

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 – BILL LUXFORD STUDIO
THURSDAY, MARCH 23, 2017
8:30 A.M.**

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

Others Present: Kerry Eagan, Chief Administrative Officer; Dennis Meyer, Budget and Fiscal 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 March 22, 2017.

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

AGENDA ITEM

1 APPROVAL OF MARCH 16, 2017 MINUTES

A. STAFF MEETING

MOTION: Brinkman moved and Avery seconded approval of the March 16, 2017 Staff Meeting minutes.

Brinkman asked that the minutes reflect that she exited the meeting following the discussion of the Youth Services Center (YSC) contract with State Probation, not before.

ROLL CALL: Avery, Brinkman and Wiltgen voted yes. Amundson and Schorr were absent. Motion carried 3-0.

B. VILLAGE MEETING

MOTION: Brinkman moved and Avery seconded approval of the March 16, 2017 Village Meeting. Brinkman, Avery and Wiltgen voted yes. Amundson and Schorr were absent. Motion carried 3-0.

Schorr entered the meeting at 8:33 a.m.

2 LEGISLATIVE UPDATE – Gordon Kissel, Joe Kohout and Jonathan Bradford, Kissel/E&S Associates (Legislative Consultants)

Joe Kohout, Kissel/E&S Associates, presented a legislative update (Exhibit A).

Wiltgen said Lauren Kintner, the Governor's Chief Policy Adviser, still has not contacted him regarding Legislative Bill (LB) 333 (Eliminate an independent review of denial of aid to the disabled) (see March 16, 2017 County Board Staff Meeting minutes). Kohout said some Health and Human Services Committee members have indicated the bill may be "gutted" and other non-priority bills inserted before it advances.

Jonathan Bradford, Kissel/E&S Associates, noted Speaker Jim Scheer typically announces the process for the upcoming agenda every few days but yesterday he sent an email to senators whose bills have been prioritized and moved out of committee stating they need to provide a vote count, the bill cannot be controversial, and the bill cannot have a fiscal impact. The Speaker indicated if those criteria are not met, their bill will go to the end of the list. Bradford said that communication has raised a lot of questions.

Kohout reported LB 127 (Change notice requirements under Open Meetings Act) was advanced by the Government, Military and Veterans Affairs Committee with an amendment (see Exhibit A) and said he believes the amendment "enshrines" current policy. Cori Beattie, Deputy County Clerk, expressed concern about the digital component. She pointed out the Lincoln Journal Star has separate charges for publishing in paper and electronic form. Kohout said they will research the intent of the bill further.

Kohout stated the Revenue Committee held a hearing yesterday on LB 373 (Change and eliminate revenue and taxation provisions) and said the County's letter of opposition was read into the record, along with numerous others. He said Senator Paul Schumacher, introducer of the bill, seemed to settle on two sections of the bill that dealt with personal and corporate income tax in his closing.

Kohout said Senator Mike Hilgers has been working on an amendment to LB 68 (Prohibit certain regulation of firearms, ammunition, and firearm accessories by counties, cities, and villages as prescribed). Brad Johnson, Corrections Director, appeared and questioned whether Corrections would still be able to restrict the public from having firearms during contact visits under terms of the bill. Wiltgen said the County also has concerns about not being able to regulate firearms in County-owned buildings. Kohout noted Terry Wagner, County Sheriff, has had conversations with Senator Hilgers regarding those concerns.

Johnson also expressed concern that if LB 560 (Change restrictive housing and inmate discipline provisions) passes, the law could be changed to include county jails. The bill is limited to state correctional facilities.

Kohout stated he appeared in support at the Government, Military and Veterans Affairs Committee's hearings on LB 163 (Require additional polling places prior to elections in certain counties). He said Senator Tony Vargas has filed an amendment which limits the scope of the bill to primary and general elections.

Wiltgen said he attended the Judiciary Committee's hearings on LB 145 (Provide for a hearing to determine financial ability to pay fines and costs and traffic citations and provide for community service) and LB 395 (Change provisions relating to conditions of and ability to post bail) as an observer, adding he felt the environment was not conducive to constructive dialogue. Bradford said Senator Matt Hansen's Office has indicated it is looking to amend the concepts of both bills into other bills. Brinkman said she listened to the hearing and said counties were criticized for not endorsing the bill when it is projected to save them money. She asked whether that is the view of other senators or is unique to the Judiciary Committee. Kohout said he does not believe hostility towards entities opposing bills is common among all legislative committees. Wiltgen felt the comments were made because Committee members noticed he was in the back of the room. Bradford said he advised Wiltgen not to testify, given the environment. Wiltgen asked whether the Board would like to follow-up with a letter to the Judiciary Committee explaining its concerns and why it did not take a position. Kohout felt it would be helpful to provide a list of three or four changes the Board would suggest from an operational standpoint directly to Senators Hansen and Morfeld, introducers of the bills, and Brent Smoyer, legal counsel for the Judiciary Committee. Brinkman said she would like a better understanding of Brad Johnson's and Kim Etherton's (Corrections Director and Community Corrections Director, respectively) concerns and what they feel should be included in the letter. There was consensus to have Wiltgen, Brinkman, and Kerry Eagan, Chief Administrative Officer, work with Johnson and Etherton on formulation of a letter. A copy will be emailed to the other Board members. Bradford noted an amendment is being drafted which he will forward to the Board.

It was noted an amendment was filed on LB 233 (Change revenue and taxation provisions) that would suspend the Personal Property Tax Credit Act for a two-year period of time. Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, appeared and said there would be no loss to the County.

NOTE: Legislative bill reports were also provided to the Board (Exhibits B & C)

3 AMUSEMENT LICENSES – Cori Beattie, Deputy County Clerk

A. FROG FEST CHANGE OF DATE (AUGUST 12, 2017 TO AUGUST 19, 2017)

Cori Beattie, Deputy County Clerk, said the applicant has amended their amusement license application to change the date. She said the County Clerk's Office will notify the departments that make recommendations on amusement license applications of the

change and asked whether the Board would like the County Clerk's Office to notify neighboring property owners as well. There was consensus to have the County Clerk's Office do so.

B. ROW CROP LLC

Beattie said Row Crop, LLC has submitted an amusement license application to hold a large outdoor music concert on September 28th, noting attendance of 20,000 is anticipated. She said the County Clerk's Office would like to schedule the public hearing on the application when all Commissioners will be present. There was consensus to schedule the public hearing on the May 16, 2017 County Board of Commissioners Meeting agenda. Neighboring property owners will be notified of the public hearing.

Beattie also reported on a meeting held to discuss proposed changes to amusement license and special event permit guidelines.

4 PURCHASE OF REPLACEMENT VEHICLE – Terry Wagner, County Sheriff, Captain John Vik, Lancaster Sheriff's Office (LSO)

Terry Wagner, County Sheriff, requested authorization to replace a patrol vehicle that was totaled in an accident involving a drunk driver. He said Doug Cyr, Chief Deputy County Attorney, and Sue Eckley, County Risk Manager, are working to settle with the other driver's insurance company. A claim was also filed with the County's insurance and a check in the approximate amount of \$17,000 was received and deposited in the General Fund. Wagner said he budgets for these types of expenditures and has approximately \$11,600 available in the Vehicle Repair and Maintenance line item. The replacement cost is estimated at \$29,000.

MOTION: Schorr moved and Brinkman seconded approval of the request. Schorr, Brinkman, Avery and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.

RETURNING TO LEGISLATIVE UPDATE

Wiltgen said Brad Johnson, Corrections Director, has concerns about whether LB 68 would prohibit the County from restricting firearms in County buildings. Wagner said he

and the lobbyist for the Nebraska Sheriff's Association met with Senator Hilgers and discussed those issues.

ACTION ITEMS

- A. Modified License Dormancy Letter with Hewlett-Packard Enterprise (Exhibit D)

MOTION: Schorr moved and Brinkman seconded to authorize signature by the Chair. Brinkman, Avery, Schorr and Wiltgen voted yes. Amundson was absent. Motion carried 4-0.

5 DIETZ CEMETERY REQUEST FROM METHODIST CHURCH – David Derbin, Deputy County Attorney; Ann Post, Baylor, Evnen, Curtiss, Gritit & Witt, LLP

Ann Post, Baylor, Evnen, Curtiss, Gritit & Witt, LLP, said the Dietz Cemetery is titled in the name of the “Methodist Church” and the Great Plains Annual Conference of the United Methodist Church, who she represents, would like to transfer the title to Lancaster County. She noted the Dietz Cemetery is an abandoned pioneer cemetery that the County is already maintaining, in accordance with State Statutes.

David Derbin, Deputy County Attorney, explained that only counties under township organization have the power to hold and operate cemeteries under State Statutes. Since Lancaster County is not under a township organization, he advised the Board not to accept title. Derbin said the Board could increase maintenance, noting there is a statutory cap on the amount of expenditures allowed for abandoned cemeteries.

Post said she believes the County taking ownership would be the best long-term plan for the cemetery.

Wiltgen asked how the Church would be harmed by the County not accepting title. Post said the Church feels a certain obligation to the cemetery with the title in their name. She said nothing would change if the County did not accept title.

Avery suggested a transfer to the State or Historical Society may also be options.

Post said she will continue to work with the County Attorney’s Office on the issue.

ADMINISTRATIVE OFFICER REPORT

A. Update on Deputy Chief Administrative Officer Interview

Eagan disseminated a list of opening statement questions (Exhibit E) and asked if there were any additions. Brinkman noted the person who had served in this role in the past provided leadership at departments in times where there was a transition or an emergency vacancy and said she would like the candidates to comment on whether they had that type of experience or how they would execute being placed in that role. Eagan felt it would be appropriate to add that to the list of formulated interview questions. Wiltgen said he believes it would be appropriate for candidates to include it in their presentation. Schorr

felt it was more specific to duties. Eagan said candidates will only receive the opening statement questions prior to the interviews.

It was noted that although the interviews will be in open session, candidates will be asked to wait outside the interview room until they are called.

6 ENGINEER REPORTS – Pam Dingman, County Engineer

A. SOUTH BELTWAY MEMORANDUM OF UNDERSTANDING AND ENVIRONMENTAL ASSESSMENT

Pam Dingman, County Engineer, presented the draft environmental assessment for the South Beltway project. **NOTE:** A copy was not provided to the County Clerk's Office. She said her signature is requested on the document and said she consulted Dave Derbin, Deputy County Attorney, on whether she would be accepting liability on behalf of the County by signing it. Derbin felt she would not.

Dingman also presented the agreement between Lancaster County and the Nebraska Department of Roads (NDOR) for the Lincoln South Beltway Project (Exhibit F). She noted the Board had authorized her a year ago to move forward with the agreement but said it was rejected by the Federal Highway Administration (FHWA) because there wasn't an approved environmental assessment in place. The agreement has since been "softened" and is now more of a memorandum of understanding (MOU).

In response to a question from Schorr, Dingman said there are no references to the Railroad Transportation Safety District (RTSD) in the County's agreement.

David Derbin, Deputy County Attorney, appeared and said the agreement will not obligate the County if the project doesn't move forward.

NOTE: The environmental assessment document and the agreement between Lancaster County and NDOR for the Lincoln South Beltway Project will be scheduled for action on a regular County Board of Commissioners Meeting agenda.

B. SALTILLO ROAD STUDY

Dingman said the public brought forward safety concerns regarding Saltillo Road two years ago at the public hearing on the County's One and Six Year Road and Bridge Improvement Program. A safety study of the Saltillo Road corridor was conducted and NDOR was asked for a safety project. NDOR performed a benefit/cost (B/C) analysis and requested modification of the study to include the section between 14th to 64th Streets (see Exhibits G & H).

Amundson arrived at the meeting at 10:04 a.m.

Dingman said construction costs are estimated to be \$7,300,000 and would be reimbursed at 90%, adding she was told funding will be available for the project in 2020.

Wiltgen asked whether the project would be eligible for the Highway Spur Program. Dingman said she would need to consult NDOR.

Wiltgen asked whether the City is part of the traffic study. Dingman said the City Traffic Engineer has reviewed, commented on, and approved the traffic study but there hasn't been any commitment of funding from the City.

There was consensus to continue supporting the Saltillo Road Safety Study.

Brinkman exited the meeting at 10:11 A.M.

DISCUSSION OF BOARD MEMBER MEETINGS

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

Amundson said they approved expenditures and elected officers.

Brinkman returned to the meeting at 10:14 a.m.

- B. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Amundson

Amundson said she was asked about the jail population and whether it might be wise to issue a request for proposal (RFP) to house inmates in out-of-county jails. She said she also reported on the County's plans to utilize service-based budgeting and to sell Trabert Hall.

- 7 YOUTH SERVICES CENTER** – Sheli Schindler, Youth Services Center (YSC) Director; Melissa Hood, Administrative Aide, YSC; David Derbin, Deputy County Attorney

A. CONTRACT WITH OTHER COUNTIES

David Derbin, Deputy County Attorney, asked whether the Board would like any revisions to the county contracts for pre-adjudicated youth who are placed at the Youth Services Center (YSC) from other counties. He noted the State Probation contract that is currently being negotiated would cover all post-adjudicated youth regardless of the county of origin.

