

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113 – BILL LUXFORD STUDIO
THURSDAY, APRIL 13, 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; 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 April 12, 2017.

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

AGENDA ITEM

A. APPROVAL OF APRIL 6, 2017 MINUTES

MOTION: Amundson moved and Avery seconded approval of the April 6, 2017 Staff Meeting minutes.

Brinkman asked that the word "as" in the second sentence in the fourth paragraph on Page 2 be changed to "was."

ROLL CALL: Amundson, Schorr, Brinkman and Wiltgen voted yes. Avery abstained from voting. Motion carried 4-0, with one abstention.

Avery exited the meeting at 8:37 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).

Avery returned to the meeting at 8:39 a.m.

A handout was presented showing the vote on the motion to invoke cloture on Legislative Bill (LB) 68 (Prohibit certain regulation of firearms, ammunition, and firearm accessories by counties, cities, and villages as prescribed) and the subsequent vote to advance the bill (Exhibit B). Kohout said the Nebraska Sheriff's Association has taken a position of opposition to the bill in its present form and an amendment that does not address its concerns regarding public facilities and governmental buildings. Kohout noted Senator Ernie Chambers has vowed that no amendments will be adopted. Brinkman asked whether the County has lobbied senators to oppose the bill. Kohout said, when asked, the lobbyists have indicated the County is in opposition to the bill.

Copies of the Revenue Committee's Statement on LB 461 (Correct references to a federal act in a revenue statute) and a chart prepared by the Nebraska Association of County Officials (NACO) outlining the impact of amending LB 338 (Adopt the Agricultural Valuation Fairness Act) provisions into LB 461 were disseminated (Exhibits C & D). Kohout noted an overall loss of value of 0.99% is projected for Lancaster County. Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, said that equates to a loss of \$641,000 in tax dollars at the existing rate, adding it would be shifted to residential and commercial sectors. Amundson, who serves on the NACO Board of Directors, said many counties have expressed concerns because it takes away their discretion. Gaines said the County Assessor's Office supports the legislation because it moves the burden of valuing agricultural land to the State level and takes the subjectivity out of it. Kohout said the bill has multiple components including income tax and the historic tax credit. The Board did not take a position on the bill.

Kohout said LB 145 (Provide for a hearing to determine financial ability to pay fines and costs and traffic citations and provide for community service) was incorporated into LB 259 (Provide for competency determinations in cases pending before county courts) along with an amended version of LB 395 (Change provisions relating to conditions of and ability to post bail) (Exhibit E). Kerry Eagan, Chief Administrative Officer, expressed concern regarding the following provision: *An indigent judgment debtor shall be entitled to representation by court-appointed counsel for contempt proceedings under this section if imprisonment is a possibility* (see Exhibit E, Page 1, Lines 22-24). He said that would extend the right to counsel to civil cases, such as debt collection cases. Kohout thought the language may have been part of a "debtors bill" that was also merged into LB 259. Eagan said the County was not given an opportunity to provide a fiscal note. Kohout recommended the County relay its concerns regarding that provision to Senator Matt Hansen, who introduced LB 259 and said it would also be helpful to provide an estimate of the number of cases it could involve.

The following documents were also provided to the Board: 1) Bills related to Lancaster County priorities; and 2) Legislative bill report (Exhibits F & G).

B. JOINT DEPARTMENT BUDGET HEARINGS – Dennis Meyer, Budget and Fiscal Officer

A. Aging Partners

Randy Jones, Aging Partners Director, introduced members of his staff: Nancy Niemann, Accounting Supervisor; Jennifer Hartman, Administrative Officer, Accounting; Martha Hankenkamp, Program Manager; and Sandy Lutz, Division Administrator, Community Activities & Services.

Jones provided an overview of the budget, programs, and funding sources for services in Lincoln and Lancaster County (Exhibits H & I). He said overall funding requested from the County is \$403,896, noting the County provides 10% of the overall budget, 50% of the cost of the Downtown Senior Center and 16.58% of the funding for the Rural Transit Program. **NOTE:** The figure includes administration and infrastructure. Jones said the Rural Transit Program is operated as a County-specific program so it was not included in the City's budget documents.

In response to a question from Wiltgen, Jones said Aging Partners is part of a multi-county service area (includes Butler, Fillmore, Polk, Saline, Saunders, Seward and York Counties).

Jones outlined efforts to reach more individuals throughout the County. Schorr inquired about outreach efforts in the Denton and Malcolm areas. Jones indicated plans to move into the northwest area of Lincoln which is closer to Malcolm and said they are providing some Rural Transit focus in the Malcolm area, such as trips for grocery runs.

Brinkman asked Jones if Aging Partners is communicating or collaborating with the Community Health Endowment (CHE) in terms of the Place Matters Community Mapping Project (mapping factors such as poverty, family structure, access to health care, obesity and more), the health disparities in certain areas and whether the services provided by Aging Partners would address those issues. Jones said they have not but will follow up with CHE.

Jones discussed how the President's Budget Blueprint, which eliminates formula grants from the Department of Commerce, would impact the Rural Transit Program (see Exhibit H). He noted there could also be reductions in United States Department of Agriculture (USDA) and United States Department of Housing and Urban Development (HUD) funding which could effect other programming. Jones said they have received a funding forecast from the State but said it is not a guarantee of funding. He added they do not know what specific programs in the Department of Health and Human Services (HHS) may be reduced.

Jones also discussed efficiencies within the department, such as bidding out a service they are directly providing to see if could be provided it at less cost by the private sector.

In response to a question from Schorr, Martha Hankenkamp, Program Manager, said Aging Partners would consider its Home Delivered Meal Program, which is federally required, to be a Tier 0 program. **NOTE:** The City has identified three tiers in its outcome-based budget process: Tier 0 services are those which are mandated; Tier 1 services are government functions which would be difficult to transfer to community providers; and Tier 2 services are those which could be transferred to other providers.

Jones was asked to update the documents to reflect the budget tiers and the funding amount for the Rural Transit Program.

Brinkman asked whether there are plans to change the location of the Downtown Senior Center when administration moves to Victory Park, a new complex planned for the Veterans Affairs Campus at 70th and "O" Street. Jones said the building will be closed as a whole. He said constituents will be able to receive services through the Belmont Center or the St. James Church facility or be transported to Victory Park. Brinkman then inquired about waiting lists for services. Jones said there is a waiting list of 20-30 for the In-Home Services Program. Brinkman also inquired how a private sector organization that is looking at providing rural transit would impact the Rural Transit Program. Jones said it will likely come down to affordability.

B. Planning Department

David Cary, Lincoln/Lancaster County Planning Department Director, provided an overview of the budget (Exhibit J), noting funding is an 80/20 split between the City and County, as established in an Interlocal Agreement that has been in effect since 1959. He said the cost to the County in the current City biennium budget is just over \$400,000 each year.

In response to a question from Wiltgen, Cary said the Planning Department is not an enterprise fund and application fees do not cover costs.

Cary noted 20% of their services are from activities funded by federal grants and said he is not sure how cuts to federal programs may affect that funding.

Cary discussed how the Planning Department's services fit within the tier structure that was set up in the City's outcome-based budget process:

- Tier 0 – Lincoln-Lancaster County 2040 Comprehensive Plan, Comprehensive Plan Conformity Reviews, Capital Improvement Program (CIP), Subdivision Applications, and Right-of-Way Applications

- Tier 1 - Lincoln Metropolitan Planning Organization (MPO), Transportation Planning, and Historic Preservation
- Tier 2 – Design Review Boards (Historic Preservation Commission, Nebraska Capitol Environs Commission, Urban Design Committee), Code Review and Streamlining Processes, and Zoning Applications

Schorr asked whether that list encompasses all of the Planning Department's functions. Cary said no, it is a generalized way of identifying some of the bigger work areas and whether they are required by State or Federal law. Schorr asked Cary to provide his priorities (see Exhibit K).

Cary said they are looking at moving to a digital municipal code and said they will likely take on the County Zoning Regulations as well.

Amundson asked how often fees are adjusted. Cary said about every four years.

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

C. Human Resources

Doug McDaniel, Lincoln-Lancaster County Human Resources Director, recognized the following members of his staff: Kari Foote, Human Resources Coordinator; Nicole Gross, Compensation Manager; and Bill Kostner, City Risk Manager.

Brinkman returned to the meeting at 10:06 a.m.

McDaniel provided an overview of the budget and the scope of services Human Resources provides to Lancaster County (see agenda packet). He noted they do not participate in disciplinary matters involving the uniformed services of the Lancaster Sheriff's Office (LSO). McDaniel said costs for services is charged quarterly (total annual amount is \$452,860) and is based on the ratio of employees (currently 28%).

Schorr inquired about prioritization of services. McDaniel said they consider all of the services to be essential.

Avery asked McDaniel whether there are any discretionary items in the budget. McDaniel indicated there are not.

D. Purchasing

Bob Walla, Purchasing Agent, provided an overview of the budget (Exhibit L), noting the Purchasing Department currently serves the City of Lincoln, Lancaster County, the Public Building Commission (PBC) and the West Haymarket Joint Public Agency (JPA).

Walla said the proposed budget for Fiscal Year (FY) 2017-18 is as follows:

- City - \$798,590 (with a new Contract Administrator position) and \$718,174 (without the position)
- County - \$179,031 (with a new Contract Administrator position) and \$160,537 (without the position)

NOTE: The City's portion of the annual budget is 77% and the County's portion is 23%.

Walla noted the PBC does not currently contribute to funding and said he, Dennis Meyer, County Budget and Fiscal Officer, and Brandon Kauffman, City Finance Director, have had discussions with Don Killeen, Facilities and Properties Director, about what percentage of funding might be appropriate. He said they are proposing a 5% contribution as a starting point, which equates to \$39,930 for FY 2017-18, which would change the City and County totals to 74% and 21%, respectively. Schorr felt a 5% contribution was too low. Meyer said it is difficult to come up with an appropriate percentage because much of the work the Purchasing Department does for the PBC either benefits the City or County. **NOTE:** Funding percentages are not defined in the Interlocal Agreement that created the joint Purchasing Department.

Avery inquired about savings from the audit of cellular phone usage. Walla estimated it at \$100,000 annually.

4 TRANSFER OF GENERAL ASSISTANCE (GA) TO PEOPLES HEALTH CENTER – Sara Hoyle, Human Services Director

Sara Hoyle, Human Services Director, discussed a proposal to transition the primary medical care that is being provided to General Assistance (GA) clients at the Lincoln-Lancaster County Health Department (LLCHD) to the Peoples Health Center (PHC), noting most of the clients will be referred to the Health 360 Integrated Care Clinic at 2301 O Street but can also be seen at other PHC clinics in Lincoln (see February 16, 2017 County Board Staff Meeting for information on the Health 360 pilot project for GA clients). She noted LLCHD had staff available to answer clients calls after hours, which helped contain costs, and said PHC has requested two full-time equivalents (FTE's) to staff a 24 hours/7 days-a-week phone line that clients can access to continue that service. Hoyle said PHC has also included a sliding fee scale and will bill the County \$30 each time a client sees a medical provider other than a registered nurse (RN), adding that usage will be tracked. She said PHC's total proposal is \$370,607, noting one of the in-kind services being offered is a prescription assistance program that is currently being provided through the Lancaster County Medical Society (LCMS) at a cost of \$25,000. **NOTE:** The County currently pays LLCHD \$418,000 for primary medical care for GA clients. Hoyle said the PHC's proposal also allows GA clients to establish a medical home.

Hoyle noted she is still working with the Purchasing Department on the pharmacy component, noting the County currently contracts with Kohll's Pharmacy & Homecare for pharmacy services for GA clients, noting Kohll's is the only provider of durable medical equipment registered with Medicaid. PHC contracts with Kohll's and has a Genoa/Qol Pharmacy on-site at Health 360 (2301 "O" Street).

In response to a question from Wiltgen, Hoyle said PHC indicated in its proposal that it will work to secure Medicaid reimbursement, adding there is not a lot of reimbursement for primary care.

MOTION: Amundson moved and Schorr seconded to authorize Sara Hoyle, Human Services Director, to work with the County Attorney's Office to develop a contract with the Peoples Health Center (PHC). Avery, Schorr, Brinkman, Amundson and Wiltgen voted yes. Motion carried 5-0.

Eagan noted the GA Guidelines will need to be revised to reflect the transfer of primary care services.

5 EXERCISE EQUIPMENT ADDENDUM TO COLLECTIVE BARGAINING AGREEMENT WITH FRATERNAL ORDER OF POLICE (FOP), LODGE 32 – Kristy Bauer, Deputy County Attorney; Brad Johnson, Corrections Director

Brad Johnson, Corrections Director, noted the Corrections Department was authorized to split the cost of exercise equipment it received from the Cooper YMCA with the Fraternal Order of Police (FOP), Lodge 32 (see February 23, 2017 Staff Meeting minutes). He said the County Attorney's Office has advised him of the need for an agreement with the Union regarding ownership and maintenance of the equipment and the ability to discontinue use if there are injuries associated with the equipment or increased maintenance costs.

Kristy Bauer, Deputy County Attorney, said an addendum will be scheduled on the April 18, 2017 County Board of Commissioners Meeting agenda to change the bargaining agreement with the FOP to include the provision on exercise equipment.

RETURNING TO ITEM 2

Eagan referenced discussion earlier in the meeting regarding LB 259 (Provide for competency determinations in cases pending before county courts) and said he will forward a fiscal note request to Johnson.

ADMINISTRATIVE OFFICER REPORT

A. Nebraska Accountability and Disclosure Opinion for Commissioners Schorr and Avery

Eagan said according to the staff opinion Commissioners Schorr and Avery would have a conflict of interest as to District Energy Corporation (DEC) matters coming before the County Board and should abstain from participating or voting on the matters. He said he has shared the opinion with Chris Connelly, Assistant City Attorney, and Bill Austin, the DEC's general counsel.

Brinkman questioned whether the Board should consider appointing someone other than county commissioners to serve as the County's representatives on the DEC Board of Directors. Eagan said the Interlocal Agreement for the DEC does not require appointment of County Board or City Council members. He said the practice is to have two County Board members and one City Council member serve. The Mayor also makes an appointment to the body. Brinkman felt Schorr's and Avery's positions on the County Board should take precedence over their appointments to the DEC.

Schorr said the DEC provides power to nearly every County facility and she is representing the County's financial interest as a member of the DEC. Avery said he concurs and said it is clear the DEC wants to expand its client base. Schorr said this is the first time in DEC's history that such an interest has come forward (see opinion in agenda packet).

Eagan said he is not sure why the DEC was organized as a non-profit corporation, noting there would not have been a conflict of interest if it had been organized as a political unit. The Chair asked Eagan to follow-up with the DEC to see if its structure could be changed.

B. Trabert Hall Tour (April 18, 2017)

Informational only.

C. Tri-County Meeting Dates – October 5 or 12, 2017 at Innovation Campus

Schorr proposed that Adams, Buffalo and Hall County representatives be invited to attend as observers, noting those counties have discussed holding a Tri-County Meeting in that area.

Staff will contact Douglas and Sarpy County to see which date they would prefer.

D. Lincoln Journal Star Renewal

Minette Genuchi, Administrative Assistant to the County Board, appeared and reported that the annual cost for a digital only subscription is \$156 compared to \$399 for a

newspaper subscription. **NOTE:** Digital access is provided at no cost with a newspaper subscription.

