

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 - BILL LUXFORD STUDIO
THURSDAY, MARCH 24, 2016
8:30 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer
Dennis Meyer, Budget and Fiscal Officer
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 March 23, 2016.

The Vice Chair noted the location of the Open Meetings Act and opened the meeting at 8:31 a.m.

AGENDA ITEM

1 APPROVAL OF MINUTES OF THE MARCH 17, 2016 STAFF MEETING

MOTION: Hudkins moved and Avery seconded approval of the March 17, 2016 Staff Meeting minutes. Avery, Hudkins and Wiltgen voted aye. Schorr abstained from voting. Amundson was absent from voting. Motion carried 3-0, with one abstention.

2 ADDITIONS TO THE AGENDA

- A. Report on Discussion at the Waverly City Council Meeting on the Interlocal Agreement Between Lancaster County, City of Waverly and Seward County to Participate in Cooperative Bidding for 2016 Road Resurfacing Projects
- B. Meeting with Karen Wobig, Lancaster County Extension Urban Unit Leader; Dave Varner, Interim Director, Southeast Research and Extension Center, University of Nebraska-Lincoln (UNL); and Don Killeen, County Property Manager

- C. Update on Electronic Records Management Process
- D. Update on the Railroad and Transportation Safety District (RTSD) Project at North 33rd Street and Cornhusker Highway
- E. Presentation by Commissioner Schorr and Pam Dingman, County Engineer, at the Hickman City Council Meeting

MOTION: Hudkins moved and Schorr seconded approval of the additions to the agenda. Schorr, Hudkins, Avery and Wiltgen voted aye. Amundson was absent from voting. Motion carried 4-0.

The Chair arrived at 8:34 a.m. and assumed direction of the meeting.

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

Joe Kohout, Kissel/E&S Associates, presented a legislative update (Exhibit A), noting the following:

- Legislative Bill (LB) 742 (Change county population thresholds) advanced to Select File with one amendment (AM 2649) which addresses the threshold for Civil Service.
- A series of amendments to LB 894 (Change provisions relating to juveniles) were adopted (see Exhibits B & C) and the bill was placed on Final Reading.
- LB 774 (Provide a sales and use tax exemption for purchases by non-profit substance abuse treatment centers), which was amended to contain the provisions of LB 542 (Provide a sales tax exemption for purchases by county agricultural societies), has become the omnibus sales tax bill this year. Some Revenue Committee members questioned why sales tax relief is being done for certain entities but property tax relief has not emerged from the Committee. Kohout said Senator Burke Harr pointed out that Agricultural Societies are typically supported by a county levy and are using property tax dollars to pay sales taxes.
- The Revenue Committee will hold a hearing on AM 2617 to LB 958 (Change provisions relating to budgets, the valuation of agricultural land, and levy limitations) later in the day (see Exhibit D). The amendment would scale back the bill so the three percent of unused budget authority would be limited to community colleges and would increase the amount of dollars that would go to horticultural and agricultural based land in terms of the Property Tax Relief Fund. Kohout noted the lobbyists have clear direction to oppose the bill if it is advanced by the Revenue Committee without the amendment.

- The Nebraska Association of County Officials (NACO) and Nebraska Cattlemen Association negotiated an amendment (AM 2623) to LB 977 (Change provisions relating to implements of husbandry on highways) (see Exhibit E).
- LB 1032 (Adopt the Transitional Health Insurance Program Act and provide duties for the Department of Health and Human Services) is slated for debate on Tuesday. Kohout suggested Commissioners may want to contact Health and Human Services Committee members to urge support.

Wiltgen asked why LB 765 (Increase original certificate of title fees for vehicles transferred to Nebraska from another state or country) has stalled in the Transportation and Telecommunications Committee. Kohout said he will check.

Schorr asked how LB 894 (Change provisions relating to juveniles) reached a point where it only requires legal counsel in three counties (Douglas, Lancaster and Sarpy) for youth who face charges. Kohout explained Senator Bob Krist was unable to attend the hearing and offered AM 2700 to address rural senators' concerns regarding costs. He said Senator Kathy Campbell spoke against the amendment as it would create two different systems. Kohout said Senator Chambers spoke after the amendment was adopted, stating senators had adopted an unconstitutional provision.

ACTION ITEMS

- A. Designation of County Representatives and Approval of Proposal for In-Kind Contribution of \$1,756 per Attendee for Prudential Client Conference (May 11-13, 2016 in Colorado Springs, Colorado)

MOTION: Hudkins moved and Wiltgen seconded to authorize the Chair to sign a letter designating the County representatives and approving the proposal for an in-kind contribution. Hudkins, Avery, Wiltgen, Schorr and Amundson voted aye. Motion carried 5-0.

DISCUSSION OF BOARD MEMBER MEETINGS

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

Wiltgen said they approved a claim and reviewed the Market Study draft.

B. Lincoln Metropolitan Planning Organization (MPO) - Amundson, Wiltgen

Amundson and Wiltgen reported there were briefings on the Lincoln South Beltway project, 2040 Long Range Transportation Plan, and the Nebraska Department of Roads (NDOR) Vanpool Project which will provide statewide contracted/vendor vanpool service for the Lincoln and Omaha metro regions and rural Nebraska. Amundson suggested a briefing on the Vanpool Project also be provided to the Board.

4 LANCASTER COUNTY AGRICULTURAL SOCIETY QUARTERLY REPORT - Amy Dickerson, Lancaster Event Center Managing Director; Alan Wood, Lancaster County Agricultural Society Counsel; Jim Swanson, Lancaster County Agricultural Society Board

Amy Dickerson, Lancaster Event Center Managing Director, gave an update on remodeling efforts, staffing changes, events, the Phase 2.5 relaunch, a sponsorship challenge and the upcoming Lancaster County Super Fair which will be held August 4-13 at the Lancaster Event Center (Exhibits F and G). She noted high attendance at the Car Swap Meet on March 6th and said traffic was backed up almost to the Interstate-80 interchange in Waverly. Hudkins suggested Dickerson contact Randy Hoskins, Assistant City Engineer, regarding traffic issues.

Dickerson discussed the market study and said the consultant looked at all the different markets the Event Center could participate in. She said the report will help them finalize the master plan and said the consultant will create a report on what the financials would look like after the expansion and several years of operation. That information will be fed into a financial model to look at bond repayment. Schorr suggested Dickerson communicate the timing of any bond issue to the Mayor's Office.

Dickerson said recent City bus route changes provided a route that is close to the Event Center. Hudkins suggested Dickerson talk to the City Engineer's Office about the possibility of a bus pullout on North 84th Street. Amundson suggested the topic be scheduled on a City-County Common Meeting agenda.

Dickerson also reported she is working with the Lincoln Convention and Visitors Bureau (CVB) on plans to bid to host the 2020 National High School Rodeo Finals (NHSRF), noting it is a two-year award (see Exhibit F). She said the event would require 1,900 horse stalls and 1,200 camping spots and there would be 8,000 to 13,000 people at the facility daily for two weeks. The event is also projected to generate 2,000 hotel rooms. Economic impact studies in other communities indicate the impact could be \$10,000,000. Alan Wood, Lancaster County Agricultural Society Counsel, suggested the event may be appropriate for a County Visitor Improvement Fund grant. Dickerson said it may be necessary to proceed with the early phase of Phase III, which involves

moving the Muhlbach Motorsports Complex to the east and enlarging it to provide for additional seating, in order to hold the event. Hudkins suggested Dickerson contact the University of Nebraska-Lincoln (UNL), about possibly using the Agronomy Farm on North 84th Street and Havelock Avenue as additional space for the event.

There was consensus to assist with taking tickets on April 16th at the UNL Rodeo event as a service project.

5 CHANGE OF ZONE NO. 16003, AGRICULTURAL (A) DISTRICT TO RESIDENTIAL (R) DISTRICT, 21805 SOUTH 96TH STREET - Tom Cajka, Planner, Lincoln/Lancaster County Planning Department

Tom Cajka, Planner, Lincoln/Lancaster County Planning Department, gave an overview of County Change of Zone No. 16003, a request for a change of zone from Agricultural (AG) District to Residential (R) District for property generally located at 21805 South 96th Street (Lot 41), near the unincorporated Village of Holland. He said the Planning Department is requesting the lot to the south (Lot 75) also be re-zoned from AG to R and has appraised the property owner. Both lots are more urban than agricultural in nature and without the change of zone, Lot 75 would have R zoning to the north, south and east. The Planning Department and Planning Commission have recommended approval of the change of zone request.

ADDITIONS TO THE AGENDA

MOTION: Schorr moved and Hudkins seconded to add discussion of zoning for County property at 2201 South 17th Street to the agenda. Schorr, Hudkins, Avery, Wiltgen and Amundson voted aye. Motion carried 5-0.

Cajka noted the Board is seeking a change of zone from R-4 (Single Family Residential/Duplexes) to B-3 (Commercial) for the property, which is the site of the Community Mental Health Center (CMHC) Building, and said the Planning Department would prefer a change of zone to O-2 (Office). He disseminated a map of the area and a partial list of permitted uses for O-2 and B-3 zoning (Exhibit H & I). Cajka said although there is B-3 (Commercial) zoning to the north, the majority of that area is owned by Bryan Medical Center and is under a special permit for a hospital. He said O-2 zoning would be more compatible with a hospital use and would not have a negative impact on the residential area, adding that some of the uses in B-3 are high traffic generators.

Hudkins said he does not see retail/pharmacy as a use allowed under O-2 zoning. Cajka said a pharmacy is allowed as a personal service, which is a conditional use in O-2 zoning within a larger building. He noted the Walgreens Pharmacy, which is located across the street, is looking to relocate because they want to be able to serve alcohol.

That still would not be allowed if Walgreens relocated to this property because it would not meet the separation factor for alcohol sales. David Cary, Lincoln/Lancaster County Planning Department Director, appeared and said some of the other uses in B-3 zoning would not be allowed in the location because of that separation restriction.

Hudkins said a major retailer has indicated an interest in that area and felt O-2 zoning would greatly diminish the value of the property. He noted the property where the Sun Mart Grocery Store was located (2145 South Street) is zoned B-3. Cajka said that property is under the larger special permit for the hospital. Hudkins said he believes the County should be afforded the same opportunities.

In response to a question from Schorr, Cajka said the change of zone request will go to the Planning Commission, which makes a recommendation to the Lincoln City Council. Hudkins asked whether the Planning Department has made a definite decision to recommend O-2 zoning. Cajka said it hasn't been decided.

Wiltgen noted the Planning Department had indicated in its meeting with him and Amundson that O-2 zoning would be a better use of the site with regards to the neighborhood. He said Pam Dingman, County Engineer, who was also at the meeting, felt moving to a O-2 designation could be financially advantageous to the County.

There was consensus to schedule further discussion on the March 31, 2016 Staff Meeting agenda and to invite Don Killeen, County Property Manager, to participate in that discussion. Cajka was asked to relay the date of the Planning Commission Meeting to the Board.

6 EFFECT OF CITY ANNEXATION ON COUNTY COMMISSIONER DISTRICTS 3 AND 4 - Dave Shively, Lancaster County Election Commissioner

Dave Shively, Lancaster County Election Commissioner, said the City has annexed areas of Southeast Lincoln impacting County Commissioner District 3, which is represented by Commissioner Schorr, and County Commissioner District 4, which is represented by Commissioner Amundson. He said the County Attorney's Office has recommended the Board hold a public hearing about adjustments to those districts and to notify the affected property owners. The changes will go in effect for the November election.

MOTION: Wiltgen moved and Hudkins seconded to: 1) Hold a public hearing on April 5, 2016 to discuss the effects of the City annexation on County Commissioner Districts 3 and 4; and 2) Notify the affected property owners. Hudkins, Avery, Wiltgen, Schorr and Amundson voted aye. Motion carried 5-0.

7 TERMINATION OF GRANT CONTRACT WITH INTERCHURCH MINISTRIES OF NEBRASKA (IMN) - Kim Etherton, Community Corrections Director; David Derbin, Deputy County Attorney

Kim Etherton, Community Corrections Director, recommended termination of the grant contract with Interchurch Ministries of Nebraska (IMN) for resource coordination of local partners and volunteers who are to provide parenting and relationship instruction to the Adult Drug Court Program, due to nonperformance. She felt the County would be better served by contracting with another entity such as Volunteer Partners. Etherton said she has communicated her intent to terminate the contract to the Bureau of Justice Assistance, through which the County received federal grant funds to fund the program. There was consensus to schedule termination of the grant contract on a future County Board of Commissioners Meeting agenda.

ADMINISTRATIVE OFFICER REPORT

D. Watermark Investments Easement

Dave Derbin, Deputy County Attorney, appeared and noted the Board had authorized Don Killeen, County Property Manager, to try to obtain an easement over Watermark Investments' property in the Day Commercial Park in Waverly, Nebraska (see January 7, 2016 Staff Meeting minutes). In addition, an easement over Tecumseh Poultry's property in the Day Commercial Park has been secured for \$500 for a ten-year term. Those two easements will provide access to a land-locked parcel that the County owns and leases to a farmer. He said Dave Watts, the owner of the Watermark Investment property, has agreed to provide a ten-year easement for \$1,000, noting Watts had originally indicated he would provide access based on \$50 per year (\$250 for five years or \$500 for ten years). Derbin said the total cost of the easements will be \$1,500 for a ten-year term which is less than the County had previously paid Tecumseh Poultry for an easement (\$2,155 for a five-year term).

DISCUSSION OF BOARD MEMBER MEETINGS

C. Chair/Vice Chair Meeting with Planning Department - Amundson, Wiltgen

Amundson said discussion focused on a proposed change of zone for the Community Mental Health Center (CMHC) property, the South 98th Street project, and the South Beltway project.

NOTE: THE LANCASTER COUNTY BOARD STAFF MEETING WILL BE RECESSED BETWEEN 10:15 A.M. AND 10:45 A.M. TO ALLOW THE COUNTY BOARD TO PARTICIPATE IN THE NATIONAL WEATHER SERVICE TORNADO DRILL

The Chair recessed the meeting at 10:14 a.m. so that the Board could participate in the National Weather Service Tornado Drill and resumed the meeting at 10:31 a.m.

ADDITIONS TO THE AGENDA

- A. Report on Discussion at the Waverly City Council Meeting on the Interlocal Agreement Between Lancaster County, City of Waverly and Seward County to Participate in Cooperative Bidding for 2016 Road Resurfacing Projects

Wiltgen said he and Pam Dingman, County Engineer, attended the meeting to answer questions. The Waverly City Council approved the interlocal agreement.

- B. Meeting with Karen Wobig, Lancaster County Extension Urban Unit Leader; Dave Varner, Interim Director, Southeast Research and Extension Center, University of Nebraska-Lincoln (UNL); and Don Killeen, County Property Manager

Hudkins said he and Amundson met with Wobig, Varner and Killeen and were apprised of plans to move four to six UNL Extension professionals to Lincoln and locate them at County Extension. In addition, two AmeriCorps volunteers will be made available. He said they discussed options for building an addition to the County Extension building, which will be the County's responsibility.

Schorr asked if the addition will fit with plans to move Public Works operations to that site. Amundson said that this is a more immediate need.

Schorr also inquired about floodplain issues. Hudkins said the entire area is in the floodplain but the building is at the highest elevation.

Avery exited the meeting at 10:36 a.m.

- C. Update on Electronic Records Management Process

Wiltgen said he spoke with Erik Willsey, Kapish Software Company, and he explained the safeguards that are in place with the Hewlett Packard Records Manager (HP RM) system. He said every action taken is recorded and cannot be altered and reports can be run to verify who has been accessing information.

Avery returned to the meeting at 10:38 a.m.

Wiltgen said Allison Lotto, Records Administrator, is working on a transition plan.

There was consensus to schedule an update on the April 14, 2016 Staff Meeting agenda.

D. Update on the Railroad and Transportation Safety District (RTSD)
Project at North 33rd Street and Cornhusker Highway

Schorr said there was good attendance at a public meeting held March 15th for the 33rd and Cornhusker Planning and Environmental Linkages (PEL) Study. She said the study team will continue to do additional screening and will present a recommended alternative at the June 6, 2016 RTSD Meeting. Briefings may be scheduled in advance for RTSD members.

Schorr also reported that safety concerns (no sidewalks) regarding the North 33rd Street railroad crossings have been brought forward and temporary improvements may be necessary.

E. Presentation by Commissioner Schorr and Pam Dingman, County
Engineer, at the Hickman City Council Meeting

Schorr said she discussed legislation issues and the budget process and provided the City of Hickman a map of City of Lincoln projects that will take place in the southeastern quadrant. She said Pam Dingman, County Engineer, discussed the South Beltway project and answered questions regarding Saltillo Road, South 54th Street, and South 68th Street. Schorr said the Hickman City Council inquired about the types of projects that might qualify for a Visitors Improvement Fund Grant.

Schorr said the Hickman City Council members wore matching polo shirts with the City of Hickman logo. She suggested the Board consider ordering polo shirts with the County logo to wear when the Board is doing service projects.

8 COUNTY ENGINEER'S BUDGET - Pam Dingman, Lancaster County
Engineer

Pam Dingman, Lancaster County Engineer, discussed her department's budget, noting she has been asked to present a zero-base budget. She said her department has evaluated the County's infrastructure needs and identified them as follows:

Asphalt

Dingman said approximately 64.5 miles of asphalt overlay is needed in order to stabilize the County's pavement investment (estimated cost of \$12,900,000). She noted she

asked for \$4,500,000 for asphalt in last year's budget and said some of the money that was intended for that purpose was used for bridge flood repair instead.

Dingman said she budgeted \$3,000,000 for new paving last year, depleting the Sinking Fund for new roads. She said she has looked at roads that are graded and ready for pavement, with counts well over 300 vehicles a day, and plans to pave 6.2 miles this year. Dingman said although that is more than was done in the past, it still doesn't "put a dent" in overall goals.

Bridges

Dingman reported the County has 76 posted bridges that have been deemed scour critical, functionally obsolete, structurally deficient, or are past their design life (see Exhibit J). Of that number, six have traffic greater than 1,300 vehicles a day and four have traffic greater than 2,100 vehicles a day. She said she would consider those bridges a priority. Dingman said four of the bridges are critical and in urgent need of replacement, two of which are closed. She said the minimum amount the department will need to address the County's bridge needs is \$4,000,000, pointing out there will likely only be \$100,000 in the Sinking Fund for bridges after this year's allocation from the Nebraska Department of Roads (NDOR). **NOTE:** The entire Sinking Fund for bridges was depleted last year in order to build one bridge.

In response to a question from Schorr, Dingman said last year's total asking between the two funds was \$8,600,000. Schorr asked whether the department was able to spend it all. Dingman said there will be some carryover, but said she is not sure of the amount. **NOTE:** Some bridges have not been repaired yet from the flooding events because the County is waiting on permits from the Army Corps of Engineers. She added she will be bidding asphalt and said if that bid is extremely competitive, there could be greater carryover. Dingman also reported it is projected the County will receive an additional \$1,800,000 from the increase in the "gas tax" and thought some of those funds would be received this year.

Hudkins asked Dingman when she anticipates receiving the Federal Emergency Management Agency (FEMA) reimbursement from the flooding. Dingman said the County has been approved to receive \$2,300,000 in reimbursement but has received less than \$200,000, to date.

Avery asked how much the County is anticipated to receive from Legislative Bill (LB) 960 (Adopt the Transportation Innovation Act and provide transfers from the Cash Reserve Fund). Dingman said a system to distribute the \$50,000,000 has not been defined yet. She said there are rumors the system will revolve around bridges that have been defined as being structurally deficient, noting there are 2,100 in Nebraska, and said there will be a lot of competition for those funds. Dingman added environmental assessments for new bridges are taking 18 to 24 months and said it may not be possible to package and build them within the criteria of LB 960.

Hudkins asked whether there is merit in looking at pre-engineering so projects will be ready to go. Dingman said, in terms of that strategy, the engineering for Bridge C-91 is completed and a request for a Army Corps of Engineers permit was submitted. The Corps asked for a redelineation of the wetlands. The same thing occurred with Bridge F-88. She said criteria can change, particularly environmental criteria, and said in some cases permits have expired before the bridge is constructed and they must start over.

Wiltgen inquired about the department's long-term strategy. Dingman said they will be looking at roads with safety issues and will try to access funds the Nebraska Department of Roads (NDOR) has set aside for safety projects (90/10 funding split). She said they will also continue to look at the Nebraska Emergency Management Agency's (NEMA's) Bridge and Culvert Replacement Program (75/25 funding split) and the Army Corps of Engineers programs for hazard mitigation bridges, which has a three to five year waiting list.

Hudkins inquired about NDOR's Safe Routes to School Program. Dingman said the City of Waverly has applied for funding twice and has been turned down. She added she will continue to work with any programs that she believes will supply residents with better roads.

Hudkins inquired about time constraints for the South 98th Street corridor project (see March 10, 2016 Staff Meeting minutes). Dingman said it is a criteria of the right-of-way acquisition that the County grade and pave the road prior to 2030.

Avery asked Dingman whether she has considered preparing more than one budget based on priorities. Dingman said she will be bringing forward the highest priority based on her professional engineering opinion.

9 PENDING LITIGATION - Doug Cyr, Chief Deputy County Attorney;
David Derbin, Deputy County Attorney

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 11:12 a.m. for the purpose of protecting the public interest with regards to pending litigation. Avery, Wiltgen, Schorr, Hudkins and Amundson voted aye. Motion carried 5-0.

The Chair restated the reason for the Board entering Executive Session.

Wiltgen exited the meeting.

MOTION: Schorr moved and Avery seconded to exit Executive Session at 11:36 a.m. Schorr, Hudkins, Avery and Amundson voted aye. Wiltgen was absent from voting. Motion carried 4-0.

Wiltgen returned to the meeting at 11:37 a.m.

10 ACTION ITEMS

- A. Designation of County Representatives and Approval of Proposal for In-Kind Contribution of \$1,756 per Attendee for Prudential Client Conference (May 11-13, 2016 in Colorado Springs, Colorado)

Item was moved forward on the agenda.

11 CONSENT ITEMS

There were no consent items.

12 ADMINISTRATIVE OFFICER REPORT

- A. Public Relations Specialist Request for Proposal (RFP)

A document titled Request for Proposal from a Public Relations Firm/Person was disseminated (Exhibit K).

