

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING, ROOM 113  
THURSDAY, JANUARY 16, 2014  
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr  
Jane Raybould

Commissioners Absent: Brent Smoyer, Vice Chair  
Roma Amundson

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Dan Nolte, County Clerk  
Cori Beattie, Deputy County Clerk  
Ann Taylor, County Clerk's Office

*Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on January 15, 2014.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:30 a.m.

**AGENDA ITEM**

**1 APPROVAL OF THE STAFF MEETING MINUTES OF JANUARY 9, 2014 AND TRI-COUNTY MEETING OF NOVEMBER 18, 2013**

**MOTION:** Raybould moved and Schorr seconded approval of the minutes of the Staff Meeting of January 9, 2014 and Tri-County Meeting of November 18, 2013. Raybould, Schorr and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

**2 ADDITIONS TO THE AGENDA**

A. Adult Recidivism Project

**MOTION:** Raybould moved and Schorr seconded approval of the addition to the agenda. Schorr, Raybould and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

### 3 LEGISLATIVE UPDATE - Gordon Kissel and Joe Kohout, Kissel/E&S Associates (Legislative Consultants)

Joe Kohout, Kissel/E&S Associates, gave a legislative update, noting legislation that relates to 2014 Lancaster County Legislative Priorities (see Exhibit A). He noted he had been asked to check on the status of Legislative Bill (LB) 464 (Change court jurisdiction over juveniles and indictment procedures) and said it appears the bill is still in flux but may become the vehicle for changes to LB 561 (Change provisions and transfer responsibilities regarding the juvenile justice system).

Kerry Eagan, Chief Administrative Officer, disseminated an updated list of 2014 Lancaster County Legislative Priorities (Exhibit B), noting a fifth priority to monitor adult corrections reform was added.

The Chair asked Raybould and Schorr to testify on behalf of the County at hearings on legislation that would eliminate the inheritance tax and provide Medicaid expansion under the Affordable Care Act (ACA), respectively.

Andy Stebbing, County Treasurer, appeared and gave an overview of LB 925 (Provide for transfer of motor vehicle registration duties to county treasurers), noting the bill will allow counties to opt out of the Department of Motor Vehicles' (DMV's) motor vehicle registration program with one year notice (see Exhibit C). Kohout said the Nebraska Association of County Officials (NACO) will likely have concerns related to the impact if the large counties opt out of the program.

Eagan noted Stebbing has submitted a letter indicating support of LB 734 (Provide for deposit of public funds with credit unions) (see agenda packet), noting the Nebraska Credit Union League was seeking the Board's support on this issue.

**MOTION:** Raybould moved and Schorr seconded to support Legislative Bill (LB) 734. Raybould, Schorr and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

Eagan inquired about police vehicular pursuit legislation. Gordon Kissel, Kissel/E&S Associates, said Senator Watermeier has introduced LB 881 (Change provisions relating to death, injury, or property damage to innocent third parties as a result of a police vehicular pursuit).

Eagan noted that Senator Bolz has requested support for LB 870 (Adopt the Public Debt Recovery Program Act). Troy Hawk, Clerk of the District Court, appeared and said he supports the program but hasn't had a chance to read the bill so isn't sure how it would impact his office. He said he will share his thoughts on the bill with Senator Bolz's office and the legislative consultants.

Joe Kelly, County Attorney, appeared and discussed LB 907 (Provide for supervised release, re-entry probation officers, create the Nebraska Center for Justice Research, and change presentence investigations and good time provisions). He noted the bill contains language regarding juveniles and said it could be tied to LB 464 (Change court jurisdiction over juveniles and indictment procedures).

Raybould noted the Board of Health is interested in the following legislation: LB 695 (Require an affidavit relating to radon levels at a child care location); LB 807 (Change provisions relating to provisional operator's permits, interactive wireless communication devices, and occupant protection systems and update references to certain federal provisions); LB 812 (Terminate the inheritance tax); and LB 861 (Prohibit use and distribution of vapor products and other products derived from tobacco as prescribed and provide an exception and provide penalties). Kohout said he will add them to the list of legislative bills of interest.

**4 JUVENILE OFFENDER RE-ENTRY GRANT (PUBLIC DEFENDER STAFFING)** - Dennis Keefe, Public Defender; Margene Timm, Chief Deputy Public Defender, Juvenile Division; Sara Hoyle, Juvenile Justice Coordinator

Dennis Keefe, Public Defender, asked the Board to approve a modification of the juvenile offender re-entry grant to add a part-time attorney in the Public Defender's Office to advocate for youth who have been committed to the Youth Rehabilitation and Treatment Centers (YRTC) in either Kearney or Geneva (see Exhibit D for the attorney's curriculum vitae).

Sara Hoyle, Juvenile Justice Coordinator, said the County received three years of grant funding. She said \$50,000 was approved to contract for emergency shelter for youth in a foster or group home setting for youth coming out of the YRTC's who had difficulty returning home. However the funds were not needed for that purpose because either the situation was defused and the youth returned home or a secure facility was needed. Hoyle recommended the Board send a letter to the Office of Juvenile Justice and Delinquency Prevention asking for modification of the budget to move the funds into a new category (see Exhibit D).