MOTION: Schorr moved and Amundson seconded to renew the print newspaper subscription. Schorr, Brinkman, Amundson, Avery and Wiltgen voted yes. Motion carried 5-0.

6 JUSTICE COUNCIL DISCUSSION – Kim Etherton, Community Corrections Director; Joe Kelly, County Attorney; Brad Johnson, Corrections Director

Wiltgen noted the Board recently reactivated the Justice Council but it was set up differently than how the Interlocal Agreement that established the Justice Council in 1988 was written. Kim Etherton, Community Corrections Director, noted she was asked to chair the body but the membership defined in the Interlocal Agreement did not include Community Corrections because it did not exist at the time. It also did not include County Board members. **NOTE:** Commissioners Schorr and Wiltgen participated in the group's first meeting on March 3rd.

Joe Kelly, County Attorney, suggested the current focus is jail population reduction and said Brad Johnson, Corrections Director, provided them with goals to work towards. He said he envisions the Justice Council further defining the goals and steps. Etherton said it is difficult to get certain populations out of jail and will require efforts from a number of criminal justice entities.

Wiltgen said the District Court has indicated it will send a judge to the Justice Council meetings as an observer but not as an active participant. Schorr said the original bylaws specify that a judge from each of the courts (County, District and Juvenile) will serve as a voting member and felt they should be updated to take out that reference and expand the membership. Etherton noted several providers were also present at the meeting and said they provided valuable information. It was felt the core group should be defined but there should also be an ability to call in other experts, as needed. Kelly suggested it would also be beneficial to have a quarterly dashboard (real-time user interface) to show the impact of different measures.

7 ADDITIONAL APPROPRIATIONS – Dennis Meyer, Budget and Fiscal Officer

Dennis Meyer, Budget and Fiscal Officer, said County Court will need an additional appropriation in the amount of \$214,000. A resolution will be scheduled on the April 18, 2017 County Board Staff Meeting agenda to transfer spending authority.

Avery suggested formation of a group of County Commissioners to study the issue of escalation of costs in the court system. Eagan said there is a report that addresses that

issue: The Lancaster County Indigent Defense Committee Report on the Costs of Legal Representation (<http://lancaster.ne.gov/pdefen/pdf/idac.pdf>).

8 ACTION ITEMS

There were no action items.

9 ADMINISTRATIVE OFFICER REPORT

- A. Nebraska Accountability and Disclosure Opinion for Commissioners Schorr and Avery
- B. Trabert Hall Tour (April 18, 2017)
- C. Tri-County Meeting Dates – October 5 or 12, 2017 at Innovation Campus
- D. Lincoln Journal Star Renewal
- E. Resolution Declaring April 21, 2017 as Newman United Methodist Church Day in Lancaster County

There was consensus to schedule the item on the April 18, 2017 County Board of Commissioners Meeting agenda as a special presentation.

- F. Welcome to the Nebraska Agricultural Stabilization County Office Employees (NEBRASCOE) Northwest Area Rally, Friday, April 28, 2017, 8:00 a.m. at the Embassy Suites

The Chair agreed to provide welcome remarks to attendees.

10 DISCUSSION OF OTHER MEETINGS ATTENDED

- A. Children's Justice Clinic – Schorr/Brinkman

Brinkman said she, Schorr, Eagan, and Theresa Emmert, Juvenile Court Administrator, met with Richard Moberly, Dean of the College of Law, University of Nebraska-Lincoln (UNL), and Michelle Paxton, Director of Legal Training, Center on Children, Families and the Law (CCFL), UNL, to discuss a proposal to add a track to the clinical services that third year law students can participate in for Guardian ad Litem (GAL) training. She said the Juvenile Court Judges are supportive of the concept. There was consensus to schedule a briefing by Paxton on a future meeting agenda.

11 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Region V Services Executive Committee – Wiltgen

There was no meeting.

B. Region V Services Governing Board – Wiltgen

Wiltgen said the rules for Centers for Medicare and Medicaid Services (CMS) have been revised and the State and Regions are receiving less funding for group homes and said Region V Services lost \$200,000 in revenue last month. The Legislature has made them whole through May 1st but it is uncertain whether the State will continue to pick up costs going forward.

C. Region V Systems Governing Board – Wiltgen

Wiltgen said they made modifications to providers' budgets. He said the only significant change was to Lutheran Family Services (LFS) for medication management, explaining \$200,000 will be taken out of the budget and a different budget classification will be created for the Region. Wiltgen said that will give other providers an opportunity to provide the service.

D. Region V Systems Executive Committee – Wiltgen

Wiltgen said they approved the management review process.

E. Public Building Commission (PBC) Vice Chair Meeting with Mayor – Amundson

Amundson said a number of topics were discussed including the budget process, construction of a new 911/Emergency Communications Center, parking issues, and a new concept for the "K" Street Building.

F. Meeting with Mayor – Wiltgen/Avery

Wiltgen said they discussed modifications to the County budget process, improvements to the North 84th Street and Havelock Avenue intersection and the Pinewood Bowl Amphitheater. He said he briefed the Mayor on the selection of the Lancaster Event Center to host the 2020 and 2021 National High School Finals Rodeo (NHSFR) and the Mayor indicated the City will create events around the rodeo to make it a better experience. The Mayor also informed him that City Public Works & Utilities is working with the Nebraska Department of Roads (NDOR) to determine costs for the South Beltway and indicated the Railroad Transportation and Safety District's (RTSD's) portion could be \$16,000,000 to \$26,500,000.

G. Public Building Commission (PBC) – Amundson, Brinkman

Amundson said they discussed the 911/Emergency Communications Center and 605 Building projects, upgrades to the Bill Luxford Studio (Room 113), parking issues, and the energy efficiency audit.

H. Lincoln-Lancaster County Board of Health – Avery

Avery said he did not attend the meeting.

I. Mental Health Crisis Center Advisory Board – Avery

Avery said Eddie the therapy dog and his handler were introduced to the group. He said they also discussed building repairs and electronic health records software. Avery also reported that a staff member received a significant injury during a recent “take down” and was hospitalized. Schorr felt Scott Etherton, Mental Health Crisis Center Director, should have promptly notified the County Board of the incident. Wiltgen said he will speak to Etherton regarding the matter.

12 SCHEDULE OF BOARD MEMBER MEETINGS

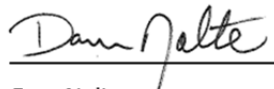
Informational only.

13 EMERGENCY ITEMS

There were no emergency items.

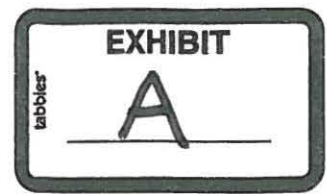
14 ADJOURNMENT

MOTION: Schorr moved and Brinkman seconded to adjourn the meeting at 12:24 p.m. Brinkman, Amundson, Avery, Schorr and Wiltgen voted yes. Motion carried 5-0.



Dan Nolte
Lancaster County Clerk





KISSEL / E&S
ASSOCIATES

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

Joseph D. Kohout, *Partner*

Suite 400 Cornhusker Plaza / 301 S. 13th Street / Lincoln, NE 68508-2571
Telephone (402) 476-1188 / Facsimile (402) 476-6167
Email jkohout@kisseles.com / Website www.kisseles.com

LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners

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

DATE: April 13, 2017

RE: Weekly Update

Today is day 65 of the 2017 Legislature. This week is yet another short week with the body working through lunch today before adjourning for Recess Days tomorrow and Monday. Full day debate will resume on Tuesday with LB640 which should take a significant amount of the day.

Monday had lengthy debate on LR 6, Senator Ebke's resolution for a Convention of the States to enact a Balanced Budget Amendment to the US Constitution. Tuesday saw the advancement of LB 44, Senator Dan Watermeier's bill to adopt Remote Seller Sales Tax Collection Act, from General File to Select File. The Governor has already publicly vowed to veto this measure setting up a potential showdown in the body should the bill make it past Select File and Final Reading. Tuesday also saw the Appropriations Committee advance an \$8.9 billion biennial budget, drawing the "rainy day" fund down by \$180 million.

Wednesday saw the 2nd round of debate on General File of LB 68, Senator Hilgers' measure to prohibit certain ordinances and rules on firearms. At approximately 4:20pm yesterday, a motion to invoke cloture was successful with 33 votes in favor, 8 votes against, 5 present and not voting, and 3 excused. We have attached that vote for your review.

This morning's debate will be center around LB 253, Senator Crawford's bill to authorize intergovernmental service agreements under the County Industrial Sewer Construction Act and provide for a special levy.

The Legislature has designated 107 priority bills; 186 on General File; 42 on Final Reading; 35 bills have been signed by Governor Ricketts and 370/667 remain in committees. The body will take a long Easter

Weekend Recess before returning next Tuesday to debate the Education Committee Education funding and Revenue Committee's tax package. These debates are the precursors to the budget debate.

Next week, we expect the following schedule:

- Monday: Recess Day.
- Tuesday: LB 640 (Groene) Change Provisions of the Property Tax Credit Act and provide school district property relief.
- Wednesday: LB 409 (Groene) Change the base limitation and local effort rate for school districts.
- Thursday: Consent Calendar
- Friday: LB 461 (Smith) Correct references to a federal act in a revenue statute [The tax plan]

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 on Monday, April 3, 2017, the Committee conducted an executive session on the bill and advanced it with the proposed amendment attached. Senator Hilgers has asked for consent calendar consideration of the measure. We should know Tuesday whether that status has been granted or not.

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.

LB327 was advanced as part of the mainline budget process on Tuesday. In the coming days, the documents detailing the budget actions will be published.

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.

We discussed the bill with Committee Counsel Andrew LaGroene. The intent of Senator Groene was apparently to adopt an amendment that would alleviate concerns. It does not do so. The amended bill did not have the support of Chairman Murante nor of Senator Carol Blood. Senator Craighead was present, not voting. Those voting in support included Senators Brewer, Briese, Hilgers, Lowe and Wayne. The bill is not prioritized.

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.

On Wednesday, April 5, 2017, the bill was discussed for approximately 15 minutes and advanced to Select File. No opposition was raised on the bill.

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.

On Wednesday, April 5, 2017, Sean Kelley advised Joe Kohout that the Governor's office told him that Lauren Kintner would be reaching out to Mary Ann Borgeson in the very near future. Lauren Kintner did reach out to Commissioner Borgeson early this week but has not reached out to Chairman Wiltgen. Furthermore, on Wednesday, April 12, 2017 we became aware that the Health and Human Services Committee was going to conduct an executive session of the committee to advance LB333. Between Joe, Larry and Sean Kelley, we made it clear that there was no agreement on the language and as such, the bill should not be advanced. The Executive Session was cancelled.

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

LB461 (Smith) Correct references to a federal act in a revenue statute. This bill has been amended to include the joint efforts of the Revenue Committee and the Governor to develop both income and property tax relief. We are attaching a chart from NACO that demonstrates the effect that the bill may have – the portions dealing with property taxes – on counties.

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.

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 attached the amendment for your review in a previous report.

On Tuesday, April 4, 2017, the bill came up for debate. The bill was subject to a filibuster by several members of the Legislature including several members of the Lancaster County delegation. Sheriff Wagner was available in the rotunda and via cell phone to members of the delegation. He did register concerns with members of the delegation on the potential that it could affect his ability to stop individuals from carrying firearms into county buildings.

Furthermore, on Wednesday, April 12, 2017, the bill came up for further debate. After approximately 2 hours, cloture was invoked on the bill and it has advanced to Select File. Senator Chambers has vowed that he will not let any amendments be adopted to the bill. We did communicate with Sheriff Wagner prior to the bill coming up.

POSITION: OPPOSE

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. The bill remains held in committee.

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). LB 625 has been designated a committee priority. The bill currently sits on Final Reading.

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.

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.

On Tuesday, the Judiciary Committee met and advanced LB259 with an amendment that contained the amended version of LB145. Too, it contained section 4 of LB395 as well as other underlying provisions. We have forwarded a copy of that amendment as part of this report. Mr. Egan did revise that language and provide the same to David Derbin who indicated that there may be some additional costs tied to the original version of LB 259.

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.

Following receipt of Commissioner Wiltgen's letter, there was a request made by Senator Hansen's office to see what changes we would like to see in LB145 and LB395 to make them more amenable to the county. They appear set on increasing the "sit out rate" from \$90 to \$150 per day. Additionally, they are willing to delay implementation of the remaining provisions of LB145 by one year. In so far as LB395 is concerned, they are willing to consider striking everything from the bill and leaving only section 4 in place. In addition, they are willing to consider changing the evidentiary hearing to telephone conference similar to process for appointment of a public defender.

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.

COMBINED LEGISLATION

Portions of LB297 have been amended into LB225 via AM611. Portions of LB298 have been amended into LB225 via AM537. Portions of LB336 have been amended into LB225 via AM462

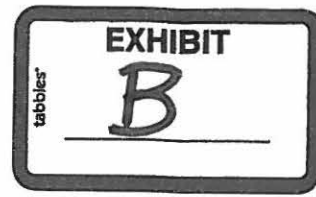
Portions of LB133 have been amended into LB317 via AM19.

Portions of LB49, LB228, LB238, LB288, LB387 & LB233 have been amended into LB217 via AM634.

Portions of LB188, LB178 & LB394 have been amended into LB289.

This concludes our report for this week.

Nebraska Legislature



NEBRASKA UNICAMERAL LEGISLATURE

One Hundred Fifth Legislature
First Regular Session

SEQ. NO: 588

LB 68

Hilgers

DATE: 4/12/17

General File

TIME: 4:21 PM

AM 630 Government

MO 70 Chambers Recommit to Committee

MO 83 Morfeld Bracket to 6/2/17

MO 84 Hilgers

CLOTURE

HOUSE UNDER CALL

AYE: 33 NAY: 8 PRESENT NOT VOTING: 5 ABSENT NOT VOTING: 0 EXCUSED: 3

AYE : 33

* Albrecht	* Craighead	* Hilgers	* Linehan	* Smith
* Baker	* Ebke	* Hilkemann	* Lowe	* Stinner
* Bostelman	* Erdman	* Hughes	* McCollister	* Watermeier
* Brasch	* Friesen	* Kolterman	* McDonnell	* Wayne
* Brewer	* Geist	* Kuehn	* Murante	* Williams
* Briese	* Groene	* Larson	* Riepe	
* Clements	* Halloran	* Lindstrom	* Scheer	

NAY : 8

* Blood	* Crawford	* Kolowski	* Pansing Brooks
* Chambers	* Hansen	* Morfeld	* Quick

PRESENT NOT VOTING : 5

* Bolz	* Krist	* Schumacher	* Vargas	* Wishart
--------	---------	--------------	----------	-----------

ABSENT NOT VOTING : 0

EXCUSED : 3

Harr	Howard	Walz
------	--------	------

Nebraska Legislature



NEBRASKA UNICAMERAL LEGISLATURE

One Hundred Fifth Legislature

First Regular Session

SEQ. NO: 592

LB 68

Hilgers

DATE: 4/12/17

General File

TIME: 4:24 PM

ADVANCE TO E&R INITIAL

HOUSE UNDER CALL

AYE: 32 NAY: 12 PRESENT NOT VOTING: 2 ABSENT NOT VOTING: 0 EXCUSED: 3

AYE : 32

Albrecht	Craighead	Hilgers	Linehan	Smith
Baker	Ebke	Hilkemann	Lowe	Stinner
Bostelman	Erdman	Hughes	McCollister	Watermeier
Brasch	Friesen	Kolterman	McDonnell	Williams
Brewer	* Geist	Kuehn	Murante	
Briese	Groene	Larson	Riepe	
Clements	Halloran	Lindstrom	Scheer	

NAY : 12

Blood	Hansen	Morfeld	Vargas
Chambers	Kolowski	Pansing Brooks	Wayne
Crawford	Krist	Quick	Wishart

PRESENT NOT VOTING : 2

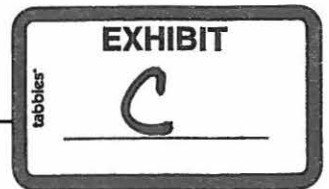
Bolz Schumacher

ABSENT NOT VOTING : 0

EXCUSED : 3

Harr Howard Walz

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB461



Hearing Date: Wednesday February 15, 2017
Committee On: Revenue
Introducer: Smith
One Liner: Correct references to a federal act in a revenue statute

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 6 Senators Smith, Lindstrom, Larson, Groene, Friesen, Brasch
Nay: 2 Senators Harr, Schumacher
Absent:
Present Not Voting:

Verbal Testimony:

Proponents: Senator Jim Smith	Representing: Introducer
Opponents:	Representing:
Neutral:	Representing:

Summary of purpose and/or changes:

LB 461 would correct a reference to the federal Jobs and Growth Tax Relief Reconciliation Act of 2003.

