

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113 - BILL LUXFORD STUDIO  
THURSDAY, FEBRUARY 19, 2015  
8:30 A.M.**

Commissioners Present: Roma Amundson, Chair  
Larry Hudkins, Vice Chair  
Deb Schorr  
Bill Avery  
Todd Wiltgen

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Brittany Behrens, Deputy County Attorney  
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 February 18, 2015.*

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 MINUTES OF THE FEBRUARY 12, 2015 STAFF MEETING**

**MOTION:** Wiltgen moved and Schorr seconded approval of the minutes of the February 12, 2015 Staff Meeting. Schorr, Wiltgen and Amundson voted aye. Avery and Hudkins were absent from voting. Motion carried 3-0.

Hudkins arrived at the meeting at 8:32 a.m.

**2 ADDITIONS TO AGENDA**

None were stated.

**3 LEGISLATIVE UPDATE** - Gordon Kissel, Joe Kohout and Jon Bradford, Kissel/E&S Associates

Joe Kohout, Kissel/E&S Associates, presented a weekly legislative update and legislative bills of interest report (Exhibits A and B). He also reported that: 1) Legislative Bill (LB) 88 (Change fees relating to marriage licenses) is scheduled on the agenda this morning with an amendment that would reduce the increase in the amount counties would be allowed to collect for a certified copy of a marriage license from \$16.00 to \$8.50; and 2) LB 111 (Require identification to vote) was bracketed.

Avery arrived at the meeting at 8:33 a.m.

Kohout said the Health and Human Services Committee will hold a hearing on LB 472 (Adopt the Medicaid Redesign Act) on Wednesday, February 25<sup>th</sup> and Commissioner Schorr may be asked to testify on behalf of the Nebraska Association of County Officials (NACO). He said it is anticipated there will be aggressive lobbying on the bill March 5<sup>th</sup>, when the Committee is likely to hold an Executive Session, and suggested the Commissioners may want to be present at the State Capitol to show their support of the bill.

**MOTION:** Hudkins moved and Avery seconded to authorize Commissioner Schorr to testify in support of Legislative Bill (LB) 472 on behalf of Lancaster County and/or the Nebraska Association of County Officials (NACO). Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

Copies of a letter from Scott Etherton, Crisis Center Director, regarding LB 592 (Change provisions relating to corrections and parole and mentally ill offenders) were disseminated (Exhibit C). Kohout said multiple groups have been working with Senator Bolz, introducer of the bill, to resolve issues and said an amendment that will be offered to the Judiciary Committee may address Etherton's concerns.

Kohout said LB 605 (Change classification of penalties, punishments, probation and parole provisions, and provisions relating to criminal records and restitution and provide for a special legislative committee) is scheduled for hearing in front of the Judiciary Committee on Friday. The bill seeks to implement the Council of State Governments' (CSG's) recommendations. He said Senator Mello, introducer of the bill, has been actively engaged in conversations with groups, including the Nebraska County Attorneys Association and NACO. Joe Kelly, County Attorney, appeared and said County Attorneys see a lot of problems with "squeezing" sentencing ranges down. He noted there are three other bills that would also lower habitual criminal mandatory minimums. Kelly said LB 605 would give judges more sentencing authority but lacks a

workable mechanism to make the supervised release, which would follow parole, work. He said it also encourages use of county jail time to administer sanctions.

In response to a question from Avery, Kelly said the language is pretty close to CSG's recommendations in terms of the "crunching" Class III, non-violent crimes but said their report talks about mandatory supervised released that can be enforced with sanctions. Avery asked whether County Attorneys were able to work with that Working Group. Kelly said they did, noting he was a representative. He said the "crunch on the crimes piece" did not come forward until December and said he repeatedly expressed to the Group the problems County Attorneys saw with moving so quickly with the criminal code (crimes that are not in the violent crimes section). Kelly said County Attorneys have also been talking to Senator Mello and others since LB 605 was drafted.

Kohout said NACO is not planning to oppose the bill because they believe that work will continue on it. He said Senator Mello has stated he will look at a funding source of \$1,500,000 and "ramping up" a \$5,000,000 fund to offset any potential costs to counties and recommended continuing efforts to work with him on the language. Kohout said there is a model in LB 609 that could be "mirrored" and said Senator Mello has indicated he is open to that idea.

Schorr noted Sara Hoyle, Human Services Director, is opposed to LB 13 (Change community-based Juvenile Services Aid Program provisions) because the County would have to alter the way it does evaluations to follow the Omaha model. Kohout said he will share that information with Senator Krist, introducer of the bill, and suggested Hoyle be available to testify at the hearing.

Kohout also noted Sheli Schindler, Youth Services Center (YSC) Director, has expressed concerns regarding LB 212 (Prohibit use of restraints in juvenile courts as prescribed) and said she may want to testify on the bill.

The Chair recessed the meeting at 8:58 a.m.

#### **4 BOARD OF CORRECTIONS - Mike Thurber, Corrections Director**

Separate minutes.

The Chair reconvened the meeting at 9:24 a.m.

## DISCUSSION OF BOARD MEMBER MEETINGS

### B. Parks and Recreation Advisory Board - Hudkins

Hudkins said they approved a request from SMG (public facility management company) to increase the number of concerts they will be allowed to hold at the Pinewood Bowl Amphitheater in Pioneers Park this year from six to twelve.

### C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Wiltgen

Wiltgen said Richard Meginnis, President of the Lincoln Board of Education, updated the group on a proposed technology plan for Lincoln Public Schools (LPS) that would include purchasing Chromebooks (laptop computers) for 6<sup>th</sup> graders at an estimated cost of \$50,000,000. He said concerns were expressed regarding a lack of curriculum support and management of the computers. Wiltgen said he relayed the Board's concerns regarding LB 119 (Change where certain sentences of imprisonment may be served) and LB 605 (Change classification of penalties, punishments, probation and parole provisions, and provisions relating to criminal records and restitution and provide for a special legislative committee) and the potential shift in costs to County taxpayers.

### **5 HOSPITAL AUTHORITY BOND ISSUANCE FOR TABITHA FACILITY IN CRETE** - Scott Keene, Vice President and Managing Director, Ameritas Investment Corporation; Mike Rogers, Gilmore & Bell P.C.; Darcie Brink, Chief Financial Officer (CFO), Tabitha Health Care Services

Scott Keene, Vice President and Managing Director, Ameritas Investment Corporation, recapped the discussion at the February 12<sup>th</sup> County Board Staff Meeting on the request that Lancaster County act as the conduit issuer for Tabitha on bonds for a nursing home project in Crete, Nebraska.

Hudkins asked whether there is any downside to the County acting in that capacity. Mike Rogers, Gilmore & Bell P.C., said only if the County had plans to issue bank qualified bonds in this calendar year and wanted to preserve its bank qualified status. Keene said it will be made very clear in the documents that Lancaster County would have no liability for the security or repayment of these bonds. He said the bonds are secured totally by the credit pledge of Tabitha.

Hudkins asked whether the County Attorney's Office has been consulted. Brittany Behrens, Deputy County Attorney, said she was contacted after last week's meeting and said statutory language indicates there must be a reasonable relationship between

the County and the project borrower, or any of the parties entering into the agreement, and said there is broad latitude when a project is without the boundaries of the County. She did not see any issue with the Board entering into such an agreement.

**MOTION:** Hudkins moved and Schorr seconded to direct bond counsel to proceed with preparation of the documents which will be subject to review by the Board.

Keene said the documents will be brought back to a Staff Meeting to talk through the details and implications. They will also be submitted to the County Attorney's Office for their review. Final approval would take place at a regular County Board of Commissioners meeting.

**ROLL CALL:** Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

Rogers noted a Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) hearing is also required and said it will be held in Saline County where the project is located. Avery asked whether the Board should attend that hearing. Rogers said it is permissible but not required. He said the hearing is intended to give the community an opportunity to weigh in on the project. If there were a great deal of public concern, Saline County could stop the project from going forward. Hudkins asked whether Lancaster County should hold a public hearing as well. Rogers said it could but the notice for the hearing in Saline County will be published in the Lincoln Journal Star Newspaper, as well as the Crete News Newspaper, so Lancaster County citizens will receive notice of the hearing.

- 6 VISITORS PROMOTION COMMITTEE (VPC)**  
**RECOMMENDATIONS: A) \$150,000 TO CITY OF WAVERLY FOR LAWSON PARK; AND B) \$35,000 TO CITY OF LINCOLN FOR EVENT FENCING** - Julie Lattimer, Visitors Promotion Committee (VPC) Chair; Jeff Maul, Lincoln Convention & Visitors Bureau Executive Director; Doug Rix, Waverly City Administrator/Clerk; Noah Dea, Waverly Parks and Recreation Director

**A) \$150,000 to City of Waverly for Lawson Park**

Jeff Maul, Lincoln Convention & Visitors Bureau Executive Director, gave an overview of the request from the City of Waverly for \$150,000 for the Lawson Park project, a state-of-the-art baseball/softball and soccer sports complex, lighting, and construction of a concession/restroom facility, and a "crow's nest" with a covered seating area (Exhibit D). He indicated there is a need for additional sports fields in the County to provide the potential to host additional regional and state sports tournaments.

Noah Dea, Waverly Parks and Recreation Director, displayed a site map.

In response to a question from Hudkins, Doug Rix, Waverly City Administrator/Clerk, said the site is not in the floodplain and floodway. Hudkins said there has been flooding in that area in the past and suggested there may be a need to raise the elevation of the concession/restroom facility.

Rix also reported on plans for a 50-60 bed hotel and said several sites are being explored. He said they would like to have a hotel in place by the summer of 2016. It was noted the hotel would also benefit the Lancaster Event Center and Abbott Motocross Track.

Avery noted the request represents 10% of the total project cost and asked where the remainder of the funding will come from. Rix said the Waverly City Council has committed up to \$1,300,000, noting it intends to borrow the funds through Certificates of Participation and pay for them with Keno proceeds. Waverly has also received \$150,000 from the Land and Water Conservation Fund and plans to match grant funds with sales tax revenue.

Julie Lattimer, Visitors Promotion Committee (VPC) Chair, the VPC was impressed with the City of Waverly's commitment to funding and maintaining the facility once it is in place. She said the VPC recommends approval of the request.

**MOTION:** Wiltgen moved and Hudkins seconded to direct staff to prepare a grant contract with the City of Waverly. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

## **B) \$35,000 to City of Lincoln for Event Fencing**

Lattimer said this was a joint request from the City of Lincoln and the Pinnacle Bank Arena/SMG for \$35,000 to purchase 2,500 linear feet of high chain link portable fencing that can be used for special outdoor events in Lincoln throughout the year. The fencing would be owned by the City and stored and managed by SMG. Fencing is currently being leased at an annual cost of \$8,000 to \$10,000. She said the fencing would be made available to community events whenever possible to help those events reduce their costs and provide the type of perimeter control required. Lattimer said the VPC recommends approval of the request provided there is a contractual clause that neither the City or Pinnacle Bank Arena/SMG can generate revenue from fence rental. They would be allowed to recover costs for labor and pickup and delivery of the fencing.

