

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, FEBRUARY 28, 2013
8:30 A.M.**

Commissioners Present: Larry Hudkins, Chair
Brent Smoyer, Vice Chair
Jane Raybould
Roma Amundson

Commissioners Absent: Deb Schorr

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

Advance public notice of the Board of Commissioners Staff Meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and provided to the media on February 27, 2013

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:32 a.m.

AGENDA ITEM

1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY, FEBRUARY 14, 2013

MOTION: Smoyer moved and Raybould seconded approval of the minutes of the February 14, 2013 Staff Meeting. Smoyer, Raybould and Hudkins voted aye. Schorr and Amundson were absent from voting. Motion carried 3-0.

2 ADDITIONS TO THE AGENDA

- A. March Staff Meeting Schedule
- B. Request from the Abbott Sports Complex-Abbott Motocross Park for Extension of Visitor Improvement Fund Grant Contract Term

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

Amundson arrived at 8:34 a.m.

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

Joe Kohout, Kissel/E&S Associates, presented a legislative update and a bills of interest report (Exhibits A and B).

Hudkins said he testified in opposition to Legislative Bill (LB) 600 (Change inheritance tax rates) before the Revenue Committee on Wednesday. He said Douglas and Sarpy Counties, Nebraska Association of County Officials (NACO) and the League of Municipalities also testified in opposition. The Nebraska Farm Bureau testified in favor of the bill. Kerry Eagan, Chief Administrative Officer, asked whether the legislative history was discussed, noting this would undo an agreement that had been negotiated in 2007 to provide relief to closer relatives in exchange for increasing the tax on more distant relatives. Hudkins said Larry Dix, NACO Executive Director, addressed that issue. Kohout said he does not believe there will be a lot of effort to move the bill out of the Revenue Committee, rather to look at the inheritance tax issue as part of an interim study.

In response to a question from Raybould, Kohout said he anticipates the Health and Human Services Committee will advance LB 577 (Change provisions relating to the medical assistance program) and the bill will be debated. He noted the Governor has opposed any expansion of Medicaid.

Kohout noted Senator Larson has asked the Board to take a position of support on LB 246 (Provide for a health care co-payment for jail and prison inmates). Eagan said the County Attorney and Corrections Director have expressed reservations about the bill because it could potentially impact the County's ability to collect revenue for elective medical services outside the facility. Smoyer said he has relayed this to Senator Larson, who is the introducer of the bill.

Chuck Salem, Chief Deputy Clerk of the District Court, appeared and discussed LB 363 (Change provisions relating to access to public records), noting there could be a \$12,000 reduction in revenue in his department for researching and copying records. There is also potential for an increase in requests. He said Sue Kirkland, Clerk of the District Court, intends to send to a letter to all of the state senators pointing out the

ramifications of the bill. Gordon Kissel, Kissel/E&S Associates, advised against doing so, as it could damage relationships with some of the senators. Kohout pointed out that the bill was the result of a negotiated agreement between NACO, the League of Municipalities and Nebraska media.

Sheli Schindler, Youth Services Center (YSC) Director, appeared and discussed concerns regarding LB 561 (State findings and intent for changes to the juvenile justice system and a funding mechanism) and LB 562 (Change provisions of the juvenile justice system) (see Exhibit C). Eagan said the underlying concern is that there is a provision in state statutes that if there are not sufficient funds, the County shall appropriate a fund which will be used to pay these costs. Kohout said he and Kissel have had preliminary conversations with Douglas County and NACO about strategy. Board consensus was to have Eagan, Schindler and a representative of the County Attorney's Office meet with Senators Ashford, Coash and McGill before the Judiciary Committee hears the bills to share the County's concerns. **NOTE:** Senator Ashford, who serves as Chair of the Judiciary Committee, introduced the legislation and Senators Coash and McGill serve on the Judiciary Committee and represent Lancaster County.

Brent Meyer, Noxious Weed Control Superintendent, appeared and asked the Board to oppose LB 636 (Provide restrictions for application of certain herbicides). He noted the Nebraska Weed Control Association and several large chemical companies also plan to oppose the bill. Amundson said she has had several constituents express concerns regarding the bill.

MOTION: Smoyer moved and Amundson seconded to authorize Brent Meyer, Noxious Weed Control Superintendent, to testify on behalf of Lancaster County in opposition to Legislative Bill (LB) 636. Amundson, Smoyer, Raybould, and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

4 BOARD OF CORRECTIONS - Mike Thurber, Corrections Director

Separate minutes.

5 PENSION REVIEW COMMITTEE (PRC) RECOMMENDATION FOR POST EMPLOYMENT HEALTH PLAN (PEHP) QUALIFIED DEFAULT INVESTMENT OPTION - Pension Review Committee (PRC)

Kerry Eagan, Chief Administrative Officer and a member of the Pension Review Committee (PRC), said Kelly Bush, Discovery Financial Group, LLC, (consultant) and the PRC recommend that the County select the Vantagepoint Milestone Retirement Income Fund (VPRRX) as the Qualified Default Investment Alternative (QDIA) for the Post Employment Health Plan (PEHP) (see Exhibit D).

MOTION: Smoyer moved and Raybould seconded to move the item to a County Board of Commissioners Meeting for formal action. Smoyer, Raybould, Amundson and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

ACTION ITEMS

A. Credit Card Exempt Permit Application (13 Cards)

MOTION: Smoyer moved and Raybould seconded to authorized signature by the Chair. Amundson, Raybould, Smoyer and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

ADDITIONS TO THE AGENDA

A. March Staff Meeting Schedule

It was noted the Board will not have a Staff Meeting on March 7th or March 14th, due to attendance at the Mid-Year Budget Retreat and the Nebraska Association of County Officials (NACO) Southeast District Meeting, respectively. There was consensus to hold a Staff Meeting immediately following the County Board of Commissioners Meeting on March 12th and to schedule an update from C. J. Johnson, Region V Systems Administrator, on the responses to the Community Mental Health Center (CMHC) Invitation to Negotiate (ITN) Request for Qualifications (RFQ) on the Mid-Year Budget Retreat Agenda.

ADMINISTRATIVE OFFICER REPORT

E. City-County Common Meeting Agenda (March 5, 2013 at 8:15 a.m.)

Raybould suggested that discussion be scheduled with Roger Figard, City Engineer and Executive Director of the Railroad Transportation Safety District (RTSD), regarding potential projects, funding priorities, statistics, mitigation of unsafe railroad crossings, and South Bypass responsibilities.

Smoyer exited the meeting at 9:42 a.m.

There was general consensus that it would be more appropriate for Figard to have that discussion with the Board, rather than the Common.

NOTE: There are no agenda items at this time for the March 5, 2013 City-County Common Meeting.

Smoyer returned to the meeting at 9:45 a.m.

ADDITIONS TO THE AGENDA

- B. Request from the Abbott Sports Complex-Abbott Motocross Park for Extension of Visitor Improvement Fund Grant Contract Term

Eagan explained there have been project delays, due to inclement weather. There was consensus to schedule an addendum on a regular County Board of Commissioners Meeting agenda for action.