Margene Timm, Chief Deputy Public Defender, Juvenile Division, reported on a National Juvenile Defender Center Conference she attended last year, noting information was presented on promising practices and innovative programs using best evidence and scientific research in working with juveniles, including a session on the re-entry process. She added most cases the Public Defender has conflicted out of will be resolved by the time the youth are sent to the YRTC's. The youth will become the Public Defender's clients for the re-entry process, which should lessen costs to the Juvenile Court Budget (the County would no longer pay private counsel to provide representation).

In response to a question from Schorr, Hoyle said the County contracts with the Juvenile Justice Institute (JJI), which is part of the Consortium for Crime and Justice Research within the School of Criminology and Criminal Justice at the University of Nebraska-Omaha (UNO), for the evaluation component.

**MOTION:** Schorr moved and Raybould seconded to authorize the Chair to sign the letter to the Office of Juvenile Justice and Delinquency Prevention requesting modification of the approved budget for the grant as outlined in Exhibit D.

Raybould asked the Public Defender's Office to track the reduction in legal services costs.

**ROLL CALL:** Schorr, Raybould and Hudkins seconded approval. Amundson and Smoyer were absent from voting. Motion carried 3-0.

**5 COMMUNITY MENTAL HEALTH CENTER (CMHC) TRANSITION UPDATE** - Gwen Thorpe, Community Mental Health Center (CMHC) Interim Administrator; Todd Reckling, Vice President of Children, Family and Community Services, Lutheran Family Services (LFS); and Pam Osborne, LFS Administrator

Gwen Thorpe, Community Mental Health Center (CMHC) Interim Administrator, said CenterPointe's licensing issues for The Heather (community transition program) have not been resolved. She said a meeting has been scheduled with representatives of Region V and the Department of Health and Human Services (DHHS) to work through those issues.

In response to a question from Raybould, Richard Grabow, Deputy County Attorney, appeared and said an extension of the contract with TR Hepburn, Inc., d/b/a O.U.R. Homes, for bedroom units and night staff for The Heather will be scheduled on the January 21, 2014 County Board of Commissioners Meeting agenda.

Todd Reckling, Vice President of Children, Family and Community Services, Lutheran Family Services (LFS), and Pam Osborne, LFS Administrator, gave a transition update noting the following:

- LFS has hired 25 staff, which include community support workers, therapists and physician assistants.
- LFS and Thorpe have met with pharmacies to see what services they can offer.
- LFS has begun supervising the community support component and will begin supervising work related to outpatient treatment services by February 1<sup>st</sup>.

- LFS was notified that licensing of the medical management program and day treatment (partial hospitalization) program won't be as difficult as anticipated.
- An information kiosk has been installed in the lobby and copies of the letter to clients are available as handouts. The letter was also made available to the Human Services Federation and has been posted on its website. Staff are available to talk to consumers and answer questions about the transition of services. Blocks of time will be also be set aside in February for consumers and providers to meet with staff and ask questions.
- A news release has been issued and a webpage with frequently asked questions and answers has been posted on LFS's website. Information is also made available through social media.

Schorr asked whether LFS has begun to draw down any of the funds the County set aside for transition purposes. Reckling said LFS submitted a billing to Region V recently, per the contract, so that is in process.

Raybould asked how many CMHC employees applied for positions with LFS and how many were hired. Reckling said he doesn't have those numbers with him but said current employees were given preference if they met the qualifications of the position. He estimated that slightly less than half of those hired were either from CMHC or held a County position.

Raybould inquired about outreach to the families of consumers. Reckling said outreach efforts continue to grow and consumers and their family members will have opportunities to meet with LFS. They may also have an opportunity to serve on the advisory group that will be established.

Raybould asked whether LFS is interested in the program involving University of Nebraska-Lincoln (UNL) externs. Osborne said LFS would like to keep the externs on board if UNL is willing to allow that to happen.

Pat Kant, Personnel Coordinator, appeared and discussed how the Human Resources Department is working with staff to address issues such as termination of employment, bumping rights and benefits.

The Chair recessed the meeting at 9:40 a.m.

- 6 MEETING WITH LANCASTER COUNTY VILLAGES**
  - A) INTRODUCTION OF PAMELA DINGMAN, LANCASTER COUNTY ENGINEER**
  - B) HARD SURFACING BLUFF ROAD FROM 148<sup>TH</sup> STREET TO 176<sup>TH</sup> STREET - Doug Rix, Waverly City Administrator/Clerk**

- C) **DESIGNATING ALVO ROAD FROM 98<sup>TH</sup> STREET TO 148<sup>TH</sup> STREET AS A DESIGNATED TRUCK BY-PASS** - Doug Rix, Waverly City Administrator/Clerk
- D) **CITIZEN INSTITUTE FOR RURAL DESIGN GRANT OPPORTUNITY** - Sara Hartzell, Planner, Lincoln-Lancaster County Planning Department
- E) **OPEN DISCUSSION**

(Separate minutes).

The Chair reconvened the meeting at 10:48 a.m.

## **7 ACTION ITEMS**

- A. Office of Violence Prevention Grant Application

Sara Hoyle, Juvenile Justice Coordinator, appeared and gave a summary of the grant.

**MOTION:** Raybould moved and Schorr seconded to authorize submission of the grant application, with signature by the Chair. Raybould, Schorr and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

## **8 CONSENT ITEMS**

There were no consent items.

## **9 ADMINISTRATIVE OFFICER REPORT**

- A. Thank You Letter to Elected Officials Salary Review Committee

**MOTION:** Schorr moved and Raybould seconded to send the letter with signature by all members of the County Board. Schorr, Raybould and Hudkins voted aye. Schorr, Raybould and Hudkins voted aye. Amundson and Smoyer were absent from voting. Motion carried 3-0.