Schorr said she is concerned about moving forward with a RFP and asking the Purchasing Department, which already has a heavy workload, to expend time on it until funds are allocated in the budget. Hudkins concurred.

Wiltgen said he and Amundson met with Bob Walla, Purchasing Agent, to discuss developing details for the RFP and to try to address concerns. He said contracting with a public relations firm/person will be more expensive than initially anticipated, particularly if the Board wants to have someone available to provide a rapid response to issues. Wiltgen felt it would be impractical, if not impossible, to implement and said he is supportive of postponing the matter indefinitely. Hudkins disagreed and said he believes the Board should commit resources to public relations. Wiltgen felt it would be too difficult to have one person manage the process and speak on behalf of all the Board members. Hudkins said the Board needs a specialist that can assist with social media and the website and can respond quickly if the majority of the Board is in agreement on a position. Wiltgen said he is concerned the product could become political. He said he believes whatever method Board members want to use to communicate with constituents is up to them.

Amundson said the National Association of County Officials (NACo) stresses the need for a communication plan and said part of the Board's responsibility is to inform the public about what it is doing on their behalf. In her opinion, the Board needs to find out what a public relations firm/person can do for them. Wiltgen said he does not believe it would be a good use of taxpayer funds. He said if Board members feel strongly about doing so, they should consider using their personal funds. Wiltgen added he has done research on this issue and said there are very few counties that

have a public information officer. Amundson said she believes there needs to be a coordinated effort to “get the word out” and is willing to consider having a permanent employee on staff to perform these duties.

MOTION: Schorr moved and Wiltgen seconded to place a hold on the request to have the Purchasing Department pursue development of a request for proposal (RFP) until further notice.

Hudkins said he would like to see the RFP responses to know what is available.

Avery said he believes the Board has a clear deficit in how it communicates what it does to the public and is unable to respond in the same news cycle to negative stories or issues that come up. He said the question for him is not whether it is needed but how to achieve it. Avery stressed the Board should communicate to Dennis Meyer, Budget and Fiscal Officer, the need to look for opportunities to fund the project.

Wiltgen noted the County Engineer just spoke to the Board about that budget and said he believes it would send the wrong message to the other elected officials and department heads if the Board were to move forward with this project. He said it would be an expansion of services, whether contracted or an employee.

Avery said if the Board finds it doesn't have sufficient resources, it can decide not to go forward. If resources are identified, the Board can decide whether it is needed.

Amundson said she believes the Board needs to take a serious look at how it communicates with the public.

Wiltgen pointed out that the Board's counterparts in the City do not have official social media accounts.

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

B. Active Shooter/Security Training (March 31, 2016, 1:00-2:30 p.m., Room 113, Bill Luxford Studio)

There was consensus to ask that the training be moved to April 21, 2016, due to scheduling conflicts.

C. Lancaster County Visitors Improvement Fund Grant Request from USA Roller Sports (\$120,000)

There was consensus to refer the request to the Visitors Promotion Committee (VPC) for review and recommendation.

Eagan suggested the Board seek a legal opinion on whether the request is lawful under the Nebraska Visitors Development Act.

D. Watermark Investments Easement

Item was moved forward on the agenda.

E. Participation in 1st Job-Lincoln Program

Eagan said he doesn't believe the program is a fit for the County because the County doesn't have any information technology (IT) positions to offer a paid intern. He agreed to contact Information Services (IS) to see if it plans to participate.

F. City Recycling Meeting

There was consensus to appoint, Gwen Thorpe, Deputy Chief Administrative Officer, to serve as the County's representative at the meeting.

G. Young Professionals Group Event (Lunch with City Council)

Schorr said the Lincoln City Council is hosting a luncheon on May 2nd for members of the Lincoln Young Professionals Group (limited to first 50 registrants) and suggested the Board offer to host a similar event. She said it would provide an opportunity to reach out to young professionals in the community. Wiltgen agreed to follow-up with the Lincoln Young Professionals Group.

H. Volunteer Opportunity (Volunteer in Parks)

There was consensus to not participate in this volunteer opportunity at this time.

I. Request from Douglas County Commissioner Borgeson to Discuss Building Commission

Eagan said he has been asked to meet with Douglas County Commissioners Borgeson and Boyle, Patrick Bloomingdale, Douglas County Chief Administrative Officer, and Joe Lorenz, Douglas County Budget & Finance Director, on April 1, 2016 to discuss how the Public Building Commission (PBC) is organized and operates. Hudkins felt Don Killeen, County Property Manager, should be involved. Eagan said Killeen is not available on that date but will provide information on how the PBC works, including the rent allocation. Hudkins indicated he might be interested in attending the meeting as well.

13 PENDING

There were no pending items.

14 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster County Fairgrounds Joint Public Agency (JPA) - Wiltgen, Avery
- B. Lincoln Metropolitan Planning Organization (MPO) - Amundson, Wiltgen
- C. Chair/Vice Chair Meeting with Planning Department - Amundson, Wiltgen

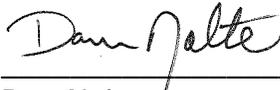
Items A-C were moved forward on the agenda.

EMERGENCY ITEMS AND OTHER BUSINESS

Eagan indicated the County Board's staff all plan to be out of the office the afternoon of March 25th and said he would be willing to change his plans if the Board has objections. Schorr expressed concern about having someone available to answer telephone calls. Minette Genuchi, Administrative Assistant to the County Board, appeared and explained the call tree will be in place.

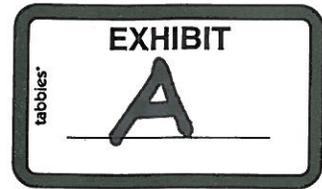
ADJOURNMENT

MOTION: Schorr moved and Wiltgen seconded to adjourn the meeting at 12:09 p.m. Avery, Wiltgen, Schorr, Hudkins and Amundson voted aye. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





KISSEL / E&S
ASSOCIATES

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

Joseph D. Kohout, *Partner*

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LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Gordon E. Kissel
Joseph D. Kohout
Jonathan G. Bradford
Ryan MacDonald

DATE: March 24, 2016

RE: Weekly Update on the 2016 Legislature

This is your twelfth weekly update of the Nebraska Legislature for 2016. Today is day 49 – leaving only nine legislative days for bills to move off of General File and nine to move off of Select File or amend on Final Reading. We continued full-day debate on Monday and will work through the noon-hour from this point through the end of the session (with 20 minute lunches and estimated 7pm adjournment).

On Monday Senators debated LBs956 and 957 – the mainline budget adjustment bills. Senator Chambers filibustered the first budget bill LB956 all morning. After 20-minute recess, the body continued debate on LB956 and advanced both LB956 and LB957 to Final Reading. Also, they advanced LB960 to Final Reading on voice vote. Late in the evening, they advanced the amended LB 742, Senator Hansen's threshold bill, with 33 voting in the affirmative (including Senator Chambers).

Tuesday saw debate on LB 894 - with a number of amendments thereto. We have attached a copy of the latest amendments to the bill and will receive a revised bill from bill drafters later this week. The rest of the day was spent debating Senator Kate Bolz's LB910 which would change provisions relating to the office of parole administration and included several other bills. Senator Bolz asked for a cloture vote, which failed due to the presence of language that would grant SNAP benefits to felons, but she had successfully filed an amendment with provisions of LB 910 on Wednesday to LB 1094, a Judiciary priority bill but without the SNAP provisions.

Yesterday, the Legislature spent much of its day discussing LB586 by Senator Adam Morfeld which would prohibit discrimination based upon sexual orientation and LB947 by Senator Heath Mello which would allow for the issuance of professional or commercial licenses to certain aliens. LB586 was bracketed. LB947 was advanced to Select File. The Legislature closed out the evening debating LR378CA – the Right to Farm bill.

Below, please find the latest legislation of particular note to Lancaster County:

HIGH PRIORITY BILLS

LB 188: Change provisions relating to innocent third parties injured during a vehicular pursuit

Introduced by Senator Dan Watermeier of Syracuse

Committee: Judiciary

Hearing Date: January 23, 2015

Advanced to Select File with AM374. Amendment 2199 was adopted.

Schumacher Filed AM2140 FAILED; Cloture vote failed

POSITION: QUIET SUPPORT

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. AM374 would include a passenger that enters "onto" a vehicle in the new subsection (5)(a).

LB 711 – Change provisions of the Noxious Weed Control Act and create the Riparian Vegetation Management Task Force

Introduced by Senator Dan Hughes of Venango

Hearing Date: February 18, 2016

Committee: Natural Resources

POSITION: WEED CONTROL SUPPORTS

The provisions of LB711 have been amended into LB1038 via COMAM2472. LB1038 was advanced to Select File this week.

LB 711 establishes the Riparian Vegetation Management Task Force to be housed within the Department of Agriculture. Starting FY 2016-2017 appropriation of \$2million dollars annually for the management of vegetation within the banks of a natural stream. Governor will appoint members of the task force; one surface water project representative from each river basin; one representative from Dept. of Agriculture; Department of Environmental Quality; Department of Natural Resources; office of the Governor; office of the State Forester; Games and Parks; and the University of Nebraska. Two representatives nominated by Association of Resources Districts; two representatives nominated by Nebraska Weed Control Association; one riparian landowner from congressional districts; one representative from the Nebraska Environmental Trust. Any member of the Legislature may serve as an ex officio at his or her option. Meetings are to be held in communities within the Republican River and Platte River basins. Report submitted to the Governor each year on June 30th. First report would be due on 6/30/2017

LB 742– Change county population thresholds

Introduced by Senator Matt Hansen of Lincoln

Hearing Date: February 4, 2016

Committee: Government

POSITION: SUPPORT / NACO SUPPORT

Speaker Priority Bill

Advanced to Select File with AM2649 March 21, 2016

LB 742 would bring current language addressing those growing counties nearing the 400,000 inhabitants threshold as determined by the federal census. Currently, this would immediately address the needs of Lancaster County.

LB 765 - Increase original certificate of title fees for vehicles transferred to Nebraska from another state or country

Introduced by Senator Tommy Garrett of Bellevue

Hearing Date: January 26, 2016

Committee: Transportation & Telecommunications

POSITION: SUPPORT THROUGH THE LANCASTER COUNTY TREASURER

LB 765 would amend Section 60-154 by increasing fees related to each original certificate of title issued by a Nebraska county or the Department of Motor Vehicles for a motor vehicle, all-terrain vehicle, a utility-type vehicle, minibike, or trailer being titled in Nebraska from another state or country by increasing the current \$10 fee to \$25 for these types of vehicles receiving an original certificate of title.

LB 774 - Provide a sales and use tax exemption for purchases by nonprofit substance abuse treatment centers.

Introduced by Senator Jim Scheer of Norfolk

Hearing Date: February 5, 2016

Committee: Revenue

Revenue Committee Priority Bill

POSITION: SUPPORT THROUGH A LETTER FROM THE BOARD

Advanced to Select File with AM2422 and AM2648 on March 22, 2016

AM2422 includes the provisions of LB542 which was introduced at the request of the Lancaster County Agricultural Society that would exempt ag societies from paying sales tax on purchases.

LB 774 adds that sales and use taxes shall not be imposed on substance abuse treatment centers licensed under the Health Care Facility Licensure Act. They may apply for an exemption on forms provided by the Tax Commissioner.

Hearing Notes: Proponent Testimony of Pat Connel, Boystown; John Synowiecki, Nebraska Association of Behavioral Health; No Neutral or Opponent testimony.

LB 777- Change provisions relating to partial payments for property taxes held in escrow

Introduced by Senator Mike Gloor of Grand Island

Hearing Date: January 21, 2016

Committee: Revenue

POSITION: OPPOSE THROUGH COUNTY TREASURER

LB 777 requires County Treasurers to accept partial payments for property taxes. The bill removes the language any county board may pass a resolution and replaces it with the county treasurer shall.

LB 894 – Change provisions relating to appointment of Counsel in juvenile cases

Introduced by Senator Patty Pansing-Brooks of Lincoln

Hearing Date: January 20, 2016

Committee: Judiciary

Prioritized by the Judiciary Committee

Advanced to Final Reading March 22, 2016 with a number of amendments. Attached to the report is the amended bill with highlighted section-by-section changes.

LB 894 would allow for a minor to have a court appointed attorney if the guardians of the child can't afford one upon a court petition being filed.

AM1962 is a white copy amendment to LB894 that combines the bill with provisions originally in LB675, LB709, LB845 and LB893. Senator Krist's AM2456 amended the provisions included as part of LB845.

LB 915 - Create a veterans treatment court pilot project
Introduced by Senator John McCollister of Omaha
Committee: Judiciary
Hearing: February 5, 2016
POSITION: NEUTRAL

Note: The provisions of LB915 have been amended into LB919

LB 915 creates a three-year pilot program for treatment of veteran's in Douglas County. After conclusion of the three-year study, the Nebraska Supreme Court would make recommendations for the model to be used in other counties.

LB 919 – Change provisions relating to problem solving court programs.
Introduced by Senator Matt Williams of Gothenburg
Hearing Date: February 5, 2016
Committee: Judiciary
POSITION: SUPPORT
Senator Williams Priority
Placed on Final Reading March 15, 2016
LB 919A introduced by Senator Williams.

In LB 919, the Legislature declares that problem solving court programs, including drug, veterans, mental health, driving under the influence, reentry, and other problem solving court programs, help in reducing recidivism. The bill states problem solving court programs offer a person accused of drug alcohol and other alternative to traditional criminal justice proceedings or juvenile justice dispositions. LB 919 would use funds already appropriated to Nebraska Supreme Court to be used to look into evidence-based interventions, including medication-assisted treatment.

LB 936 – Change inheritance tax rates and exemption amounts.
Introduced by Senator Laura Ebke of Crete
Hearing Date: February 17, 2016
Committee: Revenue
POSITION: OPPOSE / NACO OPPOSE
Commissioner Schorr testified in opposition.

LB 936 changes inheritance tax to one percent for everything above one hundred thousand dollars and anything below that limit will not be taxed.

LB 940 - Adopt the Tax Stabilization Act
Introduced by Senator Jerry Johnson of Wahoo

Committee: Revenue
Hearing Date: February 4, 2015
POSITION: OPPOSE / NACO OPPOSE

LB 940 creates the Tax Stabilization Act to provide property tax relief to property owners across that state and to give the Legislature time to consider appropriate changes to state law that would reduce the reliance on property taxes for the funding of school districts in the state of Nebraska.

LB 958- Change provisions relating to budgets, the valuation of agricultural land, and levy limitations

Introduced by Senator Mike Gloor of Grand Island at the request of the Governor

Committee: Revenue

Hearing Date: February 4, 2016

POSITION: OPPOSE / NACO OPPOSE

Prioritized by Revenue Committee

Senator Gloor filed AM2617 and there will be hearing on the amendment this afternoon, Thursday March 24 at 2:00pm. The amendment is attached for your review.

LB 958 strikes the allowable growth percentage from exceeding a levy that may be approved at the same meeting as a vote to exceed the limits of a final levy. Limitations do not apply to restricted funds budgeted for capital improvements, or restricted funds from a qualified sinking fund for acquisition or replacement of tangible personal property. The bill increases any budget adopted by a governmental unit by an amount equal to the restricted funds budgeted for the immediately prior fiscal year for capital improvements, the restricted funds budgeted for the immediately prior fiscal year and the restricted funds expended in the immediately prior fiscal year. The Property Tax Administrator shall provide information to the commission necessary to determine the adjustments for agricultural land and horticulture.

LB 959 - Change and eliminate provisions relating to school funding, budgets, and levy authority.

Introduced by: Senator Kate Sullivan of Cedar Rapids at the request of the Governor.

Committee: Education

Prioritized by the Education Committee

Placed on General File with AM2622 March 17, 2016.

LB 959 states that for school fiscal year 2017-18 and each school fiscal year thereafter, if the formula need calculated for a school district is less than ninety-eight percent of the formula need for such district immediately preceding the school fiscal year for which aid is being calculated, the formula need for such district shall equal ninety-eight percent of the formula. The effective date of the act for school fiscal year 2016-17 is null and void. Each school district shall have a budget authority for the general fund budget of expenditures equal to the general fund budget of expenditures minus exclusions, except for expenditures to pay for employer contributions to either the school Employees Retirement System of the State of Nebraska or the retirement system established pursuant to the Class V School Employees Retirement Act. Employee benefit fund cash reserves shall not exceed such applicable allowable reserve percentage. For exclusions approved by the state board, the board shall establish a schedule for reducing budget authority over the five-year period for which cost savings have been demonstrated in an amount equal to ten percent of the approved exclusion of the five years.

LB 960 – Adopt the Transportation Innovation Act and provide transfers from the Cash Reserve Fund

Introduced by Senator Jim Smith of Papillion at the request of the Governor

Hearing Date: February 16, 2016

Committee: Appropriations

Position - SUPPORT / NACO SUPPORT

Senator Brasch Priority Bill; Sen. Jim Smith has requested Commissioner Avery appear in support. Senator Avery testified in support. Pam Dingman testified neutral.

Placed on Final Reading March 22, 2016

Under LB 960 Transportation Innovation Act is created. Design build is created as an alternative method when considering projects. A transportation infrastructure bank is created from reserved funds in the amount of \$150 million to accelerate projects. A capital improvement program is created as well to speed up capital improvements. The county bridge match program is created for repair and replacement of county bridges. This includes matching requirements.

LB 977- Change provisions relating to implements of husbandry on highways

Introduced by Senator Jim Smith of Papillion

Committee: Transportation and Telecommunications

Hearing Date: February 1, 2016

Prioritized by the Transportation and Telecommunications Committee

Advanced to Enrollment and Review Final for Engrossment after adoption of AM2623 adopted on March 22, 2016.

LB 977 makes an exemption for the weight and load limitations for a farm tractor, self-propelled equipment, and additional agricultural machinery. The bill includes specific weight limits for the vehicles mentioned in the bill.

LB 992 – Provide a restriction on installment contracts for the purchase of real or personal property by political subdivisions

Introduced by Senator Laura Ebke of Crete

Hearing Date: February 17, 2016

Committee: Government

POSITION: OPPOSE THROUGH A LETTER / NACO MONITOR

Letter of opposition submitted

LB 992 states no political subdivision, with statutory authority can enter into an installment contract for the purchase of property, if already an obligation exist of twenty-five million dollars or more from previous contracts. If a debt does exist above twenty-five million dollars, the subdivision cannot enter into a new contract.

LB 976 – Change provisions relating to jury sequestration

Introduced by Senator Les Seiler of Hastings

Hearing Date: NA

Committee: Judiciary

POSITION: LETTER OF SUPPORT

Bill Withdrawn

Under LB 976, a court may order that a jury be sequestered during a trial or after final argument by the motion of the court or party if good cause is shown.

LB 1013 – Change tax on cigarettes and tobacco products and provide for distribution of proceeds.

Introduced by Senator Mike Gloor of Grand Island
Hearing Date: February 11, 2016 Continued Feb. 24.

Committee: Revenue

Senator Gloor Priority

POSITION: SUPPORT – AUTHORIZE HEALTH DEPARTMENT TO SUPPORT

LB1013 failed to advance on a 2-6 vote following the stalling of an amendment within the committee on a 4-4 vote earlier this week.

LB 1013 would increase cigarette tax by one dollar and fifty cents, this would bring the total sales tax to two dollars and fourteen cents a pack. It is estimated that this tax increase would bring in a one hundred and twenty million dollars. Forty five million of that would go to the Property Tax Credit Fund; Forty five million to personal property tax exemption; and thirty million to the Health Care Cash Fund.

LB 1031 – Change the levy authority of railroad transportation safety districts

Introduced by Senator Matt Hansen of Lincoln

Hearing Date: February, 25 2016

Committee: Revenue

POSITION: OPPOSE/ NACO OPPOSE

LB 1031 removes the levy authority away from the county board and places it with the Railroad Transportation Board, which is made up of 3 county board members and 3 city council members. The move would free up two cents to the county board levy authority.

LB 1032 – Adopt the Transitional Health Insurance Program Act and provide duties for the Department of Health and Human Services

Introduced by Senator John McCollister of Omaha

Hearing Date: February 10, 2016

Committee: Health and Human Services.

Prioritized by the Health and Human Services Committee

POSITION: SUPPORT – COMMISSIONER ADMUNSON TESTIMONY / NACO SUPPORT

Senator McCoy filed AM2163, 2164, 2166, 2168, and 2169.

Advanced to General File with AM2473

AM2473 sunsets the Transitional Health Insurance Program Act after three years, requires DHHS to notify participants of the termination, and ensures no appeals to the loss of eligibility due to this termination. Requires DHHS to hire a consultant to analyze the performance, revenue and savings of the Act six months prior to the legislative session when the program would terminate. Appropriates \$63 million from the Health Care Cash Fund to the Transitional Health Insurance Program Fund only for purposes of the state match for the newly eligible's coverage.

LB 1032 would provide health care coverage to individuals who cannot qualify for Medicaid. Medicaid funds would be used to buy private health insurance for those individuals making up one hundred thirty –three percent of the federal poverty level with no insurance. The bill allows for small contributions from enrollees and would take funds from the state health care cash fund to extend coverage up to seventy-seven thousand Nebraskans.

LB 1042 – Change provisions relating to tax-increment financing

Introduced by Senator Curt Friesen of Henderson

Hearing Date: February 9, 2016

Committee: Urban Affairs
POSITION: MONITOR
INDEFINITELY POSTPONED

LB 1042 gives another layer of approval to tax-increment financing (TIF) projects. Before approval is made by the governing body of the TIF project, as described in 18-2116, the county board of equalization of the county that would be directly affected by the financing project, may approve the plan if it meets all statutory requirements for TIF imposed under the Community Development Law.

LB 1042 also changes the property valuation information certified by the Property Tax Administrator to the State Department of Education, which is used to determine the adjusted valuation of school districts for purposes of allocating state aid through the Tax Equity and Educational Opportunities Support Act. The bill requires that excess valuation for properties that qualify for tax increment financing will be included in the assessed valuation of school districts for state aid purposes.

LB1055 - Open grand jury proceedings to the public as prescribed and change procedures in cases of death during apprehension by law enforcement officers while in custody
Introduced by Senator Ernie Chambers of Omaha

Committee: Judiciary
Hearing Date: February 24, 2016
NACO Position Monitor
POSITION: SUPPORT
Placed on General File W/AM2257

The provisions of LB1055 have been included in COMAM2704 to LB1000.