ADMINISTRATIVE OFFICER REPORT

- A. Private Driveway Address Issues

Board consensus was to have representatives of Emergency Management, 911/Emergency Communications, Building and Safety Department, Sheriff's Office, County Engineering and the County Attorney's Office review the issues and bring a recommendation back to the Board.

- B. Waverly Voice (Newspaper) Renewal

MOTION: Smoyer moved and Amundson seconded to approve renewal of the newspaper subscription. Smoyer, Amundson, Raybould and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

- C. Mid-Year Budget Retreat (March 7, 2013)

MOTION: Amundson moved and Hudkins seconded to hold the Mid-Year Budget Retreat in Room 113 of the County-City Building, instead of the B & R Stores corporate offices, beginning at 8:00 a.m. Amundson, Smoyer, Raybould and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

- D. Management Team Meeting (March 14, 2013)

MOTION: Smoyer moved and Raybould seconded to move the meeting to March 28, 2013. Raybould, Amundson, Smoyer and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

- F. County Board Photograph (March 5, 2013)

Board consensus was to schedule the photo session for 10:00 a.m.

G. Midtown Center Appraisal

Eagan said the appraiser that Don Killeen, County Property Manager, had recommended will not be able to perform the appraisal of the Midtown Center for the County. He suggested the Board seek another recommendation from Killeen.

H. Nebraska Association of County Officials (NACO) Board of Equalization Workshop (May 9, 2013)

Board consensus was to have in-house training instead.

Smoyer exited the meeting at 10:02 a.m.

6 U.S. DEPARTMENT OF AGRICULTURE (USDA) WILDLIFE CONTROL PROGRAM - Ricky Woods, USDA Wildlife Biologist

Ricky Woods, USDA Wildlife Biologist, said Saline County has expressed interest in forming a block of at least four counties that would contract with the USDA's Animal and Plant Health Inspection Service (APHIS) Wildlife Services Program for a wildlife specialist who would respond to calls seeking assistance with wildlife problems (Exhibit E). He offered Lancaster County the opportunity to be part of the block and said he plans to offer Gage and Jefferson Counties an opportunity to join as well. Hudkins suggested that an offer to join the block also be extended to Seward County. Woods estimated that Lancaster County's share of the cost will be \$10,000 per year. He said a report on activities will be provided every year and the County can then decide whether to continue its participation.

In response to a question from Raybould, Woods said a landowner may be asked to contribute additional funds if there is a significant wildlife problem that uses considerable resources.

Smoyer returned to the meeting at 10:07 a.m.

Hudkins noted the County had contracted with the program in the past but had to withdraw, due to budget constraints. He said the owner of Praireland Dairy contacted him regarding a problem with starlings and pigeons and said he felt the County should participate in the program.

Brent Meyer, Noxious Weed Control Superintendent, and Lee Vieselmeyer, Oak Prairie Nursery, appeared and shared how they have utilized the program's services.

Meyer said his only concern is how to make landowners aware these services are available. Woods said information will be made available through the County Extension Office, a booth at the County Fair and through press releases.

7 LANCASTER COUNTY AUDIT FOR FISCAL YEAR 2011-2012 -
Jeremy Vokt, Amanda Chantiam and Kailey Riskowski, Bland &
Associates; Dennis Meyer, Budget and Fiscal Officer

Amanda Chantiam, Bland & Associates, presented the audit report for the fiscal year ending June 30, 2012, noting it is an unqualified opinion. She said two significant deficiencies were identified during the audit: 1) The responsibility for the preparation of financial statements resides with the management of the County but management did not prepare the financial statements for the year ended June 30, 2012; and 2) The County failed to record a \$1,000,000 liability in accrued liabilities at June 30, 2012. The County agreed to make an initial payment of \$1,000,000 to the West Haymarket Joint Public Agency (JPA) upon the execution of a contract between the JPA and an arena manager. The contract was executed on June 7, 2012 and the \$1,000,000 was paid in August, 2012.

Dennis Meyer, Budget and Fiscal Officer, said the recent addition of an accountant position within his department will help address the first deficiency. With regards to the second deficiency, Meyer said he agrees with the comment and will review procedures to ensure that all liabilities are recorded.

Meyer also noted that the County has contracted with Bland & Associates for auditing services since 2007 and will be going out for a Request for Proposal (RFP).

NOTE: A copy of the audit is on file in the County Clerk's Office.

8 A) 15-DAY WEED NOTICE; AND B) CERTIFICATE OF APPRECIATION FOR BOY SCOUTS (DIETZ PIONEER CEMETERY) -
Brent Meyer, Noxious Weed Control Superintendent; Brittany Behrens,
Deputy County Attorney

B. Certificate of Appreciation for Boy Scouts (Dietz Pioneer Cemetery)

Brent Meyer, Noxious Weed Control Superintendent, proposed giving certificates of appreciation to members of Boy Scouts Troop 64 for mowing and maintaining the Dietz Pioneer Cemetery during 2012.

MOTION: Smoyer moved and Amundson seconded to approve signature by the Chair. Amundson, Smoyer, Raybould and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.

There was consensus to recognize the Boy Scouts, and the private individuals who have mowed and maintained the Jordan and Evangelical Cemeteries, for their service at a regular County Board of Commissioners Meeting.

A. 15-Day Weed Notice

Meyer said his office will issue a landowner a 10-day weed notice when there is a noxious weed infestation. He said the Noxious Weed Act also provides the ability to issue a 15-day weed notice and said to his knowledge, that has not been used in Lancaster County. Non-compliance with a 15-day weed notice may result in a \$100 per day fine to the landowner, with a maximum fine of \$1,500, however there is a risk that the weeds may not get controlled. Meyer said he favors the 10-day weed notice because it allows his office to hire a contractor to control the weeds if the landowner does not comply with the notice. The bill is sent to the landowner and is assessed to their taxes if it is not paid in 60 days. He noted one drawback is that the County may not be able to collect unless there is foreclosure but interest will accrue, at the rate of 14%.

Hudkins asked whether the County could force a sale. Brittany Behrens, Deputy County Attorney, said the County would have to wait until the taxes were delinquent and someone purchased the tax sale certificate.

Meyer said he would like to be able to use his discretion on which type of notice to issue, explaining he may have to move to a 15-day notice if there aren't sufficient funds in his budget to provide control if there isn't compliance with a 10-day notice.

B. Certificate of Appreciation for Boy Scouts (Dietz Pioneer Cemetery)

Item was moved forward on the agenda.

9 GRANT CONTRACT WITH LINCOLN POLICE DEPARTMENT (LPD) FOR CRIMINAL JUSTICE INFORMATION SERVICES (CJIS) JUVENILE DATA ENTRY - Brittany Behrens, Deputy County Attorney

Brittany Behrens, Deputy County Attorney, said the Lincoln Police Department (LPD) has notified the County that it is not able to have employees work overtime, under terms of the union contract, to fulfill the terms of the County's grant contract with the City, on behalf of LPD, that was intended to expedite the process for entering juvenile youth aid referrals into the Criminal Justice Information Services (CJIS) database (County Contract No. C-12-0599). She said the Human Services Department has recommended that the contract be terminated and the funds be transferred over to the Police Officers Working with Education Referrals (POWER) program, which is also funded through a grant contract with the City (County Contract No. C-12-0659).

Smoyer exited the meeting at 10:57 a.m.