Raybould suggested the County Board also send a thank you letter to members of the Lincoln-Lancaster County Consolidation Task Force, in conjunction with the City Council.

- B. February 6, 2014 Staff Meeting (Nebraska Association of County Officials (NACO) County Board Workshop in Kearney, Nebraska)

There was consensus to cancel the February 6<sup>th</sup> Staff Meeting, due to attendance at the workshop, and to hold a Staff Meeting on February 4, immediately following the regular County Board of Commissioners Meeting.

### C. Committee Assignments

Item was held.

### D. Monthly Meetings with Lancaster County Agricultural Society

Eagan said the Lancaster County Agricultural Society has agreed to the meetings.

### E. Sale of County Property

Schorr said she would like to begin the process to sell four County properties: 1) Community Mental Health Center (CMHC) (2201 South 17<sup>th</sup> Street); 2) Midtown Center (2966 "O" Street); 3) Trabert Hall (2202 South 11<sup>th</sup> Street); and 4) Former Attention Center for Youth Building (2220 South 10<sup>th</sup> Street). It was noted the County has only received appraisals on the first three properties. Hudkins agreed to follow-up on why the appraisal on the fourth property has not been completed.

## **ADDITIONS TO THE AGENDA**

### A. Adult Recidivism Project

Schorr noted \$50,000 was set aside in the Keno Prevention Fund, for two years, to fund a pilot program to find ways to reduce the recidivism rate at the County jail. The first allocation was made in December to order laptop computers that will be used for General Educational Development (GED) testing. Schorr said she has been meeting with Brenda Fisher, Program Director, Corrections Department; and Kit Boesch, Human Services Administrator, to discuss additional ideas for programming opportunities:

- Lincoln Literacy Council's English as a Second Language (ESL) Pilot Program
- Education for food handler permits and food safety training
- Keyboarding skills
- Landscaping skills
- Parenting classes

Raybould suggested assistance with resume writing, how to fill out a job application and interviewing skills and said the Release and Restored Program, which provides job readiness and life skills education to inmates, would be a good resource. Schorr said they currently contract with Release and Restored Program for programming out of the Inmate Benefit Fund and said perhaps that could be expanded for specific job skills.

Eagan suggested Community Corrections could assist with follow-up and monitoring.

## 10 PENDING

There were no pending items.

## 11 DISCUSSION OF BOARD MEMBER MEETINGS

### A. Public Building Commission (PBC) with Mayor - Hudkins

Hudkins said they discussed plans for Centennial Mall, north of the State Capital Building, and the Mayor said future use of Pershing Auditorium, 226 Centennial Mall South, will involve the District Energy Corporation (DEC) supplying the heating and cooling.

### B. Chair and Vice Chair Meeting with Mayor - Hudkins, Smoyer

Hudkins said the main focus of the discussion was the 233 Building (former Lincoln Police Department Building) and said the Mayor requested the County's flexibility if the City has an opportunity to do something with the entire block. **NOTE:** The County's Emergency Management Department is located in the building.

### C. Public Building Commission (PBC) - Hudkins, Raybould

Raybould said the PBC also discussed the 233 Building and agreed to grant the State, which leases space in the building, a new three-year lease with a six month termination clause. The sally port and holding/transport area in the former jail, which is Phase I of the Lancaster County Adult Detention Facility Reuse Project, was also discussed. Hudkins added there was also discussion of the need for more parking for the government complex.

### D. Board of Health - Raybould

Raybould said they discussed legislation; health initiatives, including the 54321GO Program which emphasizes good nutrition and physical activity; and received a report on the Health and Wellness Survey.

Schorr exited the meeting at 11:10 a.m.

### E. Parks and Recreation Advisory Board Briefing - Hudkins

Hudkins said they were briefed on the sustainability plan for the City golf program.

**12 EMERGENCY ITEMS AND OTHER BUSINESS**

There were no emergency items and other business.

**13 ADJOURNMENT**

By direction of the Chair, the meeting was adjourned at 11:13 a.m.

*Dan Nolte*

Dan Nolte  
Lancaster County Clerk





**KISSEL/E&S**  
ASSOCIATES

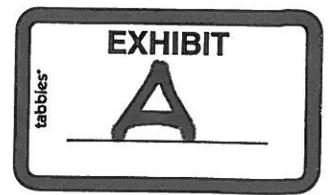
*A Limited Liability Company Associated with Erickson and Sederstrom, P.C.*

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**MEMORANDUM**

TO: Lancaster County Board of Commissioners

FROM: Gordon Kissel  
Joseph D. Kohout

DATE: January 16, 2014

RE: Weekly Update on the 2014 Legislature

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Please accept this as the second of your weekly reports for the 2014 Legislative Session. A significant amount of bills have been introduced – approximately 270 – since last Wednesday. Since we are about half-way through bill introduction, we can expect another 200-300 before adjourning next Wednesday.