Avery asked whether any public event would be eligible to use the fencing. Eagan explained it would have to be used by a governmental entity or non-profit agency.

**MOTION:** Schorr moved and Hudkins seconded to direct staff to prepare the grant contract, with a clause stipulating that the fencing can't be used to generate revenue. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

**7 PUBLIC PARTICIPATION PROCESS FOR WIND ENERGY TEXT AMENDMENT** - Steve Henrichsen, Development Review Manager, Lincoln/Lancaster County Planning Department; Sara Hartzell, Planner II; Scott Holmes, Environmental Public Health Division Manager, Lincoln-Lancaster County Health Department (LLCHD)

Sara Hartzell, Planner II, noted there were rumors in 2009 that a wind company was looking to do a project in the Hallam area, however no entities came forward to discuss how it would be done. She said the Planning and Health Departments worked pro-actively to get language in the City and County zoning codes to allow wind farms in the Agricultural (AG) District by special permit. Hartzell said Volkswind USA, which is based in Portland, Oregon, came forward two years ago to discuss the possibility of building a wind farm in southern Lancaster County and northern Gage County, near Hallam. She said Volkswind began to work through the language in the code and approached landowners in the area who had land with potential for those type of structures. After further research, Volkswind asked the Planning Department about the process to make some changes to the text. These included allowing setbacks to be measured to buildings, rather than property lines; allowing participating properties to have different conditions than non-participating properties; and changing the noise requirements. She said staff worked with them and eventually arrived at a "package" that addressed some of Volkswind's concerns and brought new language into the code that the Planning Department felt was positive for the County. One piece involved the ability to look at parcels of land that are on different sections and consider them as a full special permit area. Hartzell said the Planning Department had meetings with Volkswind before applications were made and was assured there had been significant public outreach. Volkswind submitted applications in Lancaster and Gage Counties in September, 2014. A number of landowners voiced opposition and the applications were placed on hold. She said the Planning Department decided to move forward with the text amendment only and it became evident there would be a great deal of resistance. The Planning Department advised Volkswind to step back and look at the public participation piece. Volkswind withdrew its text application and their special permits were placed on hold.

Hartzell said she met last week with the Gage County Planning Commission and was informed the special permit applications Volkswind submitted to Gage County have expired. She said Gage County has similar concerns about setbacks and noise and is considering amendments to their text as well.

Steve Henrichsen, Development Review Manager, presented Commercial Wind Text Amendment, Draft Public Process (Exhibit E). He said the Planning Department proposes establishing a Working Group to help staff revise the current regulations

regarding commercial wind energy projects. The Working Group would be comprised of persons with various viewpoints and interests, including industry representatives, environmental interests, and landowners and residents with various viewpoints about wind turbines. Henrichsen said they envision a series of six to eight meetings with a goal of coming up with a new draft text amendment that would permit commercial wind energy projects with adequate protection for adjacent residents and property owners. He said they plan to start in mid to late March with a goal to have the draft text amendment completed by summer. Henrichsen also pointed out that Gage County may wish to join the process rather than having their own information sharing process.

It was suggested that individuals from other parts of the County, Lincoln Electric System (LES), Nebraska Public Power District (NPPD), Norris Public Power District, Omaha Public Power District (OPPD) and Nebraska Farm Bureau also be included in the process and that neighboring counties be apprised of what the County is doing.

Hudkins said he would want to ensure that if a wind turbine does fall down, it does not cross property lines or county roads.

Amundson asked whether Volkswind will belong to the Southwest Public Power Pool (SPP). Hartzell said Volkswind would have to work through SPP on its contracts and have a contract for the purchase of the power from one of the entities within SPP in place before it could move forward with construction.

Avery asked whether airports have been taken into account. Hartzell said yes, adding the wind turbines would have to have a finding of no hazard from the Federal Aeronautics Administration (FAA).

In response to a question from Hudkins, Scott Holmes, Environmental Public Health Division Manager, Lincoln-Lancaster County Health Department (LLCHD), said noise from the wind turbines will be reviewed and addressed during the process, adding the level that is proposed is different, but not less restrictive.

It was noted information about the Working Group meetings will be posted on the Planning Department's website.

## **8 ACTION ITEMS**

There were no action items.

## **9 CONSENT ITEMS**

There were no consent items.

**10 ADMINISTRATIVE OFFICER REPORT**

There were no Administrative Officer items.

**11 PENDING**

There were no pending items.

**12 DISCUSSION OF BOARD MEMBER MEETINGS**

A. Information Services Policy Committee (ISPC)

Meeting was cancelled.

B. Parks and Recreation Advisory Board - Hudkins

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Wiltgen

Items B and C were moved forward on the agenda.

D. Air Pollution Control Advisory Board

Meeting was cancelled.

E. Lincoln Parks and Recreation Futures Committee - Hudkins

No report was given.

F. Lancaster County Fairgrounds Joint Public Agency (JPA) - Avery, Wiltgen

The meeting will be held later in the day.

**13 EMERGENCY ITEMS AND OTHER BUSINESS**

There were no emergency items and other business.

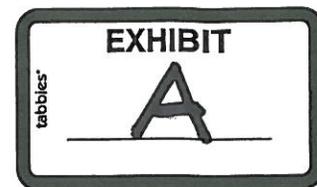
**14 ADJOURNMENT**

**MOTION:** Schorr moved and Hudkins seconded to adjourn the meeting at 10:26 a.m. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

*Dan Nolte*

Dan Nolte  
Lancaster County Clerk





**KISSEL / E&S**  
ASSOCIATES

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**MEMORANDUM**

TO: Lancaster County Board of Commissioners

FROM: Gordon Kissel  
Joseph D. Kohout  
Jonathan G. Bradford

DATE: February 19, 2015

RE: Weekly Update on the 2015 Legislature

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Please accept this as the seventh of your weekly reports for the 2015 Legislative Session. Today is day 29. The Legislature continues to convene in the mornings – typically at 9am – and adjourn at noon for committee hearings in the afternoon. Yesterday the Legislature bracketed LB111 – the voter I.D. bill – until June 5<sup>th</sup>, 2015 – killing it for this year. Of note, an amendment was filed that would have adopted LB 121 which Dave Sluvely opposed.

Below, please find legislation of particular note to Lancaster County

**2015 Lancaster County Legislative Priorities:**

1. **Property Tax Relief:** The Board has identified several potential options under this priority.

**RESTORE STATE AID TO COUNTIES:**

**LB 609 – Adopt the Nebraska Bridge Repair Act**  
**Introduced by Sen. Jim Smith of Papillion**  
**Hearing Date: March 9, 2015**  
**Transportation & Telecommunication**

LB 609 creates a mechanism for priority of bridge repairs in Nebraska which includes a process whereby projects are prioritized by a commission including

some county commissioners. Engineer Dingman has expressed a concern about the design-build provisions of the bill. The hearing has been set for March 9, 2015 so we have some time to work through this concern.

POSITION: HOLD OFF POSITION UNTIL AFTER MEETING CAN OCCUR TO DISCUSS THIS DESIGN-BUILD POINT.

LB 610 – Change motor vehicle excise taxes.  
Introduced by Sen. Jim Smith, Papillion  
Hearing Date: March 6, 2015  
Revenue

Increases the gas tax by \$.015 over the course of a period of time. Intent is to fund LB610.

POSITION: HOLD OFF POSITION UNTIL WE HAVE CLEAR DESCRIPTION OF HOW THE FUNDING WILL FLOW.

LB 626 – Create a fund and change motor vehicle fees and taxes and their distribution.  
Introduced by Sen. Kathy Campbell, Lincoln  
Hearing Date: March 9, 2015  
Transportation & Telecommunication

Is intended to increase the registration fee for vehicles and move an amount into a Bridge Bank which will be used to repair bridges throughout Nebraska.

POSITION: HOLD OFF POSITION UNTIL WE HAVE CLEAR DESCRIPTION OF HOW THE FUNDING WILL FLOW.

LB 633 – Appropriate funds for state aid to municipalities and counties.  
Introduced by Sen. John Stinner, Gering  
Hearing Date: TBA; Appropriations

LB 633 appropriates \$20,000,000 to counties and \$20,000,000 to cities for infrastructure projects for one year.

POSITION: RECOMMEND SUPPORT

**OPPOSE ELIMINATION OF THE INHERITANCE TAX:**

No legislation was introduced this year that would eliminate the inheritance tax

**ELIMINATE UNFUNDED MANDATES:**

LB 105 - Change Provisions relating to payment of fees and costs associated with deaths of incarcerated persons and grand juries

Introduced by Sen. Dan Watermeier, Syracuse  
Hearing Date: February 12, 2015  
Government

LB 105 would change provisions relating to the payment of fees and costs associated with the deaths of incarcerated persons and grand juries when it relates to the state. State of Nebraska would be responsible for payment of juror when the individual in question died by unlawful means while serving at a state facility. An autopsy done by the county coroner of that individual shall be charged back to the state.

POSITION: SUPPORT. The hearing on this bill was on Thursday February 12<sup>th</sup>, 2015. Mr. Eagan testified on behalf of Lancaster County. Those in support included NACO. No one appeared in opposition.

LB 427 – Provide for payment of probation office cost by the state  
Introduced by Sen. Mike Groene, North Platte  
Hearing Date: February 29, 2015  
Government

This bill allows for the state to pay the cost of probation offices and those facilities performing in their official capacity. Actual and necessary expenses shall be paid. As Prior to July 1, 2015, counties providing space for probation services, may negotiate lease arrangements. Upon the close of business of June 30, 2015, the county shall no longer provide office and facilities to probation

POSITION: SUPPORT. The hearing on this bill was on Thursday, January 29, 2015. Those appearing in support included Joe Hewgley from the Lincoln County Board of Commissioners, Larry Dix with NACO, Mike Kelley representing the Douglas County Board of Commissioners and Kerry Eagan representing this board. There was no opposition to the bill. We worked with NACO this week to attempt to advance the bill from Committee. In follow up conversations, Senator Murante has indicated that he is waiting for all of the bills that eliminate unfunded mandates and have fiscal impacts to be heard and will take them up in a committee executive session.

LB 341 – Provide requirements relating to health benefit plan coverage for insureds in jail custody.  
Introduced by Sen. Sara Howard, Omaha  
Hearing Date: March 9, 2015  
Banking  
DOUGLAS COUNTY PRIORITY

LB 341 states that an insurer may not cancel coverage or deny reimbursement for services covered by the plan for an individual in jail. LB 341 allows for reimbursement of a political subdivision by the insurer for services covered of an

individual in custody. Coverage can be denied if the injuries occurred as a result of violation of law.