LB 1055 permits all proceedings before grand juries to be open to the public. The case shall be treated as an open, ongoing matter until all evidence, reports, and other relevant material, which has been assembled are transferred to a prosecuting attorney appointed. The court shall appoint a prosecuting attorney who shall be the county attorney or a member of his or her staff who has had at least five years experience in criminal litigation, including felony litigation.

LEGISLATION OF NOTE

LB 670 – Require a hearing prior to release for persons taken into custody for mental health reasons.

Introduced by Senator Bob Krist of Omaha

Hearing Date: February 17, 2016

Committee: Judiciary Committee

LB 670 strikes language making a more strict interpretation of the release of a juvenile from temporary custody. The bill also inserts additional language that requires a mental health professional to immediately notify the county attorney if the juvenile is not deemed mentally ill and dangerous or a dangerous sex offender in which the county attorney shall proceed to a hearing before the court within 24 hours regarding the juvenile's release.

LB 673 – Change provisions relating to appointment of guardians ad litem.

Introduced by Senator Bob Krist of Omaha

Hearing Date: January 20, 2016

Committee: Judiciary Committee

Advanced to General File W/AM244, Chambers AM2449

LB 673 states that if there is a guardian ad litem division, appointments will first be directed to them and if a conflict exists the court may appoint a guardian ad litem outside of the division. It also replaces the court hearing of an application with the county board.

LB 675 – Change provisions relating to placement and detention of juveniles.

Introduced by Senator Bob Krist of Omaha

Hearing Date: January 20, 2016

Committee: Judiciary Committee

LB 675 adds language that prohibits a juvenile from being placed in a rehabilitation center unless an immediate and urgent reason persists. It also ensures that a juvenile will not be detained unless there is a legitimate threat to the security of anyone in the community or if it is necessary to ensure that the juvenile will appear at the next hearing due to a trend of absences at a hearing over a period of 12 months. It states that no juvenile under the year of 12 years old will at anytime under any circumstance be placed in detention; to allow a parent or guardian to avoid legal responsibility, punish treat or rehabilitate the juvenile, permit more convenient administrative access to the juvenile, facilitate further interrogation or investigation of the juvenile, due to lack of more appropriate facilities, or satisfy the demands of a victim, law enforcement, or the community.

LB 687 - Provide procedures for recall of state elective officers

Introduced by Senator Bloomfield

Committee: Government

Hearing Date: February 4, 2016

Advanced to Select File

LB 687 provides that a recall petition is reviewed by the state and that the state is responsible for all costs of the recall procedure, any special election, or costs incurred related to a canceled election. The bill strikes language that excluded trustees of sanitary and improvement districts, members of a political subdivision, member of a governing body of a city, village, county, irrigation district, natural resource district, public power district, school district, community college, education service unit, hospital district, and metropolitan utility district. The bill also includes the process to bring about a petition against an elected official whether elected or appointed and that petition needs to be authorized by the filing clerk.

LB 693 – Change limitations of action provisions under the Political Subdivisions Tort Claims Act.

Introduced by Senator Adam Morfeld of Lincoln

Hearing Date: January 28, 2016

Committee: Judiciary Committee

LB 693 extends from one year to two years every tort claim against a political subdivision.

LB 703 – Change provisions relating to nuisances in cities and villages.

Introduced by Urban Affairs Committee

Hearing Date: January 19, 2016

Committee: Urban Affairs Committee

Approved by the Governor on March 09, 2016

LB 703 states a city or village must establish method of notice by ordinance. If done by US mail first class, it must contain a mark indicating importance. Within five days of receipt, owner/occupant of the ground may request a hearing on the nuisance. Hearing would be set within fourteen days of the appeal filing and a hearing officer has five business days to render a decision.

LB 704 – Change building code provisions applicable to political subdivisions

Introduced by Urban Affairs

Hearing Date: January 19, 2016

Committee: Urban Affairs

Placed on Final Reading with ST65 March 10, 2016

LB 704 would make a series of technical changes to the building code statutes by doing the following. Clarifying that local building or construction codes must be adopted and enforced as provided under the Building Construction Act; Clarifying that counties and municipalities must keep a copy of their local building code available for use and examination by the public as long as the code is in effect; Clarifying that only counties and municipalities may adopt a local building code; Defining "component" for purposes of the Building Construction Act; Streamlining the process for local building code adoption, allowing counties and municipalities to either adopt the state building code or a code that conforms generally with the state building code; Clarifying that a prior edition of a component of the state building code does not conform generally with the state building code; and striking language that provides for unconstitutional delegation of legislative authority by municipalities.

LB 707 – Increase the number of judges of the separate juvenile court.

Introduced by Senator Colby Coash

Hearing Date: March 2, 2016

Committee: Judiciary Committee

Placed on General File March 8, 2016

LB 707 – states that counties with a population of four hundred thousand or more will have six juvenile judges.

LB 709 – Provide for an alternative to detention for juveniles.

Introduced by Senator Sara Howard of Omaha

Hearing Date: January 20, 2016

Committee: Judiciary Committee

LB 709 – Provides for alternate detention of increased supervision for a youth to ensure the youth attends court and avoids future law infractions. Supervision includes electronic monitoring, day/evening reporting centers, house arrest and temporary shelter placement. Placement does not include facilities that allow for physical restraint or ingress and egress for placement.

LB 714 – Provide for and change a provision relating to sufficient cause of nonuse of a water appropriation.

Introduced by Senator John Stinner of Gering

Hearing Date: January 22, 2016

Committee: Natural Resources

LB 714 – states that for sufficient cause for nonuse shall be deemed to exist for up to fifteen consecutive years if such nonuse was a result of one or more of the following(adds) the appropriation is temporarily transferred to a natural resources district or other competent authority for the purpose of depletion offsets, aquifer recharge, stream augmentation, or maintenance of instream flow

LB 716 – Provide and eliminate provisions regarding pedestrians and bicyclists.

Introduced by Senator Rick Kolowski of Omaha

Hearing Date: January 25, 2016

Committee: Transportation and Telecommunications.
General File W/AM2134

LB 716 states a pedestrian lawfully entering designed bike or walk path of a highway intersection or adjacent to intersection of two highways controlled by traffic signal has the right-of-way within the crossing with respect to vehicles and bicycles. Bicyclist cannot suddenly leave a curb or safety path into the path of a car that it is so close it is impossible for the driver to stop. Nothing in the subsection relieves a bicyclist or driver from duty of care.

LB 717 – Change provisions relating to the assessment and valuation of real property.
Introduced by Senator Mike Groene of North Platte
Hearing Date: February 4, 2016
Committee: Revenue
Groene Priority Bill

LB 717 States that the actual value of real property for purpose of taxation means the value to be determined by the use of professionally accepted mass appraisal methods. It removes language of “market value of real property in the ordinary course of trade”. Legislation states, except for assessment occurring on January 1, 2016, the assessed value shall be the same as the assessed value on January 1, 2015, in relation to assessing tax on real property.

LB 720 – Change certain invasions of privacy provisions to include unmanned aircraft or unmanned aircraft systems.
Introduced by Senator Kuehn of Heartwell
Hearing Date: February 25, 2016
Committee: Judiciary Committee

LB 720 states an individual is liable for invasion of privacy for flying an unmanned aircraft below 200ft of privately owned property without permission of the owner of the property in the act of capturing any form of visual image/recording. Individual is responsible for reasonable damage caused by the invasion.

LB 722 – Adopt the Stroke System of Care Act
Introduced by Senator Roy Baker of Lincoln
Hearing Date: January 22, 2016
Committee: Health and Human Services
Placed on Final Reading March 15, 2016

LB 722 creates the Stroke System of Care Act. In an effort to meet the increase of Strokes in the state of Nebraska, this bill creates an effective stroke system of care to be provided to individuals. The bill requires the Department of Health and Human Services to adopt rules and regulations that include the criteria for designation of a hospital as a comprehensive stroke center, primary stroke center, or acute stroke-ready hospital. The American Heart Association, the Joint Commission on Accreditation of Healthcare Organizations, or another nationally recognized stroke care organization will approve the certification.

LB 723 – Change sales and use tax collection fees
Introduced by Senator Paul Schumacher of Columbus
Hearing Date: January 22, 2016
Committee: Revenue

LB 723 changes the date of October 1, 2002 to read on and after January 1, 2017 and doubles the 2.5% to 5% of the first three thousand dollars remitted each month and two and one-half percent of the next three thousand dollars remitted each month as reimbursement for the cost of collecting the tax. The bill also states that taxes collected prior to January 1, 2017 will be deducted and withheld from the amount of taxes collected two and one-half percent of the first three thousand dollars remitted each month as reimbursement for the cost of collecting the tax.

LB 724 – Change sales and use tax collection fees.
Introduced by Senator Paul Schumacher of Columbus
Hearing Date: January 22, 2016
Committee: Revenue Committee

LB 724 states that for all sales tax collected by a taxpayer on/after 1/1/2017, he or she will withhold 5% of the first \$6,000 remitted each month for reimbursement of collecting the tax.

LB 746 – Adopt the Nebraska Strengthening Families Act, change provisions for guardian ad litem and services for children, and create the Normalcy Task Force.
Introduced by Senator Kathy Campbell of Lincoln
Hearing Date: January 21, 2016
Committee: Health and Human Services
Senator Campbell of Priority Bill
Placed on Final Reading with ST63 March 9, 2016

AM1903 creates an operative date of July 1, 2016, and includes a federal reference regarding credit reports
LB746 implements provisions of the federal Preventing Sex Trafficking and Strengthening Families Act regarding the promotion of "normalcy" among children and youth in foster care. Normalcy is intended to mean age and developmentally appropriate activities and experiences essential to the healthy development of children and youth. The bill creates the Nebraska Strengthening Families Act for the following reasons: To ensure foster children can participate in extracurricular and social activities such as field trips, sports, school clubs, religious groups, family vacations and photos, sleepovers, and obtaining a driver's license. To ensure foster parents are able to make decisions about such activities using a reasonable and prudent parent standard. To involve birth parents in such decisions. To require the Department of Health and Human Services to ensure children are made aware of their rights and responsibilities and have access to certain documents before aging out, to ensure foster parents are trained and supported in making determinations as to reasonableness, and report on progress. To require juvenile courts to ensure children's rights are protected and that children are able to engage in such activities, and to make certain findings part of the child's record. To eliminate the use of Another Planned Permanent Living Arrangement as a permanency goal for youth under age 16.

LB 765 - Increase original certificate of title fees for vehicles transferred to Nebraska from another state or country
Introduced by Senator Tommy Garrett of Bellevue
Hearing Date: January 26, 2016
Committee: Transportation & Telecommunications
POSITION: SUPPORT THROUGH THE LANCASTER COUNTY TREASURER

LB 765 would amend Section 60-154 by increasing fees related to each original certificate of title issued by a Nebraska county or the Department of Motor Vehicles for a motor vehicle, all-terrain vehicle, a utility-type vehicle, minibike, or trailer being titled in Nebraska from another state or country by increasing the current \$10 fee to \$25 for these types of vehicles receiving an original certificate of title.

LB 768 – Provide for Choose Life License Plates
Introduced by Senator Tommy Garrett of Bellevue
Hearing Date: February 9, 2016
Committee: Transportation
Speaker Priority Bill
Advanced to General File W/AM2058, Chambers AM2526

LB 768 would require the DMV to design license plates to be known as “Choose Life” License Plates.

LB 776 – Change revenue and taxation provisions
Introduced by Senator Mike Gloor of Grand Island
Hearing Date: January 21, 2016
Committee: Revenue
Approved by Governor on March 9, 2016

LB 776 includes food that ordinarily requires additional cooking to finish the product to its desired final condition in the definition of what food means in the bill. The bill also exclaims that there will be subtracted interest received by the owner of obligations of the State of Nebraska or its political subdivisions or authorities which are Build America Bonds to the extent includable in gross income for federal income tax purposes. The federal adjusted gross income or federal taxable income shall be reduced by contributions to an account established under the achieving a better life experience program made for the benefit of a beneficiary. It increases the federal taxable income for any withdrawals by the owner of an account established under the achieving better life experience program for nonqualified expenses or to terminate such account. The bill includes that a refundable income tax credit is considered an overpayment even if the taxpayer has no income tax liability prior to applying the refundable credit. LB 776 adds that if an individual is granted a homestead exemption that individual is not required to submit the certification required under this subdivision in succeeding years.

LB 779: Change provisions relating to the partisan status of certain political subdivision offices
Introduced by Senator Paul Schumacher of Columbus
Committee: Government, Military and Veterans Affairs
Hearing: March 2, 2016

LB 779 prevents the county clerk from being elected on the partisan ballot if as otherwise provided in section 32-707. This section states; unless at least one of the two political parties which polled the most votes cast for Governor in the most recent gubernatorial election holds a county convention in an even-numbered year and has attendance of at least two percent of the registered voters affiliated with that party in that county. It also prevents the county clerk from being elected if the offices in the county are nonpartisan pursuant to the most recent gubernatorial election.

LB 780 – Change provisions relating to emergency protective custody
Introduced by Senator Paul Schumacher of Columbus
Hearing Date: February 3, 2016
Committee: Judiciary
POSITION: MONITOR

Department of HHS would be required to take charge of a mentally ill individual who are taken into emergency protective custody. Bill would make it a misdemeanor for HHS Behavioral Health Division to refuse custody of a person.

LB 783 – Provide for registration of public power district vehicles as prescribed.

Introduced by Senator Brett Lindstrom of Lincoln
Hearing Date: February 22, 2016
Committee: Transportation and Telecommunication
Advanced to Final Reading March 22, 2016

LB 783 creates a public power district license plate to be issued and used by each motor vehicle and trailer operated by a public power district. The application will be accompanied by a fee of three dollars for each motor vehicle and three dollars for each trailer. Any public power district vehicle will display a distinctive license plate provided by the department. The license play will be placed on both the front and back of the motor vehicle and to the rear of the trailer. The renewal for the license plate will be two dollars and will be collected every year after they are issues. If a permanent license plate is lost or destroyed, the owner will submit an affidavit to that effect to the county treasurer. A fee of one dollar will be applied to any lost or stolen license plate. All funds collected by the department will be remitted to the State Treasurer for credit to the Highway Cash Fund.

LB 784 – Change provisions relating to deficit expenditures by county boards
Introduced by Senator Kurt Friesen of
Hearing Date: January 27, 2016
Committee: Government
Advanced to Final Reading March 22, 2016

LB 784 harmonizes language in the County Budget Act and the Nebraska Budget Act. Currently both Acts proportionally limit expenditures from each budgeted fund between July 1 and the adoption of the budget in September.

The Nebraska Budget Act also provides a mechanism to exceed such proportional expenditures upon an express finding of the governing body that the expenditures are necessary to meet statutory duties and responsibilities. LB 784 would add this concept to the County Budget Act.

LB 786 – Change requirements for completion of death certificates and cremation permits.
Introduced by Senator Tyson Larson of O'Neill
Hearing Date: January 20, 2016
Committee: Health and Human Services
Approved by Governor on March 9, 2016

LB 786 removes the handwritten option of a funeral director, embalmer, physician, physician assistant or nurse practitioner when signing a medical death certificate. Legislation allows for an electronic signature in place of handwritten signature. LB 786 states before any dead body may be cremated, permit of cremation will be signed electronically by the county attorney or designee.

LB 787 – Allow a voter to photograph and reveal a marked ballot
Introduced by Senator Adam Morfeld of Lincoln
Hearing Date: January 28, 2016
Committee: Government

LB 787 would allow for a voter to photograph his or her ballot.

LB 795 – Establish the Wireless in Nebraska Program under the Nebraska Telecommunications Universal Service Fund Act.
Introduced by Senator Burke Harr of Omaha
Hearing Date: February 9, 2016
Committee: Transportation and Telecommunications.

LB 795 adds the definition of wireless carrier to mean a telecommunications company providing mobile radio service, radio paging service, or wireless telecommunications service for a fee in Nebraska intrastate commerce. It removes the section that requires the state treasurer to transfer funds from the Nebraska Telecommunications Universal Service Fund to the General Fund upon certification by the Director of Administrative Services. It further removes the section that states any transfer under this subsection not reversed within thirty days after the initial transfer shall accrue interest in the amount of five percent annually. It replaces those sections with granting the commission the power to establish the Wireless in Nebraska Program and states that the purpose of the Wireless in Nebraska Program is to promote the provision of the universal wireless telecommunications services throughout the state by providing assistance from the Nebraska Telecommunications Universal Service Fund to eligible wireless communications towers. It also requires a wireless carrier that receives funds to file a report with the commission by June 1 of each year, which includes information on investments for the previous year.

LB 797 – Change provisions relating to the accrual of interest on denied and reduced homestead exemption.

Introduced by Senator Burke Harr of Omaha

Hearing Date: February 18, 2016

Committee: Revenue Committee

LB 797 states 30 days after the county assessor received approval by the county board to remove or reduce the exemption from the tax rolls of the county, the rate from time to time can be adjusted by the Legislature.

LB 806 - Adopt the Riverfront Development District Act

Introduced by Senator Heath Mello of Omaha

Committee: Revenue

Hearing: February 16, 2016

Advanced to General File W/AM2137

LB 806 creates the Riverfront Development District Act that provides a means by which such historic river cities may be effectively funded, managed, promoted, and developed within their corporate limits. A riverfront development district may be created through the adoption of an ordinance that names the river, boundaries of the district, qualifications and terms of the office, statement that the business shall be subject to the general occupations tax or real property will be subject to special assessment, the proposed method of assessment will be imposed within the district, and penalties will be imposed for failure to pay the occupation tax or special assessment. After the creation of a district, the mayor, with the approval of the city council, shall appoint a riverfront development authority to oversee and manage the district.

LB 825 – Provide reporting requirements for tax-exempt property.

Introduced by Senator Al Davis of Hyannis

Hearing Date: February 18, 2016

Committee: Revenue

LB 825 By April 1 of each even-numbered year, the owner of each parcel of property that is exempt from property taxes shall file with the county assessor of the county in which the property is located a form containing the following information: name and address, legal description of property, date of acquisition of the property, description of any improvements on the property, whether the property was leased or not, and the owners estimate of the fair market value of the property on January 1 of the even numbered year. The bill adds that by July 1 of each even-numbered year, the county assessor of each county shall

complete and deliver to the Department of Revenue a form on which the county assessor estimates the fair market value of tax-exempt property, classified by the type of owner, within his or her county and that the Department of Revenue shall prescribe the forms to be used for purposes of the value ranges for estimating the fair market value of property. The Department of Revenue will prepare an estimate of the fair market value of tax-exempt property in this state by category of owner. All persons required to file a report with all pay a reasonable fee that is sufficient to defray costs to the county of distributing and reviewing the forms. IF the form is not received by April 1 of the even-numbered year, the county assessor will send the owner of the property a notice, by certified mail, stating that the property for, which the form is required, will be appraised at the owner's expense.

LB 845 - Provide requirements relating to confinement of juveniles and provide a duty for the Inspector General of Nebraska Child Welfare
Introduced by Senator Patty Pansing-Brooks of Lincoln
Hearing Date: January 20, 2016
Committee: Judiciary

LB 845 includes section 6 stating that the Legislature creates a system of investigation and performance review in order to provide increased accountability and oversight regarding the use of room confinement for juveniles in a juvenile facility. All confinement incidents must be documented and include the race, ethnicity, age, and gender of the juvenile, the reason for confinement, an explanation of why less restrictive means were unsuccessful, the ultimate duration of the placement in room confinement, and any incidents of self harm or suicide committed by the juvenile while he or she was isolated.

LB 848 – Change provisions relating to courts
Introduced by Senator Patty Pansing-Brooks of Lincoln
Hearing Date: March 2, 2016
Committee: Judiciary

LB 848 defines fee record, general index, Judge's notes, Judgment index, register of actions, and case type when filing of complaints or petitions and subsequent pleadings and date of such filings, including orders and judgments of the court. The bill states that the county court shall file the following with the district court within ten days after entry of the transfer order: Certification of the proceedings; all original documents of the action; certification of the transcript of the register of actions; and certification of the court costs with the clerk of the district court. The clerks of the district court shall use the court's electronic case management system provided by the state, which shall be the record of receipts and reimbursements. The bills strikes the foreman and secretary from filing in the office of the clerk of the district court in section 35 101. The bill also requires the case file to contain the pleadings, orders, court actions, judgments, post judgment actions, and other documents. The case file can be maintained either electronically or on paper file. It removes the requirement to hold a separate docket for the purpose to be unopened for inspection by any person except upon order of the court for good cause shown.

LB 884 - Change the Convention Center Facility Financing Assistance Act and the Sports Arena Facility Financing Assistance Act.
Introduced by Senator Jim Scheer of Norfolk
Hearing Date: January 22, 2016
Committee: Revenue
Smith Priority Bill
Placed on General File with AM2522 March 15, 2016

AM2522 The amendment replaces the underlying bill and provides Omaha with a tax turnback from privately owned associated hotels. It further clarifies that 600 yard limit is measured from any point of

the exterior perimeter or that it could be within the program area of there is unbuildable property. It also adds the option for Lincoln to appropriate 10 percent of its funds to qualified low-income housing projects.

LB 884 would increase the recapture zone from 200 to 600 yards for the Omaha arena and from 400 yards to 600 yards for Lincoln. It would require that ten percent of such funds appropriated to a city of the primary class may be invested in areas with a high concentration of poverty to assist with low-income housing needs. Applications for state assistance submitted prior to the operative date of this act, the area that is located within six hundred yards of an eligible sports arena facility, measured from the facility but not from any parking facility or other structure. Applications submitted on or after the operative date of this act, a map identifying the program area, including any unbuildable property within the program area or take into account in adjusting the program area as described.

LB 886 – Adopt the Volunteer Emergency Responders Incentive Act and provide income tax credits.

Introduced by Senator Al Davis of Hyannis

Hearing Date: February 3, 2016

Committee: Revenue

Davis Priority Bill

Placed on General File March 3, 2016

LB 886 creates the Volunteer Emergency Responders Incentive Act. For taxable years on or after January 1, 2017, a volunteer on the list will receive a refundable credit against income tax imposed in an equal amount to two hundred fifty dollars beginning with the second taxable year the volunteer is on the list. A point system of one hundred possible points, per year, is created for an active emergency responder, active rescue squad member or active volunteer firefighter. Various methods to accumulate points are available for an individual. To name a few, responding to ten percent of emergency calls; participation in training courses and participation in drills.