MOTION: Raybould moved and Amundson seconded to direct the County Attorney's Office to terminate County Contract No. C-12-0599 and prepare an amendment to County Contract No. C-12-0659 to address the additional funding. Amundson, Raybould and Hudkins voted aye. Schorr and Smoyer were absent from voting. Motion carried 3-0.

10 BANKING SERVICES REQUEST FOR PROPOSAL (RFP) - Andy Stebbing, County Treasurer; Michelle Raphael, Accountant/Auditor, County Treasurer's Office

Andy Stebbing, County Treasurer, said the contract for banking services has not been bid since 2001. He said he had looked at re-bidding the service after taking office but decided to delay it after Wells Fargo, the current provider, reduced its fees by \$50,000. Stebbing said he would like to move forward with a Request for Proposal (RFP) at this time to be fair to the other banks that are interested in providing the services.

Michelle Raphael, Accountant/Auditor, County Treasurer's Office, said she anticipates the contract could be awarded and implementation started by the end of the calendar year.

Smoyer returned to the meeting at 11:06 a.m.

11 ACTION ITEMS

- A. Credit Card Exempt Permit Application (13 Cards)

Item was moved forward on the agenda.

12 CONSENT ITEMS

There were no consent items.

13 ADMINISTRATIVE OFFICER REPORT

- A. Private Driveway Address Issues
- B. Waverly Voice (Newspaper) Renewal
- C. Mid-Year Budget Retreat (March 7, 2013)
- D. Management Team Meeting (March 14, 2013)
- E. City-County Common Meeting Agenda (March 5, 2013 at 8:15 a.m.)
- F. County Board Photograph (March 5, 2013)
- G. Midtown Center Appraisal
- H. Nebraska Association of County Officials (NACO) Board of Equalization Workshop (May 9, 2013)

Items A-H were moved forward on the agenda.

14 PENDING

There were no pending items.

15 DISCUSSION OF BOARD MEMBER MEETINGS

A. Information Services Policy Committee (ISPC) - Raybould

Raybould said implementation of the Voice over Internet Protocol (VoIP) is proceeding. She said they also discussed the migration of the mainframe to the State's mainframe, tracking of equipment for the County Assessor's Office and City Public Works & Utilities through a Geographic Information System (GIS) application, and the interlocal agreement between the City and County.

Gwen Thorpe, Deputy Chief Administrative Officer, said she has a number of concerns regarding changes that Information Services (IS) has proposed to the interlocal agreement. She also expressed concern that IS did not follow through with a request to discuss its proposed changes with Eagan and the County Attorney's Office.

B. Parks and Recreation Advisory Board - Hudkins

Hudkins noted the meeting is scheduled for March 14th.

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

Smoyer said the new Lancaster County Adult Detention Facility (LCADF) was the main topic of discussion and said he believes it would be beneficial to have Mike Thurber, Corrections Director, give the group an update.

D. Planning Meeting with Marvin Krout, Planning Director, and Sara Hartzell, Planner - Hudkins, Smoyer

Hudkins said the Planning Department has reached an agreement with the Rural Water District on funds for development in the area of Jensen Park (84th Street and Yankee Hill Road). He noted the Lincoln Board of Education is considering locating another school in that area and said the County Engineer needs to be involved in the discussions as it may require improvements to county roads. Hudkins said a decision also needs to be made on whether an unopened section of Alvo Road near the Fallbrook neighborhood, approximately a block in length, needs to be two or four lanes.

E. Lincoln Independent Business Association (LIBA) Monthly Meeting - Amundson

Amundson said the group discussed a variety of topics, including the possibility of a new school in the Jensen Park area, blighted areas in the downtown area and the use of Tax Incremental Financing (TIF), the new Lancaster County Adult Detention Facility (LCADF), and expansion of the Lancaster Event Center and property upkeep.

F. Lancaster County Correctional Facility Joint Public Agency (JPA) - Hudkins, Smoyer

Hudkins said the JPA approved claims totaling \$208,879.63 from Wells Fargo for bank fees; Sampson Construction Company, the Construction Manager at-Risk; The Clark Enersen Partners, architect for the project; and Becker Construction, Inc. for services related to the warehouse.

G. Community Mental Health Center (CMHC) Advisory Committee - Raybould

Raybould reported on a financial discussion and said the facility is doing quite well. She said the Committee also discussed membership and suspended the bylaws to reinstate members whose terms may have lapsed to get through the transition to a new provider. Raybould noted an Advisory Committee will still be required for the Crisis Center.

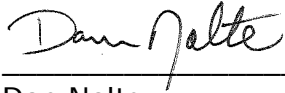
Raybould also reported on a panel discussion held Tuesday on the future of mental health care in Lancaster County. She said eight mental health service providers responded to the Request for Qualifications (RFQ) for a private company to take over CMHC's services, with most wanting to take over all of the services but the Crisis Center. She said Dean Settle, former CMHC Executive Director, provided a list of baseline impact measures (Exhibit F).

16 EMERGENCY ITEMS AND OTHER BUSINESS

There were no emergency items or other business.

17 ADJOURNMENT

MOTION: Smoyer moved and Amundson seconded to adjourn the meeting at 11:24 a.m. Amundson, Smoyer, Raybould and Hudkins voted aye. Schorr was absent from voting. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





KISSEL/E&S
ASSOCIATES

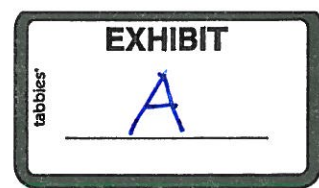
A Limited Liability Company Associated with Erickson and Sederstrom, P.C.

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MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Gordon Kissel
Joseph D. Kohout

DATE: February 28, 2013

RE: Weekly Update on the 2013 Legislature

Please accept this as the sixth weekly report for the 2013 Legislative Session. Last Friday represented the 30th Day of the 90 day session and thus we are over one-third of the way through the session. This week, senators began to prioritize legislation and will do so for the next three weeks.

Most significantly, last week saw the demise of the Governor's tax plan in LB405 and 406 and the prioritization of LB613 – Senator Schumacher's tax study bill.

LANCASTER COUNTY PRIORITIES:

- 1. Oppose Elimination of the inheritance tax.** As we have reported previously no bills were introduced to eliminate the inheritance tax. Senator Wightman's LB600 – the bill that would lower rates of taxation – was heard on Wednesday, February 27, 2013 before the Revenue Committee and Chairman Hudkins testified in opposition.
- 2. Support Expansion of Medicaid under the Affordable Care Act.** LB577 will be heard today, February 28, 2013, before the Health and Human Services Committee. We have worked with other groups that support expansion to put together a top notch list of testifiers and a letter has been prepared which will be submitted to the Committee during hearing today.
- 3. Eliminate Responsibility of Counties to Pay HHS Rent.** LB632 has been referred to the Government, Military and Veterans Affairs Committee and set for public hearing on Wednesday, March 6, 2013. We have been working with NACO on obtaining information at the request of Senator Bolz as well as working on support materials for that hearing.
- 4. Modify Right to Court Appointed Attorney in Juvenile Court.** LB342 has been referred to the Judiciary Committee and has been set for public hearing on March 6,

2013. We have been working with Liz Neely to pull together the appropriate list of testifiers.

5. **Definition and Oversight for Staff Secure Juvenile Detention Facilities.** LB86 has been referred to the Judiciary Committee and set for hearing on March 7, 2013.