POSITION: RECOMMEND SUPPORT

RAISE COUNTY FEES:

LB 88 – Raise marriage license fees  
Introduced by Sen. Kathy Campbell, Lincoln  
Hearing Date: 1/21/2015  
Judiciary

As introduced and advanced by the Committee, the bill would raise marriage license fees to \$50 from \$15 and certified copies from \$6 to \$16. An amendment was adopted on General File that capped the fee at \$25,

POSITION: SUPPORT. This bill was advanced on a near-unanimous vote by the Judiciary Committee including three Lancaster County Senators – Senators Coash, Morfeld & Pansing Brooks. Dan Nolte did a great job testifying on behalf of Lancaster County. Senator Chambers began to filibuster the bill. An amendment had been agreed to by Senators Campbell and Bill Kintner of Papillion that would change the language in the bill so that the county board can set the rate in a range between \$30 and \$50 and certified copies be \$16. However concerns were raised on this methodology due to consistency across the state. Senators Campbell and Chambers agreed to an amendment on LB88 that would raise fees to \$25. The amendment was adopted the bill advanced to Select File. The bill is on today's legislative agenda and Senator Bloomfield has filed an amendment to LB88 that would lower the certified copy price from \$16 to \$8.50.

SUPPORT ADEQUATE APPROPRIATIONS FOR IMPLEMENTATION OF LB561:

We continue to monitor all efforts in this area.

2. Support Medicaid Expansion under the Affordable Care Act:

LB 472 – Adopt the Medicaid Redesign Act.  
Introduced by Sen. Kathy Campbell, Lincoln  
Hearing Date: 2/25/15  
Health and Human Services

LB 472 sets out to redesign Nebraska's Medicaid program with a specific plan. LB 472 creates the Medicaid Redesign Task force to review the Medicaid program and provide recommendations. LB 472 allows DHHS to work with the federal

government to create a coverage plan. An estimated 1.8 billion in funds would be returned to Nebraska's economy from now until 2020. The Governor and DHHS would design and implement a Nebraska plan. The bill would ask that enrollees to contribute 2% of their income, unless active in a wellness program.

POSITION: SUPPORT. The hearing is on next Tuesday and I would note that March 5<sup>th</sup>, 2015 is the lobby day on LB472.

3. **Address Lancaster County Obligations under the 300,000 population threshold.** As mentioned previously, this legislation was drafted at our request last week for potential introduction. Once the bill was drafted it became very clear that a significant number of sections were opened up. There was a concern raised about the diversity of sections that were being opened up as well as the fact that it may implicate some of Douglas County's thresholds. In discussion with staff, it was determined to take some time to go through the draft and spend some analyzing the multitude of sections opened up. Senator Hansen has requested interim study language to prepare the same in the coming weeks. We will work to get something drafted and to Mr. Egan for review.
4. **Eliminate the Responsibility of Counties to Pay HHS Rent:** LB61 was heard before the Government, Military & Veterans Affairs Committee last Thursday. Mr. Egan testified on behalf of Lancaster County. Those joining in support included Commissioner Mary Ann Borgeson on behalf of Douglas County, Dick Clark with the Platte Institute, Colby Mach with LIBA, Larry Dix with NACO and Fred Uhe with Sarpy County. Those opposed included Acting CEO of HHS Dr. Joseph Acierno. Much like LB427, we worked with NACO last week to attempt to advance the bill from Committee. In follow up conversations, Senator Murante has indicated that he is waiting for all of the bills that eliminate unfunded mandates and have fiscal impacts to be heard and will take them up in a committee executive session.
5. **Amend Mental Health Commitment Act / Funding for Community Based Sex Offender Treatment.** After discussion regarding the size of this request as drafted - \$7.5 Million - it was determined that Lancaster County should make a request of the Appropriations Committee at their hearing. The thought is that the complete picture of the LR424 task force recommendation - the prison review - are not complete and this could be a part of that broader conversation. The HHS budget has been set for hearing before the Appropriations Committee on March 16 & 17. Also, the following bill is of note on this issue as well:

**LB 592 – Change provisions relating to corrections and parole and mentally ill offenders**  
Introduced by Sen. Kate Bolz of Lincoln  
Hearing Date: 2/20/15  
Judiciary

LB 592 is one of six legislative bills introduced this session to address issues raised by the Interim Study report 424. LB 592 adds "personality disorder" to the definition of a mentally ill. The bill creates a clear separation of independence between the Department of Corrections and Pardons board when determining the treatment of inmates. Department of Corrections shall be responsible for an

inmate while in confinement and Pardons board shall address the re-entry back to the general public. LB 592 adds a clean-up measure to the Sex Registry by adding "personality disorder" to the definition of mentally ill. An amendment will be offered to the committee to address opposition by the hospitals and will clarify definitions.

6. Monitor Adult Corrections Reform. We will continue to monitor introductions for legislation that affects adult corrections reform. One bill has been set for hearing today on this issue as well:

**LB 119 – Change where certain sentences of imprisonment may be served**  
**Introduced by Senator Paul Schumacher of Columbus**  
**Hearing Date: 2/12/15**  
**Judiciary**

The Nebraska Criminal Code at Neb. Rev. Stat §28-105 sets out penalties for the various classes of felonies which range from Class IV, with the least severe penalty, to Class I, with the most severe. Class IV and Class IIIA felonies have maximum penalties of 5 years imprisonment with no minimum sentences or fines. Section (2)(a) of §28-105 requires sentences of imprisonment of one year or more for convictions of Class IV and Class IIIa felonies be served in a State prison facility and sentences of less than one year be served in the county jail.

All sentences of imprisonment for classified felonies and sentences of more than 1 year and any lesser sentence shall be served concurrently or consecutively with such sentences. Sentence of 1 year or less may be served in a county jail.

Quoting from the fiscal note, "In the past 12 months Lancaster County has sent 268 felony 3,3A and 4 offenders to the Nebraska Department of Correctional Services. We are assuming the upper sentence level of these inmates is not included in this impact statement. Knowing inmates are credited for time served in a pre-trial capacity, and accrue good time, we feel we would add 59 inmates per day to our average daily population. By using an average cost of \$94.00 per day the impact to our FY15, would be approximately \$2,000,000. With this potentially growing population, we would be concerned our bed capacity would be limited in the following years. The County would be hard pressed to find available bed space for pre-trial offenders."

POSITION: OPPOSITION. The hearing on this bill was on February 12<sup>th</sup>, 2015 before the Judicial Committee. Mike Thurber testified in opposition on behalf of Lancaster Co. No one appeared in support.

7. Retirement Adjustment. LB126 has been advanced by the Legislature from Select File to Final Reading.

**HEARINGS BEFORE THE NEXT STAFF MEETING:**

1. LB 293 - Change valuation of agricultural land and horticultural land  
Introduced by Sen. David Schnoor of Scribner  
Hearing Date: 2/19/15  
Revenue

Lowers agricultural and horticultural land valuations from 75% to 65% of actual.

2. LB 350 - Change valuation of agricultural land and horticultural land  
Introduced by Sen. Lydia Brasch of Bancroft  
Hearing Date: 2/19/15  
Revenue

Lowers agricultural and horticultural land valuations from 75% to 65% of actual.

3. LB 384 - Provide for reclassification of agricultural land and horticultural land  
Introduced by Sen. Brett Lindstrom of Omaha  
Hearing Date: 2/19/15  
Revenue

The bill would allow for a reclassification of up to 30 acres per quarter section of cropland as range or pasture for purposes of property taxes.

4. LB 605 – Change classification of penalties, punishments, probation and parole provisions, and provisions relating to criminal records and restitution and provide for a special legislative committee  
Introduced by Sen. Heath Mello of Omaha  
Hearing Date: 2/20/15  
Judiciary

LB 605 is the first part of recommendations stemming from the CSG working group that was created at the end of last session.

5. LB 606 – Adopt the Office of Inspector General of the Nebraska Correctional System Act, change provisions relating to the Public Counsel, and mandate a declaration by the Governor of a correctional system overcrowding emergency as prescribed  
Introduced by Sen. Heath Mello of Omaha  
Hearing Date: 2/20/15  
Judiciary

LB 606 would establish a full-time program of investigation and performance review to provide increased accountability and oversight of the Nebraska correctional system. The office of Inspector General of the Nebraska Correctional System is created within the office of the Public Counsel for the purpose of conducting investigations, audits, inspections and other reviews of corrections. LB 606 states that the Governor shall

declare a correctional system overcrowding emergency when the population is determined to be over 140% of capacity by certification of the director.

6. **LB 273 – Authorize voters to decide partisan status of county offices**  
**Introduced by Sen. Kate Sullivan of Cedar Rapids**  
**Hearing Date: 2/25/15**  
**Government, Military and Veterans Affairs**

Bill is to authorize voters to vote regarding partisan or nonpartisan ballots for nominations and election of county officers in certain counties. Summary of new language:

- (1) All county officers elected shall be nominated and elected on a partisan ballot.
- (2) County boards with a population of twenty thousand or fewer inhabitants may adopt a resolution requiring the submission of the question to the voters. Registered voters of a county with a population of ten thousand or fewer may file petition with county clerk requesting the question be put to the voters. The question shall be put to the voters at the first statewide general election after the adoption of the resolution.
- (3) If the vote on the question is in favor of the nomination and election of all officers elected on a nonpartisan ballot, shall be nominated and elected at all subsequent elections.

LB 273 removes language in several sections including at 32-325, that states that the county surveyor shall be elected on the partisan ballot and 32-326 that states that the county engineer shall be elected on the partisan ballot. As a result, the

7. **LB 13 – Change Community-based Juvenile Services Aid Program provisions**  
**Introduced by Sen. Bob Krist of Omaha**  
**Hearing Date: 2/26/15**  
**Judiciary**

LB 13 states <sup>10%</sup>~~100%~~ of the annual GF appropriation to the community-based Juvenile Services Aid Program shall be set aside for the development of a common data system at the University of Nebraska at Omaha, Juvenile Justice Institute, to assess the effectiveness of community-based Juvenile Services Aid program.

8. **LB 15 – Provide additional powers and duties for guardians ad litem**  
**Introduced by Sen. Bob Krist of Omaha**  
**Hearing Date: 2/26/15**  
**Judiciary**

LB 15 states that a guardian ad-litem (GAL) is to receive required training required by the Nebraska Supreme Court. GAL is allowed to review and receive records/court plans prepared by the DHHS pertaining to the juvenile. GAL shall meet with the juvenile, upon the juvenile's request.

LB 15 was introduced as a response to the guardian ad-litem contracting situation in Douglas County.

9. **LB 309 – Appropriate additional funds to the Property Tax Credit Cash Fund**  
**Introduced by Sen. Al Davis of Hyannis**  
**Hearing Date: 2/27/15**  
**Appropriations**

In addition to other appropriations for FY2016-17 to the Property Tax Credit Cash Fund, the State Treasurer shall transfer \$25,000,000 from the General Fund to the Property Tax Credit Cash Fund

In addition to other appropriations for FY2015-16 to the Property Tax Credit Cash Fund, the State Treasurer shall transfer \$25,000,000 from the General Fund to the Property Tax Credit Cash Fund on or before December 15, 2015, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services December 15, 2016, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

10. **LB 364 – Provide for transfers to the Property Tax Credit Cash Fund and appropriations**  
**Introduced by Sen. Dan Watermeier of Syracuse**  
**Hearing Date: 2/27/15**  
**Appropriations**

FY2015-16 the State Treasurer shall transfer \$60,000,000 from the General Fund to the Property Tax Credit Cash Fund and (2) FY2016-17 the State Treasurer shall transfer \$60,000,000 from the General Fund to the Property Tax Credit Cash Fund. Appropriation of (1) \$60,000,000 for FY2015-16 and (2) \$60,000,000 for FY2016-17 from the Property Tax Credit Cash Fund to the Department of Revenue, Program 132, to carry out the purposes of the property tax credit program.