LB 888 – Change provisions relating to tax credits under the Nebraska Job Creation and Mainstreet Revitalization Act.

Introduced by Senator Health Mello of Omaha

Hearing Date: January 27, 2016

Committee: Revenue

Advanced to General File.

Amended into Revenue Committee Bill LB774

LB 888 states that a taxpayer who claims a tax credit will not pay additional retaliatory tax as described under section 44-150 for claiming a tax credit. Any tax claim will be considered a payment of tax as in subsection (1) of 77-2734.03

LB 893 – Modify jurisdiction of juvenile courts and change provisions relating to temporary custody and disposition of juveniles.

Introduced by Senator Patty Pansing-Brooks of Lincoln

Hearing Date: January 22, 2016

Committee: Judiciary

This bill would require that a juvenile would have to be at least eleven (11) years old to be prosecuted or adjudicated for a criminal law violation or to be prosecuted as ungovernable, in juvenile or adult court. Instead, the juvenile court in each county, shall have jurisdiction of children who are 10 and younger, who engage in conduct which would otherwise be considered as a law violation under 43-247(3)(a)

LB 896 – Require pay increases for state employees to recognize length of service.
Introduced Senator Matt Hansen of Lincoln
Hearing Date: February 1, 2016
Committee: Business and Labor
Indefinitely Postponed

LB 896 states that state employees would get a raise every five years. Raises would be at 6.25cents/hr(five years); 12.5cents/hr(ten years); 18.75cents/hr (fifteen years); 25 cents/hr (20 years); 31.25 cents/hr(twenty five years); 37.5 cents (thirty years); 43.75 cents/hr (thirty five years); 50 cents/hr (forty years)

LB 905 – Adopt the Commission on Fathers, Men and Boys Establishment Act of 2016.
Introduced by Senator Laura Ebke of Crete
Hearing Date: March 2, 2016
Committee: Health and Human Services

LB 905 establishes the Commission on Fathers, Men and Boys. The commission will be made up of ten members. Five members appointed by the Governor and five ex officio appointed by the Executive Board of the Legislature. Commission will advocate, make recommendations to the Governor and Legislature on issues and concerns raised by fathers, men and boys. The commission will address issues of socioeconomic concerns raised.

LB 906 – Adopt the Law Enforcement Education Act authorizing tuition waivers.
Introduced by Senator Brett Lindstrom of Omaha
Hearing Date: January 25, 2016
Committee: Education
Murante Priority Bill
Advanced to Final Reading March 21, 2016

LB 906 waives 30 percent of resident tuition for law enforcement officers attending a university, college or community college. An officer has to maintain an acceptable performance level with the agency.

LB 910 – Change provisions relating to parole administration
Introduced by Senator Kate Bolz of Lincoln
Hearing Date: February 4, 2016
Committee: Judiciary
Prioritized by Judiciary Committee
Cloture Vote Failed March 22, 2016

LB 910 states starting January 1, 2017, the Office of Parole Administration will be moved to the Board of Parole. The board and director will meet once a month to prepare a plan for legislative review to cover budget, transitions, board policies and procedures with coordination for community based services.

LB 911 – State intent relating to fund transfers for behavioral health systems.
Introduced by Senator Kate Bolz of Lincoln
Hearing Date: February 8, 2016
Committee: Appropriations

LB 911 appropriates two hundred thousand dollars for fiscal year 2016-2017 to program 268, Behavioral Health Administration for creating a plan of system care for adults using behavioral health services.

LB 912 – Change requirements for presentation of identification for purposes of voting.
Introduced by Senator Jim Smith of Papillion
Hearing Date: February 10, 2016
Committee: Government

LB 912 states an individual, prior to voting must present valid photo identification and two of the following: a valid utility bill, bank statement, payment check or other government document. Documents presented must be within sixty-days of the present day with matching address to vote in that precinct.

LB 916 – Provide immunity from criminal or civil liability for removal of an animal from a motor vehicle by forcible entry as prescribed.
Introduced by Senator Sara Howard of Omaha
Hearing Date: February 19, 2016
Committee: Judiciary

LB 916 allows for an individual who rescues an animal from a locked car or the animal is trapped inside the car, that individual is immune from criminal or civil liability for damage to the automobile.

LB 918- Provide for the redistribution of motor vehicle taxes as prescribed.
Introduced by Senator John Murante of Gretna
Hearing Date: January 26, 2016
Committee: Transportation

LB 918 transfers one percent of the collected motor vehicle tax to the Vehicle Title and Registration System Replacement and Maintenance Cash Fund.

LB 920 – Add members to the Nebraska Police Standards Advisory Council
Introduced by Senator Patty Pansing- Brooks of Lincoln
Hearing Date: February 18, 2016
Committee: Judiciary

LB 920 adds nine members to the council starting January 1, 2017. The seventh member of the council will be either a member of the Jail Standards board or from the public at large. The eighth and ninth members will be full time officers from a state law agency with a rank no higher than sergeant. The eighth and ninth members of the council will be appointed by the Governor.

LB 922 - Change terms of Public Employees Retirement Board members as prescribed
Introduced by Senator Mark Kolterman of Seward
Committee: Retirement
Hearing Date: February 5, 2016

LB 922 requires member to serve five years to ensure an experienced and knowledgeable board. It provides that a member appointed to any of the Nebraska retirement systems will serve five years including the; School Employees Retirement System, Retirement System for Nebraska Counties, and Nebraska State Patrol Retirement System.

LB 925 – Change provisions relating to issuing a treasurer’s tax deed and bringing a tax lien foreclosure action as prescribed.
Introduced by Senator Burke Harr of Omaha
Hearing Date: February 17, 2016
Committee: Revenue

Andy will testify in opposition. Has several concerns.

LB 925 states at anytime within 9 months after the expiration of two years after the date of sale of any real estate for taxes or special assessments if such real estate is not legally occupied and deemed vacant or abandoned. Vacant and abandoned real estate is defined by local ordinance or determined by the appropriate local governing body. Conditions of real estate include overgrown or dead vegetation, trash and waste and /or visible deterioration.

LB 927 - Change provisions relating to surcharges for 911 services
Introduced by Senator Bob Hilkemann of Omaha
Hearing Date: February 1, 2016
Committee: Transportation and telecommunications

LB 927 changes the uniform service charge for 911 services to say: except that the monthly uniform service surcharge shall not exceed one dollar per month. It strikes language that states a surcharge of up to fifty cents on all active telephone numbers every month from users or wireless service shall remit the surcharge.

LB928 - Change provisions relating to discriminatory wage practices based on sex.
Introduced by Senator Heath Mello of Omaha
Committee: Business and Labor
Hearing: February 1, 2015
Indefinitely Postponed

LB 928 addresses wage discrimination between a man and a women in effort to close the gap. The bill also removes current employee size exemption and addresses definitions of enforcement.

LB 929 – Update certain references to federal regulations regarding motor vehicles and motor carriers.
Introduced by Senator Lydia Brasch of Bancroft
Hearing Date: January 25, 2016
Committee: Transportation and Telecommunication.
Approved by Governor March 9, 2016

LB 929 updates effective date from January 1, 2015 to January 1, 2016. Adds language making self-propelled CMV's and intermodal equipment will not apply to forum trucks and forum truck-tractors registered and operated solely in intrastate commerce.

LB 931 - Provide for financial incentives for certain assisted-living facilities and change distribution of the Behavioral Health Services Fund
Introduced by Senator Kate Bolz of Lincoln
Committee: Appropriations
Hearing Date: February 8, 2016

LB 931 appropriates two hundred fifty thousand dollars for fiscal year 2016-2017 and 2017-2018 to the Department of Health and Human Services. The allocation of funds will provide incentives for certain assisted-living facilities for adults with mental illness or a primary diagnosis of Alzheimer's disease or related dementia.

LB 934 – Change provisions relating to the Office of Public Guardian
Introduced by Senator Colby Coash of Lincoln

Hearing Date: February 3, 2016
Committee: Judiciary
Coash Priority Bill
Advanced to Enrollment and Review Initial with ER178

LB 934 defines multidisciplinary team means a team of professionals hired by the Public Guardian. Public Guardian will be an attorney licensed to practice law in Nebraska. Public Guardian will hire a multidisciplinary team. The team will be made up of professionals in public guardian and trained in the area of law.

LB 935 – Change provisions relating to the Auditor of Public Accounts
Introduced by Senator Ken Schilz of Ogallala
Committee: Government
Hearing Date: February 5, 2015
Prioritized by Government Committee
Placed on General File with AM2386 March 10, 2016

LB 935 states information not received by the auditor by December 31st of a calendar year will be considered delinquent. A political subdivision will be notified of the delinquency. If the necessary material is not received within thirty days of the December 31st, a five hundred dollars will be withheld from the next state aid payment to that that political subdivision and continue for each additional thirty days of delinquency. Upon delinquency, the auditor can make an audit of the political subdivision at which the cost will be billed to the political subdivision.

LB 937 – Eliminate a prohibition on marriage of persons with venereal disease.
Introduced by Senator Laura Ebke of Crete
Hearing Date: January 27, 2016
Committee: Judiciary

LB 937 strikes the language stating that no person with a venereal disease shall be married in Nebraska.

LB 938 - Adopt the 911 Service System Act and transfer funds from the Enhanced Wireless 911 Fund to the 911 Service System Fund
Introduced by Senator Jim Smith of Papillion
Hearing Date: February 29, 2016 (rehearing)
Committee: Transportation and Telecommunications
Prioritized by the Transportation and Telecommunications Committee
Advanced to Select File March 23, 2016

LB 938 creates the 911 Service System Act to establish the Public Service Commission as the statewide implementation and coordinating authority to plan, implement, coordinate, manage, maintain, and provide funding assistance for a statewide next-generation 911 service capability.

LB 943 – Update references with respect to husband and wife
Introduced by Senator Matt Hansen of Lincoln
Hearing Date: January 27, 2016
Committee: Judiciary

LB 943 changes references of husband and wife to “spouses in a marriage relationship.”

LB 944 – Change terminology relating to parentage and marital relationships.
Introduced by Senator Matt Hansen of Lincoln
Hearing Date: January 27, 2016
Committee: Judiciary

LB 944 addresses last year’s United Supreme Court ruling of legalizing same sex marriage and changes some references to “parents”

LB 951 - Adopt the Affordable Housing Tax Credit Act
Introduced by Senator Harr
Committee: Revenue
Hearing Date: February 10, 2016

LB 951 creates the Affordable Housing Tax Credit Act to provide an owner of an affordable housing project to apply for an affordable housing tax credit. A qualified taxpayer shall be allowed a nonrefundable tax credit if the authority determines that the project for which tax credits are sought is a qualified project.

LB 952 – Require availability of emergency medical services and change membership of the Board of Emergency Medical Services.
Introduced by Senator Dan Watermeier of Syracuse
Hearing Date: February 24, 2016
Committee: Health and Human Services
Advanced to Final Reading March 23, 2016

LB 952 states starting January 1, 2016, a county board is responsible to make sure emergency medical services are available for all county residents. The bill states that the county can contract for medical emergency and public safety services. The Board of Emergency Medical Services in regards to the seven out of hospital care providers, two will be emergency medical responders, two will be medical technicians, two will be paramedics and one will be an advanced medical technician. Members appointed after January 1, 2017, three of them will be volunteer emergency medical care providers.

LB 954 – Change provisions relating to access to records for and investigations by the Inspector General of Nebraska Child Welfare.
Introduced by Senator Bob Krist of Omaha
Hearing Date: January 22, 2015
Committee: Executive Board
Prioritized by the Executive Board
Approved by Governor on March 7, 2016

LB 954 states the Office of Inspector General of Nebraska Child Welfare can submit a written request to the Probation Administrator for access of juvenile records pertaining to a particular case. Those records will be turned over with approval via a court order. All juvenile cases as defined in sections 43-246 and 43-247, of the juvenile court will provide confidential information to the Foster Care Review Office. If upon investigation, the Inspector General finds misconduct by the juvenile services division, the probation administrator will immediately notified.

LB 968 – Change provisions relating to an agriculture promotion and development program
Introduced by Senator Johnson
Hearing: February 16, 2016
Committee: Agriculture

Prioritized by the Agriculture Committee

LB 968 allows the Department of Agriculture to cooperate and coordinate with producer organizations, state and local governments, and public and private economic development entities to identify opportunities for private sector investment in new livestock, dairy, and agricultural commodities processing facilities or expansion or repurposing of existing processing facilities within the state, to actively recruit such processing investment, and to advise and assist local communities where such investment may be sought or considered.

LB 984 - Change provisions relating to mandatory minimum sentencing and sentencing of habitual criminals

Introduced by Senator Schumacher

Committee: Judiciary

Hearing Date: February 10, 2016

LB 984 a three-judge panel would decide mandatory minimum sentences. A sentencing judge can request the three judge panel to make a finding that a habitual criminal or mandatory minimum sentence would not apply.

LB 986 - Change duties of the Public Employees Retirement Board relating to an annual valuation report and experience study

Introduced by the Nebraska Retirement Systems Committee

Committee: Nebraska Retirement

Hearing: February 5, 2016

Under LB 986, the director will provide draft copies of each annual valuation report to the Nebraska Retirement Systems Committee and Governor, as required. Copies are deemed confidential. Starting in 2016, and every four years thereafter will request an experience study from the Public Employee retirement board.

LB 989 - Change provisions relating to motor vehicles

Introduced by Senator John Murante of Gretna

Committee: Transportation and Telecommunications

Hearing Date: February 9, 2016 (9:00am)

LB 989 provides that the Director of Motor Vehicles shall designate an implementation date, which is on or before January 1, 2020. If the title is electronic, then the following changes may be made; changing the name of an owner, removing the name of an owner, or adding as an owner of the immediate family member of an owner. The department may adopt and promulgate further rules and regulations governing the eligibility of dealers to participate in the electronic dealer services system, setting forth practices, procedures, and requirements necessary to implement such system, and setting forth requirements and practices for dealers participating in such system.

LB 995 – Repeal provisions relating to the special valuation of agricultural land and provide for the agricultural value of agricultural land.

Introduced by Senator Al Davis of Hyannis

Committee: Revenue

Hearing: February 17, 2016

LB 995 local governments would tax cropland based on agricultural value instead of seventy-five percent of the actual value. Bill defines agricultural value as the actual value of land for agricultural and

horticultural purposed without regard to actual value the land would have for other uses. This is an attempt to lower property tax for famers and ranchers.

LB 998 - Provide for emergency community crisis centers and change provisions relations to emergency protective custody

Introduced by Senator Paul Schumacher of Columbus

Hearing Date: February 24, 2016

Committee: Health and Human Services

LB 998 includes the definition of emergency community crisis center as a medical assistance program. The demand for inpatient behavioral health beds exceeds the supply of such beds in Nebraska. Hospital emergency departments are not equipped to address the behavioral health needs and delays in receiving behavioral health crisis stabilization services significantly increase the risk of emotional deterioration. Further, appropriate, timely resources should be available to persons in need of behavioral health. The bill calls for an establishment of five emergency community crisis centers across the state.

LB 1000 – Require certain law enforcement agencies to adopt policies on the use of the body-worn cameras, provide that recordings from such cameras are not public records, and prohibit certain conduct involving such recordings.

Introduced by Senator Heath Mello of Omaha

Hearing Date: February 18, 2016

Committee: Judiciary

Speaker Priority Bill

Placed on General File with Am2704 March 22, 2016

LB 1000 states that police departments with body cameras must adopt policies regarding training and equipping cameras, as how to be worn in a prominent place on the uniform. An officer would have to notify an individual they approach that the camera is recording.

LB 1001 – Change provisions relating to a compensation schedule for injuries resulting in disability

Introduced by Senator Ebke

Hearing Date: February 8, 2016

Committee: Business and Labor

INDEFINITELY POSTPONED

LB 1001 adds that loss or loss of means permanent loss of physical function of an arm, a leg, an ear, an eye or nose.

LB 1010 – Change provisions relating to juvenile court petitions

Introduced by Senator Matt Williams of Gothenburg

Hearing Date: February 17, 2016

Committee: Judiciary

Placed on Select File March 21, 2016

LB 1010 calls for a written petition for juvenile court will be signed by the county attorney setting forth the facts. The petition would replace the verification of affidavit.

LB 1023 – Require development of treatment protocols for and a needs assessment of committed offenders and correctional facilities

Introduced by Senator Laura Ebke of Crete

Hearing Date: February 4, 2016

Committee: Judiciary

Under LB 1023, corrections and the division of behavioral health of DHHS would develop protocols for coordination of mental health and substance abuse treatment for a committed offender during incarceration until discharge. Protocols will cover pre-release planning; mental health and substance abuse treatment needs, supervisor plan and necessary community support services. Community based services can be used during incarceration. Corrections will provide to the Appropriations Committee of the Legislature, a needs assessment pertaining to programming in facilities before January 1st of odd numbered years.

LB 1024 – Change a provision of the Nebraska Political Accountability and Disclosure Act relating to an interest of a government contract

Introduced by Senator Tyson Larson of O’Neill

Hearing Date: February 25, 2016

Committee: Government

LB 1024 states that no member of a public official or employer’s family may enter into a business contract valued at one hundred thousand dollars in a given year. As of January 1, 2017, and every year thereafter the contract value will be adjusted for inflation.

LB 1034 – Change provisions relating to the Nebraska Children’s Commission

Introduced by Senator Kathy Campbell of Lincoln

Hearing Date: February 19, 2016

Committee: Health and Human Services

Placed on General File W/AM2230

LB 1034 adds juvenile justice to the strategic plan of reform of the Nebraska Child Welfare Commission to review and evaluate the juvenile justice system.

LB1036: Change provisions of the Credit Services Organization Act, the Delayed Deposit Services Licensing Act, and the Nebraska Installment Loan Act.

Introduced by Senator Campbell

Hearing Date: February 09, 2016

Committee: Banking, Commerce, and Insurance

LB 1036 states notwithstanding any other provisions of law, charge any brokerage fees or any other fees or charges whatsoever in connection with a loan governed by the Nebraska Installment Loan Act. It defines the annual percentage rate, default, and delayed deposit. The Department of Banking and Finance will document each delayed deposit loan transaction by a written agreement signed by both the licensee and the borrower.

LB1037 - Change property tax provisions relating to agricultural land and horticultural land

Introduced by Senator Lydia Brasch of Bancroft

Committee: Revenue

Hearing: February 17, 2016

Kintner Priority

Placed on General File

LB1037 strikes land associated with buildings. It excludes wasteland lying in or adjacent to and in common ownership or management with other agricultural land and horticulture land. It does allow

farm sites and farm home sites lying in or adjacent to and in common ownership or management with other agricultural land and horticultural land.

LB 1044 – Terminate the Commission of Industrial Relations.

Introduced by Senator Laura Ebke of Crete

Hearing Date: February 22, 2016

Committee: Business and Labor

INDEFINITELY POSTPONED

LB 1044 would abolish the CIR that was created to resolve labor disputes involving public employees. The bill would continue to protect the right of the public employee in Nebraska to strike in the event of an unresolved dispute.

LB 1058 – Change provisions relating to enforcement of certain tobacco restriction provisions.

Introduced by Senator Sue Crawford of Bellevue

Hearing Date: February 25, 2016

Committee: Judiciary

LB 1058 states with compliance checks, an individual between the ages of fourteen and eighteen years of age may be authorized to assist officers or private contractors with compliance checks. The individual under the age of eighteen and older than 14 years has to be an employee, intern or volunteer with a local or state law agency.

LB 1059 – Require certain disclosures under the Community Developmental Law and the Local Option Municipal Economic Development Act

Introduced by Senator Sue Crawford of Bellevue

Hearing Date: February 9, 2016 (9:00 am)

Committee: Urban Affairs

Placed on Final Reading March 9, 2015

Prioritized by Urban Affairs Committee

AM2067 incorporates the provisions of LB 1059 as well as the provisions of two other bills heard by the committee: LB 808 and LB 860.

LB 1059 states that prior to a redevelopment contract, the developer has to indicate if he or she has or intends to file for tax incentives under the Nebraska Advantage act; seeking a refund from the city's local option sales tax; estimate of total amount he or she is expecting from tax incentives; and if the project has been approved under the Nebraska Advantage act.

LB 1094 – Change provisions relating to evidence, sentencing, certain criminal penalties, criminal mischief, assault, theft, forgery, and probation.

Introduced by Judiciary Committee and others

Hearing Date: February 4, 2016

Committee: Judiciary

POSITION: MONITOR

Seiler Priority Bill

Placed on General File with AM2337, Bolz filed AM2721 which incorporates her LB910 into the bill.

LB 1094 addresses matters extending from LB 605. The bill addresses custodial sanctions; administrative sanctions; defined duties of a probationer officer when determining a possible violation of probation and

court proceedings. LB 1094 repeals section (5) of LB 605 relating to duties of a probationer officer, setting forth new language.

LB 1097 - Change provisions relating to sexual assault forensic testing

Introduced by Senator Adam Morfeld of Lincoln

Hearing Date: February 18, 2016

Committee: Judiciary

LB1097 would create a fund to collect federal money and for an administrator for that fund to pay expenses for medical exams for rape victims. The fund would cover costs for physical trauma exams, patient interviews, collection and evaluation of evidence, emergency room and laboratory fees. Victims would also get emotional and mental health care. Medical personnel would also be trained in practices for collecting evidence for prosecutions.

LB 1102 – Authorize legislative performance audits of tax-increment financing projects.

Introduced by Senator Al Davis of Hyannis

Hearing Date: February 5, 2016

Committee: Executive Board

LB 1102 includes any authority as defined in section 18-2103 that uses tax-increment financing as authorized in section. 18-2147

LB1103 - Change provisions relating to Medicaid reimbursements, provide for a lien, and change estate procedures.

Introduced by Senator Paul Schumacher of Columbus

Committee: Judiciary

Hearing Date: February 3, 2016

Schumacher Priority Bill

Placed on General File with AM2394 March 9, 2016

LB 1103 requires a notice shall be provided to the department in a manner and at an address designated by the department, which manner may include email. Any notice that fails to meet this requirement is void and constitutes neither notice to the department nor a waiver application for purposes of any statute or regulation that requires that a notice or waiver application be provided to the department.