OTHER LEGISLATION:

1. **LB63 (Schilz) Change distribution of certain sales and use tax revenue.** *NO POSITION.* Brent Meyer recommends that we support this legislation because it will provide additional funding for aquatic invasive plants. It diverts ½ of the sales tax and registrations fees from motorboats to create a special fund. It has been set for hearing on March 14, 2013 before the Revenue Committee.
2. **LB123 (Lautenbaugh) Change distribution of indigent defense fees.** *OPPOSE.* This hearing was held on January 25, 2013 before the Judiciary Committee. We do not expect this bill to move from Committee.
3. **LB215 (Schilz) Change provisions relating to use of the County Visitors Promotion Fund.** *OPPOSE/NEUTRAL WITH AMENDMENT.* As previously reported, an amendment was offered to the committee during the hearing February 13, 2013 that addressed the concerns raised by Lancaster County. We expect the bill to advance with the amendment attached.
4. **LB284 (Conrad) Change provisions of the Political Subdivisions Tort Claims Act relating to actions and amounts recoverable.** *OPPOSE.* Referred to the Judiciary Committee, the hearing was on February 13, 2013. Lancaster County submitted a letter in opposition to the bill. We expect the bill to advance from that committee but has not yet.
5. **LB317 (Price) Change a duty of county assessors relating to real property valuation.** *OPPOSE.* This bill has been slated for hearing on March 21, 2013. Mr. Agena indicated during a previous meeting that he may need an additional 8 people and \$700,000 to comply with this legislation.
6. **LB348 (Harr) Change provisions relating to the assessment of certain rent-restricted housing projects.** *NO POSITION.* Mr. Agena also asked us about this legislation. This is the legislation that was introduced as a follow up to our conversations during the interim with Senator Conrad. The hearing is on March 1, 2013. As you will recall, we indicated that we would not oppose this legislation.
7. **LB381 (Janssen) Require photographic identification to vote.** *NO POSITION.* Introduced by Senator Charlie Janssen, the bill has been referred to the Government Committee and hearing has been set for March 7, 2013.
8. **LB483 (Bolz) Provide for a reentry planning program in adult correctional facilities.** *SUPPORT.* This measure was heard before the Judiciary Committee on Friday, February 22, 2013. A letter was submitted to the Committee.
9. **LB613 (Schumacher) Create the Tax Modernization Commission.** *NO POSITION.* This bill was heard by the Executive Board of the Legislative Council on February 19, 2013. As noted above, this bill has been prioritized by Senator McCoy and will be



amended to allow for the Revenue Committee chairman to serve as chair of that Committee.

10. **LB636 (Wallman) Provide restrictions for application of certain herbicides.** *NO POSITION.* Brent Mayer recommends that we watch this legislation because he believes it to be bad legislation. His recommendation is a neutral status based upon what he has heard by way of likely opposition. This legislation has been set for public hearing on March 5, 2013. Commissioner Amundson raised a concern about this bill at a previous board meeting.

POTENTIAL ACTION ITEMS:

1. **LB246 (Larson) Provide for a health care copayment for jail and prison inmates.** *NO POSITION.* Senator Larson has requested Lancaster County to take a position on this bill in support. The hearing was held on February 7, 2013 before the Judiciary Committee.
2. **LB531 (Conrad) Change distribution of sales and use tax revenue and repeal the Build Nebraska Act.** *NO POSITION.* This legislation would repeal the Build Nebraska Act supported by Lancaster County two years ago. The hearing was held on February 27, 2013 before the Revenue Committee.

We are also attaching your spreadsheet. Please do not hesitate to contact us with any questions you might have.





LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB8	Krist		Provide for coverage of children's day services under medicaid and social services	Health and Human Services	2.20.13		x			
LB11	Krist		Change provisions relating to surcharges for 911 service	Transportation and Telecommunications	2.25.13		x		x	Support
LB28	Hadley		Change a late filing penalty relating to personal property tax	Revenue	1.25.13	General File; Select File 2/8; Final Reading 2/25	x		x	Support
LB29	Hadley		Provide a duty for county treasurers relating to recording tax assessments and collections	Revenue	1.25.13	General File; Select File w/ER9; Final Reading 2/25	x		x	Support
LB30	Hadley		Change distribution of motor vehicle certificate of title fees	Transportation and Telecommunications	1.22.13	General File; Select File 1/28; Final Reading 2/5; Passed on Final Reading 49-0-0; Approved 2/15	x			
LB34	Hadley		Change provisions of the Nebraska Advantage Act	Revenue	1.23.13		x			

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB36	Wightman		Change an exemption to the documentary stamp tax	Revenue	1.25.13	General File w/AM42; Select File w/ER10; Final Reading 2/25	x			
LB37	Wightman		Change provisions relating to powers of personal representative with respect to a decedent's Internet sites	Judiciary	1.24.13		x			
LB41	Cook		Provide for permanent early voting request list and return of early voting ballots to polling places	Government, Military and Veterans Affairs	1.23.13		x		x	Neutral
LB43	Cook		Change provisions relating to a property tax exemption	Revenue	3.1.13		x		x	Oppose
LB46	Ashford		Provide for consolidation and coordination of crime laboratories	Judiciary	1.31.13		x		x	Oppose

Kissel/ES Associates
 Bills of Interest Report
 Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB55	Wightman		Change provisions relating to reassumption of assessment function by counties	Revenue	2.28.13		x		x	Support
LB56	Larson		Provide for automatic nomination of certain county officers	Government, Military and Veterans Affairs		General File w/AM226	x		x	Neutral
LB62	Schilz		Change levy provisions for rural and suburban fire protection districts	Revenue	3.21.13		x		x	Support
LB63	Schilz		Change distribution of certain sales and use tax revenue	Revenue	3.14.13		x			
LB65	Schilz		Authorize counties to set sheriff's fees and commissions	Government, Military and Veterans Affairs	1.30.13		x		x	Support
LB76	Nordquist		Adopt the Health Care Transparency Act	Health and Human Services	2.22.13		x			
LB82	Schumacher		Adopt the Taxpayer Investment Program	Revenue	2.21.13 Cancelled; 3.5.13		x			

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB86	McGill		Authorize inspection and regulation of staff secure juvenile facilities	Judiciary	3.7.13		x		x	Support
LB97	Mello		Adopt the Nebraska Municipal Land Bank Act and authorize land banks to acquire tax-delinquent properties	Revenue	2.13.13		x		x	Watch
LB98	Mello		Change provisions relating to administrative rules	Government, Military and Veterans Affairs	2.8.13	General File w/AM331	x			
LB101	Watermeier		Change valuation of agricultural land and horticultural land	Revenue	2.28.13		x		x	Oppose
LB108	Karpisek		Prohibit counties, cities, and villages from imposing credentialing requirements	Government, Military and Veterans Affairs	1.30.13		x			
LB110	McGill		Change the eligibility determination for homestead exemptions	Revenue	3.1.13		x		x	Oppose
LB115	Lautenbaugh		Change provisions relating to homicide	Judiciary	2.7.13		x			