11. **LB 387 – Transfer funds from the Cash Reserve Fund to the Property Tax Credit Cash Fund**  
**Introduced by Sen. David Schnoor of Fremont**  
**Hearing Date: 2/27/15**  
**Appropriations**

The State Treasurer shall transfer sixty million dollars from the Cash Reserve Fund to the Property Tax Credit Cash Fund on or before December 15, 2015, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

12. **LB 442 – Appropriate additional funds to the Property Tax Credit Cash Fund**  
**Introduced by Sen Kate Bolz of Lincoln**  
**Hearing Date: 2/27/15**  
**Appropriations**

In addition to other appropriations for FY2016-17 to the Property Tax Credit Cash Fund, the State Treasurer shall transfer \$20,000,000 from the General Fund to the Property Tax Credit Cash Fund on or before December 15, 2015.

In addition to other appropriations for FY2015-16 to the Property Tax Credit Cash Fund, the State Treasurer shall transfer \$20,000,000 from the General Fund to the Property Tax Credit Cash Fund on or before December 15, 2015, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services December 15, 2016, on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.

Other Legislation:

13. **LB188 (Watermeier) Change provisions relating to innocent third parties injured during a vehicular pursuit.** This is Senator Watermeier's bill that states that a passenger in a fleeing vehicle shall not be considered to be an innocent third party if the passenger (a) enters with knowledge the driver is under the influence (b) fails to take steps to persuade the driver of the fleeing vehicle to stop the vehicle (c) promotes or provokes the driver to flee (d) are themselves subject to arrest or (e) is engaged in illegal activity that would itself give rise to arrest.

POSITION: Support. LB188 was heard by the Judiciary Committee on January 23, 2015 and was opposed by several groups including the Nebraska Association of Trial Attorneys.

14. **LB142 (Schilz) Create the Aquatic Invasive Species Program and provide funding.** To create the Nebraska Aquatic Invasive Species Program to be used by Game and Parks to prevent and mitigate damage caused by aquatic invasive species such as the zebra mussel, silver carp, and other such species. These species have proven destructive to the ecosystems and usability of surface waters in surrounding states, and steps must be taken to prevent their establishment in Nebraska. The Aquatic Invasive Species Program will be funded with a fee of between five and ten dollars, every three years that is paid with motorboat registration and/or renewal. Non-Nebraska boats shall be eligible for a yearly stamp at a cost of between ten and fifteen dollars. These funds are to be allocated for use in monitoring, testing, decontamination, and mitigation of aquatic invasive species in Nebraska surface waters.

POSITION: Monitor. This bill advanced from the Natural Resources Committee with an amendment – AM45 which creates the Aquatic Invasive Species fund at the Department. The bill was debated last week on General File; the amendment was adopted and the bill advanced to Select File.

15. **LB66 (Schumacher) Require political subdivisions to make disclosures regarding bonds and provide for liability.** As we read this bill, it would require the following disclosure on bond documents:

(a) The amount of any unfunded pension obligations of the school district, city, village, or county

- (b) The actual amount of the valuation of the real estate subject to taxation in the school district, city, village, or county,
- (c) the actual amount of the valuation of the real estate in the school district, city, village, or county that will not be available for payment of the bonds because of tax increment financing, and
- (d) A statement substantially as follows: It is uncertain if the bonds being issued would have priority over the pension obligations of (insert name of school district, city, village, or county) if it declares bankruptcy.

It also provides for pretty stringent liabilities in the case of non-disclosure including the governing board members in their personal capacities.

POSITION: Oppose. The hearing on this bill was held on January 21, 2015 and bond counsel for the city of Lincoln testified and stated that Lancaster County opposed the bill in his testimony. There was significant opposition and no support for the measure other than the introducer.

- 16. **LB 132 – Change joint public agency bonding powers and procedures.**  
Introduced by Sen. Laura Ebke, Crete  
Hearing Date: 1/29/15  
Government

LB 132 links Joint Public Agency bond issuance procedures to taxing powers. It requires Joint Public Agencies follow the bond issuance procedures a participating public agency would be required to follow to bond the particular revenue stream.

POSITION: OPPOSED. This bill was heard by the Government Committee on January 29, 2015. Mr. Eagan noted potential concerns with this bill that could affect the JPA. The supporters of the bill included LIBA and the Platte Institute. Those in opposition included bond counsel for the City of Lincoln and Lynn Rex representing the League.

#### **OTHER LEGISLATION OF NOTE RAISED BY DEPARTMENT HEADS:**

- 1. **LB 13 - Change Community-based Juvenile Services Aid Program provisions**  
Introduced by Sen. Bob Krist, Omaha  
Hearing Date: 2/26/15  
Judiciary

This bill proposes to take 10% of the funds appropriated to the Juvenile Services Aid Program to study and analyze outcomes.

- 2. **LB 15 - Provide additional powers and duties for guardians ad litem**  
Introduced by Sen. Bob Krist, Omaha  
Hearing Date: 2/26/15  
Judiciary

**PRIORITY FOR DOUGLAS COUNTY TO WORK OUT A COMPROMISE ON THIS**

The bill is in response to the guardian ad-litem contracting situation in Douglas County that was the subject of a Judiciary Committee hearing in November.

3. **LB 212 – Prohibit use of restraints in juvenile court as prescribed.**  
Introduced by Sen. Chambers of Omaha  
Hearing Date: 2/25/15  
Judiciary

Restraints shall not be used on a juvenile during a juvenile court proceeding and removed prior to the juvenile's appearance before the juvenile court. Unless there is cause to show the need of restraints in the court proceeding. If there is a determination that restraints are needed, juvenile court shall provide the juvenile, the juvenile's attorney, or the juvenile's parent or guardian an opportunity to be heard before ordering the use of restraints.

POSITION: NO POSITION: Sheli Schindler has raised an issue with this legislation. Senator Krist has indicated that he introduced this legislation to conform to best practices.

4. **LB 266 – Change provisions relating to jurisdiction for municipalities to enforce ordinances**  
Introduced by Sen. Sue Crawford, Bellevue  
Hearing Date: 2/3/15  
Urban Affairs

Municipalities currently have the authority to regulate nuisances within their extraterritorial zoning jurisdiction. LB 266 amends various nuisance statutes to clarify this existing authority.

POSITION: NO POSITION: An amendment was worked out prior to the hearing to work out concerns raised by the League. An amendment was offered to the Committee during the hearing that would exempt out counties of greater than 100,000 – citing joint planning boards and commissions – and providing for a notice to County Boards of development in the ETJ of a city.

5. **LB 476 – Provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property.**  
Introduced by Sen. Al Davis, Hyannis  
Hearing Date: March 5, 2015  
Revenue

On or before December 1 each year, the county assessor will compile a list of parcel of real property in the county exempt from the property tax, and determine the estimated market value. The Property Tax Administrator shall prepare a report based off of the list. The report is due to the Clerk of Legislature before December 31, of each year.

POSITION: NO POSITION. Scott Gaines has raised a concern about this legislation as there may be a sizable cost associated with performing this responsibility.

6. **LB 499 – Provide duties for the Department of Health and Human Services relating to behavioral and mental health services.**  
Introduced by Sen. Bob Krist of Omaha  
Hearing Date: 3/4/15  
Health and Human Services

LB 449 states DHHS will reestablish the provision of behavioral and mental health services throughout Nebraska. Departments of Corrections, Probation Administration, and Juvenile Services will assist

POSITION: NO POSITION. This is a placeholder bill for legislation that may come from the LR434 recommendations.

7. **LB 543 – Provide for certification of community paramedics and reimbursement under Medicaid**  
Introduced by Sen. Burke Harr of Omaha  
Hearing Date: February 6, 2015  
Health and Human Services  
PRIORITY FOR DOUGLAS COUNTY

LB 543 establishes criteria and requirements for certification for community paramedics. To be eligible for certification, an individual must be a licensed paramedic and completed a paramedic education program from a board approved university or college.

POSITION: NO POSITION. This is a priority for Douglas County. There was significant opposition leveled at the hearing including most of the home-based healthcare organizations in the state.

8. **LB 106 - Adopt the Livestock Operation Siting and Expansion Act and change powers of counties relating to zoning**  
Introduced by Senator Dan Watermeier of Syracuse  
Hearing Date: February 12, 2015  
Government, Military & Veterans Affairs Committee  
NACO PRIORITY

This bill creates a mechanism for livestock operation siting and allows for certain officials to be on the board.

9. **LB 98 - State intent regarding appropriations for tobacco use prevention control**  
Introduced by Senator Kate Bolz of Lincoln  
Hearing Date:  
Appropriations Committee

Judy Halstead Discussed at January 29, 2015 Meeting – Support with caveat around Health Care Cash funding levels

The bill would appropriate \$7 Million in both years of the biennium for tobacco use cessation.

10. LB 118 - Provide for licensure of cigar shops  
Introduced by Senator Tyson Larson of O'Neill  
Hearing Date: January 26, 2015  
General Affairs Committee  
Judy Halstead Discussed at January 29, 2015 Meeting – Oppose

The bill re-creates an exemption for cigar bars. The bill is on Select File.

11. LB 148 - Provide for medical assistance program coverage for certain youth formerly in foster care  
Introduced by Senator Sue Crawford of Bellevue  
Hearing Date: January 30, 2015  
Health & Human Services Committee  
Judy Halstead Discussed at January 29, 2015 Meeting – Support

This bill carries former foster youth on Medicaid until the age of 26.

12. LB 332 - Appropriate funds for the statewide prescription drug disposal project  
Introduced by Senator John Kuehn of Heartwell  
Hearing Date:  
Appropriations Committee  
Judy Halstead Discussed at January 29, 2015 Meeting - Support

This bill appropriates \$600,000 in each year of the biennium to a drug disposal program.

13. Appropriation for Public Health Aid – HHS Budget  
The Department of Health – along with others – is seeking a \$5.2 Million Appropriation. This would mean \$700,000 to Lincoln/Lancaster in both years of the biennium.

14. LB 374 - Direct transfers from the State Recreation Road Fund  
Introduced by Senator Ken Haar of Malcom  
Hearing Date:  
Appropriations Committee  
Engineer Dingman Discussed at January 29, 2015 Meeting

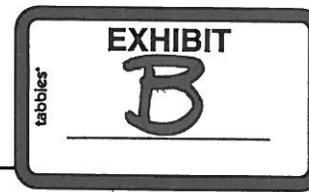
The bill would cap the amount in the State Recreation Road Fund at \$15 Million and move the amount greater than that to Game and Parks State Park Improvement and Maintenance Fund.