Explanation of amendments:

AM 954 to LB 461

The amendment becomes the bill.

The effective date for moving from a comparable sales approach to determining assessed valuation to an income-approach calculation will be January 1, 2018.

For purposes of assessing agricultural land and horticultural land ("Ag land") using the income approach, Ag land shall be divided into classes and subclasses of real property under section 77-103.01, including, but not limited to, irrigated cropland, dryland cropland, grassland used for grazing, grassland used for haying, wasteland, nurseries, feedlots, and orchards, so that the categories reflect uses appropriate for the valuation of such land according to law.

Classes shall be inventoried by subclasses of real property based on soil classification standards developed by the Natural Resources Conservation Service of the United States Department of Agriculture as converted into land capability groups by the Property Tax Administrator.

Ag land shall be valued based on the agricultural-use value, reflected in a capitalized income approach developed pursuant to the Agricultural Valuation Fairness Act, using professionally accepted mass appraisal techniques. The

assessed values of Ag land shall be determined on the basis of the land's value in use for agricultural or horticultural purposes by capitalizing the net income by a rate that reflects the agricultural-use value in the ordinary course of trade.

A 5-member Agricultural Land Valuation Committee is created. The Tax Commissioner or his/her designee from his/her staff will serve as chairperson of the committee. The Tax Commissioner will appoint the remaining four members. The remaining four members of the committee will be a representative of the agricultural and horticultural industry, a county assessor, an appraiser from the private sector, and a representative from faculty of one of the state's research universities specializing in agricultural economics. The committee shall meet in November 2017 and each November thereafter. The committee shall meet at least six times per year.

The committee will develop income and expense estimates for all Ag land and capitalization rates necessary to produce uniform and proportionate assessed valuations based on information available to the committee from the United States Department of Agriculture, the University of Nebraska Institute of Agriculture and Natural Resources, the Nebraska Investment Finance Authority, the Department of Revenue, and any other sources determined necessary by the committee.

The committee shall determine value for each land capability group in each county by dividing the income determined for each parcel by a capitalization rate established by the committee. The committee shall establish the capitalization rates to be applied to each class or subclass of Ag land within each county. The committee shall ensure that the capitalization rates established result in an aggregate agricultural-use value for the class of Ag land that is between 55 and 65 percent of the actual value that the Ag land has for agricultural or horticultural purposes.

The aggregate agricultural-use value so established shall not increase more than 3.5 percent from the prior year. The committee shall issue a report of the values established for each land capability group to each county assessor in Nebraska no later than January 1 of each year.

The county assessor shall implement the values determined by the Agricultural Land Valuation Committee under this act. The resulting assessed values for the class of Ag land shall be reported on the abstract of real property pursuant to section 77-1514.

An 8-year average of data, throwing out the highest and lowest numbers, will be used to determine the average yield and average commodity prices. This data will come from the United States Department of Agriculture. Carrying capacity by land capability group will be calculated using an 8-year average of rental value per animal-unit month. The highest and lowest numbers will be thrown out of this calculation. Information from the Natural Resources Conservation Service of the United States Department of Agriculture or other state or federal agencies will be used to calculate carrying capacity.

The following changes would be effective for tax year 2019, except as otherwise noted:

1. The four existing brackets under the Individual Income Tax would be reduced to three by combining the first and second brackets into a new Bracket One. The new bracket would combine the bands of income subject to tax at the lowest rate and change that rate to 3.25 percent.
2. The personal exemption credit would begin to phase-out if AGI is \$300,000 for taxpayers filing married filing joint and if AGI is \$150,000 for all other filers. No credit is available when AGI reaches \$400,000 and \$200,000, respectively.
3. A new, nonrefundable credit is created for resident taxpayers equal to \$40 if AGI is \$28,000 or less for married filing joint filers and \$20 if AGI is \$14,000 or less for all other filers.
4. The Earned Income Tax Credit would increase from 10 percent of the federal credit to 11 percent in tax year 2019 and 12 percent in tax year 2020.
5. The New Markets Job Growth Investment Act and the Nebraska Job Creation and Mainstreet Revitalization Act

(known as the Historic Tax Credit) would be suspended beginning on July 1, 2017 through December 31, 2022.

6. The top bracket of the Corporate Income Tax would be reduced from 7.81 percent to 7.59 percent.

The following changes would be effective beginning with tax year 2020, except as otherwise noted:

1. The new third bracket or top bracket rate under the Individual Income Tax would begin to be reduced from 6.84 percent to 5.99 percent using eight steps. Each "step reduction" would only occur if the Tax Rate Review Committee finds that the expected rate of growth in net General Fund receipts exceeds 3.5 percent.

a. If the expected rate of growth does not exceed said amount, the Committee is required to defer the rate reduction that would have occurred for the subsequent tax year.

2. The top bracket rate under the Corporate Income tax would be reduced from 7.81 percent to 7.59 percent for tax years beginning or deemed to begin on or after January 1, 2019. The top bracket rate would continue to be reduced for tax years beginning or deemed to begin on or after January 1, 2020 in increments of .20 percent each year thereafter, but not below 5.99 percent. Each reduction for tax years 2020 and beyond would only occur if the Tax Rate Review Committee finds that the expected rate of growth in net General Fund receipts exceeds 4.0 percent.

a. If the expected rate of growth does not exceed said amount, the Committee is required to defer the rate reduction that would have occurred for the subsequent tax year.

The amendment contains the Emergency Clause.

LB 338 (Brasch) Adopt the Agricultural Valuation Fairness Act

Amendment: AM 688 - APPROVED

Motion: Friesen

Second: Groene

Ayes: 6 Senators Smith, Friesen, Brasch, Groene, Larson, Lindstrom

Nays: 2 Senators Harr, Schumacher

Motion to amend LB 338 as amended to LB 461 - APPROVED

Motion: Smith

Second: Larson

Ayes: 6 Senators Smith, Friesen, Brasch, Groene, Larson, Lindstrom

Nays: 1 Senator Schumacher

Present, Not Voting: 1 Senator Harr

Public Hearing Date: 2.8.17

Testifiers:

Proponents:

Senator Lydia Brasch - Introducer

Governor Pete Ricketts - State of Nebraska

Ruth Sorensen - Prop Tax Administrator, Nebraska Dept of Revenue

Greg Ibach - Nebraska Dept of Agriculture

Dennis Fujan - Ag Leaders Working Group

Lavon Heidemann - Self, Elk Creek, NE
Al Juhnke - Nebraska Pork Producers Association
Steve Nelson - Nebraska Farm Bureau
Steve Wellman - Self, Syracuse, NE
Christopher Kuehn - Heartwell, NE
Micheal Dwyer - Self, Arlington, NE
Shane Greckel - Self, Bloomfield, NE
Robert Johnston - Nebraska Soybean Association
Scott Peterson - Nebraska Cattlemen
Matt Litt - Americans for Prosperity
John Knapp - Sarpy County Farm Bureau

Opponents:

Robert Post - Self, Gering, NE
Mary Lou Block - Self, Gothenberg, NE,
Jordan Rasmussen - Center for Rural Affairs
Jeff Metz - Self, Bayard, NE
John Hansen - Nebraska Farmer's Union
Renee Fry - OpenSky Policy Institute
Gregory Lauby - Self, Wymore, NE
Rob Hollman - Self, Martell, NE

Neutral:

John Janecek - Self, Wilber, NE
David Grimes - Self, Minden, NE
John Knapp - Self, Springfield, NE
Larry Dix - Nebraska Association of County Officials
Tom Placzek - Platte County Assessor & Nebraska Association of County Officials
David Schwaninger - Self, Martell, NE

LB 337 (Smith) Change income tax rates and provide for deferrals of the rate changes

Motion to amend LB 337 into LB 461 - APPROVED

Motion: Lindstrom

Second: Larson

Ayes: 6 Senator Smith, Friesen, Brasch, Groene, Larson, Lindstrom

Nays: 2 Senator Harr, Schumacher

Public Hearing Date: 2.8.17

Testifiers:

Proponents:

Senator Jim Smith - Introducer
Governor Pete Ricketts - State of Nebraska
Tony Fulton - Tax Commissioner, Nebraska Dept. of Revenue

Courtney Dentlinger - Dept of Economic Development
Coby Mach - Lincoln Independent Business Association
Jim Vokal - Platte Institute
Jack Schreiner - Bruckman Rubber Co.
Jeffrey Scherer - NE Chamber of Commerce
Eric Dinger - Lincoln Chamber of Commerce
Brian Gubbels - Greater Omaha Chamber
Nicole Fox - Platte Institute
Matt Litt - Americans for Prosperity
Bob Hallstrom - National Federation of Independent Business, Nebraska Bankers Association

Opponents:

Renee Fry - OpenSky Policy Institute
Jason Hayes - Nebraska State Education Association
Mark Fahleson - Reform for Nebraska's Future
John Hansen - Nebraska Farmer's Union
Keith Nelson - Omaha Together One Community
Mary Spurgeon - Omaha Together One Community
Don Schuller - Gage Taxpayers Organization
Traci Bruckner - Women's Fund of Omaha
Dennis Schuster - Self, Steinauer, NE
Kaitlin Reece - Voices for Children in Nebraska
Mark Intermill - AARP
Becky Gould - Nebraska Appleseed

Neutral:

Max Waldo - Farm Bureau
Carol Sherman - Landowner/Citizen, NE
Kenneth Kriz - Kansas Public Finance Center
Craig Bolz - Self, Palmyra, NE
David Schwaninger - Farmer, Martell, NE
Richard Hedrick - Self, Lincoln, NE

LB 452 (Lindstrom) Impose sales tax on services and change income tax rates and personal exemption amounts

Amendment: AM 728 - APPROVED

Motion: Smith

Second: Larson

Ayes: 7 Senators Smith, Friesen, Brasch, Groene, Larson, Lindstrom, Schumacher

Nays: 1 Senator Harr

Motion to amend LB 452 as amended to LB 461 - APPROVED

Motion: Larson

Second: Groene

Ayes: 6 Senators Smith, Friesen, Brasch, Groene, Larson, Lindstrom

Nays: 2 Senators Harr, Schumacher

Public Hearing Date: 2.15.17

Testifiers:

Proponents:

Senator Brett Lindstrom - Introducer
Jim Vokal - Platte Institute

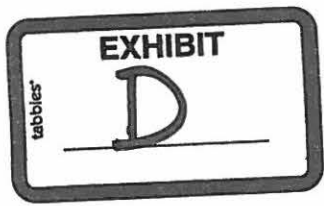
Opponents:

Ken Allen - NE Board of Barber Examiners
Paulette Genthon - Universal College of Healing Arts
Steve Carper - Nebraska State Board of Massage Therapy
Beverly Riley - American Massage Therapy Association
John Davis - Happy Cab Companies
Marcia Harper - Garbos Salons & Spa
Mark Brohman - Nebraska Environmental Trust
Chris Kircher - Nebraska State Fair
William Lange - Nebraska Self Storage Owners Association
Ashley Mayfield - Self, North Platte, NE
Carla Jacobs - Uber Technologies
Renee Fry - OpenSky Policy Institute
Joe Neuhaus - Lincoln Independent Business Association
Mark Canfield - Laundry Land
Dave Paladino - Nebraska Association of Commercial Properties/Dino's Storage
Mike Baumgartner - Coordinating Commission for Post secondary Education
John Hansen - Nebraska Farmers Union
Mark Intermill - AARP
Allen Beermann - Nebraska Press Association Newspapers

Neutral:

Joe Henchman - The Tax Foundation
Korby Gilbertson - Radcliffe & Associates

Jim Smith, Chairperson



LB 461 - LB338 with amendments

	2016 Total County Value	2016 Total Ag Value	% of Ag Value to Total Value	Proposed Ag Value LB 338 as amended	Proposed % of Ag Value to Total Value	Loss of Value	Overall loss of Value
Buffalo	5,859,076,639	2,000,469,740	34.14%	1,780,673,530	30.39%	219,796,210	3.75%
Lancaster	23,418,257,589	1,583,850,896	6.76%	1,350,892,814	5.77%	232,958,082	0.99%
Red Willow	1,259,640,865	640,281,707	50.83%	571,542,256	45.37%	68,739,451	5.46%
Platte	5,309,013,126	2,383,414,785	44.89%	2,104,602,034	39.64%	278,812,751	5.25%
Banner	278,971,953	222,959,331	79.92%	190,614,145	68.33%	32,345,186	11.59%
Pierce	2,058,655,649	1,524,934,300	74.07%	1,274,506,004	61.91%	250,428,296	12.16%
Holt	3,274,285,189	2,555,356,267	78.04%	2,401,764,197	73.35%	153,592,070	4.69%
Kimball	687,253,598	269,956,675	39.28%	231,706,210	33.71%	38,250,465	5.57%
Douglas	40,399,217,100	342,296,320	0.85%	301,220,762	0.75%	41,075,558	0.10%
Sarpy	13,564,295,116	413,475,449	3.05%	329,745,806	2.43%	83,729,643	0.62%
Seward	3,062,357,183	1,717,146,054	56.07%	1,511,176,749	49.35%	205,969,305	6.73%
Phelps	2,389,001,821	1,571,801,414	65.79%	1,304,974,957	54.62%	266,826,457	11.17%
Madison	3,829,849,842	1,616,852,051	42.22%	1,390,492,764	36.31%	226,359,287	5.91%
Cass	3,460,580,111	1,331,086,599	38.46%	1,115,704,592	32.24%	215,382,007	6.22%
Lincoln	4,740,313,768	1,802,456,350	38.02%	1,660,438,148	35.03%	142,018,202	3.00%
Merrick	1,818,698,667	1,175,522,950	64.64%	1,030,386,966	56.66%	145,135,984	7.98%
York	3,407,781,832	2,203,188,182	64.65%	1,938,852,565	56.89%	264,335,617	7.76%
Hall	5,479,857,745	1,598,530,137	29.17%	1,384,862,401	25.27%	213,667,736	3.90%
McPherson	254,337,869	228,583,973	89.87%	244,160,220	96.00%	-15,576,247	-6.12%
Morrill	1,068,389,568	561,947,730	52.60%	505,571,769	47.32%	56,375,961	5.28%
Sheridan	1,024,471,999	697,937,982	68.13%	643,238,836	62.79%	54,699,146	5.34%
Chase	1,561,730,053	1,154,093,816	73.90%	1,032,507,162	66.11%	121,586,654	7.79%
Hamilton	3,204,401,315	2,127,001,580	66.38%	1,773,678,940	55.35%	353,322,640	11.03%
Kearney	2,141,018,627	1,561,854,235	72.95%	1,303,045,843	60.86%	258,808,392	12.09%
Furnas	1,093,442,549	813,859,550	74.43%	670,252,171	61.30%	143,607,379	13.13%
Admas	3,739,889,712	1,734,646,870	46.38%	1,391,506,712	37.21%	343,140,158	9.18%
Deuel	436,344,061	260,354,300	59.67%	227,582,393	52.16%	32,771,907	7.51%
Cheyenne	1,555,635,012	609,850,824	39.20%	524,640,241	33.73%	85,210,583	5.48%
Colfax	1,845,071,591	1,216,844,785	65.95%	1,071,076,934	58.05%	145,767,851	7.90%
Thurston	1,050,010,013	839,673,135	79.97%	721,262,444	68.69%	118,410,691	11.28%
Scotts Bluff	2,779,890,512	494,105,008	17.77%	413,209,090	14.86%	80,895,918	2.91%
Cherry	1,934,898,535	1,532,752,277	79.22%	1,523,250,115	78.73%	9,502,162	0.49%
Saunders	3,655,133,768	1,924,635,345	52.66%	1,735,519,971	47.48%	189,115,374	5.17%