**2014 Lancaster County Legislative Priorities:**

1. **Oppose Elimination of the Inheritance Tax:** Senator Tom Hansen has introduced LB812, which would terminate the inheritance tax for those dying after December 31, 2015. We recommend a formal position of opposition.
2. **Support Medicaid Expansion under the Affordable Care Act:** Senator Kathy Campbell has introduced LB887 which would adopt the Wellness in Nebraska Act. As noted in last weeks' report this bill is a re-write of previous legislation that would implement Medicaid expansion in some form. We expect that the hearing on this legislation will occur on January 29, 30 or 31.
3. **Monitor the Implementation of 2013 Neb. Laws LB561:** We have been in contact with NACO and Douglas County regarding this. A potential draft amendment was provided to county administration this week. Their concerns about the draft amendment were given to NACO who have prepared a joint response to the amendment. Subsequent to receipt of those comments, we have been advised that the potential amendment – which would likely be offered to LB464 – will have a special hearing once it is complete. All counties will be expected to offer their concerns or comments about the amendment. We have been advised a new version of this amendment will be completed soon and provided to interested parties.

4. **Eliminate the Responsibility of Counties to Pay HHS Rent – LB632:** The bill is in the Government Committee and we will be working with the committee to advance the bill.

Last week, we were asked to find out what the status of LB464 was. Based on the best information we can obtain, the bill remains in flux and there is a significant amount of gyrations going on. There is not a clear strategy on this bill yet except that it may become the vehicle for changes to LB561.

#### 2014 Other Legislation:

**LB925 (Coash) Provide for transfer of motor vehicle registration duties to county treasurers.** This is Treasurer Stebbings bill that would authorize counties to opt out of the DMV's motor vehicle registration program.

**LB885 (Harr) Require the use of the income approach to value certain real property for tax purposes.** Introduced by Senator Burke Harr of Omaha, he indicated that this came out of some concerns he heard about practices in Lancaster County.

The following have had hearings scheduled and they are of potential interest to Lancaster County:

January 22, 2014 before the Revenue Committee:

**LB681 (Mello) Change provisions relating to land banks and tax sales for delinquent property taxes.**

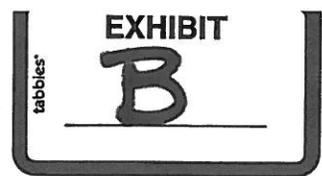
January 23, 2014 before the Government, Military & Veterans Affairs Committee:

**LB661 (Krist) Provide for voter registration on the Secretary of State's website and use of Department of Motor Vehicle records.**

**LB662 (Krist) Provide and change requirements for voter identification.**

**LB663 (Krist) Change provisions for elections conducted by mail.**

Please do not hesitate to contact us with any questions you might have.



1. **Oppose Elimination of Inheritance Tax**

Elimination of the inheritance tax would have a devastating effect on Lancaster County. In FY 2010-11 Lancaster County collected \$6,685,528 of inheritance tax, equivalent to a 3.5¢ property tax levy and almost 14% of the entire property tax levy for that budget year. In FY 2011-12 the County collected \$8,185,277 of inheritance tax, equivalent to a 4.3¢ levy and 17% of the entire levy. Last fiscal year the County collected \$8.6 million of inheritance tax, again equivalent to a 4.3¢ property tax levy and more than 15% of the entire property tax levy

2. **Support Expansion of Medicaid under the Affordable Care Act**

Lancaster County expends over \$2 million a year for General Assistance medical services. If Medicaid is expanded under the Affordable Care Act, virtually all of these medical services would be covered by Medicaid.

3. **Monitor the Implementation of 2013 Neb. Laws LB 561**

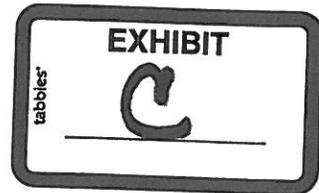
LB 561 makes many positive changes to the juvenile justice system. Lancaster County supports the emphasis on community-based treatment instead of incarceration, and strongly believes that providing services in the community is not only less expensive than incarceration and out-of-home placements, but also more effective. However, Lancaster County also has serious concerns about LB 561. Under this Bill the Nebraska Juvenile Probation Office assumes the lead role for community supervision, evaluations, treatment, and re-entry from the Youth Rehabilitation and Treatment Centers (YRTC). The Juvenile Probation Office in Lancaster County is hiring 43 new juvenile probation officers to perform its new duties under LB 561. By statute, the County is obligated to provide these new employees with office space and equipment. Another concern is that if the State fails to adequately fund the services and programs implemented by Juvenile Probation under LB 561, then counties are statutorily obligated to annually appropriate a fund to pay for these services and programs until suitable funding can be found. See Neb. Rev. Stat. §§43-284, 286, and 290. Lancaster County will carefully monitor the implementation of LB 561. The County will work closely with the State and NACO in the upcoming legislative session to help guarantee the success of juvenile justice reform, while at the same time guarding against the shifting of State responsibilities and costs to the counties.

4. **Eliminate Responsibility of Counties to Pay HHS rent (LB 632)**

When the State assumed responsibility for welfare, a legislative provision was added requiring counties to maintain facilities for the Department of Health and Human Services (HHS) as they existed on April 1, 1983. See Neb. Rev. Stat. §68-130. Although some relief from this antiquated statute was provided in 2011 Neb. Laws LB 234 (allowing payment reductions for HHS space eliminated since 1983 and determining whether additional space can be eliminated), the use of local property tax to pay for HHS facilities should be eliminated in its entirety. This is especially true in light of the State's total elimination of state aid to counties. LB 632 will accomplish this purpose.