15. LB 564 - Change duties and obligations relating to the mowing of weeds along county roads  
Introduced by Senator Brent Lindstrom of Omaha  
Hearing Date: March 3, 2015  
Transportation & Telecommunications Committee  
Engineer Dingman Discussed at January 29, 2015 Meeting

The bill would limit mowing to one side of the road.

This concludes our report for this week. We would be happy to answer any questions you might have.

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 Bills of Interest Report  
 Client: LC



LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB13	Krist		Change Community-based Juvenile Services Aid Program provisions	Judiciary	2/26/2015			Monitor	Monitor
LB15	Krist		Provide additional powers and duties for guardians ad litem	Judiciary	2/26/2015			[DC Priority]	Monitor
LB16	Krist		Adopt the Purchasing from Persons with Disabilities Act	Government, Military & Veterans Affairs	1/22/2015		LB 16 provides quality jobs to people with disabilities by implementing the Purchasing from Persons with Disabilities Act. The purpose of this Act is to further the policy of the State to encourage and assist individuals who are blind or have other disabilities to achieve maximum personal independence through useful, productive, and gainful employment by assuring an extended and constant market for their commodities and services, thereby enhancing their dignity and capacity for self-support through meaningful employment		

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Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB25	Krist		Change court jurisdiction relating to 17 year olds and young adults	Judiciary	2/25/2015				Monitor
LB30	McCoy		Prohibit disclosure of any applicant or permit holder information regarding firearms registration, possession, sale, or use as prescribed	Judiciary	3/19/2015				
LB37	Krist		Adopt the Prescription Drug Safety Act and change and transfer pharmacy, prescription, and drug provisions	Health and Human Services	1/21/2015	General File w/AM140			
LB43	Coash		Provide for standby guardians and recovery of assets under the Nebraska Probate Code	Judiciary	1/21/2015	General File w/AM72; AM72 Adopted; Select File 2/5; Final Reading 2/17			
LB53	Scheer		Provide for issuance of one license plate for passenger cars as prescribed	Transportation & Telecommunications	2/3/2015		LB 53 states as of January 1, 2017, a request for one license plate can be made for any passenger car. With a request for a single license plate and license decal, there is a one hundred dollar fee payable to the county treasurer		

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Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB61	Bolz		Change funding for county offices relating to administration of public assistance programs	Government, Military & Veterans Affairs	1/29/2015		LB61 would seek to repeal a provision in statute that currently requires counties to pay for rental costs or provide space to the Department of Health and Human Services for services that were provided by counties prior to those responsibilities being transferred to the	[LC Priority] Support	Support
LB65	Schumacher		Change provisions relating to termination of township boards	Government, Military & Veterans Affairs	1/21/2015	General File; Select File w/ER5; Shumacher AM67 Filed; AM67 Adopted			Support
LB88	Campbell		Change fees relating to marriage licenses	Judiciary	1/21/2015	General File 1/27; Kintner AM110 Filed; Kintner AM131 Filed; Kintner AM155 Filed; AM155 Withdrawn; AM131 Withdrawn; Kintner AM185 Filed; AM185 Adopted; Select File 2/5; Bloomfield AM184 Filed;		[LC Priority] Support	[NACO Priority]

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 Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB94	Smith		Provide for issuance of printed motor vehicle certificate of title for nonresidents as prescribed	Transportation & Telecommunications	1/27/2015	General File 1/29; Select File 2/9			
LB98	Bolz		State intent regarding appropriations for tobacco use prevention control	Appropriations			Include in the appropriation to Agency No. 25 and Program No 30, for FY 2015-16, \$7 million Cash Funds and for FY 2016-17, \$7 million Cash Funds use for tobacco use prevention control from the Nebraska Health Care Cash Fund	Support	[NACO Priority]
LB105	Watermeier		Change provisions relating to payment of fees and costs associated with deaths of incarcerated persons and grand juries	Government, Military & Veterans Affairs	2/12/2015		State of Nebraska would be responsible for payment of juror when the individual in question died by unlawful means while serving at a state facility. An autopsy done by the county coroner of that individual shall be charged back to the state	Support	[NACO Priority]
LB106	Watermeier		Adopt the Livestock Operation Siting and Expansion Act and change powers of counties relating to zoning	Government, Military & Veterans Affairs	2/12/2015		LB 106 creates the Livestock Operating Siting and Expansion Act and to be implemented by the creation of the Livestock Operation Siting Review Board		Neutral

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 Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB111	Larson		Require identification to vote	Government, Military & Veterans Affairs	1/23/2015	Larson AM107 Filed; Larson AM268 Filed; Larson AM219 Filed; Murante AM273 Filed; Murante AM270 Filed; Larson AM269 Filed; Schilz AM267 Filed; Murante AM271 Filed; Larson AM272 Filed; Chambers MO30 Filed			
LB113	Larson		Provide a co-payment for correctional inmates' health care services	Judiciary	2/18/2015		An inmate who request medical treatment will make a copayment of not less than \$10.00 when receiving non-emergency service. The visit shall be deducted from the inmate account as part of copayment. If the account has insufficient funds at the time of the non-emergency treatment, fifty percent of any future deposit shall be withheld until copayment amount owed is paid in full		

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB118	Larson		Provide for licensure of cigar shops		1/26/2015	General File w/AM97; AM97 Adopted; Larson AM221 Filed; AM221 Adopted; Select File w/ER14; Schumacher AM343 Filed; AM221 Withdrawn; AM343 Adopted; Final Reading w/ST3		Oppose	
LB119	Schumacher		Change where certain sentences of imprisonment may be served	Judiciary	2/12/2015		All sentences of imprisonment for classified felonies and sentences of more than 1 year and any lesser sentence shall be served concurrently or consecutively with such sentences. Sentence of 1 year or less may be served in a county jail		

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 Bills of Interest Report  
 Client: LC

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB120	Schumacher		Provide for seizure of license plates of certain uninsured motor vehicles or trailers as prescribed	Judiciary	1/28/2015		LB120 would authorize law enforcement to seize license plates from a vehicle if at the time the vehicle is pulled over and the driver is unable to produce proof of insurance. The citation issued would serve as a temporary plate for 10 days. If the vehicle was not insured at the time of the stop, in addition to other penalties and fees, the owner of the vehicle would pay \$50 to get the vehicle plates back. The result is that the vehicle remains conspicuous and more likely to be reticketed if it remains uninsured	[LC Priority] Support	
LB122	Schumacher		Change provisions relating to operation of utility-type vehicles	Transportation & Telecommunications	1/27/2015	General File 1/29; Select File 2/9			
LB126	Nordquist		Change a combined contribution retirement benefit rate as prescribed	Nebraska Retirement Systems	1/20/2015	General File w/AM12; AM12 Adopted; Select File w/ER1			

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 Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB131	Craighead		Change provisions relating to annexation and prohibit sanitary and improvement districts from spending certain assets	Urban Affairs	1/27/2015		This bill provides financial guidance to Sanitary and Improvement Districts (SIDs) once the intent of their annexation by an adjacent qualifying city is made. This bill changes the restrictions on SIDs to enter into or extend contracts once they have been notified that a city is proposing the annex of the SID. After such, notification, the SID will need to seek the approval of the City before entering into any contracts.		Support
LB132	Ebke		Change joint public agency bonding powers and procedures	Government, Military & Veterans Affairs	1/29/2015		links Joint Public Agency bond issuance procedures to taxing powers. It requires Joint Public Agencies follow the bond issuance procedures a participating public agency would be required to follow to bond the particular revenue stream	Oppose	
LB135	Johnson		Change provisions relating to termination of township boards	Government, Military & Veterans Affairs	1/21/2015			Monitor	

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Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB139	Johnson		Change and eliminate provisions relating to the Real Property Appraiser Act	Banking Commerce & Insurance	1/27/2015				
LB142	Schilz		Create the Aquatic Invasive Species Program and provide funding	Natural Resources	1/21/2015	General File w/AM45; AM45 Adopted; Select File w/ER20; Schilz AM255 Filed;	To create the Nebraska Aquatic Invasive Species Program to be used by Game and Parks to prevent and mitigate damage caused by aquatic invasive species such as the zebra mussel, silver carp, and other such species	Monitor	
LB146	Crawford		Provide for disposition of unclaimed cremated remains in a veteran cemetery	Health and Human Services	1/29/2015	General File w/AM142	LB 146 establishes a voluntary process for funeral homes to work with veteran service organizations to locate, identify and inter unclaimed cremated remains of veterans and their dependents for the purposes of burial in a veteran cemetery		Monitor

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Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB148	Crawford		Provide for medical assistance program coverage for certain youth formerly in foster care	Health and Human Services			Under Section 2004 of the Patient Protection and Affordable Care Act (PPACA), foster youth who age out of the foster care system in Nebraska without reunification with their families or adoption are eligible for Medicaid coverage until age 26. This mirrors the provision in the PPACA allowing young adults to stay on their parents' insurance plan until age 26	Monitor	Monitor
LB158	McCollister		Deny compensation under the Nebraska Workers' Compensation Act in situations of false representation	Business and Labor	3/2/2015		No compensation shall be allowed if, at the time of or in the course of entering into employment or at the time of receiving notice of the removal of conditions from a conditional offer of employment		Monitor
LB172	Chambers		Eliminate certain mandatory minimum penalties	Judiciary	2/11/2015			Support	Support

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Bills of Interest Report  
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB173	Chambers		Change habitual criminal provisions	Judiciary	2/11/2015				Oppose
LB186	Bolz		Adopt the Property Tax Circuit Breaker Act	Revenue	1/29/2015		This bill allows for a resident or partial-year resident of Nebraska who owns or rents his primary residence to apply for a refundable income tax credit. The applicant must have resided at the property he or she is requesting for consideration for at least six months		
LB188	Watermeier		Change provisions relating to innocent third parties injured during a vehicular pursuit	Judiciary	1/23/2015		The bill states that a passenger in a fleeing vehicle shall not be considered to be an innocent third party if the passenger (a) enters with knowledge the driver is under the influence (b) fails to take steps to persuade the driver of the fleeing vehicle to stop the vehicle (c) promotes or provokes the driver to flee (d) are themselves subject to arrest or (e) is engaged in illegal activity that would itself give rise to arrest	Support	Oppose

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Bills of Interest Report  
Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB202	Davis		Provide for partisan ballots for unaffiliated voters at primary elections	Government, Military & Veterans Affairs	2/26/2015				
LB209	Hilkemann		Adopt the Political Subdivisions Mandatory Mediation Act	Judiciary	1/23/2015	Indefinitely Postponed			
LB210	Ebke		Change provisions relating to housing agencies and taxation of mixed-use developments	Revenue	2/12/2015		<i>Relating to low income housing</i>		Monitor
LB212	Chambers		Prohibit use of restraints in juvenile courts as prescribed	Judiciary	2/25/2015		Restraints shall not be used on a juvenile during a juvenile court proceeding and removed prior to the juvenile's appearance before the juvenile court. Unless there is cause to show the need of restraints in the court proceeding		Oppose
LB213	Schumacher		Provide for withholding of insurance proceeds for demolition purposes	Banking Commerce & Insurance	2/17/2015				
LB214	Schumacher		Provide for electronic signatures on initiative and referendum petitions	Government, Military & Veterans Affairs	2/18/2015				