AMENDMENTS TO LB259



Introduced by

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

3 Section 1. Section 25-1577, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 25-1577 (1) Except as provided in subsection (2) of this section,
6 if ~~If~~ any person, party, or witness disobeys ~~disobey~~ an order of the
7 judge or referee, duly served, such person, party, or witness may be
8 punished by the judge as for contempt, and if a party, he or she shall be
9 committed to the jail of the county wherein the proceedings are pending
10 until he or she complies ~~shall comply~~ with such order; or, in case he or
11 she has, since the service of such order upon him or her, rendered it
12 impossible for him or her to comply therewith, until he or she has
13 restored to the opposite party what such party has lost by such
14 disobedience, or until discharged by due course of law.

15 (2) No imprisonment related to the debt collection process shall be
16 allowed unless, after a hearing, a judgment debtor is found to be in
17 willful contempt of court. A judgment debtor shall not be committed to
18 jail for failing to appear pursuant to section 25-1565 unless, after
19 service of an order to appear and show cause as to why the judgment
20 debtor should not be found in contempt for failing to appear, the
21 judgment debtor is found to be in willful contempt.

22 (3) An indigent judgment debtor shall be entitled to representation
23 by court-appointed counsel for contempt proceedings under this section if
24 imprisonment is a possibility.

25 Sec. 2. Section 29-901, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 29-901 (1) Anyailable defendant shall be ordered released from

1 custody pending judgment on his or her personal recognizance unless the
2 judge determines in the exercise of his or her discretion that such a
3 release will not reasonably assure the appearance of the defendant as
4 required or that such a release could jeopardize the safety and
5 maintenance of evidence or the safety of victims, witnesses, or other
6 persons in the community. The court shall consider all methods of bond
7 and conditions of release to avoid pretrial incarceration. If the court
8 imposes an appearance bond requiring payment of deposit, the court shall
9 appoint counsel to represent such defendant upon finding that the
10 defendant is indigent. If ~~When such determination is made,~~ the judge
11 ~~determines that the defendant shall not be released on his or her~~
12 ~~personal recognizance, the judge shall consider the defendant's financial~~
13 ~~ability to pay a bond and shall impose the least onerous of the following~~
14 ~~conditions that will reasonably assure the defendant's appearance or that~~
15 ~~will eliminate or minimize the risk of harm to others or the public at~~
16 ~~large either in lieu of or in addition to such a release impose the first~~
17 ~~of the following conditions of release which will reasonably assure the~~
18 ~~appearance of the person for trial or, if no single condition gives that~~
19 ~~assurance, any combination of the following conditions:~~

20 (a) ~~(1)~~ Place the defendant in the custody of a designated person or
21 organization agreeing to supervise the defendant;

22 (b) ~~(2)~~ Place restrictions on the travel, association, or place of
23 abode of the defendant during the period of such release; or

24 (c) ~~(3)~~ Require, at the option of any bailable defendant, either of
25 the following:

26 (i) ~~(a)~~ The execution of an appearance bond in a specified amount
27 and the deposit with the clerk of the court in cash of a sum not to
28 exceed ten percent of the amount of the bond, ninety percent of such
29 deposit to be returned to the defendant upon the performance of the
30 appearance or appearances and ten percent to be retained by the clerk as
31 appearance bond costs, except that when no charge is subsequently filed

1 against the defendant or if the charge or charges which are filed are
2 dropped before the appearance of the defendant which the bond was to
3 assure, the entire deposit shall be returned to the defendant. If the
4 bond is subsequently reduced by the court after the original bond has
5 been posted, no additional appearance bond costs shall be retained by the
6 clerk. The difference in the appearance bond costs between the original
7 bond and the reduced bond shall be returned to the defendant. In no event
8 shall the deposit be less than twenty-five dollars. Whenever jurisdiction
9 is transferred from a court requiring an appearance bond under this
10 subdivision to another state court, the transferring court shall transfer
11 the ninety percent of the deposit remaining after the appearance bond
12 costs have been retained. No further costs shall be levied or collected
13 by the court acquiring jurisdiction; or

14 (ii) ~~(b)~~ The execution of a bail bond with such surety or sureties
15 as shall seem proper to the judge or, in lieu of such surety or sureties,
16 at the option of such person, a cash deposit of such sum so fixed,
17 conditioned for his or her appearance before the proper court, to answer
18 the offense with which he or she may be charged and to appear at such
19 times thereafter as may be ordered by the proper court. The cash deposit
20 shall be returned to the defendant upon the performance of all
21 appearances.

22 (2) If the amount of bail is deemed insufficient by the court before
23 which the offense is pending, the court may order an increase of such
24 bail and the defendant shall provide the additional undertaking, written
25 or cash, to secure his or her release. All recognizances in criminal
26 cases shall be in writing and be continuous from term to term until final
27 judgment of the court in such cases and shall also extend, when the court
28 has suspended execution of sentence for a limited time, as provided in
29 section 29-2202, or, when the court has suspended execution of sentence
30 to enable the defendant to apply for a writ of error to the Supreme Court
31 or Court of Appeals, as provided in section 29-2301, until the period of

1 suspension has expired. When two or more indictments or informations are
2 returned against the same person at the same term of court, the
3 recognizance given may be made to include all offenses charged therein.
4 Each surety on such recognizance shall be required to justify under oath
5 in a sum twice the amount of such recognizance and give the description
6 of real estate owned by him or her of a value above encumbrance equal to
7 the amount of such justification and shall name all other cases pending
8 in which he or she is a surety. No one shall be accepted as surety on
9 recognizance aggregating a sum in excess of his or her equity in the real
10 estate, but such recognizance shall not constitute a lien on the real
11 estate described therein until judgment is entered thereon against such
12 surety. ~~or~~

13 (3) In order to assure compliance with the conditions of release
14 referred to in subsection (1) of this section, the court may order a
15 defendant to be supervised by an approved person or organization or a
16 pretrial services program. A court shall waive any fees or costs
17 associated with the conditions of release or supervision if the court
18 finds the defendant is unable to pay for such costs. Eligibility for
19 release or supervision by such pretrial release program shall under no
20 circumstances be conditioned upon the defendant's ability to pay. While
21 under supervision of an approved entity, and in addition to the
22 conditions of release referred to in subsection (1) of this section, the
23 court may impose the following conditions:

24 (a) Periodic telephone contact by the defendant with the
25 organization or pretrial services program;

26 (b) Periodic office visits by the defendant to the organization or
27 pretrial services program;

28 (c) Periodic visits to the defendant's home by the organization or
29 pretrial services program;

30 (d) Mental health or substance abuse treatment for the defendant,
31 including residential treatment, if the defendant consents or agrees to

1 the treatment;

2 (e) Periodic alcohol or drug testing of the defendant;

3 (f) Domestic violence counseling for the defendant, if the defendant
4 consents or agrees to the counseling;

5 (g) Electronic or global-positioning monitoring of the defendant;
6 and

7 (h) Any other supervision techniques shown by research to increase
8 court appearance and public safety rates for defendants released on bond.

9 (4) The incriminating results of any drug or alcohol test or any
10 information learned by a representative of an organization or program
11 shall not be admissible in any proceeding, except for a proceeding
12 relating to revocation or amendment of conditions of bond release.

13 ~~(4) Impose any other condition deemed reasonably necessary to assure~~
14 ~~appearances as required, including a condition requiring that the~~
15 ~~defendant return to custody after specified hours.~~

16 Sec. 3. Section 29-901.01, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 29-901.01 In determining which condition or conditions of release
19 shall reasonably assure appearance and deter possible threats to the
20 safety and maintenance of evidence or the safety of victims, witnesses,
21 or other persons in the community, the judge shall, on the basis of
22 available information, consider the defendant's financial ability to pay
23 in setting the amount of bond. The judge may also take into account the
24 nature and circumstances of the offense charged, including any
25 information to indicate that the defendant might engage in additional
26 criminal activity or pose a threat to himself or herself, yet to be
27 collected evidence, alleged victims, potential witnesses, or members of
28 the general public, the defendant's family ties, employment, ~~financial~~
29 ~~resources, character and mental condition,~~ the length of the defendant's
30 residence in the community, the defendant's record of criminal
31 convictions, and the defendant's record of appearances at court

1 proceedings or of flight to avoid prosecution or of failure to appear at
2 court proceedings.

3 Sec. 4. Section 29-1823, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 29-1823 (1) If at any time prior to trial it appears that the
6 accused has become mentally incompetent to stand trial, such disability
7 may be called to the attention of the district or county court by the
8 county attorney or city attorney, by the accused, or by any person for
9 the accused. The judge of the district or county court of the county
10 where the accused is to be tried shall have the authority to determine
11 whether or not the accused is competent to stand trial. The ~~district~~
12 judge may also cause such medical, psychiatric, or psychological
13 examination of the accused to be made as he or she deems warranted and
14 hold such hearing as he or she deems necessary. The cost of the
15 examination, when ordered by the court, shall be the expense of the
16 county in which the crime is charged. The ~~district~~ judge may allow any
17 physician, psychiatrist, or psychologist a reasonable fee for his or her
18 services, which amount, when determined by the ~~district~~ judge, shall be
19 certified to the county board which shall cause payment to be made.
20 Should the ~~district~~ judge determine after a hearing that the accused is
21 mentally incompetent to stand trial and that there is a substantial
22 probability that the accused will become competent within the foreseeable
23 future, the ~~district~~ judge shall order the accused to be committed to a
24 state hospital for the mentally ill or some other appropriate state-owned
25 or state-operated facility for appropriate treatment until such time as
26 the disability may be removed.

27 (2) Within six months after the commencement of the treatment
28 ordered by the district or county court, and every six months thereafter
29 until either the disability is removed or other disposition of the
30 accused has been made, the court shall hold a hearing to determine (a)
31 whether the accused is competent to stand trial or (b) whether or not

1 there is a substantial probability that the accused will become competent
2 within the foreseeable future.

3 (3) If it is determined that there is not a substantial probability
4 that the accused will become competent within the foreseeable future,
5 then the state shall either (a) commence the applicable civil commitment
6 proceeding that would be required to commit any other person for an
7 indefinite period of time or (b) release the accused. If during the
8 period of time between the six-month review hearings set forth in
9 subsection (2) of this section it is the opinion of the Department of
10 Health and Human Services that the accused is competent to stand trial,
11 the department shall file a report outlining its opinion with the court,
12 and within twenty-one days after such report being filed, the court shall
13 hold a hearing to determine whether or not the accused is competent to
14 stand trial. The state shall pay the cost of maintenance and care of the
15 accused during the period of time ordered by the court for treatment to
16 remove the disability.

17 Sec. 5. Section 29-2206, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 29-2206 (1)(a) ~~(1)~~ In all cases in which courts or magistrates have
20 now or may hereafter have the power to punish offenses, either in whole
21 or in part, by requiring the offender to pay fines or costs, or both,
22 such courts or magistrates may make it a part of the sentence that the
23 party stand committed and be imprisoned in the jail of the proper county
24 until the fines or costs are paid or secured to be paid or the offender
25 is otherwise discharged according to law if the court or magistrate
26 determines that the offender has the financial ability to pay such fines
27 or costs. The court or magistrate may make such determination at the
28 sentencing hearing or at a separate hearing prior to sentencing. A
29 separate hearing shall not be required. In making such determination, the
30 court or magistrate may consider the information or evidence adduced in
31 an earlier proceeding pursuant to section 29-3902, 29-3903, 29-3906, or

1 29-3916. At any such hearing, the offender shall have the opportunity to
2 present information as to his or her income, assets, debts, or other
3 matters affecting his or her financial ability to pay. Following such
4 hearing and prior to imposing sentence, the court or magistrate shall
5 determine the offender's financial ability to pay the fines or costs,
6 including his or her financial ability to pay in installments under
7 subsection (2) of this section.

8 (b) If the court or magistrate determines that the offender is
9 financially able to pay the fines or costs and the offender refuses to
10 pay, the court or magistrate may:

11 (i) Make it a part of the sentence that the offender stand committed
12 and be imprisoned in the jail of the proper county until the fines or
13 costs are paid or secured to be paid or the offender is otherwise
14 discharged according to law; or

15 (ii) Order the offender, in lieu of paying such fines or costs, to
16 complete community service for a specified number of hours pursuant to
17 sections 29-2277 to 29-2279.

18 (c) If the court or magistrate determines that the offender is
19 financially unable to pay the fines or costs, the court or magistrate:

20 (i) Shall either:

21 (A) Impose a sentence without such fines or costs; or

22 (B) Enter an order pursuant to subdivision (1)(d) of this section
23 discharging the offender of such fines or costs; and

24 (ii) May order, as a term of the offender's sentence or as a
25 condition of probation, that he or she complete community service for a
26 specified number of hours pursuant to sections 29-2277 to 29-2279.

27 (d) An order discharging the offender of any fines or costs shall be
28 set forth in or accompanied by a judgment entry. Such order shall operate
29 as a complete release of such fines or costs.

30 (2) If Notwithstanding subsection (1) of this section, when any
31 offender demonstrates to the court or magistrate determines, pursuant to

1 subsection (1) of this section, that an offender he or she is financially
2 unable to pay such fines or costs in one lump sum but is financially
3 capable of paying in installments, the court or magistrate shall make
4 arrangements suitable to the court or magistrate and to the offender by
5 which the offender may pay in installments. The court or magistrate shall
6 enter an order specifying the terms of such arrangements and the dates on
7 which payments are to be made. When the judgment of conviction provides
8 for the suspension or revocation of a motor vehicle operator's license
9 and the court authorizes the payment of fines or costs by installments,
10 the revocation or suspension shall be effective as of the date of
11 judgment.

