

ONE HUNDRED SECOND LEGISLATURE - FIRST SESSION - 2011
COMMITTEE STATEMENT
LB344

Hearing Date: Friday February 25, 2011
Committee On: Government, Military and Veterans Affairs
Introducer: Ashford
One Liner: Change provisions relating to municipal counties and merger of governmental services

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 5 Senators Avery, Brasch, Price, Schumacher, Sullivan
Nay:
Absent:
Present Not Voting: 3 Senators Janssen, Karpisek, Pahls

Proponents:
Senator Brad Ashford
Don Wesely

Representing:
Introducer
City of Omaha - Office of Mayor

Opponents:
Tom Doyle
Jerry Stilmock

Representing:
Douglas County Engineer
Nebraska State Volunteer Firefighters Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB 344 changes provisions relating to county-city mergers.

LB 344 requires an interjurisdictional planning commission (IPC) be formed in a county containing a metropolitan class city within 90 days of the effective date of this bill. The IPC will study the issue of merger and develop a plan for merger of some or all of such services. The plan will be developed and approved by the commission by July 1, 2012.

The membership on the IPC will include three members selected by the mayor of the metropolitan class city, two members by the city council of the metropolitan class city, two members by the county board and two members selected jointly by other municipalities in the county.

The IPC will study: the services provided by governmental subdivisions; tax and spending implications of merging; quality and cost of services; elected officials and the continuation or elimination of such offices; all functional areas that could be merged; and the effects of the plan.

The bill also changes how the votes are tabulated on the question of creating a municipal county, whether or not it contains a metropolitan class city. The proposal to form the municipal county will be approved if the following vote to approve:

1. a majority of those voting on the question;
 2. a majority of those voting who reside in at least one municipality;
 3. a majority of those voting who reside in areas in the county to be consolidated which are outside any municipality to
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be consolidated.

The bill eliminates the requirement that those residing in each county but outside any municipality or any sanitary and improvement district must vote to approve or the merger fails.

Explanation of amendments:

The committee amendment strikes all of the original sections of the bill and creates a new section of law that provides for the formation of an interjurisdictional planning commission to review and plan for the merger of governmental services within a county that contains a city of the metropolitan class.

The interjurisdictional planning commission will study issues relating to the merger of governmental services of the county and municipalities and will develop a plan for merger of some or all of such services. The plan will be developed and approved by the commission by July 1, 2012.

The membership of the commission will include:

1. Two members selected by the mayor of the city of the metropolitan class;
2. Two members selected by the city council of the city of the metropolitan class;
3. Four members selected by the county board;
4. One member from each of the other municipalities within the county containing the city of the metropolitan class.

Bill Avery, Chairperson