5. **Monitor Adult Corrections Reform**

Prison overcrowding in Nebraska is at a critical stage. Possible solutions being discussed by the Legislature could result in housing more state prisoners in county jails, thereby shifting the financial burden to counties. Lancaster County will carefully monitor prison reform, and strongly oppose solutions which transfer state responsibilities to the counties.



LB 925

LB 925

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 925**

Introduced by Coash, 27; Avery, 28; Bolz, 29; Campbell, 25; Haar, 21; Karpisek, 32; McGill, 26; Wallman, 30.

Read first time January 15, 2014

Committee:

A BILL

1 FOR AN ACT relating to motor vehicle registration; to amend sections  
2 60-3,141, 60-3,156, 60-3,186, and 60-3,190, Revised  
3 Statutes Supplement, 2013; to provide for the transfer of  
4 certain powers and duties to county treasurers from the  
5 Department of Motor Vehicles; to change the distribution  
6 of certain motor vehicle registration fees; to harmonize  
7 provisions; and to repeal the original sections.

8 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-3,141, Revised Statutes Supplement,  
2 2013, is amended to read:

3           60-3,141 (1) The various county treasurers shall act as  
4 agents for the department in the collection of all motor vehicle  
5 taxes, motor vehicle fees, and registration fees.

6           (2) While acting as agents pursuant to subsection (1) of  
7 this section, the county treasurers shall in addition to the taxes  
8 and registration fees collect one dollar and fifty cents for each  
9 registration of a motor vehicle or trailer of a resident of the State  
10 of Nebraska and four dollars and fifty cents for each registration of  
11 a motor vehicle or trailer of a nonresident. If the county treasurer  
12 provides the notification to the department under subdivision (1)(b)  
13 of section 60-3,186, the county treasurer shall also collect for the  
14 county fifty cents for each registration of a motor vehicle or  
15 trailer of a resident of the State of Nebraska and fifty cents for  
16 each registration of a motor vehicle or trailer of a nonresident  
17 beginning on the first day of the next calendar quarter after  
18 providing such notification. The county treasurer shall credit such  
19 additional fees collected for the county to the county general fund.

20           (3) The county treasurers shall transmit all collected  
21 motor vehicle fees and registration fees ~~collected~~ due the state to  
22 the State Treasurer on or before the twenty-fifth day of each month  
23 and at such other times as the State Treasurer requires for credit to  
24 the Motor Vehicle Fee Fund and the Highway Trust Fund, respectively,  
25 except as provided in section 60-3,156. Any county treasurer who

1 fails to transfer to the State Treasurer the amount due the state at  
2 the times required in this section shall pay interest at the rate  
3 specified in section 45-104.02, as such rate may be adjusted from  
4 time to time, from the time the motor vehicle fees and registration  
5 fees become due until paid.

6 (4) If a registrant requests delivery of license plates,  
7 registration certificates, or validation decals by mail, the county  
8 treasurer may charge a postage and handling fee in an amount not more  
9 than necessary to recover the cost of postage and handling for the  
10 specific items mailed to the registrant.

11 Sec. 2. Section 60-3,156, Revised Statutes Supplement,  
12 2013, is amended to read:

13 60-3,156 In addition to the registration fees for motor  
14 vehicles and trailers, the county treasurer or his or her agent shall  
15 collect:

16 (1) ~~Two~~ Except as otherwise provided in this section, two  
17 dollars for each certificate issued and shall remit two dollars of  
18 each additional fee collected to the State Treasurer for credit to  
19 the Department of Motor Vehicles Cash Fund;

20 (2) Fifty cents for each certificate issued and shall  
21 remit the fee to the State Treasurer for credit to the Nebraska  
22 Emergency Medical System Operations Fund; and

23 (3) One dollar and fifty cents for each certificate  
24 issued and shall remit the fee to the State Treasurer for credit to  
25 the State Recreation Road Fund.

1           If the county treasurer provides the notification to the  
2 department under subdivision (1)(b) of section 60-3,186, the county  
3 treasurer or his or her agent shall collect one dollar and fifty  
4 cents for each certificate issued and shall remit one dollar and  
5 fifty cents of each additional fee collected to the State Treasurer  
6 for credit to the Department of Motor Vehicles Cash Fund beginning on  
7 the first day of the next calendar quarter after providing such  
8 notification.

9           Sec. 3. Section 60-3,186, Revised Statutes Supplement,  
10 2013, is amended to read:

11           60-3,186 ~~(1)~~ ~~The~~ (1)(a) Except as otherwise provided in  
12 subdivision (b) of this subsection, the department shall annually  
13 determine the motor vehicle tax on each motor vehicle registered  
14 pursuant to section 60-3,187 and shall cause a notice of the amount  
15 to be delivered to the registrant. The notice may be delivered to the  
16 registrant at the address shown upon his or her registration  
17 certificate or the registrant's most recent address according to  
18 information received by the department from the National Change of  
19 Address program of the United States Postal Service or delivered  
20 electronically to the registrant if the registrant has provided  
21 electronic contact information to the department. The notice shall be  
22 provided on or before the first day of the last month of the  
23 registration period.

24           (b) A county treasurer may notify the department that  
25 beginning on the first day of the next calendar quarter the county

1 treasurer will make the determination and deliver the notice required  
2 under this subsection to registrants whose vehicles are registered in  
3 the county. The county treasurer shall use a notice substantially  
4 similar to the notice delivered by the department and shall provide  
5 the notice on or before the first day of the last month of the  
6 registration period. The department shall provide the county  
7 treasurer with the most recent addresses for the county according to  
8 any information received by the department.