12 (3) As an alternative to a lump-sum payment or as an alternative or
13 in conjunction with installment payments, the court or magistrate may
14 deduct fines or costs from a bond posted by the offender to the extent
15 that such bond is not otherwise encumbered by a valid lien, levy,
16 execution, or assignment to counsel of record or the person who posted
17 the bond.

18 Sec. 6. Section 29-2206.01, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 29-2206.01 Installments provided for in section 29-2206 shall be
21 paid pursuant to the order entered by the court or magistrate. Any person
22 who fails to comply with the terms of such order shall be liable for
23 punishment for contempt, unless such person ~~he~~ has the leave of the court
24 or magistrate in regard to such noncompliance or such person requests a
25 hearing pursuant to section 29-2412 and establishes at such hearing that
26 he or she is financially unable to pay.

27 Sec. 7. Section 29-2277, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 29-2277 As used in sections 29-2277 to 29-2279, unless the context
30 otherwise requires:

31 (1) Agency means ~~shall mean~~ any public or governmental unit,

1 institution, division, or agency or any private nonprofit organization
2 which provides services intended to enhance the social welfare or general
3 well-being of the community, which agrees to accept community service
4 from offenders and to supervise and report the progress of such community
5 service to the court or its representative; ~~and~~

6 (2) Community correctional facility or program has the same meaning
7 as in section 47-621; and

8 (3) (2) Community service means shall mean uncompensated labor for
9 an agency to be performed by an offender when the offender is not working
10 or attending school.

11 Sec. 8. Section 29-2278, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 29-2278 An offender may be sentenced to community service (1) as an
14 alternative to a fine, incarceration, or supervised probation, or in lieu
15 of incarceration if he or she fails to pay a fine as ordered, except when
16 the violation of a misdemeanor or felony requires mandatory incarceration
17 or imposition of a fine, (2) as a condition of probation, or (3) in
18 addition to any other sanction. The court or magistrate shall establish
19 the terms and conditions of community service including, but not limited
20 to, a reasonable time limit for completion. The performance or completion
21 of a sentence of community service or an order to complete community
22 service may be supervised or confirmed by a community correctional
23 facility or program or another similar entity, as ordered by the court or
24 magistrate. If an offender fails to perform community service as ordered
25 by the court or magistrate, he or she may be arrested and after a hearing
26 may be resentenced on the original charge, have probation revoked, or be
27 found in contempt of court. No person convicted of an offense involving
28 serious bodily injury or sexual assault shall be eligible for community
29 service.

30 Sec. 9. Section 29-2279, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 29-2279 The length of a community service sentence shall be as
2 follows:

3 (1) Pursuant to section 29-2206, 29-2412, or section 12 of this act,
4 for an infraction, not less than four nor more than twenty hours;

5 (2) For a violation of a city ordinance that is an infraction and
6 not pursuant to section 29-2206, 29-2412, or section 12 of this act, not
7 less than four hours;

8 (3) ~~(1)~~ For a Class IV or Class V misdemeanor, not less than four
9 nor more than eighty hours;

10 (4) ~~(2)~~ For a Class III or Class IIIA misdemeanor, not less than
11 eight nor more than one hundred fifty hours;

12 (5) ~~(3)~~ For a Class I or Class II misdemeanor, not less than twenty
13 nor more than four hundred hours;

14 (6) ~~(4)~~ For a Class IIIA or Class IV felony, not less than two
15 hundred nor more than three thousand hours; and

16 (7) ~~(5)~~ For a Class III felony, not less than four hundred nor more
17 than six thousand hours.

18 Sec. 10. Section 29-2404, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 29-2404 In all cases of misdemeanor in which courts or magistrates
21 shall have power to fine any offender, and shall render judgment for such
22 fine, it shall be lawful to issue executions for the same, with the costs
23 taxed against the offender, to be levied on the goods and chattels of any
24 such offender, and, for want of the same, upon the body of the offender,
25 who shall, following a determination that the offender has the financial
26 ability to pay such fine pursuant to section 29-2412, thereupon be
27 committed to the jail of the proper county until the fine and costs be
28 paid, or secured to be paid, or the offender be otherwise discharged
29 according to law.

30 Sec. 11. Section 29-2412, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 29-2412 (1) Beginning July 1, 2018:

2 (a) Any person arrested and brought into custody on a warrant for
3 failure to pay fines or costs, for failure to appear before a court or
4 magistrate on the due date of such fines or costs, or for failure to
5 comply with the terms of an order pursuant to sections 29-2206 and
6 29-2206.01, shall be entitled to a hearing on the first regularly
7 scheduled court date following the date of arrest. The purpose of such
8 hearing shall be to determine the person's financial ability to pay such
9 fines or costs. At the hearing, the person shall have the opportunity to
10 present information as to his or her income, assets, debts, or other
11 matters affecting his or her financial ability to pay. Following the
12 hearing, the court or magistrate shall determine the person's ability to
13 pay the fines or costs, including his or her financial ability to pay by
14 installment payments as described in section 29-2206;

15 (b) If the court or magistrate determines that the person is
16 financially able to pay the fines or costs and the person refuses to pay,
17 the court or magistrate may:

18 (i) Order the person to be confined in the jail of the proper county
19 until the fines or costs are paid or secured to be paid or the person is
20 otherwise discharged pursuant to subsection (4) of this section; or

21 (ii) Enter an order pursuant to subdivision (1)(d) of this section
22 discharging the person of such fines or costs and order the person to
23 complete community service for a specified number of hours pursuant to
24 sections 29-2277 to 29-2279;

25 (c) If the court or magistrate determines that the person is
26 financially unable to pay the fines or costs, the court or magistrate:

27 (i) Shall either:

28 (A) Enter an order pursuant to subdivision (1)(d) of this section
29 discharging the person of such fines or costs; or

30 (B) If the person is subject to an order to pay installments
31 pursuant to section 29-2206, the court or magistrate shall either enter

1 an order pursuant to subdivision (1)(d) of this section discharging the
2 person of such obligation or make any necessary modifications to the
3 order specifying the terms of the installment payments as justice may
4 require and that will enable the person to pay the fines or costs; and

5 (ii) May order the person to complete community service for a
6 specified number of hours pursuant to sections 29-2277 to 29-2279; and

7 (d) An order discharging the person of fines or costs shall be set
8 forth in or accompanied by a judgment entry. Such order shall operate as
9 a complete release of such fines or costs.

10 (2) (1) Whenever it is made satisfactorily to appear to the district
11 court, or to the county judge of the proper county, after all legal means
12 have been exhausted, that any person who ~~is subject to being or~~ is
13 confined in jail for any ~~fine~~ fines or costs of prosecution for any
14 criminal offense has no estate with which to pay such ~~fine~~ fines or
15 costs, it shall be the duty of such court or judge, on his or her own
16 motion or upon the motion of the person so confined, to discharge such
17 person from further imprisonment for such ~~fine~~ fines or costs, which
18 discharge shall operate as a complete release of such ~~fine~~ fines or
19 costs.

20 (3) (2) Nothing in this section shall authorize any person to be
21 discharged from imprisonment before the expiration of the time for which
22 he or she may be sentenced to be imprisoned, as part of his or her
23 punishment, ~~or when such person shall default on a payment due pursuant~~
24 ~~to an installment agreement arranged by the court.~~

25 (4)(a) (3) Any person held in custody for nonpayment of a ~~fine~~ fines
26 or costs or for default on an installment shall be entitled to a credit
27 on the ~~fine~~ fines, costs, or installment of one hundred fifty ninety
28 dollars for each day so held.

29 (b) In no case shall a person held in custody for nonpayment of a
30 ~~fine~~ fines or costs be held in such custody for more days than the
31 maximum number to which he or she could have been sentenced if the

1 penalty set by law includes the possibility of confinement.

2 Sec. 12. (1) A person who has been ordered to pay fines or costs
3 and who has not been arrested or brought into custody as described in
4 subdivision (1)(a) of section 29-2412 but who believes himself or herself
5 to be financially unable to pay such fines or costs may request a hearing
6 to determine such person's financial ability to pay such fines or costs.
7 The hearing shall be scheduled on the first regularly scheduled court
8 date following the date of the request. Pending the hearing, the person
9 shall not be arrested or brought into custody for failure to pay such
10 fines or costs or failure to appear before a court or magistrate on the
11 due date of such fines or costs.

12 (2) At the hearing, the person shall have the opportunity to present
13 information as to his or her income, assets, debts, or other matters
14 affecting his or her financial ability to pay. Following the hearing, the
15 court or magistrate shall determine the person's financial ability to pay
16 the fines or costs, including his or her financial ability to pay in
17 installments as described in section 29-2206.

18 (3) If the court or magistrate determines that the person is
19 financially able to pay the fines or costs and the person refuses to pay,
20 the court or magistrate may:

21 (a) Deny the person's request for relief; or

22 (b) Enter an order pursuant to subsection (5) of this section
23 discharging the person of such fines or costs and order the person to
24 complete community service for a specified number of hours pursuant to
25 sections 29-2277 to 29-2279.

26 (4) If the court or magistrate determines that the person is
27 financially unable to pay the fines or costs, the court or magistrate:

28 (a) Shall either:

29 (i) Enter an order pursuant to subsection (5) of this section
30 discharging the person of such fines or costs; or

31 (ii) If the person is subject to an order to pay installments

1 pursuant to section 29-2206, the court or magistrate shall either enter
2 an order pursuant to subsection (5) of this section discharging the
3 person of such obligation or make any necessary modifications to the
4 order specifying the terms of the installment payments as justice may
5 require and that will enable the person to pay the fines or costs; and

6 (b) May order the person to complete community service for a
7 specified number of hours pursuant to sections 29-2277 to 29-2279.

8 (5) An order discharging the person of fines or costs shall be set
9 forth in or accompanied by a judgment entry. Such order shall operate as
10 a complete release of such fines or costs.

11 Sec. 13. Section 60-4,100, Revised Statutes Cumulative Supplement,
12 2016, is amended to read:

13 60-4,100 ~~(1) The director shall suspend the operator's license of~~
14 ~~any resident of this state:~~

15 (1) Any resident of this state who (a) who has violated a promise to
16 comply with the terms of a traffic citation issued by a law enforcement
17 officer for a moving violation in any jurisdiction outside this state
18 pursuant to the Nonresident Violator Compact of 1977 or in any
19 jurisdiction inside this state shall be subject to having his or her
20 operator's license revoked pursuant to this section. until satisfactory
21 evidence of compliance with the terms of the citation has been furnished
22 to the director; or

23 ~~(b) who has violated a promise to comply with the terms of a traffic~~
24 ~~citation issued by a law enforcement officer for a moving violation in~~
25 ~~any jurisdiction inside this state until satisfactory evidence of~~
26 ~~compliance with the terms of the citation has been furnished to the~~
27 ~~director.~~

28 (2) The court having jurisdiction over the offense for which the
29 citation has been issued shall notify the director of a resident's
30 violation of a promise to comply with the terms of the citation ~~only~~
31 after thirty ~~twenty~~ working days have elapsed from the date of the

1 failure to comply, unless within such thirty working days the resident
2 appears before the clerk of the county court having jurisdiction over the
3 offense to request a hearing pursuant to subsection (3) of this section
4 to establish that such resident lacks the financial ability to pay the
5 citation.

6 (3) A hearing requested under subsection (2) of this section shall
7 be set before the court or magistrate on the first regularly scheduled
8 court date following the request. At the hearing, the resident shall have
9 the opportunity to present information as to his or her income, assets,
10 debts, or other matters affecting his or her financial ability to pay the
11 citation. Following the hearing, the court or magistrate shall determine
12 the resident's financial ability to pay the citation, including his or
13 her financial ability to pay in installments.

14 (4)(a) Except as provided in subdivision (4)(c) of this section, if
15 the court or magistrate determines under subsection (3) of this section
16 that the resident is financially able to pay the citation and the
17 resident refuses to pay, the court or magistrate shall either:

18 (i) Notify the director of the resident's violation of a promise to
19 comply with the terms of the citation; or

20 (ii) Postpone the hearing for a period of no more than one month
21 during which period the court or magistrate may order the resident to
22 complete such hours of community service as the court or magistrate deems
23 appropriate, subject to a total limit of twenty hours. At the end of such
24 period, if the resident has completed such community service to the
25 satisfaction of the court or magistrate, the court or magistrate shall
26 enter an order pursuant to subsection (5) of this section discharging the
27 resident of the obligation to pay such citation. If the resident has not
28 completed such community service to the satisfaction of the court or
29 magistrate, the court or magistrate shall notify the director of the
30 resident's violation of a promise to comply with the terms of the
31 citation. A hearing may only be postponed once under this subdivision.

1 (b) If the court or magistrate determines under subsection (3) of
2 this section that the resident is financially unable to pay the citation,
3 the court or magistrate shall either:

4 (i) Enter an order pursuant to subsection (5) of this section
5 discharging the resident of the obligation to pay such citation;

6 (ii) Postpone the hearing for a period of no more than one month
7 during which period the court or magistrate may order the resident to
8 complete such hours of community service as the court or magistrate deems
9 appropriate, subject to a total limit of twenty hours. At the end of such
10 period, if the resident has completed such community service to the
11 satisfaction of the court or magistrate, the court or magistrate shall
12 enter an order pursuant to subsection (5) of this section discharging the
13 resident of the obligation to pay such citation. If the resident has not
14 completed such community service to the satisfaction of the court or
15 magistrate, the court or magistrate shall notify the director of the
16 resident's violation of a promise to comply with the terms of the
17 citation. A hearing may only be postponed once under this subdivision.

18 (c) If the court or magistrate determines under subsection (3) of
19 this section that the resident is financially able to pay in installments
20 and the resident agrees to make such payments, the court or magistrate
21 shall make arrangements suitable to the court or magistrate and to the
22 resident by which the resident may pay in installments. The court or
23 magistrate shall enter an order specifying the terms of such arrangements
24 and the dates on which payments are to be made. If the resident fails to
25 pay an installment, the court or magistrate shall notify the director of
26 the resident's violation of a promise to comply with the terms of the
27 citation unless the resident requests a hearing from the clerk of the
28 county court on or before ten working days after such installment was
29 due. At the hearing, the resident shall show good cause for such failure,
30 including financial inability to pay. If, following such hearing, the
31 court or magistrate finds:

1 (i) That the resident has not demonstrated good cause for such
2 failure, the court or magistrate shall either notify the director of the
3 resident's violation of a promise to comply with the terms of the
4 citation or postpone the hearing and order community service pursuant to
5 subdivision (4)(a)(ii) of this section;

6 (ii) That the resident remains financially able to pay but has
7 demonstrated good cause for such missed installment, the court or
8 magistrate shall make any necessary modifications to the order specifying
9 the terms of the installment payments; or

10 (iii) That the resident has become financially unable to pay, the
11 court or magistrate shall enter an order discharging the resident of the
12 obligation to pay such citation pursuant to subsection (5) of this
13 section.

14 (5) An order discharging the resident of the obligation to pay a
15 traffic citation shall be set forth in or accompanied by a judgment
16 entry. Such order shall operate as a complete release of such payment
17 obligation.