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Bills of Interest Report  
Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB224	Harr		Provide and change restrictions relating to electioneering	Government, Military & Veterans Affairs	2/4/2015		LB 224 would require the placement of flags on the day of any election to indicate the area within 200 feet of a polling place unless that area is across a public thoroughfare or private property. It would also require the designation of an approximately ten feet by five feet yard- sign zone within the 200 foot area which would allow for any person to display a campaign sign in the zone beginning at 7 a.m. and ending at 9 p.m. on the day of the election		
LB230	Mello		Change provisions relating to partition actions	Revenue	2/19/2015				[NACO Priority]
LB236	Coash		Change and eliminate provisions relating to collection of judgments and public retirement plans	Nebraska Retirement Systems	1/27/2015				
LB237	Coash		Appropriate funds for correctional facilities	Appropriations					

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Bills of Interest Report  
Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB241	Stinner		Change provisions relating to conveyances of cemetery lots	General Affairs	1/26/2015	General File 1/29; Select File 2/9			
LB244	Pansing Brooks		Change provisions relating to motions for new trial based upon discovery of new evidence	Judiciary	1/30/2015				
LB245	Pansing Brooks		Change provisions relating to DNA testing of biological material	Judiciary	1/30/2015	General File w/AM197	This bill allows the court to order DNA testing, pursuant to a motion filed, that the biological material was not previously tested; material was tested, but current technology may provide more accurate findings		
LB250	Larson		Eliminate time restrictions on keno	General Affairs	1/26/2015				Monitor
LB253	Morfeld		Change acknowledgment requirements relating to homesteads	Judiciary	2/6/2015				
LB256	Bloomfield		Change the sales tax rate and the distribution of sales tax revenue	Revenue	2/20/2015		LB 256 would raise the state sales and use tax from the current five and one-half percent to six percent as of October 1, 2015.		

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Bills of Interest Report  
Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB259	Gloor		Adopt the Personal Property Tax Relief Act	Revenue	1/29/2015		To exempt the first \$25,000 worth of personal property value for each personal property tax return filed with a county assessor		Monitor
LB260	Gloor		Authorize the Property Tax Administrator to correct certain errors	Revenue	1/23/2015	General File 1/29; Select File 2/9	To expand the time frame to three years from date of certified valuation for errors regarding valuation to be corrected by the Property Tax Administrator or to recertify said valuation within three years of distribution of the tax to a county		
LB265	Campbell		Change provisions relating to juveniles and child welfare	Judiciary	2/27/2015				Monitor
LB266	Crawford		Change provisions relating to jurisdiction for municipalities to enforce ordinances	Urban Affairs	2/3/2015	General File w/AM122; AM122 Adopted; Select File w/ER30	Municipalities currently have the authority to regulate nuisances within their extraterritorial zoning jurisdiction. LB 266 amends various nuisance statutes to clarify this existing authority		Monitor

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB277	Harr		Change tax deed lien priority	Revenue	2/12/2015		to clarify that SID special assessments also survive the tax deed method so that SID special assessments are treated the same no matter which method a tax certificate holder uses to exercise his or rights to the property purchased at a tax sale		
LB282	Baker		Change provisions relating to closed sessions for public bodies	Government, Military & Veterans Affairs	2/11/2015				Oppose
LB288	Ebke		Prohibit public employers from making certain deductions from wages	Business and Labor	3/9/2015		Any collective-bargaining agreement involving a public employer entered into, renewed, or extended on or after the effective date of this act shall not contain provisions requiring or allowing the deduction of dues		Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB290	Coash		Eliminate certain notification requirements under the Sex Offender Registration Act and eliminate the offense of unlawful use of the Internet by a prohibited sex offender	Judiciary	2/12/2015				
LB293	Schnoor		Change valuation of agricultural land and horticultural land	Revenue	2/19/2015		LB 293 would reduce the value of agricultural and horticultural land for taxation purposes. The rate would be reduced down to 65%, currently the range is between 69% to 75%.		
LB295	Scheer		Require municipalities to have county approval before enforcing ordinances in the extraterritorial zoning jurisdiction	Urban Affairs	2/3/2015		requires that cities of all classes and villages receive approval from county boards, with jurisdiction over an extraterritorial zoning jurisdiction, before they are able to enforce ordinances, bylaws, rule, regulations, and resolutions within said extraterritorial zoning jurisdiction unless otherwise provided by law		Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB308	Kolowski		Provide for preregistration to vote	Government, Military & Veterans Affairs	2/27/2015				Monitor
LB309	Davis		Appropriate additional funds to the Property Tax Credit Cash Fund	Appropriations	2/27/2015		In addition to other appropriations for FY2016-17 to the Property Tax Credit Cash Fund, the State Treasurer shall transfer \$25,000,000 from the General Fund to the Property Tax Credit Cash Fund		
LB319	Smith		Change provisions relating to elections conducted by mail	Government, Military & Veterans Affairs	2/5/2015		LB 319 states all registered voters of the political subdivision or a district or ward of the political subdivision ore eligible to vote on all candidates and issues submitted to voters		
LB325	Davis		Change levy provisions for rural and suburban fire protection districts	Revenue	2/26/2015		Makes changes to the provisions dealing with rural and suburban fire protection districts, requires a sinking fund to purchase life safety equipment. Of particular note is section 1 which appears to change some powers relative to where the tax can be levied	[DC Priority]	

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB331	Nordquist		Adopt the Bioscience Impact Opportunity Act	Revenue	2/11/2015				
LB332	Kuehn		Appropriate funds for the statewide prescription drug disposal project	Appropriations				Support	Support
LB333	Gloor		Adopt the Health Care Services Transformation Act	Health and Human Services	3/11/2015				
LB337	Harr		Rename and change the Low-Income Home Energy Conservation Act	Natural Resources	2/5/2015		Several changes are proposed to change the use of the Act to include energy demand reduction projects. Those eligible for funding would include any natural person, political subdivisions, corporations or other businesses that receive energy service from an eligible entity at a building that receives no greater than a one thousand kilowatt demand. Funding for the program is increased from \$250,000 to \$500,000		Oppose

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB340	Brasch		Provide signage requirements and duties for the Nebraska State Patrol under the Concealed Handgun Permit Act	Judiciary	3/20/2015		The Nebraska State Patrol will design a standardized sign for use by any person, entity, or employer in control of property prohibiting a permit holder from carrying a concealed handgun in or on the place or premises		
LB341	Howard		Provide requirements relating to health benefit plan coverage for insureds in jail custody	Banking Commerce & Insurance	3/9/2015		states that an insurer may not cancel coverage or deny reimbursement for services covered by the plan for an individual in jail. LB 341 allows for reimbursement of a political subdivision by the insurer for services covered of an individual in custody. Coverage can be denied if the injuries occurred as a result of violation of law		Oppose

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB344	Kolowski		Provide natural resources districts with the power to issue general obligation bonds	Natural Resources	3/6/2015		LB 344 gives Natural Resource Districts (NRDs) the power and authority to issue general obligation bonds for the purpose of financing all or part of the cost of non-revenue-producing water projects authorized by law		Oppse
LB345	Kolowski		Adopt the Property Tax Relief Act	Revenue	2/12/2015		The bill creates the Property Tax Relief Act to provide property tax relief for property taxes levied against homesteads. Homestead is to mean residence or mobile home and the land surrounding it		
LB347	Krist		Expand the jurisdiction of the Inspector General to the juvenile justice system	Judiciary	2/26/2015				
LB350	Brasch		Change valuation of agricultural land and horticultural land	Revenue	2/19/2015		This bill decreases valuations by 10% from 75% to 65%		
LB356	Harr		Change provisions relating to the assessment of certain rent-restricted housing projects	Revenue	2/26/2015				Neutral

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB357	Smith		Change income tax rates and transfer funds from the Cash Reserve Fund	Revenue	2/18/2015				Oppose
LB359	Johnson		Change a fee collected from dog licensees	Agriculture	2/17/2015		LB 359 increases a state fee collected by local subdivisions assessed upon licensure of cats and dogs		
LB376	Hansen		Provide that public charitable corporations are subject to the Deferred Building Renewal Act	Executive Board	2/17/2015				Monitor
LB383	Hansen		Permit registered voters moving within Nebraska without re-registering to vote provisionally	Government, Military & Veterans Affairs	2/27/2015				Oppose
LB384	Lindstrom		Provide for reclassification of agricultural land and horticultural land	Revenue	2/19/2015		<i>Land owner with 160 acres of crop land may have 30 acres to 160 acres valued as pasture if planted to perennial cover</i>		
LB387	Schnoor		Transfer funds from the Cash Reserve Fund to the Property Tax Credit Cash Fund	Appropriations	2/27/2015		The State Treasurer shall transfer sixty million dollars from the Cash Reserve Fund to the Property Tax Credit Cash Fund on or before December 15, 2015		Oppose
LB391	Crawford		Change sales tax collection fees for motor vehicles	Revenue	2/27/2015				

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB398	Harr		Exempt all tangible personal property from property tax	Revenue	3/5/2015		This bill sets forth that beginning January 1, 2017, all tangible personal property shall be exempt from property tax. Property owned and used for agricultural and horticultural societies, educational, religious, etc		
LB406	Morfeld		Change provisions relating to actions for the recovery of vacant, platted, and subdivided real property as prescribed	Judiciary	2/19/2015		An action would not be taken against an individual for the recovery of vacant, platted, and subdivided real property, if that person has been in actual possession for twenty years		[NACO Priority]
LB414	Harr		Provide a property tax exemption for fraternal benefit societies	Revenue	3/5/2015		Every society organized or licensed is a charitable and benevolent institution, with all funds and property being exempt from all and every state, county, district, municipal and school tax		
LB415	Pansing Brooks		Change provisions relating to the Uniform Interstate Family Support Act	Judiciary	2/19/2015				Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB416	Pansing Brooks		Change provisions relating to transfers of property upon death	Judiciary	2/6/2015				
LB420	Crawford		Require acknowledgments from purchasers of real estate in a sanitary and improvement district	Urban Affairs	2/10/2015		LB 420 would require a salesperson or real estate broker or owner to have acknowledgement from purchaser he or she understands property lies within an SID		Monitor
LB425	Riepe		Provide for earned time and discontinue the use of good time	Judiciary	2/18/2015				
LB427	Groene		Provide for payment of probation office costs by the state	Government, Military & Veterans Affairs	1/29/2015		This bill allows for the state to pay the cost of probation offices and those facilities performing in their official capacity. Actual and necessary expenses shall be paid		
LB428	Garrett		Provide an exemption from motor vehicle taxation for certain veterans	Revenue	2/27/2015			[LC Priority] Support	[NACO Priority]
LB432	Baker		Change provisions relating to access to and copying of public records	Government, Military & Veterans Affairs		Baker MO7 Withdraw Bill Filed; Bill Withdrawn	Makes changes including allowing the custodian of the records to provide the requested materials in an electronic format	Monitor	Oppose