9           (2)(a) The motor vehicle tax, motor vehicle fee,  
10 registration fee, sales tax, and any other applicable taxes and fees  
11 shall be paid to the county treasurer prior to the registration of  
12 the motor vehicle for the following registration period. If the motor  
13 vehicle being registered has been transferred as a gift or for a  
14 nominal amount, any sales tax owed by the transferor on the purchase  
15 of the motor vehicle shall have been paid or be paid to the county  
16 treasurer prior to the registration of the motor vehicle for the  
17 following registration period.

18           (b) After retaining one percent of the motor vehicle tax  
19 proceeds collected for costs, the remaining motor vehicle tax  
20 proceeds shall be allocated to each county, local school system,  
21 school district, city, and village in the tax district in which the  
22 motor vehicle has situs.

23           (c)(i) Twenty-two percent of the remaining motor vehicle  
24 tax proceeds shall be allocated to the county, (ii) sixty percent  
25 shall be allocated to the local school system or school district, and

1 (iii) eighteen percent shall be allocated to the city or village,  
2 except that (A) if the tax district is not in a city or village,  
3 forty percent shall be allocated to the county, and (B) in counties  
4 containing a city of the metropolitan class, eighteen percent shall  
5 be allocated to the county and twenty-two percent shall be allocated  
6 to the city or village.

7 (d) The amount allocated to a local school system shall  
8 be distributed to school districts in the same manner as property  
9 taxes.

10 (3) Proceeds from the motor vehicle tax shall be treated  
11 as property tax revenue for purposes of expenditure limitations,  
12 matching of state or federal funds, and other purposes.

13 Sec. 4. Section 60-3,190, Revised Statutes Supplement,  
14 2013, is amended to read:

15 60-3,190 (1) A motor vehicle fee is imposed on all motor  
16 vehicles registered for operation in this state. An owner of a motor  
17 vehicle which is exempt from the imposition of a motor vehicle tax  
18 pursuant to section 60-3,185 shall also be exempt from the imposition  
19 of the motor vehicle fee imposed pursuant to this section.

20 ~~(2) The~~ (2)(a) Except as otherwise provided in  
21 subdivision (b) of this subsection, the department shall annually  
22 determine the motor vehicle fee on each motor vehicle registered  
23 pursuant to this section and shall cause a notice of the amount to be  
24 delivered to the registrant. The notice shall be combined with the  
25 notice of the motor vehicle tax required by section 60-3,186.

1           (b) A county treasurer may notify the department that  
 2 beginning on the first day of the next calendar quarter the county  
 3 treasurer will make the determination and deliver the notice required  
 4 under this subsection to registrants whose vehicles are registered in  
 5 the county. The county treasurer shall use a notice substantially  
 6 similar to the notice delivered by the department and shall combine  
 7 it with the notice required by section 60-3,186.

8           (3) The motor vehicle fee schedules are set out in this  
 9 subsection and subsection (4) of this section. Except for automobiles  
 10 with a value when new of less than \$20,000, and for assembled  
 11 automobiles, the fee shall be calculated by multiplying the base fee  
 12 times the fraction which corresponds to the age category of the  
 13 automobile as shown in the following table:

14	YEAR	FRACTION
15	First through fifth	1.00
16	Sixth through tenth	.70
17	Eleventh and over	.35

18           (4) The base fee shall be:

19           (a) Automobiles, with a value when new of less than  
 20 \$20,000, and assembled automobiles - \$5

21           (b) Automobiles, with a value when new of \$20,000 through  
 22 \$39,999 - \$20

23           (c) Automobiles, with a value when new of \$40,000 or more  
 24 - \$30

25           (d) Motorcycles - \$10

1 (e) Recreational vehicles and cabin trailers - \$10

2 (f) Trucks over seven tons and buses - \$30

3 (g) Trailers other than semitrailers - \$10

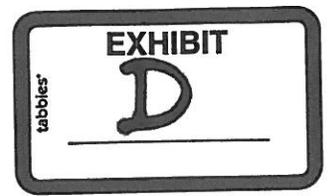
4 (h) Semitrailers - \$30

5 (i) Minitrucks - \$10

6 (j) Low-speed vehicles - \$10.

7 (5) The motor vehicle tax, motor vehicle fee, and  
8 registration fee shall be paid to the county treasurer prior to the  
9 registration of the motor vehicle for the following registration  
10 period. After retaining one percent of the motor vehicle fee  
11 collected for costs, the remaining proceeds shall be remitted to the  
12 State Treasurer for credit to the Motor Vehicle Fee Fund. The State  
13 Treasurer shall return funds from the Motor Vehicle Fee Fund remitted  
14 by a county treasurer which are needed for refunds or credits  
15 authorized by law.