18 (6) ~~(3)~~ Upon notice to the director that a resident has violated a
19 promise to comply with the terms of a traffic citation as provided in
20 this section, the director shall send ~~not suspend such resident's license~~
21 ~~until he or she has sent~~ written notice to such resident by regular
22 United States mail to the resident's ~~person's~~ last-known mailing address
23 or, if such address is unknown, to the last-known residence address of
24 such resident ~~person~~ as shown by the records of the department ~~Department~~
25 ~~of Motor Vehicles~~. Such notice shall state that such resident has twenty
26 working days after the postmark date of the notice to
27 show the director that the resident has complied with the terms of such
28 traffic citation
29 ~~. No suspension shall be entered by the director if the resident complies~~
30 ~~with the terms of a citation during such twenty working days.~~
31 If the resident fails to show the director that he or she has complied

1 with the terms of such traffic citation ~~comply~~ on or before twenty
2 working days after the postmark date of the notice, the director shall
3 summarily suspend the operator's license and issue an order. The order
4 shall be sent by regular United States mail to the resident's ~~person's~~
5 last-known mailing address as shown by the records of the department. The
6 suspension shall continue until the resident has furnished the director
7 with satisfactory evidence of compliance with the terms of the citation.

8 (7) ~~(4)~~ The reinstatement fee required under section 60-4,100.01
9 shall be waived if five years have passed since issuance of the license
10 suspension order under this section.

11 (8) The performance or completion of an order to complete community
12 service under this section may be supervised or confirmed by a community
13 correctional facility or program or another similar entity as ordered by
14 the court or magistrate.

15 (9) For purposes of this section:

16 (a) Agency means any public or governmental unit, institution,
17 division, or agency or any private nonprofit organization which provides
18 services intended to enhance the social welfare or general well-being of
19 the community, which agrees to accept community service from residents
20 under this section and to supervise and report the progress of such
21 community service to the court or magistrate;

22 (b) Community correctional facility or program has the same meaning
23 as in section 47-621; and

24 (c) Community service means uncompensated labor for an agency to be
25 performed by a resident when the resident is not working or attending
26 school.

27 Sec. 14. Section 60-692, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 60-692 When any person fails within thirty working ~~ten~~ days to
30 satisfy any judgment imposed for any traffic infraction, it shall be the
31 duty of the clerk of the court in which such judgment is rendered within

1 this state to transmit a copy of such judgment to the Department of Motor
2 Vehicles as provided in section 60-4,100 , ~~immediately after the~~
3 ~~expiration of such ten-day period, a copy of such judgment.~~

4 Sec. 15. Sections 5, 6, 7, 8, 9, 10, 12, 13, 14, and 17 of this act
5 become operative on July 1, 2018. The other sections of this act become
6 operative on their effective date.

7 Sec. 16. Original sections 25-1577, 29-901, 29-901.01, 29-1823, and
8 29-2412, Reissue Revised Statutes of Nebraska, are repealed.

9 Sec. 17. Original sections 29-2206, 29-2206.01, 29-2277, 29-2278,
10 29-2279, 29-2404, and 60-692, Reissue Revised Statutes of Nebraska, and
11 section 60-4,100, Revised Statutes Cumulative Supplement, 2016, are
12 repealed.



04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 1

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	Final Reading 04/12/2017 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	Sinner		Government, Military and Veterans Affairs 01/19/2017	Final Reading 04/10/2017 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	Select File 04/10/2017 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 indexing each notice of lien or certification of notice affecting lien on a property.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
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>
LB166	Kolterman		Health and Human Services 01/27/2017	Final Reading 04/10/2017 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	Final Reading 04/11/2017 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	Final Reading 04/05/2017 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	Select File 04/05/2017 Revenue Priority Bill	Change revenue, taxation, economic development, and tax incentive provisions <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> <i>Portions of LB49, LB228, LB238, LB288, LB387 & LB233 have been amended into LB217 via AM634.</i> Amended Bills: LB49, LB228, LB233, LB238, LB288, LB387
LB225	Crawford	Monitor	Health and Human Services 02/01/2017	Final Reading 04/10/2017 Crawford Priority Bill	Change provisions of the Child Protection and Family Safety Act, the Nebraska Juvenile Code, the Foster Care Review Act, and the Nebraska Strengthening Families Act as prescribed <i>LB225 allows the department to begin using alternative response statewide on the effective date of the act until December 31, 2020. LB225 also requires the department to provide to the Nebraska Children's Commission updates on an analysis that will examine the challenges, barriers, and opportunities that may occur if the alternative response implementation plan is made permanent.</i> <i>Portions of LB297 have been amended into LB225 via AM611. Portions of LB298 have been amended into LB225 via AM537. Portions of LB336 have been amended into LB225 via AM462.</i> Amended Bills: LB297, LB298, LB336

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
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	General File 03/23/2017 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>
LB259	Hansen		Judiciary 03/02/2017	General File 04/12/2017 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	Select File 03/31/2017 Transportation and Telecommunications Priority Bill	Change provisions relating to motor vehicles, the Public Service Commission, motor carriers, and the statewide one-call notification center <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>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 4

Document	Senator	Position	Committee	Status	Description
LB268	Schumacher		Judiciary 02/01/2017	General File 03/14/2017 Schumacher Priority Bill	Change court and other provisions relating to medical assistance reimbursement
					<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	Final Reading 04/10/2017 Geist Priority Bill	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><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>
LB289	Pansing Brooks		Judiciary 02/23/2017	Select File 03/31/2017 Judiciary Priority Bill	Change provisions and penalties relating to pandering, human trafficking, labor trafficking, and sex trafficking and prohibit solicitation of a trafficking victim

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.

Portions of LB188, LB178 & LB394 have been amended into LB289.

Amended Bills: LB178, LB188, LB394

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB291	Larson		Revenue 03/01/2017	Select File 04/10/2017 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	Select File 04/10/2017 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	Final Reading 04/11/2017 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 relevied or reassessed whenever the special assessment is found to be invalid and uncollectable. Portions of LB133 have been amended into LB317 via AM19.</i> Amended Bills: LB133
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>
LB337	Smith		Revenue 02/08/2017	In Committee 01/17/2017 Lindstrom Priority Bill	Change income tax rates and provide for deferrals of the rate changes. <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> <i>LB337 also adds additional tax bracket tables.</i>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 6

Document	Senator	Position	Committee	Status	Description
LB338	Brasch		Revenue 02/08/2017	In Committee 01/17/2017 Brasch Priority Bill	Adopt the Agricultural Valuation Fairness Act

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.

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.

LB339	Friesen		Transportation and Telecommunications 01/30/2017	Final Reading 04/10/2017 Transportation and Telecommunicati ons Priority Bill	Merge the Department of Aeronautics into the Department of Roads and rename as the Department of Transportation
-------	---------	--	--	--	---

LB389	Friesen		Transportation and Telecommunications 02/21/2017	In Committee 01/17/2017 Speaker Priority Bill	Adopt the Small Wireless Facilities Act
-------	---------	--	--	--	---

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.

LB415	Kolterman		Nebraska Retirement Systems 02/27/2017	General File 04/10/2017 Nebraska Retirement Systems Priority Bill	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
-------	-----------	--	--	--	--

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.

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.

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<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>
					<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 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. 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>
					<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 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>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<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>
LB417	Riepe		Health and Human Services 02/01/2017	Final Reading 04/12/2017 Riepe Priority Bill	Change and eliminate provisions relating to public health and welfare <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> <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> <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> <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>
LB427	Vargas		Education 01/30/2017	Select File 04/10/2017 Vargas Priority Bill	Require breastfeeding accommodations for student-parents <i>LB427 requires schools to provide private or appropriate facilities for accommodation for milk expression and storage for breast feeding student-mothers.</i>
LB432	Erdman		Government, Military and Veterans Affairs 01/26/2017	Final Reading 04/10/2017 Erdman Priority Bill	Change 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	Final Reading 04/11/2017 Walz Priority Bill	Prohibit cities and counties from canceling health insurance coverage for injured first responders as prescribed <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>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
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>
LB487	Morfeld		Judiciary 02/23/2017	Select File 04/05/2017 Judiciary Priority Bill	Provide and change immunity provisions relating to naloxone and asthma and allergic reactions and change provisions of the Uniform Controlled Substances Act <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> <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> <i>Portions of LB167, LB293, and LB296, as amended by AM276, have been amended into LB487 via AM568.</i> Amended Bills: LB167, LB293, LB296
LB496	Stinner		Urban Affairs 02/28/2017	General File 03/08/2017 Williams Priority Bill	Define and redefine terms under the Community Development Law <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>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB539	Krist		Executive Board 02/08/2017	Final Reading 04/10/2017 Executive Board Priority Bill	Change the Office of Inspector General of the Nebraska Correctional System Act <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 form 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>
LB578	McDonnell		Health and Human Services 03/15/2017	General File 04/10/2017 McDonnell Priority Bill	Change medicaid reimbursement provisions relating to ground emergency medical transportation <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> <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>
LB625	Larson	Monitor	Urban Affairs 02/14/2017	Final Reading 04/10/2017 Urban Affairs Priority Bill	Change the Property Assessed Clean Energy Act <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>
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 result ions 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>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 11

<u>Document</u>	<u>Senator</u>	<u>Position</u>	<u>Committee</u>	<u>Status</u>	<u>Description</u>
-----------------	----------------	-----------------	------------------	---------------	--------------------

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.



04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 1

Document	Senator	Position	Committee	Status	Description
LB7	Krist	Monitor	Judiciary 01/18/2017	In Committee 01/09/2017	Provide for suspension of medical assistance under the medical assistance program for detainees in public institutions <i>LB7, relating to jail and correctional facilities, would suspend medical assistance under the medical assistance program for detainees in a public institution. Currently, section 47-706 only suspends medical assistance to inmates of a public institution. LB7 would amend this section to cover detainees as well as inmates.</i>
LB8	Krist		Judiciary 01/18/2017	Approved by Governor 03/29/2017	Change and eliminate provisions relating to juvenile detention and probation and provide for graduated response sanctions and incentives <i>LB8 acts to change, eliminate, and harmonize provisions of the Nebraska Juvenile Code. LB8 also provides for a graduated response program, to replace the current administrative sanctions program, designed to utilize a series of sanctions, incentives, and services to facilitate a juvenile's continued progress toward changing behavior and successful completion of the probationary period. A state-wide standardized graduated response program may be developed by the Office of Probation Administration with the help of interested parties, such as judges, probations officers, county attorneys, defense attorneys, juveniles, and parents. Graduated response incentives should be designed to provide positive reinforcement as well as encourage and support positive behavior change and successful completion of the probationary period, including the possible reduction or elimination of imposed conditions. Sanctions should be immediate, certain, consistent, and fair in regards to the behavior that needs to be addressed.</i>
LB10	Krist		Judiciary 01/18/2017	Final Reading 03/20/2017	Increase number of judges of the separate juvenile court as prescribed <i>LB10 would increase, from five to six, the number of juvenile court judges in counties having four hundred thousand inhabitants or more.</i>
LB22	Scheer	Oppose	Appropriations 01/17/2017	Approved by Governor (E- Clause) 02/15/2017	To provide, change, and eliminate provisions relating to appropriations and to reduce appropriations <i>LB22 is the Governor's budget reduction bill for the remainder of FY2016-17.</i>
LB26	Murante		Judiciary 01/19/2017	In Committee 01/09/2017	Change service requirements for harassment protection orders <i>LB26 changes the requirement of service of notice for harassment protection orders. Service would not be required for prosecuting a violation of a protection order if the respondent has actual knowledge of the harassment protection order.</i>
LB27	Murante		Government, Military and Veterans Affairs 01/19/2017	In Committee 01/09/2017	Change requirements for state agency contracts and powers and duties of the Auditor of Public Accounts as prescribed <i>LB27 requires that all information requested by the auditor be received by September 20. Information not received by this date shall be deemed delinquent, and the auditor may assess the political subdivision a late fee of twenty dollars per day. Political subdivisions that fail to provide the requested information by September 20 will also be subject to an audit, based on the auditor's discretion. LB27 also adds a restriction that state agency contracts may not be amended to extend the duration of the contract for a period of more than fifty percent of the initial contract term. Purchasing or lease contracts entered into by the state purchasing bureau may also not be amended to extend the duration of the contract for a period of more than fifty percent of the initial contract term. LB27 also creates a duty of the Auditor of Public Accounts to assess a fourteen percent interest rate on delinquent payments of any fees for audits and services owed to the Auditor of Public Accounts. LB27 also allowed the Auditor of Public Accounts to share working papers with certain agencies during either an ongoing audit or after the completion of an audit.</i>
LB36	Harr		Government, Military and Veterans Affairs 01/20/2017	In Committee 01/09/2017	Provide for review by state agencies of occupational credentials and provide for a critical assessment document <i>LB36 makes additions to the Administrative Procedure Act. The purpose of LB36 is to require state agencies to review rules and regulations pertaining to the issuance of occupational credentials and complete and release a critical assessment document.</i> <i>Beginning January 1, 2018, The Department of Health and Human Services must review its rules and regulations pertaining to the issuance of occupational credentials. Beginning January 1, 2023, and every five years thereafter, the department must review those rules and regulations.</i> <i>Beginning January 1, 2019, the Department of Labor shall review its rules and regulations pertaining to the issuance of occupational credentials. Beginning January 1, 2014, and every five years thereafter, the department must review those rules and regulations.</i>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 2