Sheli Schindler, Youth Services Center (YSC) Director, said the County currently has contracts with 32 counties, noting the contracts historically covered pre-adjudicated and post-adjudicated youth. She said the State Probation contract that was discussed at the March 16th Staff Meeting has been revised and juveniles from Lancaster County will be given priority. Schindler noted the Board has agreed to charge State Probation a daily per diem of \$276 for post-adjudicated youth and asked if the Board wants to charge counties that rate or \$307. That is the amount the County has determined is the true cost to house juveniles in the YSC including depreciation. She also asked whether the Board wants to charge the contract counties the difference between the \$276 and \$307 rate for the post-adjudicated youth. Contract counties are currently charged a per diem of \$236. Schindler explained they had held off increasing the amount of those contracts until the State contract was settled.

Brinkman inquired about building capacity. Schindler said it is 60 beds but they are staffed for 40. She projected it would cost approximately \$250,000 to open another 10-bed unit, noting those are staffing costs only. Schindler said she has not filled two positions because the facility has been operating at 40 or less. She said the budget requests for education, medical and mental health services are also based on that population number.

Wiltgen felt there will be increased demand to house out-of-county, post-adjudicated youth because of the issues at the Youth Rehabilitation and Treatment Centers in Geneva and Kearney. Schindler noted the Scotts Bluff County Juvenile Detention Center in Gering has closed and said the Northeast Nebraska Juvenile Detention Center in Madison has been at capacity. She said the Douglas County Youth Center in Omaha has been operating under capacity, adding their capacity will be decreasing from 120 to 80 because of Prison Rape Elimination Act of 2003 (PREA) considerations.

MOTION: Schorr moved and Avery seconded to move to a daily per diem of \$276 for contract counties.

Wiltgen said he is okay with asking Lancaster County taxpayers to subsidize the difference between the true costs of detention and what the State is willing to pay for Lancaster County juveniles but believes other counties should be responsible for their youth.

Avery felt it would be hard to justify charging counties more than what the County is charging the State. He also questioned including the cost of depreciation in the per diem.

Brinkman suggested setting up a step system over a several year period to try to get closer to the County's actual costs. Derbin noted a four-year contract is proposed but said it can be amended or terminated.

Schindler said another issue involves medical costs which she believes contract counties should cover. Amundson asked how the Douglas County Youth Center in Omaha and the

Patrick J. Thomas Juvenile Justice Center in Papillion handle those costs. Schindler said she would have to check, noting Douglas County has a medical service within their facility. Avery asked that she also check on their per diem rates.

The maker of the motion clarified that the \$276 per diem rate proposed in her motion would not include any medical costs or transportation and that there would be a review of the rate in two years with the intent of moving closer to Lancaster County's actual costs. The seconder agreed to the clarification.

ROLL CALL: Amundson, Avery, Schorr and Brinkman voted yes. Wiltgen voted no.
Motion carried 4-1.

It was noted the County covers the first \$2,500 of medical costs under terms of the current contracts with other counties.

MOTION: Brinkman moved and Schorr seconded to remove the provision that Lancaster County will cover the initial \$2,500 in medical expenses for contract county youth in the Youth Services Center (YSC) in any future contracts. Avery, Schorr, Brinkman, Amundson and Wiltgen voted yes.
Motion carried 5-0.

Derbin said they will bring a draft contract back to the Board.

Amundson felt the issues should be studied further.

There was consensus to send a letter to all Nebraska counties notifying them of the proposed contract and asking them to contact Lancaster County if they are interested.

B. CAPACITY ISSUES

Schindler said the YSC's budget request will be based on a capacity of 40.

8 POTENTIAL LITIGATION – Doug Cyr, Chief Deputy County Attorney; David Derbin and Kayla Hathcote, Deputy County Attorneys; Sara Hoyle, Human Services Director

MOTION: Schorr moved and Avery seconded to enter Executive Session at 10:56 a.m. for the purpose of protecting the public interest with regards to potential litigation.

The Chair said it has been moved and seconded that the Board enter into Executive Session.

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

The Chair restated the purpose for the Board entering into Executive Session.

Avery exited the meeting.

MOTION: Amundson moved and Schorr seconded to exit Executive Session at 11:28 a.m. Amundson, Schorr, Brinkman and Wiltgen voted yes. Avery was absent. Motion carried 4-0.

ADMINISTRATIVE OFFICER REPORT

C. Proposal for Environmental Survey of Trabert Hall

There was consensus to develop a contract for the environmental survey.

9 BUDGET HEARINGS – Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, presented a proposed Department Budget Hearing Schedule (see agenda packet). There was consensus to: 1) Reschedule the hearings scheduled on Thursday, June 1st to Tuesday, May 30th; and 2) Begin the budget hearings at 8:30 a.m. on Thursday, June 22nd.

Meyer said he also intends to schedule joint departments on Thursday, April 6th and Thursday, April 13th.

10 ACTION ITEMS

A. Modified License Dormancy Letter with Hewlett-Packard Enterprise

Item was moved forward on the agenda.

11 ADMINISTRATIVE OFFICER REPORT

A. Update on Deputy Chief Administrative Officer Interview

Item was moved forward on the agenda.

B. April Management Team Meeting

There was consensus to schedule a presentation by Karen Wobig, County Extension Educator, Unit Leader, on her agency. A presentation by the County Treasurer's Office was suggested for a future meeting.

C. Proposal for Environmental Survey of Trabert Hall

Item was moved forward on the agenda.

D. Donor Recognition at Woods Tennis Center

Eagan said the Parks and Recreation Foundation would like to recognize the County for its contribution to the Woods Tennis Center (\$100,000 grant from the County Visitors Improvement Fund). There was consensus to ask that the Foundation acknowledge the Lancaster County Board of Commissioners and Visitors Improvement Fund and include the Lancaster County logo on the plaque that will recognize the County.

12 DISCUSSION OF OTHER MEETINGS ATTENDED

There were no meeting reports.

13 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster County Fairgrounds Joint Public Agency (JPA) – Wiltgen, Amundson
- B. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Amundson

Items A and B were moved forward on the agenda.

14 SCHEDULE OF BOARD MEMBER MEETINGS

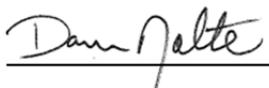
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15 EMERGENCY ITEMS

There were no emergency items.

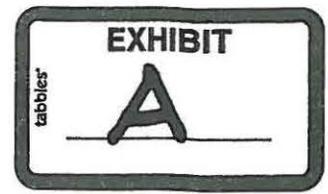
16 ADJOURNMENT

MOTION: Amundson moved and Schorr seconded to adjourn the meeting at 12:18 p.m. Schorr, Amundson, Avery and Wiltgen voted yes. Brinkman was absent. Motion carried 4-0.



Dan Nolte
Lancaster County Clerk





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LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners

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

DATE: March 23, 2017

RE: Weekly Update

Today is day 53 of the 2017 Legislature. This week will be the final one where the Legislature will engage in morning debate and committee hearings in the afternoons. Full-day debate is currently slated to begin on Tuesday, March 28, 2017.

Since our last meeting on Thursday, the Legislature has designated 107 priority bills, placed 23 bills on Final Reading and 14 have been signed by Governor Ricketts. Last Monday, the body resumed debate on LB46A, "Choose Life" funding bill. Prevailing on a cloture motion, the bill advanced to Final Reading. From there the body spent Tuesday and Wednesday morning's debating LB335 which would change provisions relating to a childcare market survey. Last Friday, the Revenue committee heard LB438, a bill that would increase cigarette tax to fund health services.

Please note, that the body did adopt Permanent Rules on day 49. This adoption impacted LB373 – Senator Schumacher's bill to change and eliminate revenue and taxation provisions. It removed the priority status that the Legislative Planning Committee had granted to the bill. The bill was heard in the Revenue Committee yesterday.

LANCASTER COUNTY LEGISLATIVE PRIORITIES

LB508 (Hilgers) Change the population threshold for the county civil service system. The bill was introduced on January 18th, and was referred to the Government, Military and Veterans Affairs Committee. This bill was heard on February 22, 2017, and still remains in committee.

We did provide the amendment language to Senator Hilgers' office. An amendment was prepared by

Senator Hilgers office with some questions from the bill drafters on some procedural points. That amendment was forwarded to Rick DeBoer last week and we are awaiting their response to the formal amendment.

POSITION: SUPPORT

LB567 (Bolz) Change funding for county public assistance offices. The bill was introduced on January 18th, and was referred to the Government, Military and Veterans Affairs Committee. The bill was heard on February 22, 2017 and still remains in committee.

POSITION: SUPPORT

LB441 (Morfeld) Change eligibility provisions under the Medical Assistance Act. This years' Medicaid Expansion Bill. LB441 makes those persons described under section 1902 (a)(10)(A)(i)(VIII) of the federal Social Security Act eligible under the Medical Assistance Act. The department must submit a state plan amendment to cover newly eligible individuals, and such amendment must request as the alternative benefit plan a benchmark benefit package as defined in section 1937(b)(1) 18 (D) of the federal Social Security Act, as amended, 42 U.S.C. 1396u-7(b)(1)(D), as such act and section existed on January 1, 2017, for Secretary-approved coverage that shall include full Medicaid benefit coverage, including mandatory and optional coverage, under section 68-911 22 in the amount, duration, and scope in effect on January 1, 2017, and any additional wraparound benefits required under federal law. The hearing was held on March 8, 2017 and remains held in Committee.

POSITION: SUPPORT

LB357 (Bolz) Increase original certificate of title fees for vehicles transferred to Nebraska from another state and provide for voluntary contributions to brain injury programs. LB357 places a fee of twenty-five dollars for each original certificate of title issued to a person by a county for a vehicle or trailer being titled in Nebraska from another state after the first original title is issued. LB357 also allows for voluntary contributions of \$2 to be made as a donation to programs for persons suffering from brain injury. This bill was heard on February 28, 2017 and is still in committee. At the hearing, the only opposition to the bill was raised by the Department of Motor Vehicles.

POSITION: SUPPORT

LB47 (Watermeier) Change provisions relating to the payment of fees and costs associated with grand juries and the deaths of incarcerated persons. The hearing on this bill was held before the Judiciary Committee. Mr. Eagan testified on behalf of Lancaster County. The bill remains held in Committee.

POSITION: SUPPORT

LB327 (Speaker Scheer at the Request of the Governor) Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2019. This is the Governor's Appropriation bill. We have become aware, as per a communication from Brent Meyer that there is a provision to reduce the amount of funding provided by LB1038 in last session from \$975,000 to \$487,500 for the Nebraska Department of Agriculture to get to their 8% reduction. The bill has been referred to the Appropriations committee. This bill was heard on February 21, 2017 and remains in committee.

On Monday, March 13, 2017 and Tuesday, March 14, 2017, hearings were held on Health and Human Services. Judy Halstead testified in support of the Appropriations Committee's recommended budget adjustments by restoring several cuts to Health and Human Services agencies – cuts that could Lancaster County as much as \$100,000 in total funds (through minor cuts in multiple budget lines). The committee received her comments well.

POSITION: CONCERNS EXPRESSED BY JUDY HALSTEAD AND BRENT MEYER ABOUT

REDUCTIONS IN SPECIFIC AREAS

LB81 (Blood) Change the application fee for handgun certificates. LB81 changes the fee charged for each application for a handgun certification from five dollars to twenty-five dollars. The bill was advanced to General File in its Green Form.

POSITION: SUPPORT

LB127 (Groene) Change notice requirements under Open Meetings Act. LB 127 provides for a change in the open meetings law, in Sec. 84-1411 of the statute. It strikes language for political subdivisions to publicize meeting designated by each political body and requires them to publish such notice in a newspaper of general circulation in each county within the public entities jurisdiction as well as any other method designated by the public body. The newspaper notice does not have to be published in every county but must have a general circulation within the county. This proposal is also not intended to apply to state agencies but just political subdivisions. A significant amendment was offered at the time of the hearing that would re-write the bill. The bill has been advanced to General File with committee amendment AM646. Said amendment is attached for your review.

POSITION: OPPOSE

LB152 (Craighead) Change and eliminate provisions relating to the fees for recording and filing certain documents. LB152 eliminates sunset dates of January 1, 2018 for provisions relating to the fees for recording and filing certain documents. LB152 also eliminates the six-dollar uniform fee, payable to the Secretary of State, for presenting and filing and indexing and filing and indexing each notice of lien or certification of notice affecting lien on a property. The bill was advanced to General File and granted Speaker Priority status.

POSITION: SUPPORT

LB333 (Riepe at the Request of the Governor) Eliminate an independent review of denial of aid to the disabled. LB333 requires that a disability persist for more than a year before a person can be considered disabled. LB333 also eliminates the requirement that the Department of Health and Human Services conduct an independent medical review when Social Security denies benefits to an individual on the basis of the duration of the individual's disability. The hearing on this measure was on January 25, 2017. A letter was sent to Senator Riepe and members of the Health and Human Services Committee under Chairman Wiltgen's signature.