16 (6)(a) The Motor Vehicle Fee Fund is created. On or  
17 before the last day of each calendar quarter, the State Treasurer  
18 shall distribute all funds in the Motor Vehicle Fee Fund as follows:  
19 (i) Fifty percent to the county treasurer of each county, amounts in  
20 the same proportion as the most recent allocation received by each  
21 county from the Highway Allocation Fund; and (ii) fifty percent to  
22 the treasurer of each municipality, amounts in the same proportion as  
23 the most recent allocation received by each municipality from the  
24 Highway Allocation Fund. Any money in the fund available for  
25 investment shall be invested by the state investment officer pursuant



Ms. Gwen Dilworth  
Grant Manager  
Office of Juvenile Justice and Delinquency Prevention

Re: Budget Modification for 2012-CZ-BX-0030

Dear Ms. Dilworth:

\$50,000 was approved to provide emergency shelter in a foster or group home setting during the evenings and weekends to avoid sending youth to a detention facility in the event of an emergency situation. However, funds have not been needed for this purpose because youth have either been able to stay at home due to the Transition Specialist defusing the situation, a relative placement was found, or the youth had committed a felony level offenses or absconded the jurisdiction and detention was necessary.

Lancaster County proposes to modify the approved budget by moving \$30,600 from the Contractual Category to the Personnel and Fringe Category to hire a public defender (part-time) who will recommend and facilitate reentry/aftercare planning and placements, on behalf of the youth, to the judge who has jurisdiction over these cases. The resume and job responsibilities description are attached.

Lancaster County also requests to move an additional \$9,150 from the Contractual Category to Supplies and Equipment. See the revised Budget Detail Worksheet and Budget Narrative for details.

The Lancaster County Reentry team and judiciary are excited to add a defense attorney to our process. Thank you for your consideration of this grant modification.

Sincerely,

Larry Hudkins  
County Board Chair  
Lancaster County Board of Commissioners

## LANCASTER COUNTY JUVENILE REENTRY ATTORNEY - Attorney II

### NATURE OF WORK

This is experienced professional legal work as an attorney on the Public Defender's legal staff.

Work will involve independent responsibility for the representation of juveniles and the preparation and monitoring of cases involving youth who have been placed on probation and committed to the Youth Rehabilitation and Treatment Centers (YRTC) in either Kearney or Geneva (Reentry Youth). Attorney may have responsibility for any one of the following: recognizing and researching legal issues, conducting investigations, advising clients, interviewing witnesses, acting as attorney for client at all hearings and help identify issues and work with appellate counsel in any appeals.

This attorney will also develop protocols for the office in representing reentry youth, collect data and other information to allow an assessment of the outcomes for the youth he/she represents, and develop practice standards for other attorneys who represent reentry youth.

### EXAMPLES OF WORK PERFORMED

Perform complex legal research and write memorandums or briefs as required.

Interview and provide clients with legal counsel, including visits with the reentry youth every 30 days during their commitment to the YRTC (preferably in person but by video or telephone where necessary); keep the client informed of the progress of the case and the various options for disposition; prepare assigned cases for hearings, prepare briefs and pleadings, and supervise supplemental investigations. Meet with and interview family of the reentry youth as well as possible placements if not in the family home.

Conduct investigations and research facts of the case as warranted; interview and prepare expert and other witnesses for court hearings. Meet with the transition team for planning reentry, determine community resources necessary for a successful reentry and assist with finding and implementing those resources.

Gather facts, review investigation reports, examine files and answer correspondence; prepare and defend cases in The Separate Juvenile Court of Lancaster County and help identify issues and work with appellate counsel in any appeals.

### DESIRABLE KNOWLEDGE, ABILITIES, AND SKILLS

- Thorough knowledge of constitutional law, state and statutory law, City and County ordinances and accepted court interpretations of the same.
- Considerable knowledge of judicial procedures, rules of evidence and court rules
- Considerable knowledge of the duties and ethics of the attorney as an advocate for the client.
- Considerable knowledge of the rehabilitative treatment programs available at the YRTCs, the reentry process for youth who have been placed at the YRTC and what best practices are that will allow the youth a successful reentry.
- Ability to analyze, appraise and organize the facts, evidence and precedence concerning cases; and to present such material orally or in writing, in a clear and logical form.
- Ability to present the defense and argue cases in court.
- Ability to analyze cases for their value as legal precedence, and to advise clients on appeal rights.
- Ability to establish and maintain effective working relationships with clients, the public, coworkers and justice system personnel.

CURRICULIM VITAE

Teresa J. Nutzman #18623  
3401 S. 81<sup>st</sup> St.  
Lincoln, Nebraska 68506  
Cell Phone: 402-613-3917  
terri@nutzmanlaw.com

I. EMPLOYMENT HISTORY:

1. Nutzman Law Office

3401 S. 81<sup>st</sup> St.  
Lincoln, Nebraska 68506

January 2013 to present – Defense/Guardian ad Litem work in Juvenile Court Cases; delinquency, ungovernable and neglect/abuse;

2. Administrator of the Office of Juvenile Services

NDHHS  
NSOB – 301 Centennial Mall South  
Lincoln, Nebraska 68509

April 2007 to January 2013 – Responsible for the operation of the Youth Rehabilitation and Treatment Centers for Juvenile Delinquents at Kearney and Geneva, to include Accreditation; parole functions; programming and budget; setting state policy for the Office of Juvenile Services; legislative bill proposals

3. Assistant Attorney General

Nebraska Attorney General's Office  
2115 State Capitol  
Lincoln, Nebraska 68506

July 2000 to April 2007 – Child Protection Unit in Criminal Division – prosecution of Felony child abuse cases; Medical Division - Investigating and prosecution of complaints involving professional licenses of physicians and nurses; Administrative Hearings