Document	Senator	Position	Committee	Status	Description
					<i>Beginning January 1, 2020, every other agency must review its rules and regulations pertaining to the issuance of occupational credentials. Beginning January 1, 2025, and every five years thereafter, all agencies must review those rules and regulations.</i>
					<i>Section six of LB36 provides guidelines for agencies that are conducting a review of their rules and regulations and what things they should be looking for and addressing. A requirement of a public hearing is also included.</i>
LB43	Hilkemann		Transportation and Telecommunications 02/21/2017	In Committee 01/09/2017	Change provisions relating to surcharges for 911 service <i>LB43 limits the monthly surcharge that a governing body may impose on telephone numbers within the service area to one dollar per month. Wireless carriers may collect a surcharge of up to seventy cents.</i>
LB47	Watermeier	Support	Judiciary 01/19/2017	In Committee 01/09/2017	Change provisions relating to the payment of fees and costs associated with grand juries and the deaths of incarcerated persons <i>LB47 allows for all costs of an autopsy or grand jury to be paid by the county in which the person died, unless the person died in a state correctional facility. Compensation to those serving on a grand jury will also be paid by the county, unless the case involves an inmate who died while serving a sentence a state correctional facility.</i>
LB51	Schumacher	Neutral	Revenue 01/19/2017	General File 03/15/2017	Change provisions relating to sales of real property for nonpayment of taxes <i>LB51 allows land banks to offer to pay the amount of taxes, interest, and costs due on the real property that is for sale, and bid an interest rate as described in section 77-1807. Automatically accepted bids from a land bank must include an offer to pay and an interest rate bid. LB51 eliminates provisions that have expired and a provision permitting a round robin format for the sale of real estate. LB51 prohibits bidders at public auctions from colluding with each other to obtain an unfair interest rate. Sales that are the product of collusion are voidable by the county board. LB51 further stipulates how interest will be allocated upon the sale of real estate.</i>
LB53	Schumacher		Judiciary 02/08/2017	In Committee 01/09/2017	Change provisions relating to mandatory minimum sentencing and sentencing of habitual criminals <i>LB53 allows sentencing judges, when they feel that imposition of a mandatory minimum sentence to be improper, to order a three-judge panel to determine whether are not the mandatory minimum is proper and what the proper sentence should be. Sentencing judges would also be allowed to conduct hearings that will aid their determination whether the mandatory minimum sentence is proper. Arguments may be presented by each attorney during the determination of a proper sentence.</i>
LB55	Schumacher		Transportation and Telecommunications 01/30/2017	In Committee 01/09/2017	Change a duty of landowners relating to the frequency of mowing roadside weeds <i>LB55 requires landowners to mow to the middle of all public roads and drainage ditches along their lands at least three times each year. The first before June 5, the second before July 10, and the third before August 15.</i>
LB66	Hansen		Banking, Commerce and Insurance 02/28/2017	In Committee 01/09/2017	Change provisions relating to stacking of coverage under the Uninsured and Underinsured Motorist Insurance Coverage Act <i>LB66 permits the stacking of separate policies for individuals living together when determining the limit of insurance coverage available to an injured person for any one accident.</i>
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>
LB71	Pansing Brooks		Appropriations 02/27/2017	In Committee 01/09/2017	Change appropriations relating to the Nebraska Tree Recovery Program <i>LB71 changes the appropriation from two hundred fifty thousand to three million dollars from the general fund in order to fund tree removal, disposal, and replacement.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
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	Final Reading 04/12/2017 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>
LB76	Wayne		Government, Military and Veterans Affairs 03/01/2017	In Committee 01/09/2017	Require notice for Secretary of State regarding completion of felony sentence for purposes of voting rights <i>After completion of a probationary period, LB76 requires a copy of the order that releases the felon from his probation to be provided to the Secretary of State no later than ten days after the order is given. The Secretary of State will then make not of the completion of the felony sentence upon receipt of an abstract from the Department of Corrections. The clerk of any court in which a person was convicted must also complete an abstract detailing who has completed their felony sentence and who is not included in the order to restore civil rights after completion of their probationary period. The department is also to prepare an abstract each month reflecting which person have completed their probationary period and deliver it to the Secretary of State. The parol administrator must also prepare an abstract each month that reflects each person which a felony conviction who has completed their parole term.</i>
LB78	Crawford		Transportation and Telecommunications 01/30/2017	General File 03/02/2017	Change provisions relating to relinquishment or abandonment of any portion of a state highway system <i>LB78 allows for department, political, and governmental subdivisions to negotiate the terms or conditions of any relinquishment of a public highway that the state has decided to abandon. This petition and a written memorandum of understanding will be filed as a public record. After the filing of the petition and memorandum, the section of the highway becomes the responsibility of the subdivision. If there is an unforeseen economic change, the subdivision is allowed to request a renegotiation of the terms and conditions of the relinquishment.</i>
LB80	Blood		Government, Military and Veterans Affairs 01/18/2017	Approved by Governor 03/08/2017	Provide for unclassified service under the County Civil Service Act <i>LB80 includes Law clerks and students employed by the county attorney or public defender as unclassified service under the County Civil Service Act.</i>
LB81	Blood	Support	Judiciary 02/02/2017	General File 02/06/2017	Change the application fee for handgun certificates <i>LB81 changes the fee charged for each application for a handgun certification from five dollars to twenty-five dollars.</i>
LB86	Blood		Transportation and Telecommunications 01/23/2017	General File 02/06/2017	Eliminate a requirement regarding opening bridge bids <i>LB86 eliminates the requirement that bridge bids be opened in the presence of the county board.</i>
LB89	Hughes		Government, Military and Veterans Affairs 01/19/2017	General File 02/02/2017	Change published notice of hearing requirements under the Nebraska Budget Act as prescribed <i>LB89 changes the requirement for notice of a public hearing from five days to four calendar days. Four calendar days will include the date of publication but not the day of the hearing.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB90	Hughes		Government, Military and Veterans Affairs 01/19/2017	In Committee 01/09/2017	Require public entity provide accommodations where Auditor of Public Accounts employee conducts audit or examination <i>LB90 requires public entities to provide suitable accommodations when any employee of the Auditor of Public Accounts conducts an audit or examination of them.</i>
LB93	Hansen		Judiciary 01/19/2017	General File 02/06/2017	Adopt the Automatic License Plate Reader Privacy Act <i>LB93 adopts the Automatic License Plate Reader Privacy Act. The act provides that an automatic license plate reader system may only be used by a law enforcement agency as an alert for the purpose of identification, by a parking enforcement entity for regulating the use of a parking facility, for the purposes of controlling access to a secured area, for the purpose of electronic toll collection, and to assist weighing stations in performing their duties. The data captured from an automatic license plate reader system may not be retained except for situations specified in section 4 of the act. Any government entity that does use an automatic license plate reader must adopt a use policy and display that policy on their website, adopt a privacy policy to ensure that the captured information is not shared in violation of this act, and report annually to the Nebraska Commission on Law Enforcement and Criminal Justice on its automatic license plate reader practices and usage. The report should follow the specifications outlined in subsection (3)(a) of section 6 of this act. Plate data that is capture and evidence derived therefrom ay not be received into evidence in any trial, hearing, or other proceeding, and any person who violates this act will be subject to damages.</i>
LB95	Crawford		Urban Affairs 02/28/2017	In Committee 01/09/2017	Change provisions relating to the Community Development Law and tax-increment financing <i>LB95 requires that each city which has approved one or more redevelopment plans which are financed in whole or in part through the use of tax-increment financing to establish an auditing plan to provide for regular review of each such redevelopment plan. The Auditor of Public Accounts has the power to audit, or cause to be audited, any authority established when the Auditor determines such an audit is necessary or when requested by the governing body.</i> <i>LB95 also requires that, prior to declaring an area in need of development, the governing body must conduct a study or analysis on whether the area is substandard and blighted. A public hearing will also be conducted on this question, with proper notice given to the community. Each neighborhood association that desires to receive such notice must register with their city's planning department the area they would wish to be notified on.</i> <i>LB95 requires that redevelopment plans that include the use of tax-increment financing shall not provide for the reimbursement of costs incurred prior to the approval of the redevelopment plan, except those costs related to the preparation of the redevelopment plan, the substandard and blighted study, or the cost-benefit analysis.</i> <i>Redevelopment plans which include the use of tax-increment financing must, after five years and every five years thereafter, conduct a review and update of a cost-benefit analysis. This report should include tax shifts, public infrastructure and community public service needs impacts, impacts on employers and employees, impacts on student populations of school districts, and other impacts determined to be relevant. Each city approving such a redevelopment plan must retain copies of all such redevelopment plans and supporting documents associated with that plan for a period of time required under applicable records retention schedules.</i> <i>LB95 also allows for redevelopment contracts for plans that include the use of tax-increment financing to include a provision requiring that all ad valorem taxes levied upon real property in a redevelopment project be paid on time in order for such redevelopment project to received tax-increment financing. To the extent that a redevelopment plan divides the ad valorem taxes levied upon only a portion of the real property in a redevelopment project, such portion shall be clearly related to the redevelopment plan.</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>
LB102	Hilkemann		Judiciary 01/19/2017	In Committee 01/10/2017	Change a penalty relating to tampering with witnesses or informants <i>LB102 makes tampering with a witness, informant, or jury a Class IV felony, unless the tampering occurs as an attempt to change the outcome of a felony charge, in which case it is a Class II felony.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB107	Crawford		Judiciary 02/08/2017	In Committee 01/10/2017	Prohibit sexual assault of a patient, client, or student as prescribed <i>LB107 establishes that a health professional commits the offense of sexual abuse of a patient or client if the professional subjects a patient or client who is at least sixteen years of age but less than nineteen years of age to sexual penetration or sexual contact. A health professional who subjects such a patient to sexual penetration is guilty of sexual abuse of a patient or client in the first degree, which is a Class IIA felony. A health professional who subjects such patient or client to sexual contact is guilty of sexual abuse of a patient or client in the second degree, which is a Class IIIA felony.</i> <i>LB107 establishes that a volunteer or employee of a school who subjects a student who is at least sixteen but less than nineteen years of age to sexual penetration is guilty of sexual abuse of a student in the first degree, which is a Class IIA felony. If such volunteer subjects such student to sexual contact, they are guilty of sexual abuse of a minor in the second degree, which is a Class IIIA felony.</i> <i>LB107 establishes that a person who is a volunteer or an employee of a youth center who subjects a patient or client who is at least sixteen but less than nineteen to sexual penetration is guilty of sexual abuse of a patient or client in the first degree, which is a Class IIA felony. If such volunteer subjects such client or patient to sexual contact, they are guilty of sexual abuse of a minor in the second degree, which is a Class IIIA felony.</i> <i>LB107 establishes that a person who occupies a special position of trust who subjects a child who is at least sixteen but less than nineteen years of age to sexual penetration is guilty of sexual abuse of a child in the first degree, which is a Class IIA felony. If such person subjects such child to sexual contact, they are guilty of sexual abuse of a child in the second degree, which is a Class IIIA felony.</i> <i>Consent is not a defense under any section of LB107.</i>
LB108	Crawford		Judiciary 02/08/2017	In Committee 01/10/2017	Require guidelines to ensure safety of minor or dependent whose parent or guardian is arrested <i>LB108 requires that, beginning July 1, 2018, each police department, sheriff's office, and state patrol must establish guidelines for officer to ensure child safety upon the arrest of a parent or guardian. If, upon questing during the booking process, the arrested person is identified as a custodial parent or guardian, they are to be given two phone calls at no cost to a relative or other person for the purpose of arranging for the care of a minor.</i>
LB110	Kolterman		Nebraska Retirement Systems 01/24/2017	General File 02/10/2017	Change duties and requirements relating to certain retirement plan reporting and change duties of the Auditor of Public Accounts and the Public Employees Retirement Board <i>LB110 creates and end date for reporting requirements of December 31, 2017. After December 31, 2017 providers of defined benefit pension plans are required to prepare and electronically file an annual report with the Auditor of Public Accounts. This report should include the level of benefits of participants in the plan, number of members who are eligible, total present value of benefits, funding sources, and a copy of a full actuarial analysis of each such defined benefit plan. If such a report is not submitted within six months after the end of the year, the Auditor may audit the provider.</i>
LB111	Hansen		Government, Military and Veterans Affairs 03/17/2017	In Committee 01/10/2017	Provide for nonpartisan election of county officers <i>LB111 requires that county officers be elected on a nonpartisan ballot.</i>
LB112	Hansen		Government, Military and Veterans Affairs 03/15/2017	In Committee 01/10/2017	Permit registered voters moving within Nebraska without reregistering to vote provisionally <i>LB112 requires the Secretary of State to adopt and promulgate rules and regulations that establish procedures for election commissioners and county clerks to ensure that there is no fraud in provisional voting. LB112 allows for individuals who have moved but still reside in Nebraska to utilize provisional ballots.</i> <i>LB112 also adds twelve months' post-release supervision as a punishment for election falsification.</i>
LB113	Hansen		Urban Affairs 01/17/2017	Approved by Governor 03/29/2017	Change population threshold provisions relating to municipalities and eliminate obsolete provisions <i>LB113 makes changes that would place the following language into all sections regarding city population thresholds: "as determined by the most recent federal decennial census or the most recent revised certified count by the United States Bureau of the Census"</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB127	Groene	Oppose	Government, Military and Veterans Affairs 02/02/2017	General File 03/17/2017	Change notice requirements under Open Meetings Act <i>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 subdivision.</i>
LB139	Crawford		Government, Military and Veterans Affairs 03/17/2017	In Committee 01/10/2017	Authorize change to nonpartisan election of county officers <i>LB139 allows for county boards to adopt resolutions that submits a question to voters on whether they would like the election of county officers to be a nonpartisan ballot. If the voters answer the question in favor of nonpartisan ballots, then the county must utilize nonpartisan ballots for the election of officers.</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>
LB145	Hansen	Monitor	Judiciary 03/16/2017	General File 04/12/2017	Provide for a hearing to determine financial ability to pay fines and costs and traffic citations and provide for community service <i>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.</i> <i>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.</i>
LB146	Hansen		Judiciary 01/25/2017	General File 01/30/2017	Provide for set-asides of convictions for infractions <i>LB146 allows for convictions of infractions to be set aside after completion of the sentence imposed.</i>
LB151	Stinner		Government, Military and Veterans Affairs 01/19/2017	Final Reading 04/10/2017 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	Select File 04/10/2017 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>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB156	Friesen		Transportation and Telecommunications 02/21/2017	In Committee 01/10/2017	Eliminate a termination date under the 911 Service System Act <i>LB156 eliminates Section 86-1030 from the 911 Service System Act.</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>
LB159	McCollister		Urban Affairs 01/24/2017	General File 01/25/2017	Change provisions relating to when special assessments are payable for cities of the metropolitan class <i>LB159 allows for the creation of a payment schedule of at least ten years but less than twenty when the total cost of a special improvement exceed five thousand dollars.</i>
LB162	Krist		Judiciary 01/27/2017	In Committee 01/10/2017	Change provisions relating to criminal mischief and change and provide additional penalties for bribing or tampering with witnesses, informants, or jurors <i>LB162 changes "felony criminal mischief" to "felony criminal damage to property." LB162 also makes it a Class III felony to bribe or tamper with a witness or juror except when the bribery or tampering of a witness or juror occurs during a proceeding or investigation for a violation of any statute punishable as a Class IIA felony or higher, in which it will be a Class IIA felony.</i>
LB163	Vargas	Support	Government, Military and Veterans Affairs 03/16/2017	In Committee 01/10/2017	Require additional polling places prior to elections in certain counties <i>LB163 requires election commissioners in counties with populations of more than one hundred thousand to establish at least three voting locations.</i>
LB164	Geist		Transportation and Telecommunications 01/24/2017	General File 02/06/2017	Change provisions relating to trailers, commercial motor vehicle disqualification provisions, accident reports, and motor vehicle records disclosure and authorize the Department of Motor Vehicles to keep and sell certain registration and certificate of title records <i>LB164 eliminates the term "cabin trailer" from provisions. LB164 also provides a more exhaustive list of the types of registration and certificates of title records the department can sell.</i>
LB166	Kolterman		Health and Human Services 01/27/2017	Final Reading 04/10/2017 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>