Since the hearing, there has been an enormous amount of conversation on this issue including a conference call last week with representatives of NACO, Douglas and Lancaster County. Last week, we were advised that Lauren Kintner would be reaching out directly to Chairman Wiltgen and Chairwoman Borgeson in Douglas County. To date, we are not aware that those conversations have occurred.

Too, during his testimony before the Appropriations Committee, Director Weinberg of the Department of Health and Human Services – Division of Children and Family Services encouraged the Appropriations Committee to support LB333. In response, Chairman Stinner indicated his reluctance to do so due to the fact that it appeared that to adopt LB333 would shift the burden to counties to care for that population. Too, Senator Kate Bolz expressed skepticism about his testimony indicating that she had a tough time seeing how this population would not fall back on General Assistance of the County. The director had a tough time explaining how it would not. This bill is a committee priority.

POSITION: OPPOSE

LB468 (Krist) Change revenue and taxation provisions. LB468 eliminates the Personal Property Tax

Relief Act exemption and compensating exemption factor for tax years 2018 and 2019. LB468 also eliminates an exemption from taxation for the first ten thousand dollars of valuation on tangible property for tax years 2018 and 2019. LB468 also eliminates the reduction in the value of tangible personal property owned by each railroad, care line company, public service entity, and air carrier for tax years 2018 and 2019. LB468 ends reimbursement to taxing subdivisions for tax revenue that will be lost because of personal property tax exemptions for tax years 2018 and 2019.

LB468 allows resident individuals from electing to subtract from federal gross adjusted income the extraordinary dividends paid on and the capital gain from sale or exchange of capital stock for taxable years beginning before January 1, 2018 and taxable years beginning on or after January 1, 2020. LB468 ends the credit to the Game and Parks Commission Capital Maintenance Fund on July 1, 2017, and ends the credit to the Highway Trust Fund on or after July 1, 2017 and before July 1, 2019. Since an emergency exists, this act takes effect when passed and approved into law.

The hearing on this measure was February 22, 2017. The bill remains held in committee.

POSITION: OPPOSE

LB367 (Krist) Change provisions relating to payment of costs in juvenile matters. LB367 requires the county to pay the costs associated with transportation when a peace officer takes a juvenile into temporary custody and a probation officer determines the need for detention or an alternative placement. LB367 requires the Office of Probation Administration to pay for costs that are related to treatment or service provisions. The bill remains held in committee.

POSITION: OPPOSE

LB510 (Ebke) Provide a restriction on installment contracts for the purchase of real or personal property by political subdivision. LB510 prohibits political subdivisions from entering into installment contracts for the purchase of real or personal property that require a total outstanding obligation exceeding twenty-five million dollars. The hearing on this bill occurred on March 9, 2017 and the bill saw a tremendous amount of opposition. The bill was not prioritized and will not likely move.

POSITION: OPPOSE

LB434 (Ebke) Change videoconferencing provisions relating to certain juvenile hearings. LB434 requires any telephone or videoconference juvenile evidentiary hearings to ensure the preservation of due process or rights of all parties. The bill has been referred to the Judiciary committee and had its public hearing on March 9, 2017.

Of note, during the hearing, Public Defender Joe Nigro appeared in the opposition position and during his testimony expressed concern that this would be viewed as a way for the county to cut costs and specifically referenced the contract negotiations between Lancaster County and the State on the housing of Juveniles. No committee members expressed any concern.

POSITION: NEUTRAL

LB658 (Wayne) Provide for expert witness appointment as prescribed in certain juvenile proceedings. LB658 grants the right to one appointed expert witness during any adjudication or disposition proceeding to the parent, guardian, or custodian of the juvenile who is the subject of the proceeding. If the parent, guardian, or custodian is indigent, the reasonable fees and expenses of such expert witness will be paid by the county. The bill has been referred to the Judiciary committee and had its hearing on March 9, 2017.

Of note, during the opposition on this bill, Senator Chambers expressed concern to NACO about their

opposition to the bill. Furthermore, Senator Chambers and Senator Krist have asked Senator Ebke to send a letter to NACO asking for them to begin disclosing how certain counties vote on opposition or support of bills. When the letters for Lancaster County and the County Attorneys Association were read into the record, Senator Chambers asked for clarification on who opposed the bill. We have not heard anything since.

POSITION: OPPOSE

LB373 (Schumacher) Change and eliminate revenue and taxation provisions. In a previous report, we provided a separate document that included highlights of those portions important to Lancaster County. Bill remains in committee. It has been mentioned that the bill as written has a long shot of coming out of committee. The county's letter of opposition to the repeal of Build Nebraska Act was read into the record.

POSITION: OPPOSE

LANCASTER COUNTY ELECTED OFFICIALS/DEPARTMENT HEADS PRIORITIES

LB310 (Friesen) Change provisions relating to bridge carrying capacities and weight limits. This bill has been referred to the Transportation and Telecommunications Committee for public hearing. Engineer Dingman asked a question of us regarding the bill's origin. In checking with Senator Friesen's office, the bill was brought to them by NACO through the Roads Superintendents subgroup.

There was some correspondence between Larry Dix, Joe Kohout, Pam Dingman and others to get her in touch with the folks who had prepared LB310. The hearing on this measure was held on Monday, February 6, 2017. This bill was placed on General File on March 1, 2017.

LB51 (Schumacher) Change provisions relating to sales of real property for nonpayment of taxes. This bill was heard by the Revenue Committee. The Lancaster County Treasurers Office testified in a neutral capacity after a meeting the morning of the hearing between representatives of NACO, Larry Dix and Senator Schumacher. Senator Schumacher offered an amendment at the hearing that would alleviate the concerns raised by the Treasurer's Office. The bill was placed on General File with committee amendment AM267. We have attached the amendment for your review.

LB68 (Hilgers) Prohibit certain regulation of firearms, ammunition, and firearm accessories by counties, cities, and villages as prescribed. We were asked to work with Eric Gerard, Lincoln City Lobbyist, on this. During deliberations on this measure on Thursday, February 9, 2017 by the Board, they agreed to follow Sheriff Wagner's lead. During testimony on February 10, 2017, Sheriff Wagner, offered testimony in support with concerns. Senator Hilgers designated this as his priority bill on February 28th. Bill has been placed on General File with committee amendment AM630. We have attached the amendment for your review.

LB544 (Watermeier) Provide for elimination of the office of clerk of the district court as prescribed. LB544 allows, in any county that does not have an elected clerk of the district court, for the duties of the clerk of the district court to be performed pursuant to an agreement between the State Court Administrator and the county board. LB544 also allows for a county to vote to eliminate the office of the clerk of the district court when a vacancy occurs. The bill was referred to the Judiciary Committee. This bill was heard on February 15, 2017 and remains in committee.

LB163 (Vargas) Require additional polling places prior to elections in certain counties LB163 requires election commissioners in counties with populations of more than one hundred thousand to establish at

least three voting locations. The hearing was on March 16, 2017.

Yesterday, I received an amendment from Senator Vargas' office. That amendment is attached. It takes up the issue of limiting the bill to primary and general elections and not special elections.

LB625 (Larson) Change the Property Assessed Clean Energy Act. LB625 allows a municipality to create a clean energy assessment district anywhere within the municipality, except a district may not be created that includes any area within the corporate boundaries of any city or village located in whole or in part within such county. The hearing on this measure was on Tuesday, February 14, 2017 and Candace Meredith testified in a neutral capacity on an amendment suggested by NACO. We expect the bill to move with that amendment attached. Bill was placed on General File with committee amendment (AM 224) which is attached. LB 625 has been designated a committee priority.

LB145 (Hansen) Provide for a hearing to determine financial ability to pay fines and costs and traffic citations and provide for community service. LB145 allows for a sentencing judge or magistrate to conduct a post-hearing sentence to determine if the offender has the financial ability to pay the fines or costs associated with their infraction. If the magistrate or judge determines that the offender is able to pay the fine, but the offender refuses, the magistrate or judge may sentence the offender to imprisonment or community service. If the offender is found unable to pay the fine, the magistrate or judge may impose the sentence without costs and fines, discharge the costs and fines from the offender, or order community service as part of the sentence. If the offender is found able to pay the costs or fines in installments, the magistrate or judge may enter an order specifying the terms of a payment arrangement. A public hearing has been set for Thursday, March 16th.

LB145 also allows for individuals who are arrested for failure to pay costs and fines to be provided a hearing in which their financial ability to pay those fines and costs can be assessed. A person who believes themselves to be financially unable to pay court costs and fines may request a hearing after an order has been issued against them. Bill was heard Thursday, March 16, 2017 before the Judiciary Committee and remains in Committee. Commissioner Wiltgen was present to observe the committee's questions. It is being considered that concepts of this bill, as well as LB395, will be amended into other legislation.

LB395 (Morfeld) Change provisions relating to conditions of and ability to post bail. LB395 requires a court to consider all methods of bond and conditions of release to avoid pretrial incarceration. If an appearance bond is required, the court shall appoint counsel to indigent defendants. To determine if a defendant is indigent, the judge must consider the defendant's financial ability to pay a bond. The court may also order a defendant to be supervised by an approved person or organization or a pretrial services program. Bill was heard Thursday, March 16, 2017 before the Judiciary Committee and remains in Committee. Commissioner Wiltgen was present to observe the committee's questions. It is being considered that concepts of this bill, as well as LB 145, will be amended into other legislation.

LB385 (Lindstrom) Change provisions relating to the burden of proof and who may appeal under the Tax Equalization and Review Commission Act. LB385 allows those with a relationship to the taxpayer to execute an appeal on behalf of the taxpayer. The specific relationships are: A person or entity with a contract executed by the taxpayer, a person with the power of attorney, a person with a durable power of attorney, and a person who is a trustee of an estate. LB385 requires the county board of equalization, in appeals regarding the assessed value of the property that has been increased by more than 5%, to prove by a preponderance of the evidence that the assessed value reflects the property's actual value. The hearing on this measure was on Wednesday, March 1, 2017.

This concludes our report for this week.

AMENDMENTS TO LB163

Introduced by

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

3 Section 1. Section 32-101, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 32-101 Sections 32-101 to 32-1551 and section 2 of this act shall be
6 known and may be cited as the Election Act.

7 Sec. 2. The election commissioner in a county with a population of
8 more than one hundred thousand inhabitants shall provide additional
9 office hours during which ballots for early voting may be picked up or
10 returned pursuant to section 32-941 or registered voters of the county
11 may vote or pick up or return a ballot for early voting pursuant to
12 section 32-942. The additional hours shall be provided for any primary or
13 general election, but not for special elections, beginning at least two
14 weeks prior to the day of the election and shall include at least four
15 hours on each of the two Saturdays preceding the day of the election and
16 at least five hours during each week of such two-week period in addition
17 to normal business hours on business days.

18 Sec. 3. Original section 32-101, Reissue Revised Statutes of
19 Nebraska, is repealed.

AMENDMENTS TO LB51

Introduced by Revenue.

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

2 Sec. 2. Section 77-1807, Revised Statutes Cumulative Supplement,
3 2016, is amended to read:

4 77-1807 ~~(1)(a) This subsection applies until January 1, 2015.~~

5 ~~(b) Except as otherwise provided in subdivision (c) of this~~
6 ~~subsection, the person who offers to pay the amount of taxes due on any~~
7 ~~real property for the smallest portion of the same shall be the~~
8 ~~purchaser, and when such person designates the smallest portion of the~~
9 ~~real property for which he or she will pay the amount of taxes assessed~~
10 ~~against any such property, the portion thus designated shall be~~
11 ~~considered an undivided portion.~~

12 ~~(c) If a land bank gives an automatically accepted bid for the real~~
13 ~~property pursuant to section 19-5217, the land bank shall be the~~
14 ~~purchaser, regardless of the bid of any other person.~~

15 ~~(d) If no person bids for a less quantity than the whole and no land~~
16 ~~bank has given an automatically accepted bid pursuant to section 19-5217,~~
17 ~~the treasurer may sell any real property to any one who will take the~~
18 ~~whole and pay the taxes and charges thereon.~~

19 ~~(e) If the homestead is listed separately as a homestead, it shall~~
20 ~~be sold only for the taxes delinquent thereon.~~

21 ~~(2)(a) This subsection applies beginning January 1, 2015.~~

22 (1) ~~(b)~~ If a land bank gives an automatically accepted bid for real
23 property pursuant to section 19-5217, the land bank shall be the
24 purchaser and no public or private auction shall be held under sections
25 77-1801 to 77-1863.

26 (2) ~~(c)~~ If no land bank has given an automatically accepted bid
27 pursuant to section 19-5217, the person who offers to pay the amount of

1 taxes, delinquent interest, and costs due on any real property and who
2 bids the lowest interest rate to be received upon the redemption of such
3 real property shall be the purchaser.