Kissel/ES Associates
Bills of Interest Report
Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB119	Cook		State intent relating to appropriations for Public Health Aid	Appropriations			x			
LB123	Lautenbaugh		Change distribution of indigent defense fees	Judiciary	1.25.13		x		x	Oppose
LB127	McGill		Provide for preregistration to vote for 16 and 17 year olds	Government, Military and Veterans Affairs	2.7.13		x		x	Watch
LB128	Coash		Create the offense of disarming a peace officer	Judiciary	1.23.13		x			
LB134	Avery		Provide for inheritance by issue conceived after death	Judiciary	1.30.13		x			
LB139	Krist		Change vital statistics information relating to annulment and dissolution of marriage	Health and Human Services	1.23.13		x		x	Oppose
LB142	Lathrop		Provide that probation records are not subject to disclosure as prescribed	Judiciary	1.23.13		x			

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB144	Brasch		Provide for write-in candidacy by defeated candidate	Government, Military and Veterans Affairs	1.23.13		x		x	Neutral
LB145	Brasch		Change valuation of agricultural land and horticultural land	Revenue	2.28.13		x		x	Oppose
LB148	Ashford		Include ammunition in certain offenses involving firearms	Judiciary	1.23.13		x			
LB149	Pirsch		Provide for biennial reviews of state agency programs and services	Executive Board	1.28.13	Indefinitely Postponed	x			
LB151	Seiler		Provide a hearsay exception for certain documents and data kept in the regular course of business	Judiciary	1.25.13		x			
LB157	Cook		State intent relating to the appropriation of funds in support of dental services	Appropriations			x			
LB158	Seiler		Change provisions relating to eligibility for and use of ignition interlock devices	Transportation and Telecommunications	2.19.13		x			

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB160	Schumacher		Provide for electronic signatures on recall, initiative, and referendum petitions	Government, Military and Veterans Affairs	1.31.13		x		x	Neutral
LB169	Gloor		Change provisions relating to jury commissioners	Judiciary	2.13.13		x		x	Support
LB171	Bloomfield		Provide for an expedited concealed handgun permit process for applicants who are victims of domestic violence	Judiciary			x			
LB182	Avery		Change paternity provisions for a child conceived as a result of sexual assault	Judiciary	2.6.13		x			
LB183	Karpisek		Provide for county board appointment of election commissioners	Government, Military and Veterans Affairs	1.31.13		x		x	Neutral
LB188	Karpisek		Require legislative approval of gubernatorially appointed election commissioners	Government, Military and Veterans Affairs	1.31.13		x		x	Neutral

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB192	Karpisek		Change provisions relating to requests for information by the Auditor of Public Accounts	Government, Military and Veterans Affairs	2.13.13		x			
LB194	Speaker Adams		Provide for deficit appropriations	Appropriations	2.25.13		x			
LB195	Speaker Adams		Appropriate funds for state government expenses	Appropriations	2.25.13		x			
LB196	Speaker Adams		Appropriate funds for salaries of members of the Legislature	Appropriations	2.25.13		x			
LB197	Speaker Adams		Appropriate funds for salaries of constitutional officers	Appropriations	2.25.13		x			
LB198	Speaker Adams		Appropriate funds for capital construction and property acquisition	Appropriations	2.25.13		x			
LB199	Speaker Adams		Provide fund transfers, create funds, and authorize the sale of land	Appropriations	2.25.13		x			

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 Bills of Interest Report
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB200	Speaker Adams		Provide for transfers from the Cash Reserve Fund	Appropriations	2.25.13		x			
LB202	Coash		Change provisions relating to DNA collection	Judiciary	2.8.13		x			
LB206	Schumacher		Require secret-ballot envelopes for mailed ballots	Government, Military and Veterans Affairs	2.7.13		x		x	Oppose
LB207 A	McCoy		Change motor vehicle registration provisions	Transportation and Telecommunications	1.28.13	General File; Select File 2/5; Select File 2/7; Final Reading 2/25	x		x	Support
LB209	Harr		Change provisions relating to publication of trade names	Banking, Commerce and Insurance	1.29.13	General File; Select File 2/5; Final Reading 2/25	x			
LB215	Schilz		Change provisions relating to use of the County Visitors Promotion Fund	Government, Military and Veterans Affairs	2.13.13		x		x	Oppose
LB218	Avery		Require insurance coverage for certain food formulas as prescribed	Banking, Commerce and Insurance	2.26.13		x			
LB224	Janssen		Provide veterans preference for public contracts as prescribed	Government, Military and Veterans Affairs	2.1.13		x			

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Client: LC

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB226	Smith		Regulate dealers in the business of purchasing and reselling precious items	Judiciary	1.31.13		x		x	Watch
LB229	Nordquist		Change the Nebraska Retirement Fund for Judges fee	Nebraska Retirement Systems	2.12.13		x			
LB232	Lathrop		Change judges' salaries	Judiciary	2.1.13		x			
LB235	Howard		Change precinct size requirements and procedures for drawing political subdivision boundaries and changing polling places and provide for election advisory committees	Government, Military and Veterans Affairs	2.14.13		x		x	Oppose
LB237	Karpisek		Change provisions relating to a property tax exemption	Revenue	3.1.13		x		x	Oppose
LB241	Sullivan		Authorize voters to change election of county offices from partisan to nonpartisan	Government, Military and Veterans Affairs	2.7.13		x		x	Neutral

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB246	Larson		Provide for a health care copayment for jail and prison inmates	Judiciary	2.7.13		x		x	Support
LB247	Larson		Change Nebraska Juvenile Code provisions relating to reimbursement by parents for costs of care and treatment	Judiciary			x			
LB255	McGill		Change provisions relating to hearsay, child abuse, and offenses relating to morals	Judiciary	2.20.13		x		x	Support
LB257	McCoy		Change provisions relating to creation of municipal counties	Government, Military and Veterans Affairs	1.30.13		x		x	Support
LB260	Gloor		Change requirements for a data and information system under the Nebraska Behavioral Health Services Act	Health and Human Services	2.14.13		x			

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB266	Chambers		Eliminate provisions relating to increases in local option sales tax rates	Revenue	2.27.13		x			
LB267	Chambers		Prohibit persons on parole, probation, or work release from acting as undercover agents or employees of law enforcement and prohibit admissibility of certain evidence	Judiciary	2.7.13		x			
LB271	Lautenbaugh		Change provisions relating to early voting	Government, Military and Veterans Affairs	2.14.13		x		x	Support
LB284	Conrad		Change provisions of the Political Subdivisions Tort Claims Act relating to limits on actions and amounts recoverable	Judiciary	2.13.13		x		x	Oppose

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB286	Conrad		Provide for Cash Reserve Fund transfers for affordable housing, homeless shelter assistance, and legal aid	Appropriations	2.25.13		x			
LB292	Karpisek		Change population restrictions for conducting elections by mail	Government, Military and Veterans Affairs	2.21.13 Cancelled; 3.5.13		x		x	Support
LB293	Kintner			Judiciary			x			
LB294	Seiler		Change provisions relating to use of public resources by public officials and public employees	Government, Military and Veterans Affairs	2.22.13		x		x	Support
LB297	Bolz		Change mental injuries and mental illness compensation under the Nebraska Workers' Compensation Act	Business and Labor	1.28.13		x			
LB299	Seiler		Change political subdivision election provisions	Government, Military and Veterans Affairs	2.21.13 Cancelled;		x		x	Neutral
LB311	Scheer		Change filing requirements for official bonds and oaths	Government, Military and Veterans Affairs	1.30.13	General File; Select File w/ER16; Final Reading 2/26	x		x	Support