LB 1107 – Create the Nebraska Election System Initiative

Introduced by Senator Tommy Garrett of Bellevue

Hearing Date: February 24, 2016

Committee: Government

LB 1107 states the current vote tabulation and ballot-marking equipment in Nebraska will soon be outdate. The bill would establish the Nebraska Election System. The goal is to examine the voting process, in Nebraska. Review methods of polling sites, early voting, equipment; disabled, minority and young voters; campaigns; and cost of replacing current system.

LR 389CA – Constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska.

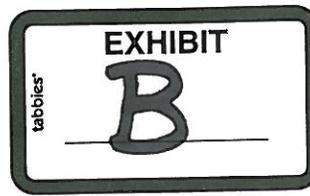
Introduced by Senator Burke Harr of Omaha

Hearing Date: January 27, 2016

Committee: Judiciary

U.S. Supreme Court, in *Obergefell v. Hodges*, ruled that marriage is a fundamental right for same-sex couples by both the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. LR389CA places on the ballot the removal of a provision of the Nebraska State Constitution, which by virtue of preemption by the U.S. Constitution is moot and not enforceable.

This concludes our report for this week.



E AND R AMENDMENTS TO LB 894

Krist 2700
Howard 2600
Chambers 2630
Krist 2610

Introduced by Hansen, 26, Chairman Enrollment and Review

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:

Coash 2616 p 27
28

AM 2700

3 ~~Section 1. Section 29-3915, Reissue Revised Statutes of Nebraska, is~~
4 ~~amended to read:~~

5 ~~29-3915 The following persons who are financially unable to obtain~~
6 ~~counsel shall be entitled to be represented by a judicial district public~~
7 ~~defender.~~

8 ~~(1) A minor brought before the juvenile court; and~~

9 ~~(2) The following persons who are financially unable to obtain~~
10 ~~counsel:~~

11 ~~(a) 1) A person charged with a felony, including appeals from~~
12 ~~convictions for a felony;~~

13 ~~(b) 2) A person pursuing a postconviction proceeding under sections~~
14 ~~29-3001 to 29-3004 after conviction of a felony, when the public defender~~
15 ~~after investigation concludes that there may be merit to such a~~
16 ~~proceeding or when the court in which such proceeding is pending directs~~
17 ~~the public defender to represent the person; and~~

18 ~~(3) A minor brought before the juvenile court when neither the minor~~
19 ~~nor his or her parent or guardian is able to afford counsel; and~~

20 ~~(c) 4) A person against whom a petition has been filed with a mental~~
21 ~~health board as provided in sections 71-945 to 71-947.~~

22 Sec. 2. Section 43-245, Revised Statutes Supplement, 2015, is
23 amended to read:

24 43-245 For purposes of the Nebraska Juvenile Code, unless the
25 context otherwise requires:

26 (1) Abandonment means a parent's intentionally withholding from a
27 child, without just cause or excuse, the parent's presence, care, love,

1 protection, and maintenance and the opportunity for the display of
2 parental affection for the child;

3 (2) Age of majority means nineteen years of age;

4 (3) Alternative to detention means a program or directive that
5 increases supervision of a youth in the community in an effort to ensure
6 the youth attends court and refrains from committing a new law violation.
7 Alternative to detention includes, but is not limited to, electronic
8 monitoring, day and evening reporting centers, house arrest, tracking,
9 family crisis response, and temporary shelter placement. ~~Placements that~~
10 utilize physical construction or hardware to restrain a youth's freedom
11 of movement and ingress and egress from placement are not considered
12 alternatives to detention;

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Except
for the
use of
manually
controlled
delayed
egress or not
more than
thirty
seconds
placements

13 (4 3) Approved center means a center that has applied for and
14 received approval from the Director of the Office of Dispute Resolution
15 under section 25-2909;

16 (5 4) Civil citation means a noncriminal notice which cannot result
17 in a criminal record and is described in section 43-248.02;

18 (6 5) Cost or costs means (a) the sum or equivalent expended, paid,
19 or charged for goods or services, or expenses incurred, or (b) the
20 contracted or negotiated price;

21 (7 6) Criminal street gang means a group of three or more people
22 with a common identifying name, sign, or symbol whose group identity or
23 purposes include engaging in illegal activities;

24 (8 7) Criminal street gang member means a person who willingly or
25 voluntarily becomes and remains a member of a criminal street gang;

26 (9 8) Custodian means a nonparental caretaker having physical
27 custody of the juvenile and includes an appointee described in section
28 43-294;

29 (10 9) Guardian means a person, other than a parent, who has
30 qualified by law as the guardian of a juvenile pursuant to testamentary
31 or court appointment, but excludes a person who is merely a guardian ad

1 litem;

2 (11 ~~10~~) Juvenile means any person under the age of eighteen;

3 (12 ~~11~~) Juvenile court means the separate juvenile court where it
4 has been established pursuant to sections 43-2,111 to 43-2,127 and the
5 county court sitting as a juvenile court in all other counties. Nothing
6 in the Nebraska Juvenile Code shall be construed to deprive the district
7 courts of their habeas corpus, common-law, or chancery jurisdiction or
8 the county courts and district courts of jurisdiction of domestic
9 relations matters as defined in section 25-2740;

10 (13 ~~12~~) Juvenile detention facility has the same meaning as in
11 section 83-4,125;

12 (14 ~~13~~) Legal custody has the same meaning as in section 43-2922;

13 (15 ~~14~~) Mediator for juvenile offender and victim mediation means a
14 person who (a) has completed at least thirty hours of training in
15 conflict resolution techniques, neutrality, agreement writing, and ethics
16 set forth in section 25-2913, (b) has an additional eight hours of
17 juvenile offender and victim mediation training, and (c) meets the
18 apprenticeship requirements set forth in section 25-2913;

19 (16 ~~15~~) Mental health facility means a treatment facility as defined
20 in section 71-914 or a government, private, or state hospital which
21 treats mental illness;

22 (17 ~~16~~) Nonoffender means a juvenile who is subject to the
23 jurisdiction of the juvenile court for reasons other than legally
24 prohibited conduct, including, but not limited to, juveniles described in
25 subdivision (3)(a) of section 43-247;

26 ~~(17) Nonsecure detention means detention characterized by the~~
27 ~~absence of restrictive hardware, construction, and procedure. Nonsecure~~
28 ~~detention services may include a range of placement and supervision~~
29 ~~options, such as home detention, electronic monitoring, day reporting,~~
30 ~~drug court, tracking and monitoring supervision, staff secure and~~
31 ~~temporary holdover facilities, and group homes;~~

1 (18) Parent means one or both parents or stepparents when the
2 stepparent is married to a parent who has physical custody of the
3 juvenile as of the filing of the petition;

4 (19) Parties means the juvenile as described in section 43-247 and
5 his or her parent, guardian, or custodian;

6 (20) Physical custody has the same meaning as in section 43-2922;

7 (21) Except in proceedings under the Nebraska Indian Child Welfare
8 Act, relative means father, mother, grandfather, grandmother, brother,
9 sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt,
10 first cousin, nephew, or niece;

11 (22) Seal a record means that a record shall not be available to the
12 public except upon the order of a court upon good cause shown;

13 (23) Secure detention means detention in a highly structured,
14 residential, hardware-secured facility designed to restrict a juvenile's
15 movement;

16 (24) Staff secure juvenile facility means a juvenile residential
17 facility operated by a political subdivision (a) which does not include
18 construction designed to physically restrict the movements and activities
19 of juveniles who are in custody in the facility, (b) in which physical
20 restriction of movement or activity of juveniles is provided solely
21 through staff, (c) which may establish reasonable rules restricting
22 ingress to and egress from the facility, and (d) in which the movements
23 and activities of individual juvenile residents may, for treatment
24 purposes, be restricted or subject to control through the use of
25 intensive staff supervision. Staff secure juvenile facility does not
26 include any institution operated by the Department of Correctional
27 Services has the same meaning as in section 83-4,125;

28 (25) Status offender means a juvenile who has been charged with or
29 adjudicated for conduct which would not be a crime if committed by an
30 adult, including, but not limited to, juveniles charged under subdivision
31 (3)(b) of section 43-247 and sections 53-180.01 and 53-180.02;

1 (26) Traffic offense means any nonfelonious act in violation of a
2 law or ordinance regulating vehicular or pedestrian travel, whether
3 designated a misdemeanor or a traffic infraction; and

4 (27) Young adult means an individual older than eighteen years of
5 age but under twenty-one years of age.

6 Sec. 3. Section 43-247, Revised Statutes Supplement, 2015, is
7 amended to read:

8 43-247 The juvenile court in each county shall have jurisdiction of:

9 (1) Any juvenile who has committed an act other than a traffic
10 offense which would constitute a misdemeanor or an infraction under the
11 laws of this state, or violation of a city or village ordinance, and who,
12 beginning July 1, 2017, was eleven years of age or older at the time the
13 act was committed;

14 (2) Any juvenile who has committed an act which would constitute a
15 felony under the laws of this state and who, beginning July 1, 2017, was
16 eleven years of age or older at the time the act was committed;

17 (3) Any juvenile (a) who is homeless or destitute, or without proper
18 support through no fault of his or her parent, guardian, or custodian;
19 who is abandoned by his or her parent, guardian, or custodian; who lacks
20 proper parental care by reason of the fault or habits of his or her
21 parent, guardian, or custodian; whose parent, guardian, or custodian
22 neglects or refuses to provide proper or necessary subsistence,
23 education, or other care necessary for the health, morals, or well-being
24 of such juvenile; whose parent, guardian, or custodian is unable to
25 provide or neglects or refuses to provide special care made necessary by
26 the mental condition of the juvenile; ~~or~~ who is in a situation or engages
27 in an occupation, including prostitution, dangerous to life or limb or
28 injurious to the health or morals of such juvenile; or who, beginning
29 July 1, 2017, has committed an act or engaged in behavior described in
30 subdivision (1), (2), (3)(b), or (4) of this section and who was under
31 eleven years of age at the time of such act or behavior, (b)(i) who,

1 until July 1, 2017, by reason of being wayward or habitually disobedient,
2 is uncontrolled by his or her parent, guardian, or custodian; who departs
3 himself or herself so as to injure or endanger seriously the morals or
4 health of himself, herself, or others; or who is habitually truant from
5 home or school or (ii) who, beginning July 1, 2017, is eleven years of
6 age or older and, by reason of being wayward or habitually disobedient,
7 is uncontrolled by his or her parent, guardian, or custodian; who departs
8 himself or herself so as to injure or endanger seriously the morals or
9 health of himself, herself, or others; or who is habitually truant from
10 home or school, or (c) who is mentally ill and dangerous as defined in
11 section 71-908;

12 (4) Any juvenile who has committed an act which would constitute a
13 traffic offense as defined in section 43-245 and who, beginning July 1,
14 2017, was eleven years of age or older at the time the act was committed;

15 (5) The parent, guardian, or custodian of any juvenile described in
16 this section;

17 (6) The proceedings for termination of parental rights;

18 (7) Any juvenile who has been voluntarily relinquished, pursuant to
19 section 43-106.01, to the Department of Health and Human Services or any
20 child placement agency licensed by the Department of Health and Human
21 Services;

22 (8) Any juvenile who was a ward of the juvenile court at the
23 inception of his or her guardianship and whose guardianship has been
24 disrupted or terminated;

25 (9) The adoption or guardianship proceedings for a child over which
26 the juvenile court already has jurisdiction under another provision of
27 the Nebraska Juvenile Code;

28 (10) The paternity or custody determination for a child over which
29 the juvenile court already has jurisdiction;

30 (11) The proceedings under the Young Adult Bridge to Independence
31 Act; and

1 (12) Except as provided in subdivision (11) of this section, any
2 individual adjudged to be within the provisions of this section until the
3 individual reaches the age of majority or the court otherwise discharges
4 the individual from its jurisdiction.

5 Notwithstanding the provisions of the Nebraska Juvenile Code, the
6 determination of jurisdiction over any Indian child as defined in section
7 43-1503 shall be subject to the Nebraska Indian Child Welfare Act; and
8 the district court shall have exclusive jurisdiction in proceedings
9 brought pursuant to section 71-510.

10 Sec. 4. Section 43-248, Revised Statutes Cumulative Supplement,
11 2014, is amended to read:

12 43-248 A peace officer may take a juvenile into temporary custody
13 without a warrant or order of the court and proceed as provided in
14 section 43-250 when:

15 (1)(a) Until July 1, 2017, a A juvenile has violated a state law or
16 municipal ordinance and the officer has reasonable grounds to believe
17 such juvenile committed such violation or (b) beginning July 1, 2017, a
18 juvenile has violated a state law or municipal ordinance and such
19 juvenile was eleven years of age or older at the time of the violation,
20 and the officer has reasonable grounds to believe such juvenile committed
21 such violation and was eleven years of age or older at the time of the
22 violation;

23 (2) A juvenile is seriously endangered in his or her surroundings
24 and immediate removal appears to be necessary for the juvenile's
25 protection;

26 (3) The officer believes the juvenile to be mentally ill and
27 dangerous as defined in section 71-908 and that the harm described in
28 that section is likely to occur before proceedings may be instituted
29 before the juvenile court;

30 (4) The officer has reasonable grounds to believe that the juvenile
31 has run away from his or her parent, guardian, or custodian;

1 (5) A probation officer has reasonable cause to believe that a
2 juvenile is in violation of probation and that the juvenile will attempt
3 to leave the jurisdiction or place lives or property in danger;

4 (6) The officer has reasonable grounds to believe the juvenile is
5 truant from school; ~~or~~

6 (7) The officer has reasonable grounds to believe the juvenile is
7 immune from prosecution for prostitution under subsection (5) of section
8 28-801; ~~or~~

9 (8) Beginning July 1, 2017, the juvenile has committed an act or
10 engaged in behavior described in subdivision (1), (2), (3)(b), or (4) of
11 section 43-247 and such juvenile was under eleven years of age at the
12 time of such act or behavior, and the officer has reasonable cause to
13 believe such juvenile committed such act or engaged in such behavior and
14 was under eleven years of age at such time.

15 Sec. 5. Section 43-248.01, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 43-248.01 All law enforcement personnel or other governmental
18 officials having custody of any person under eighteen years of age who
19 ~~has been arrested, restrained, detained, or deprived of his or her~~
20 ~~liberty for whatever reason shall~~ inform ~~permit~~ the person in custody,
21 using developmentally appropriate language and without unnecessary delay
22 ~~after arrival at a police station or detention facility, of such person's~~
23 right to call or consult an attorney who is retained by or appointed on
24 behalf of such person in custody or whom the person in custody may desire
25 to consult and, except when exigent circumstances exist, shall permit
26 such person to call or consult such attorney without delay. An attorney
27 shall be permitted to see and consult with the person in custody alone
28 and in private at the place of custody.

29 Sec. 6. Section 43-250, Revised Statutes Supplement, 2015, is
30 amended to read:

31 43-250 (1) A peace officer who takes a juvenile into temporary

1 custody under section 29-401 or subdivision (1), (4), or (5) of section
2 43-248 shall immediately take reasonable measures to notify the
3 juvenile's parent, guardian, custodian, or relative and shall proceed as
4 follows:

5 (a) The peace officer may release a juvenile taken into temporary
6 custody under section 29-401 or subdivision (1) or (4) of section 43-248;

7 (b) The peace officer may require a juvenile taken into temporary
8 custody under section 29-401 or subdivision (1) or (4) of section 43-248
9 to appear before the court of the county in which such juvenile was taken
10 into custody at a time and place specified in the written notice prepared
11 in triplicate by the peace officer or at the call of the court. The
12 notice shall also contain a concise statement of the reasons such
13 juvenile was taken into custody. The peace officer shall deliver one copy
14 of the notice to such juvenile and require such juvenile or his or her
15 parent, guardian, other custodian, or relative, or both, to sign a
16 written promise that such signer will appear at the time and place
17 designated in the notice. Upon the execution of the promise to appear,
18 the peace officer shall immediately release such juvenile. The peace
19 officer shall, as soon as practicable, file one copy of the notice with
20 the county attorney or city attorney and, when required by the court,
21 also file a copy of the notice with the court or the officer appointed by
22 the court for such purpose; or

23 (c) The peace officer may retain temporary custody of a juvenile
24 taken into temporary custody under section 29-401 or subdivision (1),
25 (4), or (5) of section 43-248 and deliver the juvenile, if necessary, to
26 the probation officer and communicate all relevant available information
27 regarding such juvenile to the probation officer. The probation officer
28 shall determine the need for detention of the juvenile as provided in
29 section 43-260.01. Upon determining that the juvenile should be placed in
30 detention or an alternative to detention ~~a secure or nonsecure placement~~
31 and securing placement in such ~~secure or nonsecure~~ setting by the

1 probation officer, the peace officer shall implement the probation
2 officer's decision to release or to detain and place the juvenile. When
3 secure detention of a juvenile is necessary, such detention shall occur
4 within a juvenile detention facility except:

5 (i) When a juvenile described in subdivision (1) or (2) of section
6 43-247, except for a status offender, is taken into temporary custody
7 within a metropolitan statistical area and where no juvenile detention
8 facility is reasonably available, the juvenile may be delivered, for
9 temporary custody not to exceed six hours, to a secure area of a jail or
10 other facility intended or used for the detention of adults solely for
11 the purposes of identifying the juvenile and ascertaining his or her
12 health and well-being and for safekeeping while awaiting transport to an
13 appropriate juvenile placement or release to a responsible party;

14 (ii) When a juvenile described in subdivision (1) or (2) of section
15 43-247, except for a status offender, is taken into temporary custody
16 outside of a metropolitan statistical area and where no juvenile
17 detention facility is reasonably available, the juvenile may be
18 delivered, for temporary custody not to exceed twenty-four hours
19 excluding nonjudicial days and while awaiting an initial court
20 appearance, to a secure area of a jail or other facility intended or used
21 for the detention of adults solely for the purposes of identifying the
22 juvenile and ascertaining his or her health and well-being and for
23 safekeeping while awaiting transport to an appropriate juvenile placement
24 or release to a responsible party;

25 (iii) Whenever a juvenile is held in a secure area of any jail or
26 other facility intended or used for the detention of adults, there shall
27 be no verbal, visual, or physical contact between the juvenile and any
28 incarcerated adult and there shall be adequate staff to supervise and
29 monitor the juvenile's activities at all times. This subdivision shall
30 not apply to a juvenile charged with a felony as an adult in county or
31 district court if he or she is sixteen years of age or older;

1 (iv) If a juvenile is under sixteen years of age or is a juvenile as
2 described in subdivision (3) of section 43-247, he or she shall not be
3 placed within a secure area of a jail or other facility intended or used
4 for the detention of adults;

5 (v) If, within the time limits specified in subdivision (1)(c)(i) or
6 (1)(c)(ii) of this section, a felony charge is filed against the juvenile
7 as an adult in county or district court, he or she may be securely held
8 in a jail or other facility intended or used for the detention of adults
9 beyond the specified time limits;

10 (vi) A status offender or nonoffender taken into temporary custody
11 shall not be held in a secure area of a jail or other facility intended
12 or used for the detention of adults. Until January 1, 2013, a status
13 offender accused of violating a valid court order may be securely
14 detained in a juvenile detention facility longer than twenty-four hours
15 if he or she is afforded a detention hearing before a court within
16 twenty-four hours, excluding nonjudicial days, and if, prior to a
17 dispositional commitment to secure placement, a public agency, other than
18 a court or law enforcement agency, is afforded an opportunity to review
19 the juvenile's behavior and possible alternatives to secure placement and
20 has submitted a written report to the court; and

21 (vii) A juvenile described in subdivision (1) or (2) of section
22 43-247, except for a status offender, may be held in a secure area of a
23 jail or other facility intended or used for the detention of adults for
24 up to six hours before and six hours after any court appearance.

25 (2) When a juvenile is taken into temporary custody pursuant to
26 subdivision (2), ~~or (7),~~ or (8) of section 43-248, the peace officer
27 shall deliver the custody of such juvenile to the Department of Health
28 and Human Services which shall make a temporary placement of the juvenile
29 in the least restrictive environment consistent with the best interests
30 of the juvenile as determined by the department. The department shall
31 supervise such placement and, if necessary, consent to any necessary

1 emergency medical, psychological, or psychiatric treatment for such
2 juvenile. The department shall have no other authority with regard to
3 such temporary custody until or unless there is an order by the court
4 placing the juvenile in the custody of the department. If the peace
5 officer delivers temporary custody of the juvenile pursuant to this
6 subsection, the peace officer shall make a full written report to the
7 county attorney within twenty-four hours of taking such juvenile into
8 temporary custody. If a court order of temporary custody is not issued
9 within forty-eight hours of taking the juvenile into custody, the
10 temporary custody by the department shall terminate and the juvenile
11 shall be returned to the custody of his or her parent, guardian,
12 custodian, or relative.

13 (3) If the peace officer takes the juvenile into temporary custody
14 pursuant to subdivision (3) of section 43-248, the peace officer may
15 place the juvenile at a mental health facility for evaluation and
16 emergency treatment or may deliver the juvenile to the Department of
17 Health and Human Services as provided in subsection (2) of this section.
18 At the time of the admission or turning the juvenile over to the
19 department, the peace officer responsible for taking the juvenile into
20 custody pursuant to subdivision (3) of section 43-248 shall execute a
21 written certificate as prescribed by the Department of Health and Human
22 Services which will indicate that the peace officer believes the juvenile
23 to be mentally ill and dangerous, a summary of the subject's behavior
24 supporting such allegations, and that the harm described in section
25 71-908 is likely to occur before proceedings before a juvenile court may
26 be invoked to obtain custody of the juvenile. A copy of the certificate
27 shall be forwarded to the county attorney. The peace officer shall notify
28 the juvenile's parents, guardian, custodian, or relative of the
29 juvenile's placement.

30 (4) When a juvenile is taken into temporary custody pursuant to
31 subdivision (6) of section 43-248, the peace officer shall deliver the

1 juvenile to the enrolled school of such juvenile.

2 (5) A juvenile taken into custody pursuant to a legal warrant of
3 arrest shall be delivered to a probation officer who shall determine the
4 need for detention of the juvenile as provided in section 43-260.01. If
5 detention is not required, the juvenile may be released without bond if
6 such release is in the best interests of the juvenile, the safety of the
7 community is not at risk, and the court that issued the warrant is
8 notified that the juvenile had been taken into custody and was released.