4 ~~(3) (d)~~ The county treasurer shall announce bidding rules at the
5 beginning of the public auction, and such rules shall apply to all
6 bidders throughout the public auction. The first bid given at the public
7 auction shall be a whole number, and subsequent bids shall only be given
8 in decrements of one-half percent or one percent.

9 ~~(4) (e)~~ The sale, if conducted in a round-robin format, shall be
10 consistent with bidding rules as announced by the county treasurer and
11 shall be conducted in substantially the following manner:

12 ~~(a) (i)~~ At the commencement of the sale, a count shall be taken of
13 the number of registered bidders present who want to be eligible to
14 purchase property. Each registered bidder shall only be counted once. If
15 additional registered bidders appear at the sale after the commencement
16 of a round, such registered bidders shall have the opportunity to
17 participate at the end of the next following round, if any, as provided
18 in subdivision ~~(4)(e) (v)~~ of this section subdivision;

19 ~~(b) (ii)~~ Sequentially enumerated tickets shall be placed in a
20 receptacle. The number of tickets in the receptacle for the first round
21 shall equal the count taken in subdivision ~~(4)(a) (i)~~ of this section
22 subdivision, and the number of tickets in the receptacle for each
23 subsequent round shall equal the number of the count taken in subdivision
24 ~~(4)(a) (i)~~ of this section subdivision plus additional registered bidders
25 as provided in subdivision ~~(4)(e) (v)~~ of this section subdivision;

26 ~~(c) (iii)~~ In a manner determined by the county treasurer, tickets
27 shall be selected from the receptacle by hand for each registered bidder
28 whereby each ticket has an equal chance of being selected. Tickets shall
29 be selected until there are no tickets remaining in the receptacle;

30 ~~(d) (iv)~~ The number on the ticket selected for a registered bidder
31 shall represent the order in which a registered bidder may bid on

1 purchase property consisting of one parcel subject to sale from the list
2 per round; and

3 (e) ~~(v)~~ If property listed remains unsold at the end of a round, a
4 new round shall commence until all property listed is either sold or, if
5 any property listed remains unsold, each registered bidder has
6 consecutively passed on the opportunity to make a purchase. Registered
7 bidders who are not present when it is their turn to bid ~~purchase~~
8 ~~property~~ shall be considered to have passed on the opportunity to make a
9 purchase. At the beginning of the second and any subsequent rounds, the
10 county treasurer shall inquire whether there are additional registered
11 bidders. If additional registered bidders are present, tickets for each
12 such bidder shall be placed in a receptacle and selected as provided in
13 subdivisions (4)(b) ~~(ii)~~ through (d) ~~(iv)~~ of this section ~~subdivision~~.
14 The second and any subsequent rounds shall proceed in the same manner and
15 bidding ~~purchase~~ order as the last preceding round, except that any
16 additional registered bidders shall be given the opportunity to bid
17 ~~purchase~~ at the end of the round in the order designated on their ticket.

18 (5) ~~(f)~~ Any property remaining unsold upon completion of the public
19 auction shall be sold at a private sale pursuant to section 77-1814.

20 (6) ~~(g)~~ A bidder shall (a) ~~(i)~~ register with the county treasurer
21 prior to participating in the sale, (b) ~~(ii)~~ provide proof that it
22 maintains a registered agent for service of process with the Secretary of
23 State if the bidder is a foreign corporation, and (c) ~~(iii)~~ pay a twenty-
24 five-dollar registration fee. The fee is not refundable upon redemption.

25 (7) If any bidder at a public auction held pursuant to this section
26 knowingly and willfully colludes with another bidder to obtain an
27 interest rate under this section that he or she would not have obtained
28 had the auction been conducted fairly, such sale shall, after notice,
29 hearing, and a finding of collusion, be voidable by the county board, and
30 the bidder shall in all counties be forever barred from participating in
31 any future public auctions under this section. Such determination by the

- 1 county board may be appealed to the district court of such county.

AMENDMENTS TO LB625

Introduced by Urban Affairs.

1 1. On page 4, lines 3 through 8, strike the new matter and reinstate
2 the stricken matter.

3 2. On page 5, line 22, after "municipality" insert "or its
4 extraterritorial zoning jurisdiction"; and in line 24 after "boundaries"
5 insert "or extraterritorial zoning jurisdiction".

6 3. On page 10, line 27, after the period insert "Any third-party
7 lender collecting annual assessments directly from the owner of the
8 qualifying property shall notify the municipality within three business
9 days if an annual assessment becomes delinquent.".

AMENDMENTS TO LB127

Introduced by Government, Military and Veterans Affairs.

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

3 Section 1. Section 84-1411, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 84-1411 (1)(a)(i) ~~(1)~~ Each public body shall give reasonable
6 advance publicized notice of the time and place of each meeting ~~by a~~
7 ~~method designated by each public body and recorded in its minutes.~~ Such
8 notice shall be transmitted to all members of the public body and to the
9 public.

10 (ii) In the case of a public body described in subdivision (1)(a)(i)
11 of section 84-1409 or such body's advisory committee, such notice shall
12 be published in a newspaper of general circulation within the public
13 body's jurisdiction and, if available, in a digital advertisement on such
14 newspaper's web site. Such notice may also be provided by any other
15 appropriate method designated by the public body or such advisory
16 committee.

17 (iii) In the case of any other public body, such notice shall be
18 given by a method designated by the public body.

19 (b) The public body shall record the methods and dates of such
20 notice in its minutes.

21 (c) Such notice shall contain an agenda of subjects known at the
22 time of the publicized notice or a statement that the agenda, which shall
23 be kept continually current, shall be readily available for public
24 inspection at the principal office of the public body during normal
25 business hours. Agenda items shall be sufficiently descriptive to give
26 the public reasonable notice of the matters to be considered at the
27 meeting. Except for items of an emergency nature, the agenda shall not be

1 altered later than (i) ~~(a)~~ twenty-four hours before the scheduled
2 commencement of the meeting or (ii) ~~(b)~~ forty-eight hours before the
3 scheduled commencement of a meeting of a city council or village board
4 scheduled outside the corporate limits of the municipality. The public
5 body shall have the right to modify the agenda to include items of an
6 emergency nature only at such public meeting.

7 (2) A meeting of a state agency, state board, state commission,
8 state council, or state committee, of an advisory committee of any such
9 state entity, of an organization created under the Interlocal Cooperation
10 Act, the Joint Public Agency Act, or the Municipal Cooperative Financing
11 Act, of the governing body of a public power district having a chartered
12 territory of more than one county in this state, of the governing body of
13 a public power and irrigation district having a chartered territory of
14 more than one county in this state, of a board of an educational service
15 unit, of the Educational Service Unit Coordinating Council, of the
16 governing body of a risk management pool or its advisory committees
17 organized in accordance with the Intergovernmental Risk Management Act,
18 or of a community college board of governors may be held by means of
19 videoconferencing or, in the case of the Judicial Resources Commission in
20 those cases specified in section 24-1204, by telephone conference, if:

21 (a) Reasonable advance publicized notice is given as provided in
22 subsection (1) of this section;

23 (b) Reasonable arrangements are made to accommodate the public's
24 right to attend, hear, and speak at the meeting, including seating,
25 recordation by audio or visual recording devices, and a reasonable
26 opportunity for input such as public comment or questions to at least the
27 same extent as would be provided if videoconferencing or telephone
28 conferencing was not used;

29 (c) At least one copy of all documents being considered is available
30 to the public at each site of the videoconference or telephone
31 conference;

1 (d) At least one member of the state entity, advisory committee,
2 board, council, or governing body is present at each site of the
3 videoconference or telephone conference; and

4 (e) No more than one-half of the state entity's, advisory
5 committee's, board's, council's, or governing body's meetings in a
6 calendar year are held by videoconference or telephone conference.

7 Videoconferencing, telephone conferencing, or conferencing by other
8 electronic communication shall not be used to circumvent any of the
9 public government purposes established in the Open Meetings Act.

10 (3) A meeting of a board of an educational service unit, of the
11 Educational Service Unit Coordinating Council, of the governing body of
12 an entity formed under the Interlocal Cooperation Act, the Joint Public
13 Agency Act, or the Municipal Cooperative Financing Act, of the governing
14 body of a risk management pool or its advisory committees organized in
15 accordance with the Intergovernmental Risk Management Act, of a community
16 college board of governors, of the governing body of a public power
17 district, or of the governing body of a public power and irrigation
18 district may be held by telephone conference call if:

19 (a) The territory represented by the educational service unit,
20 member educational service units, community college board of governors,
21 public power district, public power and irrigation district, or member
22 public agencies of the entity or pool covers more than one county;

23 (b) Reasonable advance publicized notice is given as provided in
24 subsection (1) of this section which identifies each telephone conference
25 location at which an educational service unit board member, a council
26 member, a member of a community college board of governors, a member of
27 the governing body of a public power district, a member of the governing
28 body of a public power and irrigation district, or a member of the
29 entity's or pool's governing body will be present;

30 (c) All telephone conference meeting sites identified in the notice
31 are located within public buildings used by members of the educational

1 service unit board, council, community college board of governors,
2 governing body of the public power district, governing body of the public
3 power and irrigation district, or entity or pool or at a place which will
4 accommodate the anticipated audience;

5 (d) Reasonable arrangements are made to accommodate the public's
6 right to attend, hear, and speak at the meeting, including seating,
7 recordation by audio recording devices, and a reasonable opportunity for
8 input such as public comment or questions to at least the same extent as
9 would be provided if a telephone conference call was not used;

10 (e) At least one copy of all documents being considered is available
11 to the public at each site of the telephone conference call;

12 (f) At least one member of the educational service unit board,
13 council, community college board of governors, governing body of the
14 public power district, governing body of the public power and irrigation
15 district, or governing body of the entity or pool is present at each site
16 of the telephone conference call identified in the public notice;

17 (g) The telephone conference call lasts no more than two hours; and

18 (h) No more than one-half of the board's, council's, governing
19 body's, entity's, or pool's meetings in a calendar year are held by
20 telephone conference call, except that a governing body of a risk
21 management pool that meets at least quarterly and the advisory committees
22 of the governing body may each hold more than one-half of its meetings by
23 telephone conference call if the governing body's quarterly meetings are
24 not held by telephone conference call or videoconferencing.

25 Nothing in this subsection shall prevent the participation of
26 consultants, members of the press, and other nonmembers of the governing
27 body at sites not identified in the public notice. Telephone conference
28 calls, emails, faxes, or other electronic communication shall not be used
29 to circumvent any of the public government purposes established in the
30 Open Meetings Act.

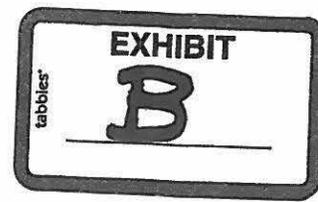
31 (4) The secretary or other designee of each public body shall

1 maintain a list of the news media requesting notification of meetings and
2 shall make reasonable efforts to provide advance notification to them of
3 the time and place of each meeting and the subjects to be discussed at
4 that meeting.

5 (5) When it is necessary to hold an emergency meeting without
6 reasonable advance public notice, the nature of the emergency shall be
7 stated in the minutes and any formal action taken in such meeting shall
8 pertain only to the emergency. Such emergency meetings may be held by
9 means of electronic or telecommunication equipment. The provisions of
10 subsection (4) of this section shall be complied with in conducting
11 emergency meetings. Complete minutes of such emergency meetings
12 specifying the nature of the emergency and any formal action taken at the
13 meeting shall be made available to the public by no later than the end of
14 the next regular business day.

15 (6) A public body may allow a member of the public or any other
16 witness other than a member of the public body to appear before the
17 public body by means of video or telecommunications equipment.