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB442	Bolz		Appropriate additional funds to the Property Tax Credit Cash Fund	Appropriations	2/27/2015		Appropriation for FY 2015-16 for 20,000,000 to the property Tax Credit Cash Fund. Second appropriation of same amount for FY 2016-17.		
LB460	Nordquist		Provide for licensure of charter bus and limousine services and pedal-pub vehicles for the consumption of alcohol	General Affairs	2/2/2015		This bill would create a licensure process for "party buses" as well as pedal vehicles where you can consume alcohol		Monitor
LB472	Campbell		Adopt the Medicaid Redesign Act	Health and Human Services	2/25/2015		This year's Medicaid expansion effort also includes a redesign of Medicaid.	Support	
LB476	Davis		Provide duties for county assessors and the Property Tax Administrator relating to tax-exempt real property	Revenue	3/5/2015		On or before December 1 each year, the county assessor will compile a list of parcel of real property in the county exempt from the property tax, and determine the estimated market value		Monitor

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB479	Bloomfield		Change provisions relating to memorials to veterans	Government, Military & Veterans Affairs	2/20/2015		<b>Removes:</b> all counties, townships, cities, and villages of Nebraska that may erect or aid in the erection of statues, monuments, or other memorials commemorating the services of the members of the Armed Forces of the Civil, Spanish – American, or World Wars or the Korean or Vietnam conflict to be located upon the public lands or within the public buildings within such county, township, city or village	Monitor	
LB482	Krist		Change provisions relating to juveniles	Judiciary	2/25/2015				
LB483	Pansing Brooks		Change provisions relating to indeterminate sentencing	Judiciary	2/11/2015				
LB491	Morfeld		Provide for an election day voter registration pilot project	Government, Military & Veterans Affairs	2/27/2015				
LB492	Morfeld		Change provisions relating to fees charged by the register of deeds	Government, Military & Veterans Affairs	2/12/2015				Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB499	Krist		Provide duties for the Department of Health and Human Services relating to behavioral and mental health services	Health and Human Services	3/4/2015		This bill is a shell bill that will be utilized by Senator Krist if needed to address the recommendations of either the LR434 Investigative Committee or the CSG Report. He suggested that LB500 is also part of this equation.	[DC Priority]	
LB500	Howard		Require application for medicaid state plan amendment for multisystemic therapy and functional family therapy	Health and Human Services	3/4/2015		On or before July 1, 2015, the department shall submit an application to the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services		
LB502	Krist		State intent to establish a family court pilot project	Judiciary	2/26/2015		Legislature declares family courts programs to be working and that the Supreme Court shall establish a pilot project of family court in Douglas County		

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB514	Craighead		Change provisions relating to registering to vote and voting early at the same time	Government, Military & Veterans Affairs	2/5/2015		Legislative Bill 514 amends Nebraska Revised Statute 32-942 by adding an option for voters who wish to register to vote and vote early on the same day		
LB518	Riepe		Provide for changes to the medical assistance program	Health and Human Services	3/18/2015		LB 518 establishes the Nebraska Health Savings Account Plan to provide state funds for eligible recipients		
LB539	Watermeier		Change provisions relating to the office of Legislative Audit and the Auditor of Public Accounts	Government, Military & Veterans Affairs	2/6/2015		LB 539 states that the Auditor of Public accounts shall have access to any and all information and records, confidential or otherwise, including privileged communications, unless otherwise denied such access by federal law or explicitly named and denied access by state law		

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB543	Harr		Provide for certification of community paramedics and reimbursement under medicaid	Health and Human Services	2/6/2015		LB 543 establishes criteria and requirements for certification for community paramedics. To be eligible for certification, an individual must be a licensed paramedic and completed a paramedic education program from a board approved university or college		
LB544	Harr		Adopt the Community Gardens Act	Agriculture	2/24/2015				
LB549	Campbell		Adopt the Health Care Transformation Act	Health and Human Services	2/20/2015		LB549 creates the Health Care Transformation Act to encourage collaboration among all health care system stakeholders in the state to create a 15 year vision to include the Building Blocks of Health Care		Oppose

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB556	Kolowski		Waive workers' compensation as the exclusive remedy if an employer is willfully negligent	Business and Labor			, at the option of the employee, make the exclusive remedy protection for the employer inapplicable in cases where the Nebraska Workers' Compensation Court has made a determination that the injury is due to the willful negligence of the employer		
LB560	Williams		Appropriate funds to the University of Nebraska and create a fund	Appropriations	3/3/2015		Appropriation of \$25,000,000 from the General Fund for FY2015-16 to the Board of Regents of the University of Nebraska for building projects at the Nebraska Innovation Campus		Support
LB561	Stinner		Name the Irrigation District Act and change election provisions for irrigation districts	Government, Military & Veterans Affairs	2/12/2015				
LB564	Lindstrom		Change duties and obligations relating to the mowing of weeds along county roads	Transportation & Telecommunications	3/3/2015		LB 564 states that roadside mowing be done on a scheduled rotational basis with no more than one-third of the county property mowed within a one year		Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB567	Johnson		Permit transfer of prescription information between pharmacies as prescribed	Health and Human Services	2/11/2015		LB 567 seeks to establish legislative intent of the law and to clarify the section		Support
LB570	Brasch		Change operation restrictions on golf car vehicles	Transportation & Telecommunications	2/10/2015		LB 570 states that between sunrise and sunset, a city, county, or village may implement standards for golf car vehicles for use. This includes that if an operator is found guilty of a violation and having no limited liability insurance would be guilty of a Class IV misdemeanor		Support
LB574	Davis		Adopt the Intangible Personal Property Tax Act	Revenue	3/12/2015		<i>Intangible Property Tax Act</i>		
LB575	Murante		Change provisions relating to ballots for early voting, write-in candidates, and filling vacancies	Government, Military & Veterans Affairs	2/5/2015				Oppose
LB577	Murante		Permit counties to regulate peddlers, hawkers, and solicitors	Government, Military & Veterans Affairs	2/18/2015				Monitor

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB578	Murante		Change provisions relating to elections	Government, Military & Veterans Affairs	2/5/2015		LB 578 states that any judge or clerk of election, precinct or district inspector or temp election worker may choose not to be paid for the hours he or she works		
LB579	Murante		Change traffic accident reporting requirements as prescribed and authorize a fee for a copy of a peace officer report	Transportation & Telecommunications	2/17/2015				Monitor
LB587	McCollister		Change the motor vehicle tax schedules	Revenue	3/18/2015				
LB588	Pansing Brooks		Provide for electronic application for ballots to vote early by mail	Government, Military & Veterans Affairs	2/27/2015				Oppose
LB590	Friesen		Change provisions relating to a taxable value certified under the Tax Equity and Educational Opportunities Support Act	Education	2/2/2015		LB 590 states when the county assessor provides the total taxable value by a school district in the county for the current assessment year, the county assessor is to include the assessed valuation of any taxable real property having its property taxes divided, rather than property's redevelopment project valuation		

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB592	Bolz		Change provisions relating to corrections and parole and mentally ill offenders	Judiciary	2/20/2015		LB 592 in one of six legislative bills introduced this session to address issues raised by the Interim Study report 424. LB 592 adds "personality disorder" to the definition of a mentally ill		
LB593	Nordquist		Appropriate funds to the University of Nebraska to study current health data systems	Appropriations	3/3/2015		LB 593 Appropriates \$250,000 from the General Fund FY 2015-2016, to the Board of Regents of the University of Nebraska to fund the University of Nebraska Medical Center for a current study of Nebraska health data systems		[NACO Priority]
LB602	Nebraska Retirement Systems Committee		Change collection provisions relating to judges retirement fees	Judiciary	2/4/2015	General File w/AM308	LB 602 adds that Nebraska Retirement Fund for Judges fee goes from \$6 to \$8 and shall be taxed as costs in pretrial diversion in a criminal cause of action or traffic misdemeanor or infraction in such courts beginning October 1, 2015		Monitor

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB603	Bloomfield		Provide for processing and certification of federal firearms forms as prescribed	Judiciary	3/19/2015				Support
LB604	Bloomfield		Change provisions relating to reimbursement to political subdivisions under the Governor's Emergency Program	Government, Military & Veterans Affairs		Bloomfield MO26 Withdraw Bill Filed; Bill Withdrawn			Support
LB605	Mello		Change classification of penalties, punishments, probation and parole provisions, and provisions relating to criminal records and restitution and provide for a special legislative committee	Judiciary	2/20/2015				
LB606	Mello		Adopt the Office of Inspector General of the Nebraska Correctional System Act, change provisions relating to the Public Counsel, and mandate a declaration by the Governor of a correctional system overcrowding emergency as prescribed	Judiciary	2/20/2015				

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB609	Smith		Adopt the Nebraska Bridge Repair Act	Transportation & Telecommunications	3/9/2015		The bill creates a mechanism for priority of bridge repairs in Nebraska and to have broad representation in the prioritization. This is a high priority bill for many of the road users, contractors and others		Support
LB610	Smith		Change motor fuel excise taxes	Revenue	3/6/2015		This bill would increase the motor vehicle fuel excise tax by \$.015 over the course of a few years. The funding would go in part to cities, counties and the state. The state portion would go towards LB609 which creates a bridge bank and allows for the prioritization of bridge repair and replacement		
LB615	Kintner		Provide a property tax exemption for homesteads of certain persons	Revenue	2/12/2015		LB615 would require the frozen assessed value to be adjusted after any substantial improvements by the owner to the homestead		

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB623	Nordquist		Provide for issuance of motor vehicle operators' licenses and state ID cards to persons with lawful status	Transportation & Telecommunications	3/3/2015				Support
LB626	Campbell		Create a fund and change motor vehicle fees and taxes and their distribution	Transportation & Telecommunications	3/9/2015		Is intended to increase the registration fee for vehicles and move an amount into a Bridge Bank		
LB630	Krist		Provide duties for the Nebraska State Patrol regarding criminal history record information checks	Judiciary	2/5/2015		LB states upon request for a criminal history record, the Nebraska State Patrol undertakes a search for criminal history record information of applicant to include fingerprint's of the applicant to the FBI for a national criminal history check		Monitor
LB631	Scheer		Change medicaid provisions relating to acceptance of and assent to federal law	Health and Human Services	3/18/2015		LB 631 states that the state shall accept the provisions of the Federal Patient Protection and Affordable Care Act, public law 111-148		Monitor

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB633	Stinner		Appropriate funds for state aid to municipalities and counties	Appropriations			Appropriates \$20,000,000 to counties and \$20,000,000 to cities for infrastructure projects		Support
LB639	Garrett		Provide authority for the Department of Roads to issue permits to control roadside vegetation as prescribed	Transportation & Telecommunications	3/3/2015				
LB646	Kintner		Eliminate provisions for secret ballots for leadership under the Open Meetings Act	Government, Military & Veterans Affairs	2/25/2015				
LB649	Kintner		Require all votes taken by public officials to be a public record as prescribed	Government, Military & Veterans Affairs	2/25/2015		LB 649 states that all votes taken by public officials in the course of their public duties shall be considered public record.		
LB651	Bloomfield		Change liability for certain court costs as prescribed	Judiciary	2/5/2015	Indefinitely Postponed			
LB656	Speaker Hadley		Provide for deficit appropriations	Appropriations	2/23/2015				
LB657	Speaker Hadley		Appropriate funds for state government expenses	Appropriations	2/23/2015				
LB658	Speaker Hadley		Appropriate funds for salaries of members of the Legislature	Appropriations	2/23/2015				
LB659	Speaker Hadley		Appropriate funds for salaries of constitutional officers	Appropriations	2/23/2015				