9 (6) In determining the appropriate temporary placement or
10 alternative to detention of a juvenile under this section, the peace
11 officer shall select the placement or alternative which is least
12 restrictive of the juvenile's freedom so long as such placement or
13 alternative is compatible with the best interests of the juvenile and the
14 safety of the community. Any alternative to detention shall cause the
15 least restriction of the juvenile's freedom of movement consistent with
16 the best interest of the juvenile and the safety of the community.

17 Sec. 7. Section 43-251.01, Revised Statutes Supplement, 2015, is
18 amended to read:

19 43-251.01 All placements and commitments of juveniles for
20 evaluations or as temporary or final dispositions are subject to the
21 following:

22 (1) No juvenile shall be confined in an adult correctional facility
23 as a disposition of the court;

24 (2) A juvenile who is found to be a juvenile as described in
25 subdivision (3) of section 43-247 shall not be placed in an adult
26 correctional facility, the secure youth confinement facility operated by
27 the Department of Correctional Services, or a youth rehabilitation and
28 treatment center or committed to the Office of Juvenile Services;

29 (3) A juvenile who is found to be a juvenile as described in
30 subdivision (1), (2), or (4) of section 43-247 shall not be assigned or
31 transferred to an adult correctional facility or the secure youth

1 confinement facility operated by the Department of Correctional Services;

2 (4) A juvenile under the age of fourteen years shall not be placed
3 with or committed to a youth rehabilitation and treatment center;

4 (5) A juvenile shall not be detained in secure detention or placed
5 at a youth rehabilitation and treatment center unless detention or
6 placement of such juvenile is a matter of immediate and urgent necessity
7 for the protection of such juvenile or the person or property of another
8 or if it appears that such juvenile is likely to flee the jurisdiction of
9 the court;

10 (6) A juvenile alleged to be a juvenile as described in subdivision
11 ~~(3) (3)(b)~~ of section 43-247 shall not be placed in a juvenile detention
12 facility, including a wing labeled as staff secure at such facility,
13 unless the designated staff secure portion of the facility fully complies
14 with subdivision ~~(5 3)~~ of section 83-4,125 and the ingress and egress to
15 the facility are restricted solely through staff supervision; and

16 (7) A juvenile alleged to be a juvenile as described in subdivision
17 ~~(1), (2), (3)(b), or (4)~~ of section 43-247 shall not be placed out of his
18 or her home as a dispositional order of the court unless:

19 (a) All available community-based resources have been exhausted to
20 assist the juvenile and his or her family; and

21 (b) Maintaining the juvenile in the home presents a significant risk
22 of harm to the juvenile or community.

23 Sec. 8. Section 43-253, Revised Statutes Cumulative Supplement,
24 2014, is amended to read:

25 43-253 (1) Upon delivery to the probation officer of a juvenile who
26 has been taken into temporary custody under section 29-401, 43-248, or
27 43-250, the probation officer shall immediately investigate the situation
28 of the juvenile and the nature and circumstances of the events
29 surrounding his or her being taken into custody. Such investigation may
30 be by informal means when appropriate.

31 (2) The probation officer's decision to release the juvenile from

1 custody or place the juvenile in ~~secure or nonsecure~~ detention or an
2 alternative to detention shall be based upon the results of the
3 standardized juvenile detention screening instrument described in section
4 43-260.01.

5 (3) No juvenile who has been taken into temporary custody under
6 subdivision (1)(c) of section 43-250 shall be detained in any secure
7 detention facility or be subject to an alternative to detention
8 infringing upon the juvenile's liberty interest for longer than twenty-
9 four hours, excluding nonjudicial days, after having been taken into
10 custody unless such juvenile has appeared personally before a court of
11 competent jurisdiction for a hearing to determine if continued detention,
12 services, or supervision is necessary. The juvenile shall be represented
13 by counsel at the hearing. If continued secure detention is ordered, such
14 detention shall be in a juvenile detention facility, except that a
15 juvenile charged with a felony as an adult in county or district court
16 may be held in an adult jail as set forth in subdivision (1)(c)(v) of
17 section 43-250. A juvenile placed in an alternative to detention, but not
18 in detention, may waive this hearing through counsel.

19 (4) When the probation officer deems it to be in the best interests
20 of the juvenile, the probation officer shall immediately release such
21 juvenile to the custody of his or her parent. If the juvenile has both a
22 custodial and a noncustodial parent and the probation officer deems that
23 release of the juvenile to the custodial parent is not in the best
24 interests of the juvenile, the probation officer shall, if it is deemed
25 to be in the best interests of the juvenile, attempt to contact the
26 noncustodial parent, if any, of the juvenile and to release the juvenile
27 to such noncustodial parent. If such release is not possible or not
28 deemed to be in the best interests of the juvenile, the probation officer
29 may release the juvenile to the custody of a legal guardian, a
30 responsible relative, or another responsible person.

31 (5) The court may admit such juvenile to bail by bond in such amount

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Insert "whether such
counsel shall
be provided at
the cost of
the county
shall be
determined
as provided
in subsection
(1) of
section
43-272.4

1 and on such conditions and security as the court, in its sole discretion,
2 shall determine, or the court may proceed as provided in section 43-254.
3 In no case shall the court or probation officer release such juvenile if
4 it appears that further detention or placement of such juvenile is a
5 matter of immediate and urgent necessity for the protection of such
6 juvenile or the person or property of another or if it appears that such
7 juvenile is likely to flee the jurisdiction of the court.

8 Sec. 9. Section 43-255, Revised Statutes Cumulative Supplement,
9 2014, is amended to read:

10 43-255 Whenever a juvenile is detained or placed in an alternative
11 to detention infringing upon the child's liberty interest under section
12 43-250 or 43-253, the juvenile shall be released unconditionally within
13 forty-eight hours after the detention or placement order or the setting
14 of bond, excluding nonjudicial days, unless within such period of time
15 (1) a motion has been filed alleging that such juvenile has violated an
16 order of the juvenile court, (2) a juvenile court petition has been filed
17 pursuant to section 43-274, or (3) a criminal complaint has been filed in
18 a court of competent jurisdiction.

19 Sec. 10. Section 43-256, Revised Statutes Cumulative Supplement,
20 2014, is amended to read:

21 43-256 When the court enters an order continuing placement, ~~or~~
22 detention, or an alternative to detention infringing upon the juvenile's
23 liberty interest pursuant to section 43-253, upon request of the
24 juvenile, or his or her parent, guardian, or attorney, the court shall
25 hold a hearing within forty-eight hours, at which hearing the burden of
26 proof shall be upon the state to show probable cause that such juvenile
27 is within the jurisdiction of the court. Strict rules of evidence shall
28 not apply at the probable cause hearing. The juvenile shall be released
29 if probable cause is not shown. At the option of the court, it may hold
30 the adjudication hearing provided in section 43-279 as soon as possible
31 instead of the probable cause hearing if held within a reasonable period

1 of time. This section and section 43-255 shall not apply to a juvenile
2 (1) who has escaped from a commitment or (2) who has been taken into
3 custody for his or her own protection as provided in subdivision (2) of
4 section 43-248 in which case the juvenile shall be held on order of the
5 court with jurisdiction for a reasonable period of time.

6 Sec. 11. Section 43-260, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 43-260 The Office of Probation Administration shall prepare and
9 distribute to probation officers a standardized juvenile detention
10 screening instrument. The types of risk factors to be included as well as
11 the format of this standardized juvenile detention screening instrument
12 shall be determined by the office. The standardized juvenile detention
13 screening instrument shall be used as an assessment tool statewide by
14 probation officers under section 43-260.01 in order to determine if
15 detention of the juvenile is necessary and, if so, whether ~~secure or~~
16 ~~nonsecure~~ detention or an alternative to detention is indicated.
17 Probation officers trained to administer the juvenile detention screening
18 instrument shall act as juvenile intake probation officers. Only duly
19 trained probation officers shall be authorized to administer the juvenile
20 detention screening instrument.

21 Sec. 12. Section 43-260.01, Revised Statutes Cumulative Supplement,
22 2014, is amended to read:

23 43-260.01 The need for preadjudication placement, services, or
24 supervision and the need for detention of a juvenile and whether
25 detention ~~secure~~ or an alternative to detention ~~nonsecure detention~~ is
26 indicated shall be subject to subdivision (5) of section 43-251.01 and
27 may be determined as follows:

28 (1) The standardized juvenile detention screening instrument shall
29 be used to evaluate the juvenile;

30 (2) If the results indicate that ~~secure~~ detention is not required,
31 the juvenile shall be released without restriction or released to an

1 ~~alternative to detention nonsecure detention placement or supervision~~
2 ~~options shall be pursued; and~~

3 (3) If the results indicate that secure detention is required,
4 detention at the secure level as indicated by the instrument shall be
5 pursued.

6 Sec. 13. Section 43-272, Revised Statutes Supplement, 2015, is
7 amended to read:

8 43-272 (1) ~~when~~ any juvenile court petition is filed alleging

AM 2700

9 jurisdiction of a juvenile pursuant to subdivision (1), (2), (3)(b), or
10 (4) of section 43-247, counsel shall be appointed for such juvenile shall
11 be brought without counsel before a juvenile court, the court shall
12 advise such juvenile and his or her parent or guardian of their right to
13 retain counsel and shall inquire of such juvenile and his or her parent
14 or guardian as to whether they desire to retain counsel. The court shall
15 inform such juvenile and his or her parent or guardian of such juvenile's
16 right to counsel at county expense if none of them is able to afford
17 counsel. If the juvenile or his or her parent or guardian desires to have
18 counsel appointed for such juvenile, or the parent or guardian of such
19 juvenile cannot be located, and the court ascertains that none of such
20 persons are able to afford an attorney, the court shall forthwith appoint
21 an attorney to represent such juvenile for all proceedings before the
22 juvenile court, except that if an attorney is appointed to represent such
23 juvenile and the court later determines that a parent of such juvenile is
24 able to afford an attorney, the court shall order such parent or juvenile
25 to pay for services of the attorney to be collected in the same manner as
26 provided by section 43-290. If the parent willfully refuses to pay any
27 such sum, the court may commit him or her for contempt, and execution may
28 issue at the request of the appointed attorney or the county attorney or
29 by the court without a request.

language in AM 2700

see AM 2700 P1, 29 lines 10-12, line 2

30 ~~(2) The court, on its own motion or upon application of a party to~~
31 ~~the proceedings, shall appoint a guardian ad litem for the juvenile: (a)~~

Insert "(b) In counties having a population of one hundred fifty thousand or more inhabitants.

1 If the juvenile has no parent or guardian of his or her person or if the
2 parent or guardian of the juvenile cannot be located or cannot be brought
3 before the court; (b) if the parent or guardian of the juvenile is
4 excused from participation in all or any part of the proceedings; (c) if
5 the parent is a juvenile or an incompetent; (d) if the parent is
6 indifferent to the interests of the juvenile; or (e) in any proceeding
7 pursuant to the provisions of subdivision (3)(a) of section 43-247.

8 A guardian ad litem shall have the duty to protect the interests of
9 the juvenile for whom he or she has been appointed guardian, and shall be
10 deemed a parent of the juvenile as to those proceedings with respect to
11 which his or her guardianship extends.

12 (3) The court shall appoint an attorney as guardian ad litem. A
13 guardian ad litem shall act as his or her own counsel and as counsel for
14 the juvenile, unless there are special reasons in a particular case why
15 the guardian ad litem or the juvenile or both should have separate
16 counsel. In such cases the guardian ad litem shall have the right to
17 counsel, except that the guardian ad litem shall be entitled to appointed
18 counsel without regard to his or her financial ability to retain counsel.
19 ~~Such~~ whether such appointed counsel shall be provided at the cost of the
20 county shall be determined as provided in subsection (1) of this section.

21 (4) By July 1, 2015, the Supreme Court shall provide by court rule
22 standards for guardians ad litem for juveniles in juvenile court
23 proceedings.

24 (5) By July 1, 2017, the Supreme Court shall provide guidelines
25 setting forth standards for all attorneys who practice in juvenile court.

26 Sec. 14. (1) In any court proceeding, any waiver of the right to
27 counsel by a juvenile shall be made in open court, shall be recorded, and
28 shall be confirmed in a writing signed by the juvenile.

29 (2) A court shall not accept a juvenile's waiver of the right to
30 counsel unless the waiver satisfies subsection (1) of this section and is
31 an affirmative waiver that is made intelligently, voluntarily, and

Am 2700

AM 2610

inserts
how
sections
on guardian
ad litem
division

1 understandingly. In determining whether such waiver was made
2 intelligently, voluntarily, and understandingly, the court shall
3 consider, among other things: (a) The age, intelligence, and education of
4 the juvenile, (b) the juvenile's emotional stability, and (c) the
5 complexity of the proceedings.

6 (3) The court shall ensure that a juvenile *represented by an attorney* consults with his or her
7 attorney before any waiver of counsel. *AMZ 700*

8 (4) No parent, guardian, custodian, or other person may waive the
9 juvenile's right to counsel.

10 (5) A juvenile's right to be represented by counsel may not be
11 waived in the following circumstances:

12 (a) If the juvenile is under the age of fourteen;

13 (b) For a detention hearing;

14 (c) For any dispositional hearing where out-of-home placement is
15 sought; or

16 (d) If there is a motion to transfer the juvenile from juvenile
17 court to county court or district court.

18 Sec. 15. Section 43-279, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 43-279 (1) The adjudication portion of hearings shall be conducted
21 before the court without a jury, applying the customary rules of evidence
22 in use in trials without a jury. When the petition alleges the juvenile
23 to be within the provisions of subdivision (1), (2), (3)(b), or (4) of
24 section 43-247 and the juvenile or his or her parent, guardian, or
25 custodian appears with or without counsel, the court shall inform the
26 parties:

27 (a) Of the nature of the proceedings and the possible consequences
28 or dispositions pursuant to sections 43-284 to 43-286, 43-289, and 43-290
29 that may apply to the juvenile's case following an adjudication of
30 jurisdiction;

31 (b) Of such juvenile's right to counsel as provided in sections

1 43-272 and 43-273;

2 (c) Of the privilege against self-incrimination by advising the
3 juvenile, parent, guardian, or custodian that the juvenile may remain
4 silent concerning the charges against the juvenile and that anything said
5 may be used against the juvenile;

6 (d) Of the right to confront anyone who testifies against the
7 juvenile and to cross-examine any persons who appear against the
8 juvenile;

9 (e) Of the right of the juvenile to testify and to compel other
10 witnesses to attend and testify in his or her own behalf;

11 (f) Of the right of the juvenile to a speedy adjudication hearing;
12 and

13 (g) Of the right to appeal and have a transcript for such purpose.

14 After giving such warnings and admonitions, the court may accept an
15 in-court admission by the juvenile of all or any part of the allegations
16 in the petition if the court has determined from examination of the
17 juvenile and those present that such admission is intelligently,
18 voluntarily, and understandingly made and with an affirmative waiver of
19 rights and that a factual basis for such admission exists. The waiver of
20 the right to counsel shall satisfy section 14 of this act. The court may
21 base its adjudication provided in subsection (2) of this section on such
22 admission.

23 (2) If the juvenile denies the petition or stands mute the court
24 shall first allow a reasonable time for preparation if needed and then
25 consider only the question of whether the juvenile is a person described
26 by section 43-247. After hearing the evidence on such question, the court
27 shall make a finding and adjudication, to be entered on the records of
28 the court, whether or not the juvenile is a person described by
29 subdivision (1), (2), (3)(b), or (4) of section 43-247 based upon proof
30 beyond a reasonable doubt. If an Indian child is involved, the standard
31 of proof shall be in compliance with the Nebraska Indian Child Welfare

1 Act, if applicable.

2 (3) If the court shall find that the juvenile named in the petition
3 is not within the provisions of section 43-247, it shall dismiss the
4 case. If the court finds that the juvenile named in the petition is such
5 a juvenile, it shall make and enter its findings and adjudication
6 accordingly, designating which subdivision or subdivisions of section
7 43-247 such juvenile is within; the court shall allow a reasonable time
8 for preparation if needed and then proceed to an inquiry into the proper
9 disposition to be made of such juvenile.

10 Sec. 16. Section 43-3503, Revised Statutes Cumulative Supplement,
11 2014, is amended to read:

12 43-3503 (1) It is the intent of the Legislature to encourage
13 counties to develop a continuum of alternatives to detention ~~nonsecure~~
14 ~~detention~~ ~~services~~ for the purpose of enhancing, developing, and
15 expanding the availability of such services to juveniles requiring
16 alternatives to detention ~~nonsecure detention~~.

17 (2) A county may enhance, develop, or expand alternatives to
18 detention ~~nonsecure detention~~ ~~services~~ as needed with private or public
19 providers. Grants from the Commission Grant Program and aid from the
20 Community-based Juvenile Services Aid Program under the Juvenile Services
21 Act and the federal Juvenile Justice and Delinquency Prevention Act of
22 1974 may be used to fund alternatives to detention ~~nonsecure detention~~
23 ~~services~~. Each county shall routinely review services provided by
24 contract providers and modify services as needed.

25 Sec. 17. Section 43-3504, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 43-3504 (1) Each county shall develop a county juvenile services
28 plan by January 1, 2003. Two or more counties may establish a multicounty
29 juvenile services plan. Such plan should include input from individuals
30 comprising a local juvenile justice advisory committee as provided for in
31 subdivision (1) of section 43-3505 or a similar committee or group of

1 individuals. The plan shall be submitted to the Nebraska Commission on
2 Law Enforcement and Criminal Justice and shall include:

3 (a) Identification of the risk factors for delinquency that exist in
4 the county or counties and service needs;

5 (b) Identification of juvenile services available within the county
6 or counties, including, but not limited to, programs for assessment and
7 evaluation, the prevention of delinquent behavior, diversion, detention,
8 shelter care, intensive juvenile probation services, restitution, family
9 support services, and community centers for the care and treatment of
10 juveniles in need of services;

11 (c) Identification of juvenile services within close proximity of
12 the county or counties that may be utilized if community-based programs
13 are not available within the county or counties;

14 (d) Identification of the programs, services, facilities, and
15 providers facilities the county primarily uses for juvenile ~~secure~~
16 ~~detention and for nonsecure detention or alternatives to detention,~~
17 including the costs associated with the use of such programs, services,
18 facilities, and providers facilities; and

19 (e) A coordination plan and an enhancement, development, and
20 expansion plan of community services within the county, counties, or
21 region to help prevent delinquency by providing intervention services
22 when behavior that leads to delinquency is first exhibited. Examples of
23 intervention services include, but are not limited to, alternative
24 schools, school truancy programs, volunteer programs, family preservation
25 and counseling, drug and alcohol counseling, diversion programs, and
26 Parents Anonymous.

27 (2) Following or in conjunction with the development of a county
28 juvenile services plan, each county may develop regional service plans
29 and establish regional juvenile services boards when appropriate. The
30 regional service plan shall be submitted to the Nebraska Commission on
31 Law Enforcement and Criminal Justice.

1 (3) Plans developed under this section shall be updated no less than
2 every five years after the date the plan is submitted to the commission.

3 Sec. 18. Section 83-4,125, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 83-4,125 For purposes of sections 83-4,124 to 83-4,134 and section
6 22 of this act:

7 (1) Criminal detention facility means any institution operated by a
8 political subdivision or a combination of political subdivisions for the
9 careful keeping or rehabilitative needs of adult or juvenile criminal
10 offenders or those persons being detained while awaiting disposition of
11 charges against them. Criminal detention facility does not include any
12 institution operated by the Department of Correctional Services. Criminal
13 detention facilities shall be classified as follows:

14 (a) Type I Facilities means criminal detention facilities used for
15 the detention of persons for not more than twenty-four hours, excluding
16 nonjudicial days;

17 (b) Type II Facilities means criminal detention facilities used for
18 the detention of persons for not more than ninety-six hours, excluding
19 nonjudicial days; and

20 (c) Type III Facilities means criminal detention facilities used for
21 the detention of persons beyond ninety-six hours;

22 (2) Juvenile detention facility means an institution operated by a
23 political subdivision or political subdivisions for the secure detention
24 and treatment of persons younger than eighteen years of age, including
25 persons under the jurisdiction of a juvenile court, who are serving a
26 sentence pursuant to a conviction in a county or district court or who
27 are detained while waiting disposition of charges against them. Juvenile
28 detention facility does not include any institution operated by the
29 department; ~~and~~

30 (3) Juvenile facility means a residential child-caring agency as
31 defined in section 71-1926, a juvenile detention facility or staff secure

1 juvenile facility as defined in section 83-4,125, a facility operated by
2 the Department of Correctional Services that houses youth under the age
3 of majority, or a youth rehabilitation and treatment center;

4 (4) Room confinement means the involuntary restriction of a juvenile
5 to a cell, room, or other area, alone, including a juvenile's own room,
6 except during normal sleeping hours; and

7 (5) Staff secure juvenile facility means a juvenile residential
8 facility operated by a political subdivision (a) which does not include
9 construction designed to physically restrict the movements and activities
10 of juveniles who are in custody in the facility, (b) in which physical
11 restriction of movement or activity of juveniles is provided solely
12 through staff, (c) which may establish reasonable rules restricting
13 ingress to and egress from the facility, and (d) in which the movements
14 and activities of individual juvenile residents may, for treatment
15 purposes, be restricted or subject to control through the use of
16 intensive staff supervision. Staff secure juvenile facility does not
17 include any institution operated by the department.

18 Sec. 19. Section 83-4,126, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 83-4,126 (1) Except as provided in subsection (2) of this section,
21 the Jail Standards Board shall have the authority and responsibility:

22 (a) To develop minimum standards for the construction, maintenance,
23 and operation of criminal detention facilities;

24 (b) To perform other duties as may be necessary to carry out the
25 policy of the state regarding criminal detention facilities, juvenile
26 detention facilities, and staff secure juvenile facilities as stated in
27 sections 83-4,124 to 83-4,134 and section 22 of this act; and

28 (c) Consistent with the purposes and objectives of the Juvenile
29 Services Act, to develop standards for juvenile detention facilities and
30 staff secure juvenile facilities, including, but not limited to,
31 standards for physical facilities, care, programs, and disciplinary

1 procedures, and to develop guidelines pertaining to the operation of such
2 facilities.