18 Sec. 2. Original section 84-1411, Reissue Revised Statutes of
19 Nebraska, is repealed.

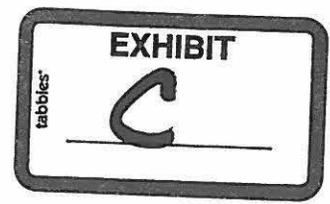


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| Document | Senator | Position | Committee | Status | Description |
|----------|---------|----------|---|----------------------------|---|
| LB422 | Murante | | Government, Military and Veterans Affairs 03/23/2017 | In Committee 01/17/2017 | Change provisions of the Election Act <i>LB422 changes the meaning of "registered voter" to mean an elector who has a valid voter registration record on file with the election administrator in the county of their residence.</i> |
| LB423 | Murante | | Government, Military and Veterans Affairs 03/23/2017 | In Committee 01/17/2017 | Change provisions relating to counties <i>LB423 changes the language from "all counties having" to "each county that has."</i> |
| LB426 | Murante | | Government, Military and Veterans Affairs 03/23/2017 | In Committee 01/17/2017 | Change expense reimbursement provisions for state officers and agencies |
| LB502 | Brewer | | Judiciary 03/23/2017 | In Committee 01/20/2017 | Adopt the Permitless Concealed Carry Act <i>LB502 adopts the Permitless Concealed Carry Act. To be eligible to carry a concealed handgun under this act, the person shall be at least twenty-one years of age, be a citizen or legal resident of the United States, not be prohibited from possessing a handgun, and not be prohibited from purchasing or possessing a handgun under 18 U.S.C. 992. This Act does not change the current restrictions on the carrying of weapons onto private property and other provisions. Any violation of this Act is a Class II misdemeanor for the first violation and a Class I misdemeanor for any subsequent violation.</i> |



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| Document | Senator | Position | Committee | Status | Description |
|----------|----------------|----------|---|---|--|
| LB68 | Hilgers | Monitor | Government, Military and Veterans Affairs 02/10/2017 | General File 03/17/2017 Hilgers Priority Bill | Prohibit certain regulation of firearms, ammunition, and firearm accessories by counties, cities, and villages as prescribed <i>LB68 prohibits cities of the primary class from prohibiting carrying of concealed weapons. Except as prohibited, Cities, but not counties, do have the power to regulate the ownership, possession, transportation, carrying, registration, transfer, or storage of firearms, ammunition, or firearm accessories.</i> |
| LB72 | Schumacher | | Banking, Commerce and Insurance 02/13/2017 | General File 02/16/2017 Banking, Commerce and Insurance Priority Bill | Provide for governmental unit bond priority under the Nebraska Governmental Unit Security Interest Act and rename the act <i>LB72 renames the Nebraska Governmental Unit Security Interest Act to the Nebraska Governmental Unit Security Interest and Pledge Act. The NGUSIPA governs the perfection, priority, and enforcement of all security interests created governmental units. LB72 makes the pledge of any bond-pledged revenue source by a governmental unit to the payment of the principle, premium, and interest on bonds valid and binding and deemed continuously perfected from the time of the bonds or notes or other financing obligations are issued. Specific terms for different types of bonds are set forth in Section 5 of LB72.</i> |
| LB75 | Wayne | | Government, Military and Veterans Affairs 03/01/2017 | General File 03/02/2017 Wayne Priority Bill | Provide for restoration of voting rights upon completion of a felony sentence or probation for a felony <i>LB75 restores voting rights to felons immediately after completion of their sentence or probation.</i> |
| LB98 | Friesen | | Revenue 02/02/2017 | General File 03/15/2017 Speaker Priority Bill | Extend certain levy authority for natural resources districts <i>LB98 extends tax levy authority for natural resources districts to FY2025-26 instead of fiscal year 2017-2018.</i> |
| LB144 | Friesen | | Education 02/06/2017 | In Committee 01/10/2017 Bostelman Priority Bill | Change agricultural and horticultural adjusted valuations for calculating state aid to schools <i>LB144 changes agricultural and horticultural adjusted valuations for calculating state aid to schools.</i> |
| LB151 | Stinner | | Government, Military and Veterans Affairs 01/19/2017 | General File 02/27/2017 Speaker Priority Bill | Change and provide for duties of the Auditor of Public Accounts and certain audited entities <i>LB151 requires any entity that is audited or examined to provide to the Auditor of Public Accounts a detailed written description of any corrective action to be taken in response to the audit on or before six months after the issuance of a report by the Auditor of Public Accounts. The Auditor of Public accounts must then electronically submit a report of any findings of such investigation to the Governor, the appropriate standing committee, and the Appropriations of the Committee. LB151 also eliminates the duty of Auditor of Public Accounts to conduct all audits and examinations in a timely manner and in accordance with the standards for audits of government organizations, program, activities, and functions published by the Comptroller General of the United States.</i> |
| LB152 | Craighead | Support | Government, Military and Veterans Affairs 02/03/2017 | General File 03/15/2017 Speaker Priority Bill | Change and eliminate provisions relating to the fees for recording and filing certain documents <i>LB152 eliminates sunset dates of January 1, 2018 for provisions relating to the fees for recording and filing certain documents. LB152 also eliminates the six-dollar uniform fee, payable to the Secretary of State, for presenting and filing and indexing and filing and indexing each notice of lien or certification of notice affecting lien on a property.</i> |
| LB158 | Pansing Brooks | | Judiciary 01/26/2017 | General File 02/06/2017 Pansing Brooks Priority Bill | Change provisions relating to appointment of counsel for juveniles <i>LB158 eliminates certain provisions and stipulates that counsel be appointed for a juvenile in all cases in which a court petition is filed alleging jurisdiction of a juvenile. The juvenile and their parent or guardian will be told of the juvenile's right to counsel if they cannot afford to appoint their own. If a juvenile waives their right to counsel, they may at any time rescind such waiver and the court shall reappoint counsel for the juvenile.</i> |

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| Document | Senator | Position | Committee | Status | Description |
|----------|-----------|----------|---|--|---|
| LB166 | Kolterman | | Health and Human Services 01/27/2017 | General File 02/24/2017 Speaker Priority Bill | Change provisions of Uniform Controlled Substances Act and Pharmacy Practice Act <i>LB166 requires all pharmacies to complete a controlled-substance inventory whenever there is a change in the pharmacist-in-charge. LB166 also includes a definition for an emergency situation in which Schedule II controlled substances may be administered. Other regulations are also included for when pharmacies deal in controlled substances. Other provisions deal with the conduct of pharmacists and provisions for reporting unethical conduct.</i> |
| LB180 | Bolz | | Judiciary 01/26/2017 | General File 01/30/2017 Speaker Priority Bill | Provide for bridge orders transferring juvenile court jurisdiction of a juvenile to a district court <i>LB180 provides criteria for granting a bridge order which terminates the juvenile court's jurisdiction over the juvenile's custody, physical care, and visitation and grants it to a district court.</i> |
| LB207 | Krist | | Executive Board 01/20/2017 | Select File 03/22/2017 Executive Board Priority Bill | Change provisions relating to powers and duties of the Office of Inspector General of Nebraska Child Welfare <i>LB207 requires the Office of Inspector General of Nebraska Child Welfare to investigate death or serious injury in foster homes when the officer, upon review, determines the death or serious injury did not occur by chance. LB207 also prohibits personnel action from being taken against an employee because of a disclosure of information by the employee which the employee reasonably believes evidences wrongdoing.</i> |
| LB217 | Harr | | Revenue 02/02/2017 | General File 03/22/2017 Revenue Priority Bill | Change provisions relating to the accrual of interest on denied and reduced homestead exemptions <i>LB217 allows for interest to accrue on the amount of tax due thirty days after the county assessor receives approval from the county board to remove or reduce a homestead exemption from the tax rolls of the county.</i> |
| LB233 | Smith | | Revenue 03/28/2017 | General File 02/02/2017 Stinner Priority Bill | Change revenue and taxation provisions <i>LB233 eliminates a provision prohibiting licensed organizations from conducting lotteries or raffles within the boundaries of any Class 6 or Class 7 county without specific authorization through ordinance or resolution. LB233 also allocates the Nebraska affordable housing tax credit among some or all of the qualified partners, members or shareholders if it is a partnership, LLC or corporation that owes the qualified project. If such a qualified partner decides to transfer, sell, or assign all or part of their ownership interest, including their interest in the authorized tax credits, they must notify the Department of Revenue of the transfer, sale, or assignment and provide the tax identification number of the new owner prior to the end of the tax year for which the credits are to be used.</i> <i>LB 233 requires that, for any funds returned under the homestead exemption, the county treasure must electronically file a report with the Property Tax Administrator, that indicated the amount of funds distributed to each taxing unit in the county in the year the funds were returned, any collection fee retained by the county in such year, and the amount of unused credits returned.</i> <i>LB233 also changes the date under which a large data project or tier 4 or 6 project receives their exemption under the Nebraska Advantage act to the first January 1 after the property was placed in service. Additionally, those who file an application that described a large data center or tier 5 project that is sequential to a tier 2 large data center project for which the entitlement period has expired shall receive the exemption of all property, such as computer systems, beginning any January 1 after the date the property was placed into service.</i> |
| LB253 | Crawford | | Revenue 02/24/2017 | In Committee 01/13/2017 Speaker Priority Bill | Authorize intergovernmental service agreements under the County Industrial Sewer Construction Act and provide for a special tax levy <i>LB253 allows for any county, city, village, or sanitary and improvement district to enter into a service agreement with any joint entity or joint public agency which owns or operates or proposes to own or operate any sewerage disposal system and plant. LB253 also grants any county, city, village, or sanitary and improvement district to levy a special tax to ensure payment of the service agreement.</i> |

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| LB259 | Hansen | | Judiciary 03/02/2017 | In Committee 01/13/2017 Hansen Priority Bill | Provide for competency determinations in cases pending before county courts <i>LB259 provides for competency determinations in cases pending before county courts.</i> |
| LB263 | | | Transportation and Telecommunications 02/07/2017 | General File 03/15/2017 Transportation and Telecommunicati ons Priority Bill | Change provisions relating to vehicle certificates of title, registration, and license plates and provide for implementation of an electronic dealer services system by the Department of Motor Vehicles <i>LB263 requires the Department of Motor Vehicles to implement an electronic dealer services system. A licensed dealer may voluntarily participate in the system and provide titling and registration services. Any licensed dealer who chooses to participate may collect from a purchaser of a vehicle all appropriate certification of title fees, notation of lien fees, registration fees, motor vehicle taxes and fees, and sales taxes. All fees collected must be remitted to the appropriate authorities. Any licensed dealer who chooses to participate shall use this system to electronically submit title, registration, and lien information to the Vehicle Title and Registration System. License plates, registration certificates, and certificates of title will be delivered as provided under the Motor Vehicle Certificate of Title Act and the Motor Vehicle Registration Act.</i> <i>LB263 limits a political subdivisions liability for any claim based on negligent issuances of a certificate of title under the Motor Vehicle Certification of Title Act and the State Boat Act when such title is issued upon an application filed electronically by an approved licensed dealer participating in the electronic dealer services system.</i> <i>LB263 also provides that, if a certificate of title is an electronic certificate of title record, the name of the owner may be changed electronically without the need to print a new certificate of title.</i> |

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| LB268 | Schumacher | | Judiciary 02/01/2017 | General File 03/14/2017 Schumacher Priority Bill | <p>Change court and other provisions relating to medical assistance reimbursement</p> <p><i>LB268 gives county courts concurrent original jurisdiction with the district court to determine contribution rights under section 68-919. LB268 changes the fee schedule for recording certificates of foreclosure.</i></p> <p><i>LB268 requires notice of appointment of personal representatives to be provided to DHHS if the decedent was 55 years or older. The notice must be provided to the department in a delivery manner and at an address designated by the department. Any notice that fails to conform with such manner is void and constitutes neither notice to the department nor a waiver application.</i></p> <p><i>LB268 changes the term "Medicaid" to "medical assistance" for purposes of reimbursement of claims after a trustor has died. If no medical assistance payment is due, DHHS may waive this restriction after receipt of the trustee's request.</i></p> <p><i>LB268 allows for part of a deed filing fee to be used for preserving and maintaining public records of a register of deeds office that has been consolidated with another county officer and for the modernization and technology needs relating to those records.</i></p> <p><i>LB268 eliminates the uniform fee, payable to the Secretary of State, for presenting for filing and indexing and for filing and indexing each notice of lien or certificate or notice affecting the lien pursuant to the Uniform Federal Lien Registration Act.</i></p> <p><i>LB268 also changes the Medical Assistance Act. LB268 requires any applicant for medical assistance to disclose their interests in any real estate, trust, corporation, LLC, or other entity. Applicants must also disclose any income derived from such interests and whether the income is generated directly or indirectly. Any assistance obtained after a willful failure to disclose will be deemed unlawfully obtained and recovery may be sought. If, during the transferor's lifetime, an interest in real estate is irrevocably transfers to a related transferee for less than full consideration, the related transferee will be subject to a lien in favor of the State of Nebraska for medical assistance reimbursement to the extent necessary to secure payment subject to stipulated restrictions. LB268 also states that a medical provider shall have the authority of a guardian and conservator for the limited purpose of making application for medical assistance on behalf of a person whom the provider is treating if the person is unconscious or otherwise unable to apply for medical assistance and does not have an existing power of attorney or a court-appointed official to apply on their behalf. When DHHS provides medical assistance to a person because of third party's wrongful act or negligence, the department has the right to recover the medical assistance costs from that third party.</i></p> |
| LB271 | Hilgers | | Transportation and Telecommunications 01/23/2017 | Select File 03/22/2017 Geist Priority Bill | <p>Authorize the Department of Roads to assume certain responsibilities under federal environmental laws and provide for limited waiver of the state's sovereign immunity</p> <p><i>LB271 allows the Department of Roads to assume all or part of the responsibilities of the United States Department of Transportation concerning environmental assessment and review. LB271 also waives the State of Nebraska's immunity from civil liability solely for the compliance, discharge, or enforcement of the assumed responsibilities.</i></p> |