4. Litigation Attorney in Private Practice

Historic Library Plaza, #1012  
Omaha, Nebraska

August 1994 to June 2000 – Criminal, Family and Juvenile Law

4. **Deputy Douglas County Attorney**

Douglas County Attorney's Office  
Hall of Justice  
17<sup>th</sup> & Farnam  
Omaha, Nebraska

July 1989 to July 1992 – Juvenile Division

Prosecution of juveniles for felony and misdemeanor violations;  
prosecution of parents for neglect/sexual/physical abuse of  
children;

July 1992 to July 1994 – Adult Criminal Division

Prosecution of felony and misdemeanor violations; jury trial  
experience; member of Douglas County Child Abuse/Neglect 1184  
team

5. **Litigation Attorney**

Legal Services of Southeast Nebraska  
825 Terminal Building  
Lincoln, Nebraska

August 1987 to July 1989 – Defense litigation of parents in  
Juvenile Court in Child Neglect/Abuse; Domestic relations cases in  
District Court

6. **Adult and Juvenile Probation Officer**

Nebraska State Probation  
State Probation Administration  
State Capitol Building  
Lincoln, Nebraska

July 1979 to July 1983 – Conducted pre-sentence and pre-  
disposition investigations for judicial review for adult and juvenile  
offenders; Supervised adult/juvenile offenders in the community

II. **FORMAL EDUCATION:**

1. **University of Nebraska at Omaha**

Bachelor of Science in Criminal Justice  
August 1978 – Dean's List; Honors Convocation; Phi Kappa Phi  
Honor Society; Magna Cum Laude

2. **University of Nebraska College of Law at Lincoln**

May 1987 – J.D. Law Degree  
Semi-Finalist Moot Court Competition/Finalist Client/Counseling

III. CONTINUING LEGAL EDUCATION:

1. UNL-CCFL – Through the Eyes of the Child  
2013 Guardian ad Litem Online Basic Training
2. Nebraska State Bar Association  
2012 Estate Planning and Probate Institute
3. Creighton University School of Law  
2011, 2005 and 1997 - Mangrum on Evidence
4. Nebraska State Bar Association  
2011 Seminar on Unauthorized Practice of Law
5. 2011 Nebraska State Bar Association Annual Meeting
6. Center for Children, Families and the Law  
2010 Improving Outcomes for older Youth in Care
7. Nebraska State Bar Association  
2010 Criminal Defense Fundamentals
8. Nebraska State Bar Association  
2010 Ethics Update Part 1
9. Nebraska Criminal Defense Attorneys Association  
2010 Scientific Evidence for the Defense: DNA and Beyond
10. National Council of State Boards of Nursing  
Investigator/Prosecutor Workshop  
2006 – Tennessee; 2005 – Washington D.C.
11. Federation of State Medical Boards  
Investigator/Prosecutor Workshop  
2006 – Massachusetts; 2005 – Texas; 2004 – Virginia
12. Attorney General  
2005 Appellate Practice Seminar – Kirk Brown
13. Senator Dave Landis  
2004 Seminar on Negotiation
14. American Association of Dental Examiners  
2004 Investigator/Prosecutor Workshop – Chicago

15. Nebraska County Attorney's Association Meetings  
2002, 2001, 2000, 1993, 1992, 1991, 1990, 1989
16. National Center for Missing and Exploited Children  
2002 Prosecution of Internet Crimes Against Children – Virginia
17. American Prosecutor's Research Institute  
2002 Prosecution of Child Abuse - Nebraska  
2002 Prosecution of Shaken Baby Syndrome – Utah  
2000 Prosecution of Child Sexual Exploitation – New Mexico
18. National Association of Trial Attorneys  
2001 Medicine for Lawyers
19. National College of District Attorneys  
1990 Forensic Evidence in Drug and Violence Cases  
1989 Trial of the Juvenile Offender
20. University of Nebraska College of Law  
1988 Selected Trial Advocacy and Evidence Issues
21. Nebraska Coalition for Children and Youth  
1988 Preparing a Sexual Abuse Case
22. National Institute on Trial Advocacy (NITA)  
1988 Two Week Trial Skills Training – Kansas.
23. Indiana Legal Services  
1987 Basic Lawyer Skills Training

IV. COMMUNITY SERVICE:

1. Human Trafficking Task Force – Senator McGill  
2012 to present
2. Interstate Compact for Juveniles State Advisory Council  
2009 to 2013
3. Lancaster County Community Correction's Council  
2007 to 2013 – Behavioral Health Committee
4. Nebraska Coalition on Juvenile Justice  
2007 to 2013
5. Nebraska Nursing Association  
2006 Presentation on Disciplinary Process for Health Professionals

6. **University of Nebraska Psychology Department**  
2002 Presentation on Preparing Expert Testimony for Daubert Hearings
7. **Nebraska Coalition for Victims of Crime**  
2001 Presentation on Crimes via the Internet
8. **Regional Rounds National Trial Competition**  
2001 University of Nebraska College of Law – Performance Judge for Students from Nebraska, Iowa, Kansas, Missouri, South Dakota and Utah
9. **CASA Board of Directors – Douglas County**  
1998, 1999 and 2000
10. **Omaha Bar Association Law Day**  
1989 and 2000
11. **University of Nebraska Center on Children, Families and the Law**  
1999 Court Improvement Project – Presenter on panel for state Guardian ad Litem Training

V. **PROFESSIONAL MEMBERSHIPS:**

Nebraska State Bar Association  
Lincoln Bar Association

VI. **REFERENCES:**

Upon Request