

**2018 LEGISLATIVE RETREAT
THURSDAY, SEPTEMBER 6, 2018
CORNHUSKER BANK
8310 "0" STREET, LINCOLN, NE
8:30 A.M.**

Commissioners Present: Todd Wiltgen, Chair; Jennifer Brinkman, Vice Chair; Deb Schorr, Roma Amundson and Bill Avery

State Senators and Staff Present: Patty Pansing Brooks, District 28; Anna Wishart, District 27; Sam Huppert, Legislative Aide for Senator Kate Bolz; Chris Triebsch, Chief of Staff for Senator Patty Pansing Brooks.

Others Present: Kerry Eagan, Chief Administrative Officer; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; Terry Wagner, County Sheriff; Pat Condon, County Attorney; Bruce Prenda, Chief Deputy County Attorney; Sara Hoyle, Human Services Administrator; Michelle Schindler, Youth Services Center (YSC) Director; Brennan Miller and Joe Kohout, Kissel, Kohout, E&S Associates LLC (Legislative Consultants); Steve Henderson, Chief Information Officer, Information Services (IS); Randall Jones, Director, Aging Partners; Karen Wobig, County Extension Educator; Dustin Antonello, Lincoln Independent Business Association (LIBA); Myron Dorn, District 30 legislative candidate; Joe Nigro, Public Defender; Pam Dingman, County Engineer; Minette Genuchi, Administrative Secretary to the County Board; Kim Etherton, Community Corrections Director; Dave Shively, Election Commissioner; Scott Etherton, Mental Health Crisis Center Director; Kerin Peterson, Facilities and Properties Director; Candace Meredith, Chief Deputy County Treasurer; Beth Ferrell, Legal Counsel, Nebraska Association of County Officials (NACO); Brian Pillard, Records Coordinator, Records & Information Management; Derrick Niederklein, Senior Field Administrator, Assessor/Register of Deeds; Scott Gaines, Chief Administrative Deputy, Assessor/Register of Deeds; Brad Johnson, Corrections Administrator; Troy Hawk, Clerk of the District Court; Brent Meyer, Weed Control Superintendent; Dennis Meyer, Budget & Fiscal Officer; Shavonna Lausterer, Director, Lincoln-Lancaster County Health Department (LLCHD); Justine Petsch, Lincoln Chamber of Commerce and Leslie Brestel, County Clerk's Office

Advance public notice of the Legislative Retreat was posted on the County-City Building bulletin board and the Lancaster County, Nebraska web site and provided to the media on September 4, 2018.

AGENDA ITEM

1) CONTINENTAL BREAKFAST

A continental breakfast was served prior to the start of the meeting.

2) WELCOME AND INTRODUCTIONS

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:46 a.m.

3) DISCUSSION WITH LANCASTER COUNTY STATE SENATORS AND COUNTY LEGISLATIVE AGENDA

Senators Pansing Brooks and Wishart reviewed their thoughts on the 2018 Legislative session and discussed their focus areas for the upcoming legislative year, including correctional facility population, community re-entry programming, juvenile justice, property taxes, infrastructure needs, law enforcement needs, cannabis reform, and community mental health needs. Eagan responded to Senator Pansing Brooks' question on Appointed Counsel Costs, Part A (see agenda packet; page 5).

Brinkman entered the meeting at 8:58 a.m.

Sam Huppert, Legislative Aide for Senator Kate Bolz, discussed issues from this past year and upcoming priorities for Senator Bolz, which are property tax relief, community safety, prison overcrowding, and high-wage employment creation.

Beth Ferrell, Legal Counsel, Nebraska Association of County Officials (NACO), stated NACO will be choosing legislative priorities at its Legislative Conference on September 11, 2018.

Eagan summarized the 2018 Legislative session (see agenda packet). He stated neither LB 947 nor LB 1103 would have addressed the County's concerns for property tax relief. He also reviewed the list of services the County provides to the State (see Attachment A of the agenda packet).

Senator Wishart asked if Lancaster County is looking into net metering, wind or solar power. Todd Wiltgen, County Commissioner, said due to the standards the County set for wind energy decibel level, wind energy is not possible at this point.

As pertaining to LB 1112, Bruce Prenda, Chief Deputy County Attorney, spoke on the standard of what is in the best interest of the juvenile as it relates to detention. Michelle Schindler, Youth Services Center (YSC) Director, encouraged attendees to read the JDAI assessment which can be found on the Lincoln-Lancaster County website at <http://lancaster.ne.gov/clerk/misc.htm>. She clarified many juveniles who are in detention are being supervised in other settings. She urged the Senators to consider youth in conversations of mental health services with legislative oversight. Sara Hoyle, Human Services Administrator, suggested a secure facility outside of detention for youth to get the behavioral health services they need. Joe Nigro, Public Defender, expressed concern about incarcerating youth we are scared for and not scared of. He said there should be a mental health unit for youth who need services.

Wiltgen, Brad Johnson, Corrections Administrator, Pat Condon, County Attorney, Nigro, and Kim Etherton, Community Corrections Director discussed LR 370 and LB 1010, highlighting the difficulties of detaining and monitoring individuals with mental health issues; state statutes regarding competency restoration; and the Stepping Up Initiative. Johnson stated there is an average of 8-14 individuals at the Regional Center waiting to have their competency restored. The average wait for those currently at the Regional Center was 87 days. Last year's average wait was 68.9 days. There are 11 individuals at the jail waiting to go to the Regional Center for competency restoration with an average wait of 50 days. The average number of individuals waiting at the jail for the Regional Center is 11 or 12. This population tends to require lots of staff intervention. He stressed the jail is not an appropriate setting for many of these individuals.

Brinkman entered and exited the room at 9:43 a.m. and 9:45 a.m., respectively.

Eagan and Johnson led discussion on LB 977.

K. Etherton, Condon, Nigro and Eagan led discussion on the 24/7 program, including the barriers of interlock devices, and license revocation.

Eagan reviewed new proposals (see agenda packet).

Regarding making texting/emailing a primary criminal offense, Terry Wagner, County Sheriff, felt there should be a more comprehensive look at electronic devices as many people rely on such things as Google maps while driving. He also said discovery can be problematic as this could require someone to be without their phone for weeks.

Wiltgen, Eagan, Wagner, and Nigro reviewed the difficulties The Bridge had after a change in licensing interpretations from the Nebraska Department of Health and Human Services (see New Proposals, Item 5, Clarify Licensure Requirements for Facilities Providing Civil Protective Services Pursuant to Neb. Rev. Stat. §53-1,121).

Hoyle and Senator Pansing Brooks discussed New Proposals Item 7, Remove Fishing License, Park Permit, and Hunting License Violations from the Juvenile Justice System.

Nigro reviewed the Public Defender Proposals (see agenda packet; Attachment B).

4) ADJOURNMENT

There being no further business, the Chair adjourned the meeting at 10:53 a.m.

Submitted by Leslie Brestel, Lancaster County Clerk's Office