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| LB289 | Pansing Brooks | | Judiciary 02/23/2017 | General File 03/01/2017 Judiciary Priority Bill | Change provisions and penalties relating to pandering, human trafficking, labor trafficking, and sex trafficking and prohibit solicitation of a trafficking victim <i>LB289 makes pandering a Class II felony. LB289 also includes services under the definition of Labor for the purpose of defining "Labor Trafficking." LB289 also eliminates the "knowing" requirement for sex trafficking of a minor, and includes solicitation in the offense. LB289 makes labor or sex trafficking of a minor a Class IC Felony, unless the actor uses or threatens force on a victim under the age of sixteen, in such case the charge would be a Class IB Felony. LB289 also makes solicitation of a trafficking victim a Class II Felony. LB289 exempts trafficking victims from being charged if they benefit from or participate in the trafficking venture.</i> |
| LB291 | Larson | | Revenue 03/01/2017 | General File 03/15/2017 Larson Priority Bill | Adopt the Special Economic Impact Zone Act <i>LB291 adopts the Special Economic Impact Zone Act. The purpose of this act is to utilize the tax incentives provided in the act to encourage the formation and expansion of businesses on reservations in Nebraska. This act designates each reservation in the state as a special economic impact zone. For taxable years beginning on or after January 1, 2018, a qualified business located in a special economic impact zone may exclude any income derived from sources within a special economic impact zone when calculating its income tax liability to the state. Beginning January 1, 2018, such businesses are also exempt from the sales and use taxes due for the first ten million dollars of eligible purchases made each year.</i> <i>LB291 also requires that, when allocating any federal low-income housing tax credits, the authority must give a bonus to any project located in a special economic impact zone.</i> <i>LB291 also allows for the governing bodies of federally recognized Indian Tribes to enter into revenue sharing agreement with the Department of Revenue.</i> |
| LB300 | Krist | | Judiciary 02/24/2017 | General File 03/07/2017 Speaker Priority Bill | Eliminate the statute of limitations on civil actions for sexual assault of a child <i>LB300 eliminates the statute of limitations for civil actions arising from sexual assault of a child.</i> |
| LB317 | Hughes | | Urban Affairs 01/24/2017 | General File 01/25/2017 Speaker Priority Bill | Provide for a relevy or reassessment of a special assessment for cities of the second class or villages as prescribed <i>LB317 allows special assessments to be relieved or reassessed whenever the special assessment is found to be invalid and uncollectable.</i> |
| LB333 | Scheer | Oppose | Health and Human Services 01/25/2017 | In Committee 01/17/2017 Health and Human Services Priority Bill | Eliminate an independent review of denial of aid to the disabled <i>LB333 requires that a disability persist for more than a year before a person can be considered disabled. LB333 also eliminates the requirement that the Department of Health and Human Services conduct an independent medical review when Social Security denies benefits to an individual on the basis of the duration of the individual's disability.</i> |

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| LB337 | Smith | | Revenue 02/08/2017 | In Committee 01/17/2017 Lindstrom Priority Bill | <p>Change income tax rates and provide for deferrals of the rate changes</p> <p><i>Beginning November 2019 and every November thereafter, LB337 requires the Tax Rate Review Committee to examine the expected rate of growth in net General Fund receipts from the Current Fiscal year to the upcoming fiscal year. If the expected rate of growth does not exceed three and one-half percent, the Committee shall declare that the income tax rate reduction under section 77-2715.03 be deferred. If such a deferral is declared, the highest individual income tax rate under 77-2715.03 for the current year will remain in place. For 2020 through 2026, this deferral will remain in effect until the Committee finds that the expected rate of growth exceeds four and two-tenths percent for the upcoming fiscal year. For 2027 and thereafter, and deferrals will remain in effect until the Committee finds that the expected rate of growth exceeds three and one-half percent for the upcoming fiscal year.</i></p> <p><i>LB337 also adds additional tax bracket tables.</i></p> |
| LB338 | Brasch | | Revenue 02/08/2017 | In Committee 01/17/2017 Brasch Priority Bill | <p>Adopt the Agricultural Valuation Fairness Act</p> <p><i>LB338 adopts the Agricultural Valuation Fairness Act. Agricultural and horticultural land will be valued at its agricultural use value as determined by the Act regardless of any value which such land might have for other purposes. In order for land to receive agricultural use value, it must be located outside the corporate boundaries any district, city, or village and be used for agricultural or horticultural purposes. LB338 requires the county assessor to use an income-approach calculation to determine the agricultural use value for each year.</i></p> <p><i>LB338 also requires the Property Tax Administration to establish capitalization rates to be applied to each class or subclass of agricultural and horticultural land in each county.</i></p> |
| LB339 | Friesen | | Transportation and Telecommunications 01/30/2017 | General File 03/03/2017 Transportation and Telecommunicati ons Priority Bill | <p>Merge the Department of Aeronautics into the Department of Roads and rename as the Department of Transportation</p> |
| LB389 | Friesen | | Transportation and Telecommunications 02/21/2017 | In Committee 01/17/2017 Speaker Priority Bill | <p>Adopt the Small Wireless Facilities Act</p> <p><i>LB389 adopts the Small Wireless Facilities Act. The purposes of this Act are to secure public access to advanced wireless technology and information, promote the public benefits from such wireless technology, and confirm that communications service providers and facilities have a right to occupy and utilize public rights-of-way. The Act allows communications service providers and facilities providers to place poles and wireless facilities in an authority right-of-way. An authority may require an application for a permit for such placement. The authority must approve the application unless it does not meet the applicable industry construction standards. Approved permits shall remain valid for at least ten years and be approved automatically for at least three five-year periods. Small wireless facilities shall be permitted use in all zoning districts other than areas outside the authority right-of-way that are zoned and used for single family residential use.</i></p> |

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| LB415 | Kolterman | | Nebraska Retirement Systems 02/27/2017 | In Committee 01/17/2017 Nebraska Retirement Systems Priority Bill | <p>Provide and change notification requirements and duties and benefits for certain retirement system members, change certain annuity and disability benefit provisions, and provide duties for school districts and the Public Employees Retirement Board relating to retirement</p> <p><i>Under LB415, termination of employment for county employees does not occur if: an employee enters into an employer-employee relationship in any capacity with the same or another county which participates in the Retirement System for Nebraska Counties; if the employee provides services to an employer participating in an retirement system provided for in the Class V School Employees Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, or the State Employees Retirement Act; or if the member accepted an early retirement incentive and, within three years after accepting and ceasing such employment, subsequently provides services any capacity to an employer participating in the above mentioned retirement systems.</i></p> <p><i>On or after July 1, 2017, a retired member of a retirement system who is hired or rehired in any capacity by an employer participating in the above-mentioned retirement plans must: certify under oath that, prior to retirement, they did not have a prearranged agreement to work after retirement with that employer; and meet the requirements for termination of employment as defined. Any retired member that complies with these requirements will participate in the retirement system as a new member and make contributions to the retirement system commencing upon reemployment. Upon termination of such new employment, the member will receive, in addition to the retirement benefit which commenced at the time of the previous retirement: if the member has accrued ten year or more of vesting credit after their return to employment, a retirement benefit shall be calculated solely on the basis of the vesting credit accrued and earned after the member's return to employment and as adjusted to reflect any payment in other than the normal form; or if the member has not accrued ten or more years of vesting credit after their return to employment, a refund equal to the member's accumulated contributions which were credited to the member after the return to employment. A member's vesting credit which was accrued prior to a previous employment may not be considered as part of the member's vesting credit after their return to employment for any purpose of the County Employees Retirement Act.</i></p> <p><i>Under LB415, termination of employment for School employees does not occur if: an employee enters into an employer-employee relationship in any capacity within 180 days with the same or another county which participates in the School Employees Retirement Act; if the employee provides services to an employer participating in an retirement system provided for in the Class V School Employees Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, or the State Employees Retirement Act; or if the member accepted an early retirement incentive and, within three years after accepting and ceasing such employment, subsequently provides services any capacity to an employer participating in the above mentioned retirement systems.</i></p> |

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| | | | | | <p><i>A retired member of a retirement system who is hired or rehired in any capacity by an employer participating in the above-mentioned retirement plans must: certify under oath that, prior to retirement, they did not have a prearranged agreement to work after retirement with that employer; and meet the requirements for termination of employment as defined. Any retired member that complies with these requirements will participate in the retirement system as a new member and make contributions to the retirement system commencing upon reemployment. Upon termination of such new employment, the member will receive, in addition to the retirement benefit which commenced at the time of the previous retirement: if the member has accrued ten year or more of vesting credit after their return to employment, a retirement benefit shall be calculated solely on the basis of the vesting credit accrued and earned after the member's return to employment and as adjusted to reflect any payment in other than the normal form; or if the member has not accrued ten or more years of vesting credit after their return to employment, a refund equal to the member's accumulated contributions which were credited to the member after the return to employment. A member's vesting credit which was accrued prior to a previous employment may not be considered as part of the member's vesting credit after their return to employment for any purpose of the School Employees Retirement Act.</i></p> |
| | | | | | <p><i>An employer is required to notify the board and the State Department of Education of the date upon which the termination of employment has occurred and provide such information as the board deems necessary. A member hired on or after July 1, 2017, or a member who has taken a refund or retirement and is rehired may retire if the member is at least 60 years of age and the sum of the member's attained age and creditable service totals ninety, or if the member is at least 65 and has completed at least five years of credible service. If the annuity of such a member begins at a time when the sum of the member's attained age and credible service totals ninety and the member is at least 60, the annuity will not be reduced. However, this only applies to members who have acquired the equivalent of five years of service or more as a school employee under the retirement system.</i></p> |
| | | | | | <p><i>Under LB415, termination of employment for Nebraska State Patrol members does not occur if: an employee enters into an employer-employee relationship in any capacity within 180 days with the same or another county which participates in the School Employees Retirement Act; if the employee provides services to an employer participating in a retirement system provided for in the Class V School Employees Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, or the State Employees Retirement Act; or if the member accepted an early retirement incentive and, within three years after accepting and ceasing such employment, subsequently provides services in any capacity to an employer participating in the above mentioned retirement systems. The employer involved in the termination of the employment and the officer shall certify that, prior to retirement, there was no prearranged agreement to return to work in any capacity. A retired officer of a retirement system who is hired or rehired in any capacity by an employer participating in the above-mentioned retirement plans must: certify under oath that, prior to retirement, they did not have a prearranged agreement to work after retirement with that employer; and meet the requirements for termination of employment as defined. Any retired officer that complies with these requirements will participate in the retirement system as a new member and make contributions to the retirement system commencing upon reemployment. Upon termination of such new employment, the member will receive, in addition to the retirement benefit which commenced at the time of the previous retirement: if the member has accrued ten year or more of vesting credit after their return to employment, a retirement benefit shall be calculated solely on the basis of the vesting credit accrued and earned after the member's return to employment and as adjusted to reflect any payment in other than the normal form; or if the member has not accrued ten or more years of vesting credit after their return to employment, a refund equal to the member's accumulated contributions which were credited to the member after the return to employment. A member's vesting credit which was accrued prior to a previous employment may not be considered as part of the member's vesting credit after their return to employment for any purpose of the Nebraska State Patrol Retirement Act.</i></p> |

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| | | | | | <p><i>Under LB415, termination of employment for State employees does not occur if: an employee enters into an employer-employee relationship in any capacity with the same or another county which participates in the Retirement System for Nebraska Counties; if the employee provides services to an employer participating in a retirement system provided for in the Class V School Employees Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, or the State Employees Retirement Act; or if the member accepted an early retirement incentive and, within three years after accepting and ceasing such employment, subsequently provides services in any capacity to an employer participating in the above mentioned retirement systems.</i></p> <p><i>On or after July 1, 2017, a retired member of a retirement system who is hired or rehired in any capacity by an employer participating in the above-mentioned retirement plans must: certify under oath that, prior to retirement, they did not have a prearranged agreement to work after retirement with that employer; and meet the requirements for termination of employment as defined. Any retired member that complies with these requirements will participate in the retirement system as a new member and make contributions to the retirement system commencing upon reemployment. Upon termination of such new employment, the member will receive, in addition to the retirement benefit which commenced at the time of the previous retirement: if the member has accrued ten year or more of vesting credit after their return to employment, a retirement benefit shall be calculated solely on the basis of the vesting credit accrued and earned after the member's return to employment and as adjusted to reflect any payment in other than the normal form; or if the member has not accrued ten or more years of vesting credit after their return to employment, a refund equal to the member's accumulated contributions which were credited to the member after the return to employment. A member's vesting credit which was accrued prior to a previous employment may not be considered as part of the member's vesting credit after their return to employment for any purpose of the State Employees Retirement Act.</i></p> |
| LB417 | Riepe | | Health and Human Services 02/01/2017 | General File 03/15/2017 Riepe Priority Bill | <p>Change and eliminate provisions relating to public health and welfare</p> <p><i>LB417 eliminates provisions concerning the alternative response implementation plan. LB417 also eliminates a provision requiring associations that receive juveniles under the Nebraska Juvenile Code to report to the department its condition, management, and competency. LB417 also eliminates a provision requiring the department to submit an annual summary and analysis of the medical assistance program to the Medicaid Reform Council. LB417 eliminates a provision requiring the department to report to the Governor, the Legislature, and the Medicaid Reform Council on the implementation of rules and regulations, Medicaid state plan amendments, and waivers adopted under the Medical Assistance Act and their effects.</i></p> <p><i>LB417 eliminates provisions requiring the divisions to notify the Governor and Legislature when the occupancy of the licensed psychiatric hospital beds of any regional center reaches twenty percent or less of its capacity. LB417 also eliminates provision that have been outdated.</i></p> <p><i>LB417 allows senior volunteers to receive transportation expenses, one free meal, and an annual physical examination. LB417 eliminates provisions that provided senior volunteers with an hourly stipend.</i></p> <p><i>LB417 requires the department to make annual grants in an amount not to exceed twenty-five thousand dollars. As a condition to receiving a grant, an application must obtain at least ten percent matching funds from local sources. LB417 also requires the department to develop a quality assurance plan to promote and monitor quality relating to services for persons with developmental disabilities.</i></p> |
| LB427 | Vargas | | Education 01/30/2017 | General File 02/27/2017 Vargas Priority Bill | <p>Require breastfeeding accommodations for student-parents</p> <p><i>LB427 requires schools to provide private or appropriate facilities for accommodation for milk expression and storage for breast feeding student-mothers.</i></p> |