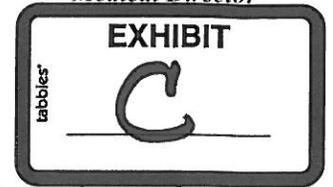
LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	Summary	LC Position	NACO Position
LB660	Speaker Hadley		Appropriate funds for capital construction and property acquisition	Appropriations	2/23/2015				
LB661	Speaker Hadley		Provide fund transfers, create a fund, and authorize certain transfers	Appropriations	2/23/2015				
LB662	Speaker Hadley		Provide for transfers from the Cash Reserve Fund	Appropriations	2/23/2015				
LB663	Speaker Hadley		Change the salaries of Supreme Court judges	Judiciary	2/4/2015		This bill raises the salary for the Chief Justice and judges of the Supreme Court in Nebraska by 2.25% on July 1, 2015 and by 2.40% on July 1, 2016		

# MENTAL HEALTH CRISIS CENTER OF LANCASTER COUNTY

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Scott Etherton  
Director

Sanat Roy MD D.L.F.A.P.A.  
Medical Director



Commissioners,

This is a response to LB 592, which is listed as a changing provisions relating to corrections and mentally ill offenders.

On page 2, line 3 the bill would add "*or personality*" to statute 71-907. This is a statute that defines "Mentally ill" as it applies to the Nebraska Mental Health Commitment Act. If passed the proposed statute would read, in part, "*Mentally ill means having a psychiatric or personality disorder that involves a severe or substantial impairment of a person's thought processes...*". It appears the intention of this proposal would be to broaden the spectrum of disorders that could be included under this definition. This could allow more persons to meet this definition and thus be placed into custody for evaluation and then committed under this act.

What could this potentially impact? One area to look is at who would use this change to have persons taken into custody.

1. Local correctional facilities could take a person in their custody, place them on a hold due to their "personality disorder" and then transfer them to a "medical facility" (the Crisis Center) for the evaluation and be held pending the outcome of a hearing.
2. State corrections could ask for the filing of Mental Health Board petitions on persons being released from their custody and again the person would be taken to a "medical facility" for the evaluation and held pending the outcome of a hearing.
3. Law enforcement officers on the street would have the option of placing a person with a personality disorder into a "medical facility" for evaluation rather than booking them into a jail.
- 4.

Is this change of wording necessary? A personality disorder is already diagnosable as a psychiatric disorder. Is the intention to specifically include antisocial personality disorder? Why aren't a lot of "personality disorders" committed under the current act? In practice, mental health professionals must use the complete definition of "Mentally ill" to determine if there is a disorder. Statute 71-907 states "*...a psychiatric disorder that involves a severe or substantial impairment of a person's thought processes, sensory input, mood balance, memory, or ability to reason which substantially interferes with such person's ability to meet the ordinary demands of living or interferes with the safety or well-being of others.*" Most major mental illnesses meet this definition as a basis for a Mental Health Commitment and arguments can be made that some "personality" disorders do not. To me the purpose of the MH Commitment Act has been to treat those persons diagnosed with major mental illnesses. When a door is opened it is difficult to predict in what ingenious ways the change will be utilized. The act is already used as the last option for difficult cases.

This change could have an impact at the Mental Health Crisis Center, lessening our current available beds needed to evaluate, house and hold these persons. A mental health professional could still determine that the definition of "*Mentally ill*" was not met and discharge the person but in cases where state corrections initiates a hold, the professional from the state would testify at the Mental Health Board hearing, so the facility functions more as a holding location. It would then

follow that treatment beds for committed persons would have to increase. Admitting persons alleged to be a “personality disorder” rather than “psychiatric disorder” could bring a different blend of persons, increasing the management of the facility.

Another issue that I would like to bring up as it relates to this bill, is the manner in which inmates are filed on under the Nebraska Mental Health Commitment Act and their subsequent placement pending the Mental Health Board Hearing.

Currently a petition is normally filed prior to the inmates release from corrections. An evaluation of the client was conducted by staff from corrections, prior to release, which formed the basis for the petition. A warrant is issued and the inmate is picked up by law enforcement at the time of their release and then taken to a “medical facility” as specified in the statute. In the Region V area this is the Mental Health Crisis Center where they will stay until the Mental Health Board hearing takes place. The inmate may or may not have known that this would take place at the time of their release. The person has the right to representation and is not always in agreement with the recommendation of the professionals so the hearing does not take place within 7 days and is continued.

I will use the case of Nikko Jenkins as an example. If a mental health board petition would have been filed in Johnson or Lancaster County, he would have been filed on and transferred to the Mental Health Crisis Center. So you take an inmate who was isolated from the general population in prison. He may not been on psychotropic medication even with a diagnosed major mental illness and then move him to a community based setting with a mixed population. All this to hold a hearing for him, which may be continued and if committed, have to wait for a bed to open up at a Regional Center as that is the most likely outcome and placement in these situations. This type of situation currently takes place and will likely increase due to the current legislation and circumstances surrounding this case.

What can we do different? Can the NE Mental Health Commitment Act process take place earlier or simultaneously and a determination be made prior to an inmate’s release rather than community placement. Is this done only if the recommendation is for inpatient commitment rather than outpatient?

Scott Etherton



## Waverly Recreation Facts:

- More than 1,050 youth participated in organized play last year.
- Participation is projected to keep growing dramatically for years to come.
- Waverly's high school and legion baseball teams are performing at a high level.

All Waverly citizens benefit from open spaces to play and recreate!



## The Vision

- Regulation Baseball Field\*
  - Scoreboard\*
  - Three multi-use softball/baseball fields
  - Lighting for all fields
  - Regulation soccer field
  - Two large multi-use fields
  - Restrooms and concession stand
  - Playgrounds
  - Shelters and maintenance building
  - A half-mile gravel walking/jogging path\*
  - Parking 350+ vehicles
  - Nature Exploration Area
- \* (already completed)

## The Outcome

- A healthier and more active community
- A more vibrant and attractive community
- The ability to host regional tournaments and events bringing hundreds of visitors to Waverly with significant economic benefits to the community.



Kids also need places to explore nature and to feel safe while getting dirty.

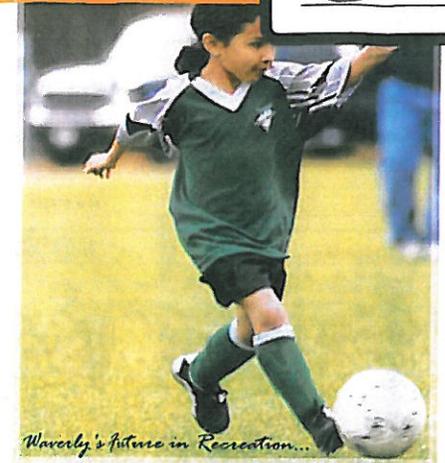
## Waverly's Future in Recreation



Waverly is a progressive and growing community that has nearly doubled in population in recent years. The population may double again in the coming decades. The city's recreational programs are bursting at the seams with record participation in baseball and soccer. Current facilities in Wayne Park are grossly inadequate to meet growing recreational demands. All citizens of Waverly deserve better recreational facilities.

### More Information

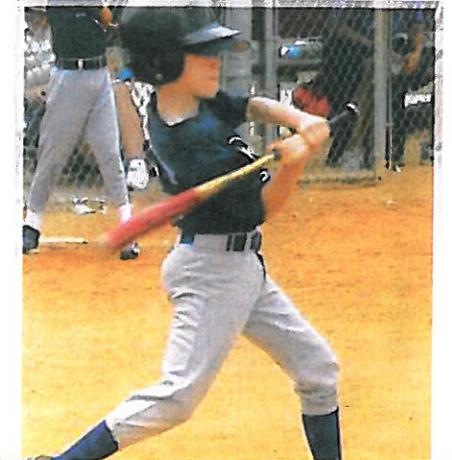
Check out the progress on-line at [www.citywaverly.com](http://www.citywaverly.com) or on Facebook. Contact Parks and Recreation Director at City of Waverly Phone: 402-786-2312.



Waverly's future in Recreation...

## LAWSON PARK

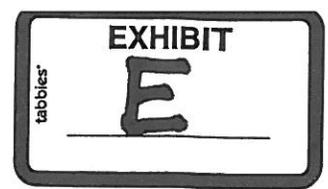
WAVERLY, NE FUTURE CONCEPTUAL MASTER PLAN



Help make this vision a reality!



Lancaster County  
Commercial Wind Text Amendment  
February 18, 2015 -- DRAFT Public Process



The Lincoln/ Lancaster County Planning Department proposes to establish a Working Group to help staff revise the current regulations regarding Commercial Wind Energy projects. The Working Group of approximately 12 to 15 people will include persons with various viewpoints and interests, including industry representatives, environmental interests along with landowners and residents of various viewpoints about wind turbines.

The goal of the process is to develop a text amendment that permits commercial wind energy projects provided there is adequate protection of adjacent property owners and residents.

DRAFT List of Discussion Topics

1. Description of typical commercial wind turbine projects and characteristics of good wind energy locations
2. General map of Lancaster County in terms selected characteristics of good locations for wind projects
3. Economic implications for land owners, adjacent property owners and surrounding community
4. Environmental implications of wind turbine projects
5. Shadow flicker and ice throw
6. Noise and health concerns about wind turbines
7. Enforcement and regulations issues
8. Potential text amendment addressing previously discussed topics

Each meeting of the Working Group will have presentations on the one or two topics that are the focus of the meeting. Then Group members will then offer their viewpoints, questions and discuss the various topics. Meetings will be held in the evening every one to two weeks starting in March at a location in southern part of the County, such as Norris School or the Roca Community Center. In order to accommodate various schedules, meetings would begin in early evening and last no more than two hours. The timeline for the Working Group is to meet frequently so that a draft amendment is complete by the beginning of June. The first meeting will be an introduction and organizational meeting allowing time for Working Group members to introduce themselves and express their interest in the topic. It will also include an overview of a commercial wind energy facility by a current operator and current regulations in Lancaster County.

The Planning Department will organize and lead the meetings. Working Group meetings will be open to the public with time allotted at the end of each meeting for comments on the meeting's topic by others attending. Written comments and information will also be welcomed.

Staff from the Lincoln/ Lancaster County Health Department will also be an integral part of the meetings. Presenters from other fields and interests may be invited to attend working sessions. The proposed text amendment will be drafted by the Planning Department based on the input received by the Working Group and comments made by the public. The draft amendment will be reviewed and discussed by the Working Group prior to public hearing before the Planning Commission and County Board tentatively planned for the summer of 2015.