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB317	Price		Change a duty of county assessors relating to real property valuation	Revenue	3.21.13		x	Oppose	x	Oppose
LB318	McGill		Change duties of law enforcement officers and agencies relating to the taking and distribution of fingerprints	Judiciary	2.8.13		x			
LB324	Lautenbaugh		Change provisions of the Nebraska Workers' Compensation Act	Business and Labor			x			
LB326	Howard		Change provisions of Pharmacy Practice Act and Automated Medication Systems Act	Health and Human Services	2.1.13		x			
LB341	Wightman		Change tax sale procedures	Revenue	2.13.13		x		x	Support
LB342	Coash		Change right to counsel provisions under the Nebraska Juvenile Code	Judiciary	3.6.13		x		x	Support
LB345	Wightman		Change transfer on death deed requirements and filings	Judiciary	2.1.13	General File w/AM350	x		x	Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB348	Harr		Change provisions relating to the assessment of certain rent-restricted housing projects	Revenue	3.1.13		x	Monitor		
LB350	Murante		Add members to the Nebraska Police Standards Advisory Council	Judiciary	2.7.13		x			
LB351	Harms		Require cognitive tests for persons eighty years of age or older obtaining motor vehicle operator's licenses	Transportation and Telecommunications	2.5.13		x		x	
LB355	Larson		Change the age of majority and certain age requirements	Judiciary			x		x	Support
LB360	Karpisek		Change court fees, sheriff's fees, identification inspection fees, and handgun certificate fees	Judiciary	2.8.13	Withdrawn	x		x	Cond. Support
LB363	Avery		Change provisions relating to access to public records	Government, Military and Veterans Affairs	2.6.13	General File w/ AM389(Withdrawn)& AM166; Select File w/ER22	x	Monitor		

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB364	Avery		Permit government bodies to set limits on certain contracts	Government, Military and Veterans Affairs	2.22.13		x		x	Cond. Support
LB370	Lathrop		Create the County Property Tax Assistance Program and the Municipal Property Tax Assistance Program	Revenue	2.27.13		x		x	Neutral
LB377	Johnson		Change provisions relating to annexation of a county road by a city or village	Urban Affairs	2.5.13		x			
LB378	Smith		Eliminate fees for the issuance of certain license plates	Transportation and Telecommunications	3.4.13		x		x	Neutral
LB381	Janssen		Require photographic identification to vote	Government, Military and Veterans Affairs	3.7.13		x		x	Cond. Support
LB386	Christensen		Require notice of road maintenance by counties as prescribed	Transportation and Telecommunications	2.19.13		x		x	Oppose

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 Bills of Interest Report
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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB387	Christensen		Eliminate provisions relating to constructing drainage facilities and taking other control measures on public roads	Transportation and Telecommunications	2.19.13		x		x	
LB390	Christensen		Change provisions relating to Governor's powers regarding restrictions on firearms and ammunition under the Emergency Management Act	Judiciary			x			
LB399	Lautenbaugh		Permit members of certain organizations to use flashing amber lights on motor vehicles	Transportation and Telecommunications	2.12.13	General File	x		x	Watch
LB405	McCoy		Eliminate certain sales tax exemptions, corporate and individual income taxes, and the franchise tax and change other tax provisions	Revenue	2.6.13	Indefinitely Postponed	x		x	Watch

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB406	McCoy		Change tax provisions	Revenue	2.7.13	Indefinitely Postponed	x		x	Oppose
LB417	Kolowski		Provide for guidelines for election workers	Government, Military and Veterans Affairs	2.21.13 Cancelled; 3.5.13		x		x	Watch
LB418	Kolowski		Change powers and duties of election commissioners, chief deputy election commissioners, and county boards	Government, Military and Veterans Affairs	2.27.13		x			
LB433	Price		Require a report and change administration procedures for ballots at hospitals and nursing homes	Government, Military and Veterans Affairs	2.27.13		x			
LB434	Price		Provide for emergency management registries for persons with special needs	Government, Military and Veterans Affairs	2.6.13	General File w/AM324; Select File 2/26	x		x	
LB441	Seiler		Change provisions relating to control of dead human remains	Judiciary			x			

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB443	Cook		Adopt the Children's Residential Facilities and Placing Licensure Act	Health and Human Services	2.13.13		x			
LB449	Avery		Redefine high elective office for restrictions on multiple office holding	Government, Military and Veterans Affairs	2.27.13		x			
LB450	Avery		Change political party convention and caucus provisions	Government, Military and Veterans Affairs	2.27.13		x		x	Oppose
LB462	Ashford		Change provisions relating to contracts for joint law enforcement services	Judiciary			x			
LB463	Ashford		Change the number of separate juvenile court judges	Judiciary	3.7.13		x			
LB464	Ashford		Change court jurisdiction over juveniles and indictment procedures	Judiciary	3.6.13		x			
LB470	Scheer		Adopt the Superintendent Pay Transparency Act	Education	2.5.13		x		x	

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB473	Bloomfield		Authorize certain residency restrictions near parks under the Sexual Predator Residency Restriction Act	Judiciary			x			
LB482	Kintner		Prohibit the state and political subdivisions from adopting certain policy recommendations	Judiciary	2.13.13		x		x	
LB483	Bolz		Provide for a reentry planning program in adult correctional facilities	Judiciary	2.22.13		x			
LB485	Conrad		Prohibit discrimination based upon sexual orientation as prescribed	Judiciary			x		x	
LB503	Coash		Rename the Child Protection Act and provide for alternative response to a report of child abuse or neglect	Judiciary			x		x	Oppose

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB531	Conrad		Change distribution of sales and use tax revenue and repeal the Build Nebraska Act	Revenue	2.27.13		x			
LB533	Avery		Require oil and gas pipeline eminent domain condemnors to provide notice to property owners	Judiciary	2.21.13 Cancelled; 3.5.13		x			
LB535	Lathrop		Adopt Prescription Monitoring Program Act and repeal prescription monitoring provisions	Health and Human Services	3.15.13		x			
LB538	Chambers		Change provisions relating to revocation and suspension of law enforcement training certificates or diplomas	Judiciary	2.22.13		x			
LB541	Chambers		Prohibit arbitration of claims involving disciplinary actions against peace officers	Judiciary	2.22.13		x			

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB543	Chambers		Change a penalty from death to life imprisonment or life imprisonment without possibility of parole	Judiciary			x		x	
LB551	Schilz		Change recreational liability provisions	Judiciary	2.13.13		x		x	Watch
LB561	Ashford		State findings and intent for changes to the juvenile justice system and a funding mechanism	Judiciary	3.7.13		x		x	Watch
LB562	Ashford		Change provisions of the juvenile justice system	Judiciary	3.6.13		x		x	Oppose
LB565	Nelson		Prohibit registering to vote and voting early on the same day	Government, Military and Veterans Affairs	2.28.13		x			
LB574	Harr		Provide that certain assessments are levied and collected as special assessments	Revenue	2.28.13		x		x	Oppose
LB576	Harr		Require flagging of area near polling places and change restrictions on electioneering	Government, Military and Veterans Affairs	2.28.13		x		x	Support