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| LB432 | Erdman | | Government, Military and Veterans Affairs 01/26/2017 | General File 03/17/2017 Erdman Priority Bill | Eliminate provisions of the Nebraska Budget Act relating to allowances for delinquent taxes and anticipated litigation <i>LB432 eliminates provisions that allowed governing bodies, when certifying the amount needed for a budget, to make allowances for delinquent taxes not exceeding five percent of the amount required plus the actual percentage of delinquent taxes for the preceding tax year and for any estimated tax loss from any pending or anticipated litigation which involves taxation. Since an emergency exists, this act takes effect when passed and approved according to law.</i> |
| LB444 | Walz | | Judiciary 03/03/2017 | In Committee 01/19/2017 Walz Priority Bill | Prohibit cities and counties from canceling health insurance coverage for injured law enforcement officers <i>LB444 prohibits cities and counties from canceling health insurance for law enforcement officers who suffered serious bodily injury while in the line of duty.</i> |
| LB447 | Chambers | | Judiciary 02/08/2017 | Select File 03/09/2017 Chambers Priority Bill | Eliminate certain mandatory minimum penalties <i>LB447 eliminates mandatory minimum sentences for Class ID and Class IC felonies.</i> |
| LB451 | Murante | | Government, Military and Veterans Affairs 03/01/2017 | In Committee 01/19/2017 Government, Military and Veterans Affairs Priority Bill | Change various provisions relating to elections as prescribed <i>LB451 eliminates a provision prohibiting the election commissioner from becoming a candidate for an elected officer during their term of office or within thirty days of leaving office. LB451 also changes provision relating to the appointment for vacant legislative seats. LB451 also provides that any person using an early voting or absentee ballot must sign a voter oath to be contained with the ballot.</i> <i>LB451 requires that, if the filing deadline for the elective officer is after March 1 of the year in which the election is held, the candidate must file supplementary statements on or before the filing deadline. If the candidate files to appear on the ballot for election during the calendar year in which the election is held, the candidate must file a statement of financial interests of the preceding calendar year with the commission on or before March 1 of the year. A statement of financial interest must be preserved for a period of no less than five years.</i> |
| LB470 | Larson | | General Affairs 02/06/2017 | IPP (Killed) 02/24/2017 General Affairs Priority Bill | Change provisions of the Nebraska County and City Lottery Act relating to the manner of play of keno, use of electronic tickets, and authorized methods of payment <i>LB470 allows the use of electronic tickets when playing keno. A lottery operator that does use electronic tickets must take reasonable measure to prevent participation in the keno lottery by a person outside the licensed premises. LB470 also prohibits the use of credit cards to pay for keno beginning January 1, 2018.</i> |
| LB481 | Kuehn | | Health and Human Services 02/02/2017 | General File 02/24/2017 Speaker Priority Bill | Provide for drug product selection for interchangeable biological products <i>LB481 allows for drug product selection concerning interchangeable biological products. LB481 also adjusts definitions under the Nebraska Drug Product Selection Act.</i> |

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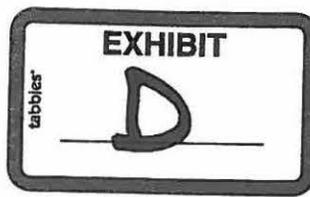
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| LB487 | Morfeld | | Judiciary 02/23/2017 | General File 03/13/2017 Judiciary Priority Bill | <p>Provide exception to certain crimes for persons witnessing or experiencing drug overdoses and provide protection from civil liability for emergency responders and peace officers administering naloxone</p> <p><i>LB487 exempts a person from violating the Uniform Controlled Substance Act if: such person made a good faith request for emergency medical assistance in response to a drug overdose of himself, herself, or another; such person was the first person to make a request for medical assistance as soon as the drug overdose was apparent; the evidence for the violation of the UCSA was obtained as the result of the drug overdose and request for medical assistance; such requesting person remained on the scene until medical assistance arrived; and such requesting person cooperated with medical assistance or law enforcement.</i></p> <p><i>LB487 also prohibits administrative action, criminal prosecution, and civil liability against an emergency responder or peace officer who, in good faith, administers naloxone to a person who is apparently experiencing an opioid-related overdose.</i></p> |
| LB496 | Stinner | | Urban Affairs 02/28/2017 | General File 03/08/2017 Williams Priority Bill | <p>Define and redefine terms under the Community Development Law</p> <p><i>LB496 includes the construction of workforce housing, in cities of the first and second class and villages, into the definition of redevelopment project under the Community Development Law. LB496 also includes a definition for workforce housing. Workforce housing means single-family or multi-family housing for which the municipality receives a housing study that is current, prepares an incentive plan for construction targeted to house existing or new workers, holds a public hearing on such incentive plan with notice, and after the public hearing finds that such incentive plan is necessary to prevent the spread of blight and substandard conditions within the municipality.</i></p> |
| LB539 | Krist | | Executive Board 02/08/2017 | General File 02/14/2017 Executive Board Priority Bill | <p>Change investigation and report provisions relating to the Office of Inspector General of the Nebraska Correctional System</p> <p><i>LB539 requires the department of corrections to report all cases of death or serious injury of an employee when acting in their capacity as an employee as soon as reasonably possible. The department must also report all cases where an employ is hospitalized in response to an injury received when acting in their capacity as an employee. LB539 prohibits the Inspector General from interviewing any person who has already been interviewed by a law enforcement agency in connection with a relevant ongoing investigation of a law enforcement agency without consent of the prosecuting attorney.</i></p> |
| LB578 | McDonnell | | Health and Human Services 03/15/2017 | In Committee 01/20/2017 McDonnell Priority Bill | <p>Change medicaid reimbursement provisions relating to ground emergency medical transportation</p> <p><i>LB578 allows eligible providers to receive, in addition to the rate of payment, supplemental Medicaid reimbursement pursuant to a specified pay schedule. Participation in the supplemental reimbursement program by an eligible provider is voluntary. If a government entity elects to seek supplemental reimbursement on behalf of an eligible providers, they must clarify that the claimed expenditures for are eligible for federal financial participation, provide evidence supporting the certification as specified by the division, submit data as specified to determine the appropriate amounts of qualifying expenditures, and maintain any specified records.</i></p> <p><i>LB578 also requires the department to design and implement an intergovernmental transfer program relating to Medicaid managed ground emergency medical transportation services to be implemented on the date federal approval is obtained. Participation in intergovernmental transfers is voluntary on the party of the transferring entity. The intergovernmental transfer program shall also be implemented without any additional expenditure from the General Fund. Each eligible provider or governmental entity must agree to reimburse the department for any costs associated with implementing such a program.</i></p> |
| LB625 | Larson | Monitor | Urban Affairs 02/14/2017 | General File 03/06/2017 Urban Affairs Priority Bill | <p>Change the Property Assessed Clean Energy Act</p> <p><i>LB625 allows a municipality to create a clean energy assessment district anywhere within the municipality, except a district may not be created that includes any area within the corporate boundaries of any city of village located in whole or in party within such county.</i></p> |

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| Document | Senator | Position | Committee | Status | Description |
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| LB628 | Larson | | Government, Military and Veterans Affairs 02/10/2017 | General File 03/15/2017 Speaker Priority Bill | Prohibit ordinances and resolutions prohibiting certain short-term rentals of residential property <i>LB628 prohibits cities, villages, and counties from adopting or enforcing an ordinance or resolutions that prohibits the use of property as a short-term rental. Short-term rental means a residential property that is rented wholly or partly for a fee for a period not longer than thirty days. However, LB628 allows the regulations of short-term rentals by cities, villages, and counties.</i> |
| LB644 | | Oppose | Government, Military and Veterans Affairs 02/23/2017 | In Committee 01/24/2017 Government, Military and Veterans Affairs Priority Bill | Provide, change, and eliminate provisions governing boards, commissions, and similar entities <i>LB644 eliminates the state noxious weed advisory committee and the Nebraska Potato Development Committee. LB644 also prohibits a quorum of the Commission on Judicial Qualifications from being present unless all members appointed by the Governor are present. All citizen members of this commission must be affiliated with the political party of the Governor. LB644 also eliminates a requirement that lawyer members of this commission be members of the Nebraska bar and reside in the judicial district served by the commission.</i> <i>LB644 requires the State Treasurer to transfer any funds in the Carbon Sequestration Assessment Cash Fund to the Election Administration Fund.</i> <i>LB644 also eliminates the Board of Emergency Medical Services and gives its power to the department and the Division of Public Health.</i> <i>LB644 eliminates the Perfusionst Committee.</i> <i>LB644 gives a licensee who had their motor vehicle operator license revoked because of a mental, medical, or vision problem the right to an immediate appeal to the director. Whenever a director reviews the denial or cancellation of a license because of mental, medical, or vision problems, the director may consider records and reports from a qualified physician. LB644 also eliminates the Health Advisory Board's role in the making of this decision.</i> |



**Hewlett Packard
Enterprise**



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Palo Alto, California 94304-1112
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Chair, Board of Commissioners
Mr. Todd Wiltgen
Lancaster County Nebraska
555 S 10th St
Lincoln, NE 68508
26 Feb 2017

Diane L Luera
Software Sales Rep
HP Software Support ("HPE")
305 Rockrimmon Blvd. S.
Colorado Springs, CO 80919 USA

License Dormancy Letter

Dear *Todd Wiltgen*;

MODIFIED 2.26.2017 REQUEST to bring back under support for QTY 50 of H7R94AAE and to bring back under support QTY 10 H7R95AAE. The quantities below reflect the current amount held in dormancy pool for Lancaster County.

For all Dormancy requests:

- a) You may remove licenses from active support ("Dormancy") by providing written notification no less than 60 days prior to the contract's next anniversary date [04/01/2018] for the following support contract Support Agreement Identification # ("SAID # 1034 9952 0091) and
- b) The Dormancy request will become effective on such anniversary/renewal date.
- c) All support services purchased from HPE Software Support such as the right to receive new product versions, bug fixes, enhancement, security patches and technical support will terminate for all licenses placed in Dormancy.

Pursuant to the "Software Support Eligibility" section of the HPE Software Support Foundation Datasheet as applicable to the HPE Software support contract [1034 9952 0091] (the "Agreement"), Customer acknowledges that support services may not be cancelled/made dormant for a portion of licenses within a license set, as defined in the Agreement ("Unsupported Licenses"), unless Customer, at the time of support renewal certifies that the Unsupported Licenses will not be used and will not receive any of the services provided through HPE Software Support (the "Certification").

If you choose to resume HPE Software Support services, at a later date, you may re-enroll only upon completing all of the following "Return to Support" stipulations:

- Payment to HPE of the annual Support fee for the renewal term.
- Payment to HPE of 100% of all annual Support Fees that would have been paid had you not terminated offerings or lapsed in any applicable Support Fee.
- Payments to HPE of an Administrative Fee of 15% of the total past Support Fees to resume Support

Customer hereby certifies that the licenses listed below ("Dormancy Licenses") will not be used during the period beginning [4/1/2017] and ending once the licenses are taken out of Dormancy. The Dormancy Licenses will not receive any of the services provided through HPE Software Support during the Dormancy period. Customer understands and acknowledges that HPE reserves the right to audit Customer's compliance with this agreement at any time. Further, if Customer chooses to resume support services for any of the Dormancy Licenses covered under this agreement, the "Return to Support" terms and conditions, as outlined above, will apply.

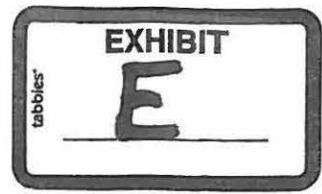
| License Product Number (SKU) | License Product Description | Qty |
|------------------------------|--------------------------------|-----|
| H7S28AAE | HP RM Mig Ed Adm 1 Nmd Usr Mig | 50 |
| H7R95AAE | HP RM Mig Ed Adm 5 Nmd Usr Mig | 45 |
| H7R94AAE | HP RM SP and WF 1 Nmd Usr Mig | 275 |

I understand and acknowledge all of the terms and conditions explained in this document.