3 (2) The Jail Standards Board shall not have authority over or
4 responsibility for correctional facilities that are accredited by a
5 nationally recognized correctional association. A correctional facility
6 that is accredited by a nationally recognized correctional association
7 shall show proof of accreditation annually to the Jail Standards Board.
8 For purposes of this subsection, nationally recognized correctional
9 association includes, but is not limited to, the American Correctional
10 Association or its successor.

11 Sec. 20. Section 83-4,132, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 83-4,132 If an inspection under sections 83-4,124 to 83-4,134 and
14 section 22 of this act discloses that the criminal detention facility,
15 juvenile detention facility, or staff secure juvenile facility does not
16 meet the minimum standards established by the Jail Standards Board, the
17 board shall send notice, together with the inspection report, to the
18 governing body responsible for the facility. The appropriate governing
19 body shall promptly meet to consider the inspection report, and the
20 inspection personnel shall appear before the governing body to advise and
21 consult concerning appropriate corrective action. The governing body
22 shall then initiate appropriate corrective action within six months after
23 the receipt of such inspection report or may voluntarily close the
24 facility or the objectionable portion thereof.

25 Sec. 21. Section 83-4,134, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 83-4,134 Sections 83-4,124 to 83-4,134 and section 22 of this act
28 shall be implemented upon completion of the development of minimum
29 standards by the Jail Standards Board. Thereafter, inspections shall
30 begin, but no criminal detention facility, juvenile detention facility,
31 or staff secure juvenile facility shall be closed within one year of the

1 date of first filing of the minimum standards in the office of the
2 Secretary of State. After one year from the date of first filing of the
3 minimum standards, a facility may be closed for any violation of the
4 minimum standards. Those standards relating to the construction of the
5 facility itself and its plumbing, heating, and wiring systems shall not
6 be enforced so as to require the closing of any facility for a period of
7 two years from the date of the first filing of the minimum standards
8 unless such violations are of immediate danger to the safety of the
9 persons confined in the facility or facility personnel, in which case
10 such period shall be one year.

11 Sec. 22. (1) It is the intent of the Legislature to establish a
12 system of investigation and performance review in order to provide
13 increased accountability and oversight regarding the use of room
14 confinement for juveniles in a juvenile facility.

15 (2) The following shall apply regarding placement in room
16 confinement of a juvenile in a juvenile facility:

17 (a) Room confinement of a juvenile for longer than one hour shall be
18 documented and approved in writing by a supervisor in the juvenile
19 facility. Documentation of the room confinement shall include the date of
20 the occurrence; the race, ethnicity, age, and gender of the juvenile; the
21 reason for placement of the juvenile in room confinement; an explanation
22 of why less restrictive means were unsuccessful; the ultimate duration of
23 the placement in room confinement; and any incidents of self-harm or
24 suicide committed by the juvenile while he or she was isolated;

25 (b) If any physical or mental health clinical evaluation was
26 performed during the time the juvenile was in room confinement for longer
27 than one hour, the results of such evaluation shall be considered in any
28 decision to place a juvenile in room confinement or to continue room
29 confinement;

30 (c) The juvenile facility shall submit a report quarterly to the
31 Legislature on the number of juveniles placed in room confinement; the

Coosh
↓
MM 2616
facility
starting
levels at the time
of confinement;

Leash
↓

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facility
staffing
levels at
the time
of each
confinement

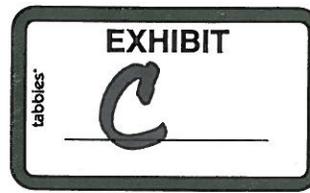
1 length of time each juvenile was in room confinement; the race,
2 ethnicity, age, and gender of each juvenile placed in room confinement;
3 and the reason each juvenile was placed in room confinement. The report
4 shall specifically address each instance of room confinement of a
5 juvenile for more than four hours, including all reasons why attempts to
6 return the juvenile to the general population of the juvenile facility
7 were unsuccessful. The report shall also detail all corrective measures
8 taken in response to noncompliance with this section. The report shall be
9 delivered electronically to the Legislature. The initial quarterly report
10 shall be submitted within two weeks after the quarter ending on September
11 30, 2016. Subsequent reports shall be submitted for the ensuing quarters
12 within two weeks after the end of each quarter; and

13 (d) The Inspector General of Nebraska Child Welfare shall review all
14 data collected pursuant to this section in order to assess the use of
15 room confinement for juveniles in each juvenile facility and prepare an
16 annual report of his or her findings, including, but not limited to,
17 identifying changes in policy and practice which may lead to decreased
18 use of such confinement as well as model evidence-based criteria to be
19 used to determine when a juvenile should be placed in room confinement.
20 The report shall be delivered electronically to the Legislature on an
21 annual basis.

22 Sec. 23. Original sections 29-3915, 43-248.01, 43-260, 43-279,
23 43-3504, 83-4,125, 83-4,126, 83-4,132, and 83-4,134, Reissue Revised
24 Statutes of Nebraska, sections 43-248, 43-253, 43-255, 43-256, 43-260.01,
25 and 43-3503, Revised Statutes Cumulative Supplement, 2014, and sections
26 43-245, 43-247, 43-250, 43-251.01, and 43-272, Revised Statutes
27 Supplement, 2015, are repealed.

28 2. On page 1, strike lines 2 through 11 and insert "43-260, 43-279,
29 43-3504, 83-4,125, 83-4,126, 83-4,132, and 83-4,134, Reissue Revised
30 Statutes of Nebraska, sections 43-248, 43-253, 43-255, 43-256, 43-260.01,
31 and 43-3503, Revised Statutes Cumulative Supplement, 2014, and sections

1 43-245, 43-247, 43-250, 43-251.01, and 43-272, Revised Statutes
2 Supplement, 2015; to change provisions relating to the appointment of
3 counsel; to provide, change, and eliminate definitions; to change
4 provisions relating to court jurisdiction, temporary custody and
5 disposition, detention, and placements and commitments under the Nebraska
6 Juvenile Code; to change provisions relating to the advisement of rights
7 given to a juvenile in custody; to provide for alternatives to detention;
8 to require the appointment of counsel for juveniles; to prohibit the
9 waiver of counsel in certain circumstances; to require the Supreme Court
10 to provide guidelines for attorneys practicing in juvenile court; to set
11 forth requirements for a valid waiver of the right to counsel by a
12 juvenile; to provide requirements relating to room confinement of
13 juveniles; to provide for reports; to provide a duty for the Inspector
14 General of Nebraska Child Welfare; to harmonize provisions; and to repeal
15 the original sections."



AMENDMENTS TO LB894

(Amendments to E and R amendments, ER181)

Chambers
AM 2630

Introduced by Krist, 10.

1 1. Insert the following new sections:

2 Sec. 14. Section 43-272.01, Revised Statutes Supplement, 2015, is
3 amended to read:

4 43-272.01 (1) A guardian ad litem as provided for in subsections (2)
5 and (3) of section 43-272 shall be appointed when a child is removed from
6 his or her surroundings pursuant to subdivision (2) or (3) of section
7 43-248, subsection (2) of section 43-250, or section 43-251. If a county
8 has a guardian ad litem division created under section 15 of this act,
9 the court shall appoint the guardian ad litem division unless a conflict
10 of interest exists. If removal has not occurred, a guardian ad litem
11 shall be appointed at the commencement of all cases brought under
12 subdivision (3)(a) or (7) of section 43-247 and section 28-707.

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or the
Court
determines
that an
appointment
outside of
the guardian
ad litem
division
would be
more appropriate
to serve
the child's
best
interests

13 (2) In the course of discharging duties as guardian ad litem, the
14 person so appointed shall consider, but not be limited to, the criteria
15 provided in this subsection. The guardian ad litem:

16 (a) Is appointed to stand in lieu of a parent for a protected
17 juvenile who is the subject of a juvenile court petition, shall be
18 present at all hearings before the court in such matter unless expressly
19 excused by the court, and may enter into such stipulations and agreements
20 concerning adjudication and disposition deemed by him or her to be in the
21 juvenile's best interests;

22 (b) Is not appointed to defend the parents or other custodian of the
23 protected juvenile but shall defend the legal and social interests of
24 such juvenile. Social interests shall be defined generally as the usual
25 and reasonable expectations of society for the appropriate parental
26 custody and protection and quality of life for juveniles without regard

1 to the socioeconomic status of the parents or other custodians of the
2 juvenile;

3 (c) May at any time after the filing of the petition move the court
4 of jurisdiction to provide medical or psychological treatment or
5 evaluation as set out in section 43-258. The guardian ad litem shall have
6 access to all reports resulting from any examination ordered under
7 section 43-258, and such reports shall be used for evaluating the status
8 of the protected juvenile;

9 (d) Shall make every reasonable effort to become familiar with the
10 needs of the protected juvenile which (i) shall include consultation with
11 the juvenile in his or her respective placement within two weeks after
12 the appointment and once every six months thereafter, unless the court
13 approves other methods of consultation as provided in subsection (6) of
14 this section, and inquiry of the most current caseworker, foster parent,
15 or other custodian and (ii) may include inquiry of others directly
16 involved with the juvenile or who may have information or knowledge about
17 the circumstances which brought the juvenile court action or related
18 cases and the development of the juvenile, including biological parents,
19 physicians, psychologists, teachers, and clergy members;

20 (e) May present evidence and witnesses and cross-examine witnesses
21 at all evidentiary hearings. In any proceeding under this section
22 relating to a child of school age, certified copies of school records
23 relating to attendance and academic progress of such child are admissible
24 in evidence;

25 (f) Shall be responsible for making written reports and
26 recommendations to the court at every dispositional, review, or
27 permanency planning hearing regarding the temporary and permanent
28 placement of the protected juvenile, the type and number of contacts with
29 the juvenile, the type and number of contacts with other individuals
30 described in subdivision (d) of this subsection, and any further relevant
31 information on a form prepared by the Supreme Court. As an alternative to

1 the written reports and recommendations, the court may provide the
2 guardian ad litem with a checklist that shall be completed and presented
3 to the court at every dispositional or review hearing. A copy of the
4 written reports and recommendations to the court or a copy of the
5 checklist presented to the court shall also be submitted to the Foster
6 Care Review Office for any juvenile in foster care placement as defined
7 in section 43-1301;

8 (g) Shall consider such other information as is warranted by the
9 nature and circumstances of a particular case; and

10 (h) May file a petition in the juvenile court on behalf of the
11 juvenile, including a supplemental petition as provided in section
12 43-291.

13 (3) Nothing in this section shall operate to limit the discretion of
14 the juvenile court in protecting the best interests of a juvenile who is
15 the subject of a juvenile court petition.

16 (4) For purposes of subdivision (2)(d) of this section, the court
17 may order the expense of such consultation, if any, to be paid by the
18 county in which the juvenile court action is brought or the court may,
19 after notice and hearing, assess the cost of such consultation, if any,
20 in whole or in part to the parents of the juvenile. The ability of the
21 parents to pay and the amount of the payment shall be determined by the
22 court by appropriate examination.

23 (5) The guardian ad litem may be compensated on a per-case
24 appointment system or pursuant to a system of multi-case contracts or may
25 be employed by a guardian ad litem division created pursuant to section
26 15 of this act. If a county creates a guardian ad litem division,
27 guardian ad litem appointments shall be made first from the guardian ad
28 litem division and ^{unless} if a conflict exists, the court may appoint a guardian
29 ad litem from outside of the division. Regardless of the method of
30 compensation, billing hours and expenses for court-appointed guardian ad
31 litem services shall be submitted to the court for approval and shall be

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or the court determines that an appointment outside of the guardian ad litem division

1 recorded on a written, itemized billing statement signed by the attorney
2 responsible for the case. Billing hours and expenses for guardian ad
3 litem services rendered under a contract for such services shall be
4 submitted to the entity with whom the guardian ad litem contracts in the
5 form and manner prescribed by such entity for approval. Case time for
6 guardian ad litem services shall be scrupulously accounted for by the
7 attorney responsible for the case. Additionally, in the case of a multi-
8 lawyer firm or organization retained for guardian ad litem services, the
9 name of the attorney or attorneys assigned to each guardian ad litem case
10 shall be recorded.

11 (6) The guardian ad litem shall meet in person with the juvenile for
12 purposes of the consultation required by subdivision (2)(d) of this
13 section unless prohibited or made impracticable by exceptional
14 circumstances, including, but not limited to, situations in which an
15 unreasonable geographical distance is involved between the location of
16 the guardian ad litem and the juvenile. When such exceptional
17 circumstances exist, the guardian ad litem shall attempt such
18 consultation by other reasonable means, including, but not limited to, by
19 telephone or suitable electronic means, if the juvenile is of sufficient
20 age and capacity to participate in such means of communication and there
21 are no other barriers preventing such means of communication. If
22 consultation by telephone or suitable electronic means is not feasible,
23 the guardian ad litem shall seek direction from the court as to any other
24 acceptable method by which to accomplish consultation required by
25 subdivision (2)(d) of this section.

26 Sec. 15. (1) A county board may create a county guardian ad litem
27 division to carry out section 43-272.01.

28 (2) The county board shall appoint a division director for the
29 guardian ad litem division. The division director shall be an attorney
30 admitted to practice law in Nebraska with at least five years of Nebraska
31 juvenile court experience prior to appointment. The division director may

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as a guardian ad litem for children, including both trial and appellate practice experience.

1 appoint assistant guardians ad litem and other employees as are
2 reasonably necessary to permit him or her to effectively and competently
3 fulfill the responsibilities of the division, subject to the approval and
4 consent of the county board. All assistant guardians ad litem shall be
5 attorneys admitted to practice law in Nebraska and shall comply with all
6 requirements of the Supreme Court relating to guardians ad litem.

7 (3) All assistant guardians ad litem employed by the division shall
8 devote their full time to the work of the division and shall not engage
9 in the private practice of law so long as each assistant guardian ad
10 litem receives the same annual salary as each deputy county attorney of
11 comparable ability and experience receives in such counties.

12 (4) The director and any assistant guardian ad litem employed by the
13 division shall not solicit or accept any fee for representing a child in
14 a case in which the director or the assistant guardian ad litem is
15 already acting as the child's court-appointed guardian ad litem.

AM 2630

16 Sec. 16. Section 43-273, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 43-273 Counsel and guardians ad litem appointed as provided in
19 section 43-272 shall apply to the court before which the proceedings were
20 had for fees for services performed. The county board shall set a
21 reasonable hourly rate for services performed. Upon application and
22 hearing, the court shall review the itemized billing statement submitted
23 by the attorney pursuant to subsection (5) of section 43-272.01 and make
24 a determination as to the reasonable number of billing hours and amount
25 of expenses ~~The court upon hearing the application shall fix reasonable~~
26 ~~fees.~~ The county board of the county wherein the proceedings were had
27 shall allow the account, bill, or claim presented by any attorney or
28 guardian ad litem for services performed under section 43-272 in the
29 amount determined by the court. No such account, bill, or claim shall be
30 allowed by the county board until the amount thereof shall have been
31 determined by the court.

outside of
the guardian
ad litem
division

- 1 2. Renumber the remaining sections, correct internal references, and
- 2 correct the repealer accordingly.

AMENDMENTS TO LB894

(Amendments to E and R amendments, ER181)

Introduced by Krist, 10.

1 1. Strike section 1.

2 2. On page 15, line 13, after the period insert "whether such
3 counsel shall be provided at the cost of the county shall be determined
4 as provided in subsection (1) of section 43-272.".

5 3. On page 18, line 8, strike "when", show as stricken, and insert
6 "(a) In counties having a population of less than one hundred fifty
7 thousand inhabitants, when"; in lines 8 through 29 strike the new matter
8 and reinstate the stricken matter; and after line 29 insert the following
9 new subdivision:

10 "(b) In counties having a population of one hundred fifty thousand
11 or more inhabitants, when any juvenile court petition is filed alleging
12 jurisdiction of a juvenile pursuant to subdivision (1), (2), (3)(b), or
13 (4) of section 43-247, counsel shall be appointed for such juvenile. The
14 court shall inform such juvenile and his or her parent or guardian of
15 such juvenile's right to counsel at county expense if none of them is
16 able to afford counsel. If the juvenile or his or her parent or guardian
17 desires to have counsel appointed for such juvenile, or the parent or
18 guardian of such juvenile cannot be located, and the court ascertains
19 that none of such persons are able to afford an attorney, the court shall
20 forthwith appoint an attorney to represent such juvenile for all
21 proceedings before the juvenile court, except that if an attorney is
22 appointed to represent such juvenile and the court later determines that
23 a parent of such juvenile is able to afford an attorney, the court shall
24 order such parent or juvenile to pay for services of the attorney to be
25 collected in the same manner as provided by section 43-290. If the parent
26 willfully refuses to pay any such sum, the court may commit him or her

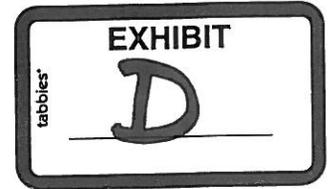
1 for contempt, and execution may issue at the request of the appointed
2 attorney or the county attorney or by the court without a request.

3 4. On page 19, lines 19 and 20, strike the new matter and reinstate
4 the stricken matter.

5 5. On page 20, line 6, after "juvenile" insert "represented by an
6 attorney".

7 6. Renumber the remaining sections, correct internal references, and
8 correct the repealer accordingly.

AMENDMENTS TO LB958



Introduced by Gloor, 35.

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. Section 13-520, Revised Statutes Supplement, 2015, is
4 amended to read:

5 13-520 The limitations in section 13-519 shall not apply to (1)
6 restricted funds budgeted for capital improvements, (2) restricted funds
7 expended from a qualified sinking fund for acquisition or replacement of
8 tangible personal property with a useful life of five years or more, (3)
9 restricted funds pledged to retire bonded indebtedness, used by a public
10 airport to retire interest-free loans from the Department of Aeronautics
11 in lieu of bonded indebtedness at a lower cost to the public airport, or
12 used to pay other financial instruments that are approved and agreed to
13 before July 1, 1999, in the same manner as bonds by a governing body
14 created under section 35-501, (4) restricted funds budgeted in support of
15 a service which is the subject of an agreement or a modification of an
16 existing agreement whether operated by one of the parties to the
17 agreement or by an independent joint entity or joint public agency, (5)
18 restricted funds budgeted to pay for repairs to infrastructure damaged by
19 a natural disaster which is declared a disaster emergency pursuant to the
20 Emergency Management Act, (6) restricted funds budgeted to pay for
21 judgments, except judgments or orders from the Commission of Industrial
22 Relations, obtained against a governmental unit which require or obligate
23 a governmental unit to pay such judgment, to the extent such judgment is
24 not paid by liability insurance coverage of a governmental unit or a pool
25 of funds maintained by the governmental unit to self-insure against such
26 liabilities, or (7) the dollar amount by which restricted funds budgeted
27 by a natural resources district to administer and implement ground water

1 management activities and integrated management activities under the
2 Nebraska Ground Water Management and Protection Act exceed its restricted
3 funds budgeted to administer and implement ground water management
4 activities and integrated management activities for FY2003-04.

5 Sec. 2. Section 13-521, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 13-521 (1) A governmental unit may choose not to increase its total
8 of restricted funds by the full amount allowed by law in a particular
9 year. In such cases, the governmental unit may carry forward to future
10 budget years the amount of unused restricted funds authority as limited
11 by subsection (2) of this section. The governmental unit shall calculate
12 its unused restricted funds authority and submit an accounting of such
13 amount with the budget documents for that year. Such unused restricted
14 funds authority may then be used in later years for increases in the
15 total of restricted funds allowed by law. ~~Any unused budget authority~~
16 ~~existing on April 8, 1998, by reason of any prior law may be used for~~
17 ~~increases in restricted funds authority.~~

18 (2) For any budget adopted by a community college for a fiscal year
19 beginning on or after July 1, 2016, the governing body may use such
20 unused restricted funds authority in an amount that does not exceed three
21 percent of the budget of restricted funds minus the exclusions in section
22 13-520 for the immediately prior fiscal year.

23 Sec. 3. Section 77-4212, Revised Statutes Cumulative Supplement,
24 2014, is amended to read:

25 77-4212 (1) For tax year 2007, the amount of relief granted under
26 the Property Tax Credit Act shall be one hundred five million dollars.
27 For tax year 2008, the amount of relief granted under the act shall be
28 one hundred fifteen million dollars. It is the intent of the Legislature
29 to fund the Property Tax Credit Act for tax years after tax year 2008
30 using available revenue. For tax year 2016 and each tax year thereafter,
31 it is the intent of the Legislature to sufficiently fund the Property Tax

1 Credit Act so as to increase the total amount of credits for agricultural
2 land and horticultural land above the 2015 credit level and to maintain
3 the total amount of credits for all other real property at the 2015
4 credit level. The relief shall be in the form of a property tax credit
5 which appears on the property tax statement.

6 (2) To determine the amount of the property tax credit, the county
7 treasurer shall multiply the amount disbursed to the county under
8 subsection (4) of this section by the ratio of the credit allocation real
9 ~~property~~ valuation of the parcel to the total credit allocation real
10 ~~property~~ valuation in the county. The amount determined shall be the
11 property tax credit for the property.

12 (3) If the real property owner qualifies for a homestead exemption
13 under sections 77-3501 to 77-3529, the owner shall also be qualified for
14 the relief provided in the act to the extent of any remaining liability
15 after calculation of the relief provided by the homestead exemption. If
16 the credit results in a property tax liability on the homestead that is
17 less than zero, the amount of the credit which cannot be used by the
18 taxpayer shall be returned to the State Treasurer by July 1 of the year
19 the amount disbursed to the county was disbursed. The State Treasurer
20 shall immediately credit any funds returned under this section to the
21 Property Tax Credit Cash Fund.