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB577	Campbell		Change provisions relating to the medical assistance program	Health and Human Services	2.28.13		x		x	Support
LB578	Nordquist		Create a fund to provide funding for medicaid services and change distribution of premium tax revenue	Health and Human Services	2.28.13		x		x	
LB580	Johnson		Change certain condemnation procedures	Judiciary			x		x	Support
LB581	Crawford		Change the sales and use tax collection fees	Revenue	3.20.13		x			Support
LB595	Price		Provide for a Public Service Commission study of next-generation 911	Transportation and Telecommunications	2.25.13		x		x	
LB597	Larson		Change provisions relating to county agricultural societies	Agriculture	2.26.13		x		x	Oppose
LB600	Wightman		Change inheritance tax rates	Revenue	2.27.13		x			

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LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB612	Schumacher		Require the Department of Revenue to present reports to legislative committees	Executive Board	2.19.13		x		x	Watch
LB613	Schumacher		Create the Tax Modernization Commission	Executive Board	2.19.13		x	Monitor		
LB614	Schumacher		Provide for withholding insurance proceeds for demolition costs	Banking, Commerce and Insurance	2.25.13		x		x	
LB621	Karpisek		Exempt certain information from disclosure under the Intergovernmental Risk Management Act	Banking, Commerce and Insurance	3.4.13		x		x	Support
LB623	Price		Change provisions relating to bridge construction and road improvements	Transportation and Telecommunications	2.19.13		x		x	Support
LB632	Bolz		Change funding for county offices relating to public assistance programs	Government, Military and Veterans Affairs	3.6.13		x		x	Oppose
LB636	Wallman		Provide restrictions for application of certain herbicides	Agriculture	3.5.13		x	Monitor	x	Support

LB/LR	Sponsor	Priority	One-Liner	Committee	Hearing Date	Status	LC	LC Position	NACO	NACO Position
LB652	Lautenbaugh		Provide procedures for taking grievances by certain county corrections officers to the Civil Service Commission	Business and Labor	3.4.13					
LB653	Davis		Change and provide for distribution of the gallonage tax on beer	General Affairs	3.4.13					

Regarding legislative bills introduced to change the Juvenile Justice System and behavioral health

1. Prior to passing legislation to create a new agency and dissolve other existing agencies, we would ask for a study to determine the strengths and weaknesses of the current system, the fiscal impact of these huge changes to counties and the state, and additional statutory changes that might be needed. It would be important to include county representatives on any committees involved with the study(s).
2. There is nothing in LB 561 to indicate that youth under the supervision of the newly created Office of Juvenile Assistance will be automatically eligible for Medicaid as they currently are when committed to the Office of Juvenile Services/Health and Human Services. Page 5 (n) indicates DHHS will maximize access to Medicaid, however if youth are not eligible under the new office that cost may fall on counties when families are unable to cover their own care.
3. LB 561, page 4 (d); "Establish standardized guidelines for referrals and treatment based on the needs of the juvenile not on the availability of services;". This is currently an issue in that not always is there capacity available locally for all needs. If a youth is to receive a certain placement or service, and that placement/service is full, the youth may remain in detention until able to move to the appropriate placement/service. Currently the youth is committed to the Office of Juvenile Services and we bill OJS for the time the youth is waiting for placement. In FY 2011-12 we billed OJS for 1,383 days, with the longest stay 53 days, and there were 11 cases where the stays were 30+ days. In this current fiscal year we have already billed OJS for 1,182 days, with the longest stay 194 days. The stay of 194 days cost OJS \$45,784. We want to maintain the ability to bill for the time youth are in our detention facility awaiting placement/service. And what is the requirement of the county if a program/service is not available locally?
4. LB 561, page 4 (f): "Work with counties to ensure that the detention centers adopt an evidence-based treatment model for secure confinement of juveniles who need to be detained;" This section is vague. "Treatment" needs to be specifically defined. We interpret it to mean determining the need(s) of the youth and providing treatment specific to those needs. In Lancaster County we currently pay for one case manager and a therapist with the assessment center. Region V provides funding for therapists who provide suicide assessments and transitional coping services. If "treatment" means something other than what we currently provide (i.e. bringing in families for family therapy) there would be additional costs to the county. Would we be required to provide transportation for treatment? We would suggest feedback be sought from local detention facilities regarding the fiscal ramifications of expanded treatment and if those facilities could bill for such treatment.
5. Under the new Office of Juvenile Assistance all youth in the juvenile justice system would be supervised and utilize community based services. We now serve pre-adjudicated youth and services/programs are often full, so this may have an impact on the number of youth in detention. How would increased capacity for community based services be funded?

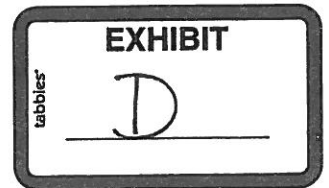
6. What is the purpose of the proposed Office of Detention Alternatives?

7. LB 561, page 5 (l): "Work with counties to develop plans to access Community-Based Juvenile Services Aid formerly the County Juvenile Services Aid Program;" Is the Community-Based Juvenile Services Aid only the former County Aid funding or does it also include the State's Juvenile Services funding? Lancaster County utilizes some of the State's Juvenile Services funding for cultural programming as well as funding detention alternatives. We want to be able to decide on a county level what we fund with the Community-Based Juvenile Services Aid. Additionally, we perceive a conflict of interest with the office guiding policy and procedures for services counties write grants for to be the same office determining which grants receive funding and the same agency monitoring those grants.

8. LB562, Sec. 3. If a juvenile is adjudicated to be a juvenile described in subdivision (1), (2), or (3) of section 43-247 and, when the individual reaches nineteen years of age, he or she is receiving services or is in a placement pursuant to the disposition of the juvenile court, the juvenile court's jurisdiction over such individual shall continue until the individual reaches twenty-one years of age or the court otherwise discharges the individual from its jurisdiction. If those who violate need to be detained, the Lancaster County Youth Services Center may not be able to accommodate the additional population.

Discovery Financial Group, LLC

Wealth Management & Retirement Planning



Kerry P. Eagan
Chief Administrative Officer
Lancaster County Board of Commissioners
County-City Bldg.
555 S. 10th Street, Rm 110
Lincoln, NE 68508

Dear Mr. Eagan:

The QDIA, or Qualified Default Investment Alternative, was a term introduced in the Pension Protection Act of 2006 to describe some specific parameters around a special type of default option that, if those conditions were met, offered plan fiduciaries additional protections.

ICMA-RC's investment lineup for their Retiree Health Savings Plan offers a couple of options that satisfy the criteria for a QDIA. I have done a thorough analysis of the options available and recommend the County selects the *Vantagepoint Milestone Retirement Income Fund* (VPRRX). This investment has yielded an average of 4.24% since inception in January 2005. Its net expense ratio is 0.85%, which is within industry standards for like investments. The core makeup of this fund is intermediate bonds and cash equivalents, which offer capital protection and significantly mitigates potential loss of investment. Additionally, this investment is suitable for all investors regardless of age and risk tolerance. The *Milestone Retirement Fund* also takes into consideration the characteristics of the group of employees of the County as a whole, rather than each individual.