[Authorized Customer Representative Name]
[Title]

Todd Wiltgen
Chair, Lancaster County
Board of Commissioners

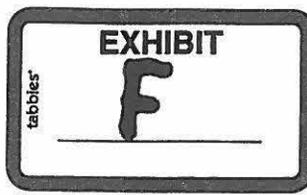
3/23/2017



QUESTIONS FOR PREPARED OPENING STATEMENT

CHIEF DEPUTY ADMINISTRATIVE OFFICER

1. Please give us a brief introduction about yourself.
2. Describe your understanding of the role the Deputy Chief Administrative Officer will play for the Lancaster County Board.
3. How have your educational and professional experiences prepared you for this role?



AGREEMENT

PROJECT NO. DPU-LIN-2-6(120)
CONTROL NO. 12578D
COUNTY OF LANCASTER
STATE OF NEBRASKA, DEPARTMENT OF ROADS
LINCOLN SOUTH BELTWAY

THIS AGREEMENT is between the County of Lancaster, Nebraska ("County") and State of Nebraska, Department of Roads ("State"), collectively referred to as the "Parties".

WITNESSETH:

WHEREAS, State has a project to construct a new four-lane freeway in Lancaster County that would be designated as Highway N-2 and to improve a segment of Highway US-77, which is being designed under the designation of DPU-LIN-2-6(120), Control No. 12578D, known as the "Lincoln South Beltway" at the locations as shown on Exhibits "A, B" and "C" attached; and

WHEREAS, as a part of State's project, State is proposing permanent modifications to several county roads including closures and realignments at the locations as shown in Exhibits "D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S", and "T" attached, and

WHEREAS, County has jurisdictional responsibility for the county roads under Neb. Rev. Stat. § 39-2105, and

WHEREAS, State and County have coordinated the development of the project, and

WHEREAS, State and County acknowledge that portions of the county roads may be temporarily closed to traffic during phases of the construction of State's project; and

WHEREAS, State and County acknowledge that the project will require the temporary closure of designated county roads and will necessitate local traffic to use other County roads during phases of the construction of State's project; and

WHEREAS, State and County acknowledge that temporary traffic control devices to re-route local traffic around county road closures will be required; and

WHEREAS, County has reviewed the proposed work on the county roads and is agreeable to the county road construction, frontage road construction and temporary and permanent county road closures in accordance with the following terms and conditions; and

WHEREAS, the County Board has authorized the Chairperson to sign this Agreement as evidenced by the Resolution of County Board, attached as Exhibit "U".

NOW THEREFORE, in consideration of these facts, the parties agree as follows:

SECTION 1: State proposes to construct a four-lane divided freeway in Lancaster County, approximately 11 miles long, beginning at United States Highway 77 (US-77), located generally between Saltillo Road and Bennet Road, and ending at Nebraska Highway 2 (N-2) and 120th Street. The project will include interchanges at US-77, Saltillo Road, S. 27th Street, S. 68th Street, S 84th Street, and N-2/S. 120th Street. Overpass structures are proposed at S. 25th Street, the Homestead Trail, Burlington Northern Santa Fe (BNSF) Railroad, S. 54th Street, Saltillo Road (east of S. 98th Street), Omaha Public Power District (OPPD) railroad spur, and S. 134th Street. The new four-lane freeway would be designated as Highway N-2 upon completion and is being designed under the corridor designation of DPU-LIN-2-6(120), Control No. 12578D, known as the "Lincoln South Beltway" at the locations as shown on Exhibits "A, B" and "C" attached, and hereby incorporated into this agreement. Lighting will be installed at interchanges and at county road intersections along Saltillo Road, if warranted or existing. The project will include the construction of Municipal Separate Storm Sewer System (MS4) water quality components because all or some of the project is within the extraterritorial jurisdiction or the corporate limits of the City of Lincoln, Nebraska.

SECTION 2: County agrees that the State will close, reconstruct or modify the following County Roads as listed below and as shown in the Exhibits which are attached, and hereby incorporated into this agreement, as a part of Project No DPU-LIN-2-6(120), at no cost to the County:

- The existing Bennet Road intersection with Highway US-77 would be closed with cul-de-sacs east and west of the existing intersection. Bennet Road would be re-graded with gravel surfacing and a Bennet Road West Access Road would be constructed to maintain access to properties on the west side of Highway US-77 (Exhibit "D" and "E").
- A portion of S. 14th Street would be closed and S. 14th Street would be re-aligned into a new intersection with Saltillo Road (Exhibit "F").
- The existing at-grade Saltillo Road intersection with Highway US-77 would be reconfigured to a service interchange. The Saltillo Road intersections with S. 14th Street and Shrine Way would be relocated (Exhibit "F").
- The existing Rokeby Road intersection with Highway US-77 would be closed with cul-de-sacs east and west of this intersection. A Rokeby Road West Access Road would be constructed to provide access to properties on the West side of Highway US-77 (Exhibit "G").
- The Lincoln South Beltway (Highway N-2) will be on a bridge over the existing S. 25th Street (Exhibit "H").

- A new interchange and overpass would be constructed for the S. 27th/S. 38th Street and would include a S. 38th Street West Access Drive. In addition, a new intersection of S. 27th/S. 38th Street and Saltillo Road intersection would be constructed. (Exhibit "I")
- S. 38th Street would be closed with cul-de-sacs on both sides of the Lincoln South Beltway (Exhibit "I").
- S. 54th Street would be put on a grade separated structure over the Lincoln South Beltway (Highway N-2) (Exhibit "J").
- A new interchange and overpass would be constructed for the S. 70th/S. 68th Street and would include a cul-de-sac of S. 68th Street on the north side of the Lincoln South Beltway. In addition, a new intersection of S. 68th/S. 70th Street and Saltillo Road intersection would be constructed (Exhibit "K").
- A new interchange and overpass would be constructed for the S. 84th/S. 82nd Street and would include a cul-de-sac of S. 82nd Street on the north side of the Lincoln South Beltway. In addition, a new intersection of S. 84th/S. 82nd Street and Saltillo Road intersection would be constructed. A new S. 82nd Street East Access Road frontage road would be constructed to maintain access to properties on the east side of S. 82nd Street (Exhibit "L").
- S. 96th Street would be re-aligned and a new intersection of S. 96th Street/Saltillo Road would be constructed (Exhibit "M").
- S. 98th Street would be re-aligned and a new intersection of S. 98th Street/Saltillo Road would be constructed (Exhibit "M").
- Saltillo Road would be put on a grade separated structure over the Lincoln South Beltway just east of the existing Saltillo Road/S. 98th Street intersection (Exhibit "M").
- The existing S. 98th Street at-grade railroad crossing of the OPPD tracks would be closed and S. 98th Street would be re-aligned to the east and a new at-grade crossing of the OPPD tracks would be constructed (Exhibit "N").
- The existing Rokeby Road at-grade railroad crossing of the OPPD tracks would be closed (Exhibit "O").
- Rokeby Road would be closed with a cul-de-sac between a point east of the OPPD railroad tracks and S. 120th Street (Exhibits "P" and "R").
- Existing S. 120th Street would be closed with cul-de-sacs on both sides of the Lincoln South Beltway (Exhibits "Q" and "R").
- A new interchange and overpass would be constructed for the existing S. 120th Street/Business N-2 intersection and would include a re-alignment of portions of both S. 120th Street and Business N-2 (Exhibits "Q" and "R").
- NE 2 Frontage Road would be closed with a cul-de-sac on the south side of existing Highway N-2 (Exhibit "S").
- The existing S. 134th Street intersection with Highway N-2 would be closed and this roadway would be put on a grade separated structure over Highway N-2. In addition, 3 frontage roads would be constructed to maintain access to properties north and south of this existing intersection (Exhibit "S").
- A S. 148th Street access road would be constructed to maintain access to properties on the north side of Highway N-2 (Exhibit "T").

SECTION 3: County will retain sole statutory jurisdictional responsibility for all existing and reconfigured county roads affected by State's project.

SECTION 4: Segments of county roads adjacent to the Lincoln South Beltway may be temporarily closed to traffic during phases of the construction of State's project.

SECTION 5: County will operate, maintain and repair the storm drainage system associated with the county road modifications which includes MS4 components as required under Nebraska Revised Statute. State will notify County of proposed MS4 components that will be operated and maintained by County after construction.

SECTION 6: County will be responsible for inspection, maintenance, repair, and the cost of electrical energy for the lighting system installed at county road intersections, built as a part of the project. State will be responsible for the lighting system within the footprint of the interchanges, built as a part of the project.

SECTION 7: State will temporarily close county roads when required to construct the State's project. State will be responsible for traffic control necessary to temporarily close the county roads. County shall be responsible (build, operate, maintain, and remove) for traffic control necessary to notify local traffic of alternate routes available as deemed necessary by the County.

SECTION 8: The State will divide the overall project into several construction projects to be let in a period spanning multiple years under separate project number and control number designations.

SECTION 9: The State will determine the letting(s) and shall be the sole signatory to the contract(s).

SECTION 10: The State will design, let, and construct the improvements and shall make sole determination as to the scheduling of the construction for this project.

SECTION 11: County's costs under this agreement will not be reimbursed as a part of State's project.

SECTION 12: It is hereby agreed that plans and specifications for the above mentioned project will be on file in the office of the Department of Roads, Lincoln, Nebraska.

IN WITNESS WHEREOF, the Parties hereby execute this Agreement pursuant to lawful authority as of the date signed by each party.

EXECUTED by the County this ____ day of _____, 2016.

WITNESS:

COUNTY OF LANCASTER

Clerk

Chairperson, County Board

EXECUTED by the State this ____ day of _____, 2016.

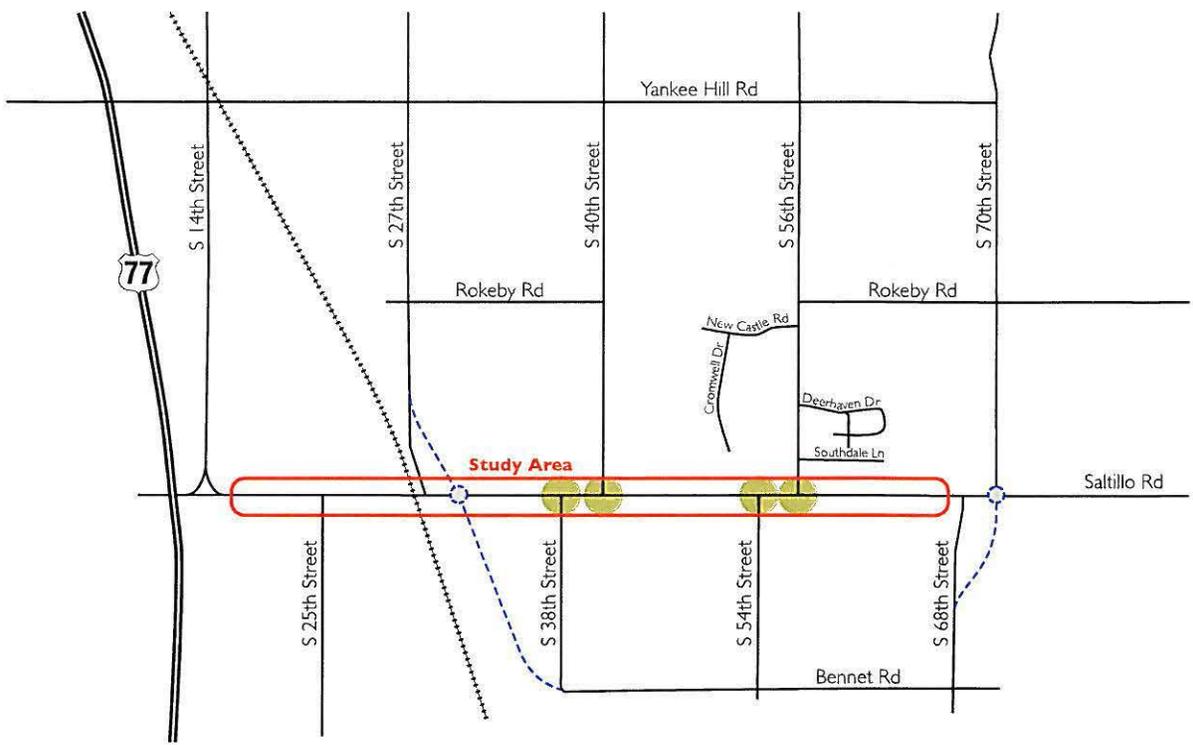
STATE OF NEBRASKA
DEPARTMENT OF ROADS
Michael H. Owen, P.E.

Roadway Design Engineer

RECOMMENDED:

Thomas Goodbarn, P.E.

District 1 Engineer



- LEGEND**
- = Study Intersection
 - = Future Arterial Road Realignment

Figure 1
 Vicinity Map