22 (4) The amount disbursed to each county shall be equal to the amount
23 available for disbursement ~~determined under subsection (1) of this~~
24 ~~section~~ multiplied by the ratio of the credit allocation real property
25 valuation in the county to the credit allocation real property valuation
26 in the state. By September 15, the Property Tax Administrator shall
27 determine the amount to be disbursed under this subsection to each county
28 and certify such amounts to the State Treasurer and to each county. The
29 disbursements to the counties shall occur in two equal payments, the
30 first on or before January 31 and the second on or before April 1. After
31 retaining one percent of the receipts for costs, the county treasurer

1 shall allocate the remaining receipts to each taxing unit based on its
2 share of the credits granted to all taxpayers in the taxing unit levying
3 ~~taxes on taxable property in the tax district in which the real property~~
4 ~~is located in the same proportion that the levy of such taxing unit bears~~
5 ~~to the total levy on taxable property of all the taxing units in the tax~~
6 ~~district in which the real property is located.~~

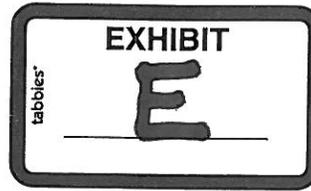
7 (5) For purposes of this section, credit allocation valuation means
8 the taxable value for all real property except agricultural land and
9 horticultural land, one hundred thirty-three percent of taxable value for
10 agricultural land and horticultural land that is not subject to special
11 valuation, and one hundred thirty-three percent of taxable value for
12 agricultural land and horticultural land that is subject to special
13 valuation.

14 (6 5) The State Treasurer shall transfer from the General Fund to
15 the Property Tax Credit Cash Fund one hundred five million dollars by
16 August 1, 2007, and one hundred fifteen million dollars by August 1,
17 2008.

18 (7 6) The Legislature shall have the power to transfer funds from
19 the Property Tax Credit Cash Fund to the General Fund.

20 Sec. 4. Original section 13-521, Reissue Revised Statutes of
21 Nebraska, section 77-4212, Revised Statutes Cumulative Supplement, 2014,
22 and section 13-520, Revised Statutes Supplement, 2015, are repealed.

23 Sec. 5. Since an emergency exists, this act takes effect when passed
24 and approved according to law.



AMENDMENTS TO LB977

(Amendments to Standing Committee amendments, AM2318)

Introduced by Smith, 14.

1 1. Insert the following new sections:

2 Sec. 4. Section 23-187, Revised Statutes Supplement, 2015, is
3 amended to read:

4 23-187 (1) In addition to the powers granted by section 23-104, a
5 county may, in the manner specified by sections 23-187 to 23-193,
6 regulate the following subjects by ordinance:

7 (a) Parking of motor vehicles on public roads, highways, and rights-
8 of-way as it pertains to snow removal for and access by emergency
9 vehicles to areas within the county;

10 (b) Motor vehicles as defined in section 60-339 that are abandoned
11 on public or private property;

12 (c) Low-speed vehicles as described and operated pursuant to section
13 60-6,380;

14 (d) Golf car vehicles as described and operated pursuant to section
15 60-6,381;

16 (e) Graffiti on public or private property;

17 (f) False alarms from electronic security systems that result in
18 requests for emergency response from law enforcement or other emergency
19 responders;

20 (g) Violation of the public peace and good order of the county by
21 disorderly conduct, lewd or lascivious behavior, or public nudity;~~and~~

22 (h) Peddlers, hawkers, or solicitors operating for commercial
23 purposes. If a county adopts an ordinance under this subdivision, the
24 ordinance shall provide for registration of any such peddler, hawker, or
25 solicitor without any fee and allow the operation or conduct of any
26 registered peddler, hawker, or solicitor in all areas of the county where

1 the county has jurisdiction and where a city or village has not otherwise
2 regulated such operation or conduct; and -

3 (i) Operation of vehicles on any highway or restrictions on the
4 weight of vehicles pursuant to section 60-681.

5 (2) For the enforcement of any ordinance authorized by this section,
6 a county may impose fines, forfeitures, or penalties and provide for the
7 recovery, collection, and enforcement of such fines, forfeitures, or
8 penalties. A county may also authorize such other measures for the
9 enforcement of ordinances as may be necessary and proper. A fine enacted
10 pursuant to this section shall not exceed five hundred dollars for each
11 offense.

12 Sec. 21. Section 60-681, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 60-681 Local authorities may by ordinance or resolution prohibit the
15 operation of vehicles upon any highway or impose restrictions as to the
16 weight of vehicles, for a total period not to exceed one hundred eighty
17 ~~ninety~~ days in any one calendar year, when operated upon any highway
18 under the jurisdiction of and for the maintenance of which such local
19 authorities are responsible whenever any such highway by reason of
20 deterioration, rain, snow, or other climatic condition will be seriously
21 damaged or destroyed unless the use of vehicles thereon is prohibited or
22 the permissible weight thereof reduced. Such local authorities enacting
23 any such ordinance or resolution shall erect or cause to be erected and
24 maintained signs designating the provisions of the ordinance or
25 resolution at each end of that portion of any highway affected thereby,
26 and the ordinance or resolution shall not be effective until such signs
27 are erected and maintained.

28 Local authorities may also, by ordinance or resolution, prohibit the
29 operation of trucks or other commercial vehicles or impose limitations as
30 to the weight thereof on designated highways, which prohibitions and
31 limitations shall be designated by appropriate signs placed on such

1 highways.

2 2. On page 27, line 14, after "60-6,294" insert "but shall be
3 subject to any ordinances or resolutions enacted by local authorities
4 pursuant to section 60-681".

5 3. Renumber the remaining sections and correct internal references
6 accordingly.

7 4. Correct the operative date and repealer sections so the sections
8 added by this legislative bill become operative three calendar months
9 after the adjournment of this legislative session.

EXHIBIT
F



Lancaster
EVENT CENTER

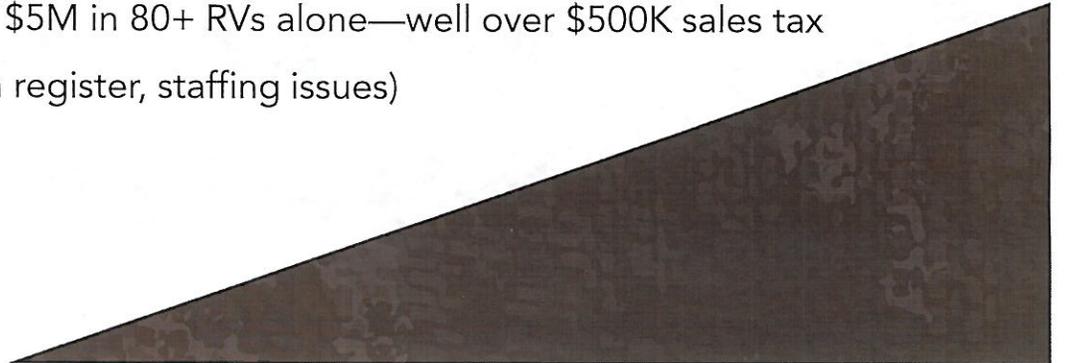
Update for County Board

March 23, 2016



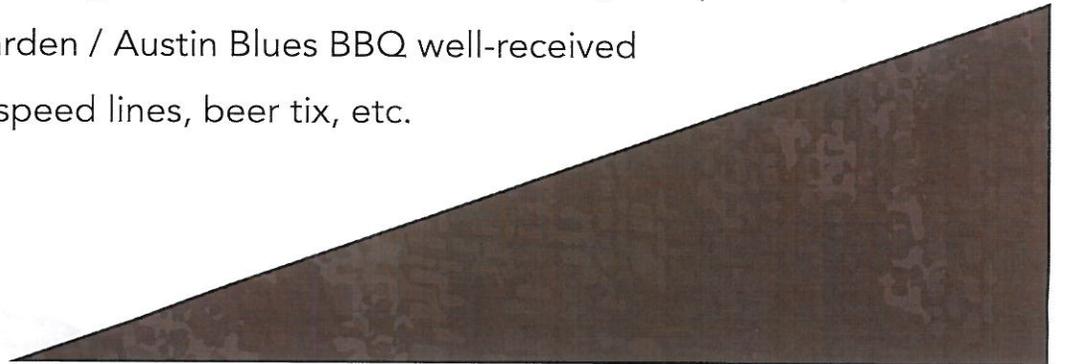
Dec./Jan.: positive feedback on remodeling!

- ~98% Sold out through January-March (trade shows, sales)
- Shows flat to up in early season....we struggled to keep up with some show's growth in cafes
- December
 - NE Power Farming Show: attendance seemed a bit down
 - LEC Revenues up double-digit: cafes, new wifi, exhibitor electric & catering sold online
 - Strong café sales at New Year's Eve shows, Go karts
- January
 - Bull Ride mid Jan. (2nd year, formerly 10 years PCRA Rodeo at Pershing)
 - Down due to ticket price increase, farm economy
- January
 - Gun Show/Women's Expo up 25% but café sales flat with lines all weekend
 - Boat, Sport & Travel Show
 - +20-30% attendance, sold over \$5M in 80+ RVs alone—well over \$500K sales tax
 - Cafes flat, lines on Sunday (cash register, staffing issues)



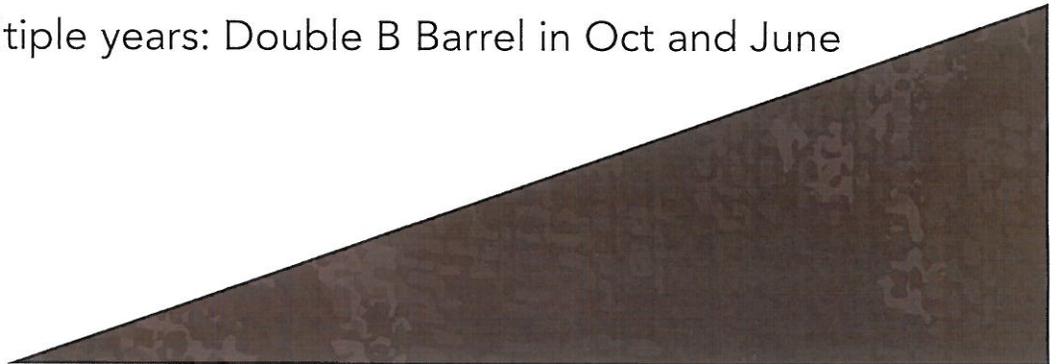
Feb-March: busy & making strides in café service!

- Made staffing change for Café Manager
 - Cafes now keeping up better with lines, trying new food menu items & pop-up cafes; digital signs really helping drive sales
- February
 - Home Show down a bit but café sales flat (so we grew cafe sales/guest)
- February
 - ABATE & Home Shows: flat to bit down attendance, more bikes than ever due to good weather, café/bar sales bit up
 - Car Swap Meet biggest ever!—took admission on grounds first time, 13K est. attend.
- March
 - Circus down 30% (no LPS student coupons, good weather/zoo open & Boys State BB)
 - But café sales down less so grew \$/guest & much less food waste (1300 pretzels!)
 - Lawn & Leisure Show: new Beer Garden / Austin Blues BBQ well-received
 - Tractor Pull this week: new plan to speed lines, beer tix, etc.



Future: April - June: horse show season

- ~90% sold out through April-June (horse shows, receptions)
- New General Store in Pavilion 2 stalling barn already popular with horse show guests
- April
 - UNL Rodeo April 15-17
- June
 - Two biggest horse shows: National Barrel Race and Quarter Horse
- New Shows/Proposals
 - Reining show 2x number of stalls
 - Got new Sandhills Publishing Gaming Show in Fall using new wireless
 - Got new dinosaur show in May could be big
 - Lots of shows signing up for multiple years: Double B Barrel in Oct and June



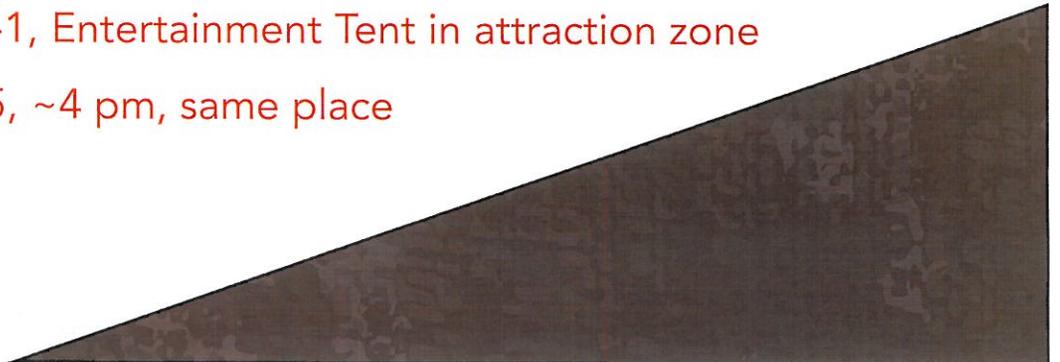
Phase 2.5 relaunch status

- Finishing Fall 2015 projects
- CVB 2016 final grant year projects
 - 84th Street sign remodeled 1st week of May!
 - Ribbon cutting / Super Fair Fundraiser mid-May
- Final Phase 2.5 projects TBD as determine final master planning costs
 - Market study draft just received
 - Finalizing master plan & feasibility (parking, hydrology, etc.)
 - Build cost / Financial model
 - Concept drawings
- Working on potential sponsor-funded projects
 - Meeting room remodels
 - Pavilion 4 digital signage
 - Campground building



Other updates

- 15th anniversary year—challenge to get fifteen \$15K sponsorships this year!
- Bus route coming to our Walmart!!
- Sponsorships continue to grow—very excited about relaunch
- NHSRF proposal progressing
 - \$10M economic impact
 - Would need some improvements to grounds (early part of Phase 3 plan)
- Super Fair dates: August 4-13
 - **Hold on your calendar:**
 - VIP Luncheon 8/4, 11:30-1, Entertainment Tent in attraction zone
 - Watermelon Feed, Aug 5, ~4 pm, same place



Let the Good Times Grow!

August 4-13, 2016



Watch for celebration details.



NEW Page's White Tiger Show - FREE Daily



NEW Mounted Shooting Show FREE - Aug. 13



FREE Watermelon Feed Aug. 5



Sheep Herding Dog Trials FREE - Aug. 13



Fun at the Farm Kid Zone FREE Daily

Come for Your Favorites

Demolition Derby*, Figure 8 Races*, Watermelon Feed, Hay Hauling - plus all the nostalgic fair food you can eat.

Back by Popular Demand

Sheep Herding Dog Trials, Equipment Rodeo, Wine & Beer Tasting, Fun at the Farm Kid Zone, and more!

Get Ready for Exciting New Events

Page's White Tiger Show, Mud Drags*, Mounted Shooting Show, Inflatable 5K Run*, and more rides than ever!

Additional entry ticket required

New Free Gate Admission Days

On Monday, Aug. 8 - Wednesday, Aug. 10, the fairgrounds will now open at 5 pm when all fair goers will enjoy free admission and parking.



www.SuperFair.org

The Lancaster County Super Fair is proudly presented by the Lancaster County Agricultural Society.

What's new for exhibitors in 2016

General Store now open!



- New for horse exhibitors next to Pavilion 2 warm-up arena on east side
- Will be open during peak horse show check-in hours year round
- Shavings, camping, snacks, and beverages

4-H/FFA Club Barn Quilt Contest

- Back by popular demand!
- Fun opportunity to win prizes for your club
- Barn quilts used to decorate fairgrounds each year
- Entry info at SuperFair.org starting June 1st



Don't miss our newest competitions!



Equipment Rodeo
Aug. 13



Open Horse Shows
Speed - Aug. 11
Non-speed - Aug. 13



Lancaster Roping
Aug. 12



UPDATED Super Fair free app features interactive map, schedules, alerts and more. NEW - lots of fair food coupons! Available after June 15th.

LANCASTER COUNTY
Super Fair

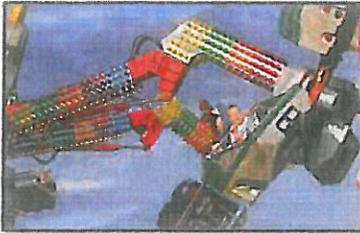
www.SuperFair.org

The Lancaster County Super Fair is proudly presented by the Lancaster County Agricultural Society.

More good times planned for 2016

Dozens of new attractions, shows, and rides

For ride fans



Heart of America bringing more rides than ever*



NEW Eurobungee* (Aug. 4-11)



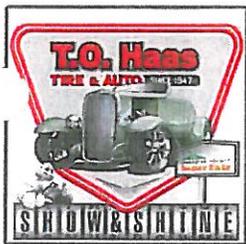
NEW Zipline* (Aug. 8-13)



NEW Helicopter Rides* (Aug. 5-7, 11-13)

For motorsports fans

Car Show



Sun. Aug. 7 - FREE

Figure 8 Races*



Thu. Aug. 4

NEW Mud Drags*



Sat. Aug. 13

Demolition Derby*



Sat. Aug. 6

All seats at Muhlbach Motorsports Complex reserved. Avoid lines day of event - buy in advance starting June 1st at LancasterEventCenter.org or at the Lancaster Event Center Office (M-F, 8-5).

For music fans

BLEND



Fri. Aug. 5

Mike Walker & Friends



Sat. Aug. 6

Headlined by



plus other bands TBA

- Saturday, Aug. 13
- Featuring three live bands
- Performing 3 pm - 12 midnight
- A unique mix of rock and country with a little red dirt mixed in.

FREE live bands nightly on Main Stage with refreshments available by the

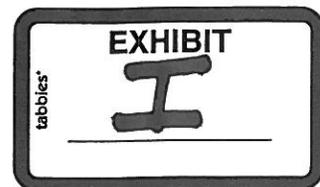
Entertainment tent.

LANCASTER COUNTY
Super Fair

www.SuperFair.org

* Additional ticket purchase required

The Lancaster County Super Fair is proudly presented by the Lancaster County Agricultural Society.



Permitted Uses in O-2 District (partial list)

1. Adult day services
2. Clubs
3. Neighborhood support services
4. Office building
5. Banks and other finance companies
6. Medical office
7. Churches
8. Clubs/Lodges

Conditional Uses in O-2 (partial list)

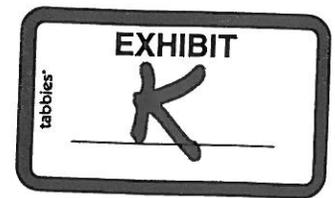
1. Dwellings (above 1st floor only)
2. Personal services (limited to 5,000 sq. ft.)

Special Permitted Uses in O-2 (partial list)

1. Elderly and retirement housing
2. Residential health care facility
3. Non-residential health care facility

Below are uses in the B-3 District that may be incompatible with a residential neighborhood.

1. Convenience store
2. Gas stations
3. Car sales
4. Car wash
5. Vehicle repair and service
6. On and/or off sale alcohol
7. Restaurants
8. Service and repair facilities
9. General retail sales
10. Social Halls
11. General retail



Request for Proposal from Public Relations Firm/Person

I. Reason to have a Public Relations contractual hire:

Objective is to provide to the public multi-faceted communications to showcase county people and accomplishments, tell of upcoming events, present the county's point of view on issues, identify key legislative concerns, offer links to various offices, etc. Intent is to "tell the county's story" using a variety of different communications mediums, each appropriate for the various ways that different county residents prefer to get their information.

While each commissioner is personally responsible for "telling the story" of the county in his or her own way, it is also true that a single voice representing the county may be advisable, one that is able to react quickly, written well, and delivered using the various means of 21st Century communication.

II. Description of organization:

County Board of Commissioners consists of 5 elected officials, each having a portion of the city and the county to represent. Each commissioner represents approximately 60,000 citizens. County employs approximately 825 people and is concerned with human service needs, corrections and community corrections, safety and security, infrastructure to include buildings, roads, and bridges, while enhancing our community via involvement and coordination with local organizations, other political entities, businesses and agriculture, and surrounding smaller communities.

III. Nature of Project:

To identify a public relations firms/person to develop and execute a public relations communication strategy for Lancaster County in order to more fully apprise the county citizens of county-wide events, concerns, agencies, and special activities.

IV. How?

This RFP is intended to identify public relations firms and/persons that can conduct Lancaster County communications under the direction of the Lancaster County Board of Commissioners. This firm or person selected would be apprised of the agendas of the upcoming Lancaster County Commissioner and Staff meetings, attend when necessary to take pictures and write stories for various communication channels such as print & TV media, or posting entries in social media. Some examples of communication topics include:

- Coverage of hearings such as "1 and 6 Road and Bridge Hearing," "Budget hearing," and "Adjusted Property Tax hearing" to inform our community
- Special hearings such as the wind turbine may be also advertised and covered.
- Special events such as the Purple Heart presentation, County Government Day, Health and Wellness Fair

- County's involvement with Visitor Promotion Bureau events as NORSECA, County Fair, etc. could be covered.
- Bridge and road closings, emergency management events, etc. could be discussed.
- Employees, whether Employee of the Month or Employee of the Year, could be highlighted.
- First Friday art festivals with the artist could be highlighted, etc.
- A link to the budget could be provided, etc.
- Volunteer activities of the Board of Commissioners could be noted.

The firm or persons would be asked to put together a communication strategy and plan for County Board approval that includes all the relevant media to reach the entire county population including:

- County has access to 5 TV. This medium could be better utilized to tell the public of county activities and concerns.
- Free coverage: Local TV and radio stations may be notified of upcoming events.
- Currently our medium has been just print medium, and in our current communications realm of possibilities, we need to capitalize on other communications mediums.
- Electronic e.g. email, county web site
- Social media e.g. Twitter, Facebook etc.

V. RFP response

For the RFP response, what the county would need from suppliers is

1. a description of the various services that can be provided, e.g. writing, working with TV and radio, seeking PSA's and doing press releases, setting up Facebook, Twitter, Instagram accounts, and being able to update the county website.
2. County would need to know if 10 hours a week will be sufficient to accomplish the public relations aspect, and in order to determine if the firm or person can do this, the county would require a potential work plan.
3. In short, the county would require an enumeration of the specific duties that the supplier is willing to perform.
4. Contract amount is negotiable depending upon the services rendered. As this is probably no more than 10 hours a week, we are considering an amount between \$7,000 - \$10,000 which comes to \$15. - \$20 an hour. No medical benefits or retirement benefits are available.
5. Any additional budget required to execute the communication plan should be outlined in the work plan.
6. Include examples of communications done, a description of how the firm or person envisions the work process, and a resume.

Contract Terms

Suggested contract terms. Initial contract is for one year with a review at the end of the first year. Should either party choose to discontinue the contract, a month for notification of termination of contract is required.

RFP deadline

One month is required for completion of application/proposal, interview process will follow, and decision will be made by July 1, 2016

Person to contact is Bob Walla....