It is also recommended that the County ensures that the new incumbent, ICMA-RC, demonstrates a comprehensive plan for educating all participants on the plan and their investment options within the first 90 days of transition. If selected by the County, the QDIA, while safe, may not be the best long-term option for a more aggressive investor.

Regards,

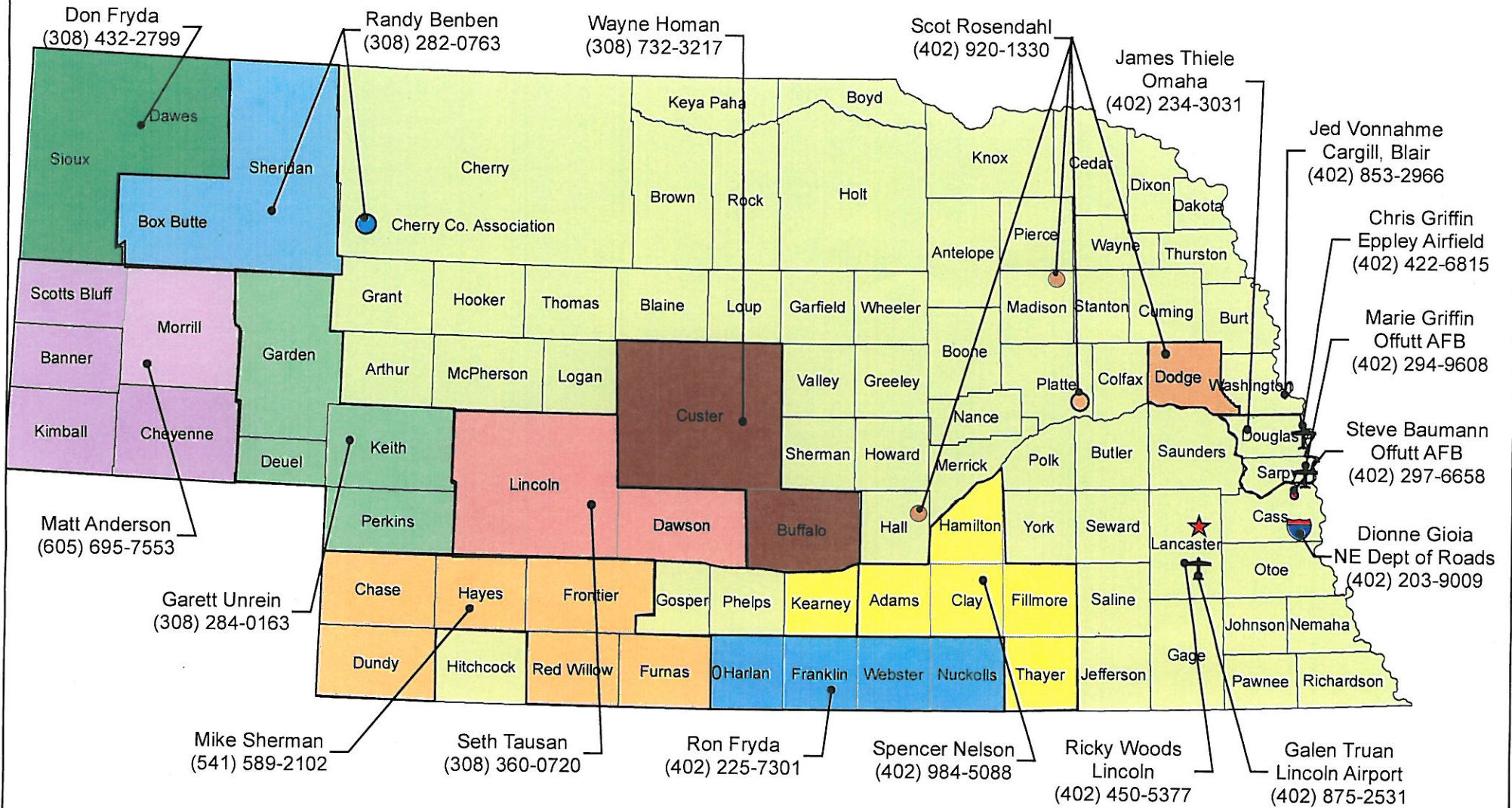
A handwritten signature in blue ink that reads "Kelly Bush".

Kelly Bush, MBA
Principal
Discovery Financial Group, LLC

USDA - APHIS - Wildlife Services Nebraska

For Agency Use Only

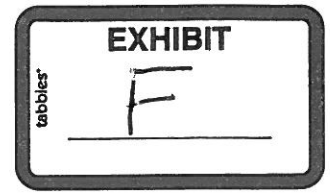
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BASELINE IMPACT MEASURES, POST CMHC FRACTURE - OR HOW EFFECTIVE WAS AN INTEGRATED COMPREHENSIVE BEHAVIORAL HEALTH SYSTEM?

Sample time line - last quarter of 2011.

- 1) Bryan LGH West Mental Health Emergency Department contacts 982
- 2) Lincoln Police Department Mental Health Investigations 493, Suicide Attempts 78, EPCs 76
- 3) Jail Admissions for those with a Mental Health History (Flags) 726
- 4) Number of Crisis Center Admissions 156
- 5) Number of Calls to CMHC's Hotline and crisis walk ins 813
- 6) Number of Mental Health Related Calls to the Mayor's Ombudsman 41
- 7) Number of Mental Health Related Incidents in Lincoln's Public Libraries 65 (Bennett Martin Library only, downtown)
- 8) Number of Mental Health Related Incidents in the Downtown Senior Center 6
- 9) Lincoln's Homeless Count 964
- 10) CMHC/Region V Contracted Units FY 2011/2012 Med Management 4,125 - Day Rehab 1,607 - Res Rehab Medicaid 598 - Community Support 2,100 - Day Treatment 592 - Outpatient \$251,935 (both Indiv & Group) - Post Commitment NA
- 11) Rehospitalization rate for CMHC's Community Support only _____

Compiled by Dean Settle, Director
CMHC of Lancaster County

May 2, 2012

Sources of Baseline Data

- 1) Shannon Engler, Director Mental Health Services, Bryan LGH West, 402-481-5607
- 2) Capt. Joe Wright, Lincoln Police Department, 402-202-3542
- 3) Melanie Koch, County Corrections Department, 402-441-8913
- 4) Scott Etherton, Program Manager, Crisis Center, 402-441-6329
- 5) Diane Ness, Program Manger, Partial Hospitalization & Emerg. Services, 402-441-6645
- 6) Mayor's Ombudsman, City of Lincoln, Lin Quenzer, 402-441-7511
- 7) Pat Leach, Director Libraries, 402-441-8510
- 8) Denise Hamtak, Director, Aging Partners' Downtown Senior Center, 402-441-7154
- 9) Bill Stewart CMHC Path Project Lincoln's Homeless Count, 402-441-6633
- 10) Region V Systems, 402-441-4343
- 11) Dr. Joe Swoboda, Psychologist, CMHC, 402-441-6626