitchen Cooking Class with Kenny Tomek, Registered Dietitian. Cost: \$5
- **Thursday 4/30 7 6:00 pm:** Cooking Class with Chef Staci. Cost: \$20.
- **Saturday 4/18 10:00 am-3:00 pm:** Gluten Free Product Tasting and Gluten Free information with Kenny Tomek, Registered Dietitian.