LB176	Bostelman		Natural Resources 01/26/2017	General File 01/31/2017	Eliminate obsolete provisions related to milldams <i>LB176 repeals sections 56-101, 56-115, 56-124, 56-125, 56-126, and 56-127, Reissue Revised Statutes of Nebraska. Section 56-101 has to deal with and acquisition and procedure for acquiring dam sights using eminent domain. Section 56-115 has to deal with the procedure for determining damages from stagnant or overflow water. Section 56-124 has to deal with the right of entry on adjoining lands for the repairs of milldams. Section 56-125 has to deal with recovery for damages arising from the repair of a milldam on adjoining lands. Section 56-126 has to deal with recovery of a mill owner for damages regarding injury to their property. Section 56-127 has to deal with when a municipal corporation is allowed to acquire a milldam site.</i>
LB178	Bolz	Support	Judiciary 02/23/2017	General File 03/13/2017	Provide for sexual assault protection order <i>LB178 allows for any victim of sexual assault o file a petition and affidavit for a sexual assault protection order. This protective order shall be effective for two years unless renewed. Any knowing violation of such protective order will be a Class I Misdemeanor. LB178 also affords full faith and credit to sexual assault protection orders issued in other states or jurisdictions.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB179	Bolz		Health and Human Services 02/23/2017	In Committee 01/12/2017	Change provisions relating to transition of young adults to independence <i>LB179 requires any child who is in a court-ordered out-of-home placement in the six months prior to attaining nineteen years of age to receive information regarding the Young Adult Bridge to Independence Act. The Office of Probation is required to identify such individuals and provide the information. LB179 also provides factors for a court to consider when deciding whether it is necessary for the juvenile to remain in the court-ordered out-of-home placement. LB179 also provides for medical care under the medical assistance program for young adults for such juveniles.</i>
LB180	Bolz		Judiciary 01/26/2017	Final Reading 04/11/2017 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>
LB183	Hughes		Government, Military and Veterans Affairs 03/17/2017	In Committee 01/12/2017	Authorize change of nomination and election provisions for county officers <i>LB183 allows for the county boards in counties with a population of fifteen thousand or fewer to adopt a resolution requiring a submission of a question to the voters regarding whether or not the election of county officers should be partisan or not. If the voters answer the question in favor of nonpartisan elections, all subsequent elections shall be as such until another question is submitted to the voters. Such question may not be submitted to the voters more than once every three years.</i>
LB189	Howard		Appropriations 03/14/2017	In Committee 01/12/2017	Appropriate funds to the Department of Health and Human Services for recruitment and retention of caseworkers <i>LB189 appropriates \$500,000 from the General Fund for FY2017-18 and \$500,000 from the General Fund for FY2018-19 to the Department of Health and Human Services for Program 33 to be used specifically for the recruitment and retention of caseworkers for child welfare.</i>
LB191	Pansing Brooks		Judiciary 02/23/2017	General File 03/13/2017	Provide for renewals of domestic violence protection orders <i>LB191 allows for victims of domestic abuse to file a petition and affidavit to renew a protection order thirty days before the expiration of the previous protection order. The renewal period shall be effective for one year beginning the day of expiration of the previous order.</i>
LB192	Pansing Brooks		Judiciary 02/22/2017	General File 03/20/2017	Change and modernize provisions relating to the qualifying and summoning of jurors <i>The purpose of LB192 is to provide adequate compensation of the jury commissioner and to permit a change in such salary as soon as the change may become operative under the Constitution of Nebraska. The salary of the jury commissioner is to be fixed by the district judges in an amount not to exceed three thousand dollars. LB192 also eliminates a provision excusing nursing mothers from serving on juries. LB192 contains duties of a jury commissioner designed to ensure adequate selection of qualified potential jurors.</i>
LB193	Pansing Brooks		Judiciary 02/10/2017	General File 02/22/2017	Change provisions relating to courts <i>LB193 changes terminology of statutes dealing with courts. The term "docket" is replaced with "file." The term "trial docket" is used to reference the lower court's schedule. LB193 requires clerks to enter judgements in the judgment index instead of the judgment record or journal.</i> <i>LB193 requires sheriffs to file a notice on the record whenever the levy of attachment or execution on real estate is to be used as notice. LB193 also allows offers for settlements for the recovery of money to be served on the parties' attorneys as well as the parties themselves.</i> <i>LB193 requires clerks to send a the final order after the entry of any final judgment either through the United States mail or by service through the court's electronic case management system. LB193 requires that sureties for stays of execution be recorded on the register of actions and entered by the clerk on the judgment index.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<p>LB193 requires every clerk to maintain and preserve a file and record of all papers delivered to them in every action or special proceedings. Retention and disposition of the records shall be determined by the State Records Administrator pursuant to the Records Management Act. The clerk of the district court is required to maintain records on the court's electronic case management system. Retention and disposition of the records shall be determined by the State Records Administrator pursuant to the Records Management Act. The case file is required to be in chronological order and contain the pleadings, orders, court actions, judgement, verdicts, postjudgement actions, and other documents in the case file. The case file may be maintained as an electronic document through the court's electronic case management system. The file may also be maintained in a paper volume and disposed of when determined by the State Records Administrator pursuant to the Records Management Act.</p> <p>LB193 requires the trial docket be available for the court on the first day of each month. The docket must set forth each case pending in the order of the filing of the complaint to be called for trial.</p> <p>LB193 adds new definitions that apply to clerk of other courts of record. Definitions for Fee Record, General Index, Judge's Notes, Judgment Index, Register of Actions, and Trial Docket are added.</p> <p>LB193 requires, whenever there is a transfer order from county court to district court, the county court must file the Certification of the proceedings, all original documents of the action, certification of the transcript of the register of actions, and the certification of the court costs within ten days.</p> <p>LB193 requires that, when there is a change of venue, the clerk of the original court must file all original documents and a certification of the transcript of the register of cations, certification of the proceedings, and certification of the court costs to the clerk of the new court.</p> <p>LB193 requires that the stenography notes of a court reporter be preserved and sealed.</p> <p>LB193 requires the clerks of the district court to use the court's electronic case management system provided by the state as the record of receipts and reimbursements.</p> <p>LB193 eliminates the requirement that the foreman and secretary of volunteer fire departments file in the office of the clerk of the district court a certified copy of the rolls of their respective companies on the first day of April and October in each year.</p> <p>LB193 requires juvenile court judges to keep a record of all proceeding of the court in every case. These case files will contain the pleadings, order, court actions, judgments, postjudgment actions, and other documents. The case file may be maintained as an electronic document through the court's electronic case management system. The case file may also be maintained in a paper volume and disposed of when determined by the State Records Administrator pursuant to the Records Management Act.</p> <p>LB193 requires the State Court Administrator to make available petitions for pregnant women who want to get abortions without parental consent on a website maintained by the Supreme Court.</p>
LB194	Vargas		Banking, Commerce and Insurance 02/21/2017	In Committee 01/12/2017	Change provisions of the Credit Services Organization Act, Delayed Deposit Services Licensing Act, and Nebraska Installment Loan Act
					<p>LB194 prohibits Credit Services Organizations from charging any brokerage or other fees or charges in connection with a loan governed by the Nebraska Installment Loan Act. LB194 also adds definitions for the Delayed Deposit Services Licensing Act. LB194 provides that any delayed deposit loan that is made by a person who is not licensed as required is void and the person making the deposit has no right to collect, receive, or retain any principle, interest, fees, or other charges associated with such loan. LB194 also changes the nonrefundable application fee from five hundred dollars to one thousand dollars. LB194 also raises the asset requirement of an applicant from twenty-five thousand dollars available for operating the delayed deposit service business to fifty thousand dollars. LB194 raises the fee required for requesting a change of location a branch or designated principle place of business from one hundred fifty dollars to five hundred dollars.</p> <p>LB194 stipulates the documentation requirement for each delayed deposit loan transaction and what information should be contained in the written agreement. Licensee are also required to openly display a schedule of all finance charges, fees, interest, other charges, and penalties for all services provided.</p>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<i>LB194 creates various restrictions on Delayed Deposit Loans. LB194 makes Delayed Deposit Loans precomputed loans that are payable in substantially equal instalments of principle, fees, interest, and charges combined. The total monthly payment may not exceed the greater of either five percent of the borrower's verified gross post-tax monthly income or six percent of the borrower's verified net post-tax monthly income. Before initiating any transaction, the licensee must make a reasonable determination of the borrower's verified income. The only fees a licensee may receive are interest of no more than thirty-six percent per annum, a month maintenance fee of either five percent of the loan amount or twenty dollars, and other charges permitted for the presentation of nonnegotiable instruments. All fees collected may not exceed fifty percent of the original loan amount. In the event of a default, the licensee may exercise all civil means authorized by law to collect the face value of the loan. The licensee may not collect fees as a result of the default. Licensees are not allowed to charge a fee associated with prepayment of a loan. Licensees are not allowed to lend any amount greater than \$500, plus allowable fees and interest, to any borrower. Borrowers will have the right to rescind a loan on or before 5 p.m. the next business day following the transaction. Licensees are not allowed to enter into more than one delayed deposit loan with the same borrower at any one time. The written loan agreement for a delayed deposit loan may provide that the entire unpaid loan balance be due and payable if the loan has been in default for ten days.</i>
					<i>LB194 also creates a duty of licensees to report, on an annual basis, certain information regarding their operations to the director.</i>
LB197	Kolowski		Government, Military and Veterans Affairs 03/15/2017	In Committee 01/12/2017	Provide for electronic application for an early voting ballot
					<i>LB197 allows for the creation of an early voting application process in which applicants with a valid Nebraska motor vehicle license or state identification card may electronically apply for a ballot for early voting after the ballots become available.</i>
LB199	McCollister		Judiciary 01/27/2017	In Committee 01/12/2017	Eliminate certain state aid to counties for law enforcement and jail operations
					<i>LB199 repeals sections 23-362 and 23-362.01, Reissue Revised Statutes of Nebraska. Both these sections that provide funds for counties in which Indian Reservations are located for the purpose of law enforcement and jail operations.</i>
LB200	Lowe		Government, Military and Veterans Affairs 01/27/2017	General File 04/04/2017	Provide that the county surveyor shall perform the duties of county highway superintendent in certain counties as prescribed
					<i>LB200 requires a county surveyor in counties with a population of seventy-five thousand but less than one hundred fifty thousand inhabitants to perform all the duties and possess all the powers and functions of the county highway superintendent.</i>
LB201	Lowe		Judiciary 03/02/2017	In Committee 01/12/2017	Change provisions relating to perjury and the issuance of search warrants
					<i>LB201 allows for law enforcement officers to request the assistance of any other law enforcement officer in executing a search warrant if the person or place to be searched is not within the named officer's jurisdiction. LB201 also allows for unsworn statements to be made under the penalty of perjury and subject to the same punishments as perjury.</i>
LB202	Lowe		Judiciary 02/03/2017	In Committee 01/12/2017	Create the offense of obstructing government operations by refusing to submit to a chemical test authorized by search warrant
					<i>LB202 creates the offense of obstructing government operations if a person intentionally and willfully refuses to submit to a chemical test authorized by a search warrant.</i>
LB207	Krist		Executive Board 01/20/2017	Final Reading 04/05/2017 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>
LB212	Hansen		Business and Labor 01/23/2017	In Committee 01/12/2017	Adopt the In the Line of Duty Compensation Act
					<i>LB212 requires compensation to be paid if a law enforcement officer or firefighter is killed in the line of duty. For deaths occurring during 2018, compensation shall be fifty thousand dollars. For deaths occurring 2019 and each subsequent year, compensation shall be the compensation of the previous year increased by the Consumer Price Index.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB216	Harr		Executive Board 01/30/2017	In Committee 01/12/2017	Adopt the Redistricting Act <i>LB216 creates an Independent Redistricting Citizen's Advisory Commission for the purpose of assisting the Legislature in the process of redistricting in 2021 and thereafter. LB216 also creates The Redistricting Fund for the purpose of assisting the commission for travel and actual expenses of the members of the commission. Principles are provided for the commission to follow in the course of their duties in sections 28 and 29.</i>
LB217	Harr		Revenue 02/02/2017	Select File 04/05/2017 Revenue Priority Bill	Change revenue, taxation, economic development, and tax incentive provisions <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. Portions of LB49, LB228, LB236, LB288, LB387 & LB233 have been amended into LB217 via AM634. Amended Bills: LB49, LB228, LB233, LB238, LB288, LB387</i>
LB219			Nebraska Retirement Systems 01/31/2017	General File 03/16/2017	Change retirement system provisions relating to authorized benefit elections and actuarial assumptions <i>LB219 requires that, for county employees hired on or after January 1, 2018, the mortality assumption used for purposes of converting the member cash balance account must be a mortality table using a unisex rate that is fifty percent male and fifty percent female that is recommended by the actuary and approved by the board. LB219 requires that, for judges hired after July 1, 2017, the determinations will be based on a mortality table using seventy-five percent of the male table and twenty-five percent of the female table and an annuity rate specified by the board. Both the mortality table and the annuity rate must be recommended by the actuary and approved by the board. LB219 requires that, for school employees hired after July 1, 2017, the determinations will be based on a mortality table using twenty-five percent of the male table and seventy-five percent of the female table and an annuity rate specified by the board. Both the mortality table and the annuity rate must be recommended by the actuary and approved by the board. LB219 requires that, for State Patrol Officers hired after July 1, 2017, the determinations will be based on a mortality table using seventy-five percent of the male table and twenty-five percent of the female table and an annuity rate specific by the board. Both the mortality table and the annuity rate must be recommended by the actuary and approved by the board. LB219 requires that, for state employees hired on or after January 1, 2018, the mortality assumption used for purposes of converting the member cash balance account must be a mortality table using a unisex rate that is fifty percent male and fifty percent female that is recommended by the actuary and approved by the board.</i>
LB225	Crawford	Monitor	Health and Human Services 02/01/2017	Final Reading 04/10/2017 Crawford Priority Bill	Change provisions of the Child Protection and Family Safety Act, the Nebraska Juvenile Code, the Foster Care Review Act, and the Nebraska Strengthening Families Act as prescribed <i>LB225 allows the department to begin using alternative response statewide on the effective date of the act until December 31, 2020. LB225 also requires the department to provide to the Nebraska Children's Commission updates on an analysis that will examine the challenges, barriers, and opportunities that may occur if the alternative response implementation plan is made permanent. Portions of LB297 have been amended into LB225 via AM611. Portions of LB298 have been amended into LB225 via AM537. Portions of LB336 have been amended into LB225 via AM462 Amended Bills: LB297, LB298, LB336</i>
LB228	Harr		Revenue 03/03/2017	In Committee 01/12/2017	Change provisions relating to rent-restricted housing projects <i>LB228 allows the Department of Revenue, on behalf of the committee, to forward income and expense statements from owners of rent-restricted housing projects to the county assessor of each county in which the housing project is located.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB230	Watermeier		Executive Board 01/26/2017	General File 02/02/2017	Create the Nebraska Economic Development Advisory Committee <i>LB230 creates the Nebraska Economic Development Advisory Committee with the purpose to gather input on issues pertaining to economic development and discuss proactive approaches on economic development.</i>
LB232	Kolterman		Revenue 02/23/2017	In Committee 01/13/2017	Provide a property tax exemption for property leased to the state or a governmental subdivision <i>LB232 includes property leased to the state or to a governmental subdivision by the person or entity holding legal title to the property within the definition of property of the state and its governmental subdivisions. Therefore, this leased property is exempt from property taxes.</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>
LB236	Erdman		Revenue 02/23/2017	In Committee 01/13/2017	Change provisions relating to the inclusion of multiple lots in one parcel <i>LB236 allows for two or more vacant lots, if owned by the same person, to be considered one parcel for the purpose of property taxes unless such lots have any property taxes or special assessments that are certified but not yet due, are due, or are delinquent if property taxes or special assessments on such lots have been sold at a tax sale.</i>
LB238	Erdman		Revenue 02/23/2017	In Committee 01/13/2017	Change provisions of the Nebraska Budget Act relating to certifying taxable values <i>LB238 allows the certification of taxable values to be provided to the governing body or board either by mail, electronically, or by notifying such governing body or board of the place on the county assessor's website where the current taxable values are located.</i>
LB243	Bolz		Judiciary 02/16/2017	General File 03/01/2017	Require reporting of certain information concerning assaults that occur in state institutions <i>If a person is assaulted in a secure state institution by another person housed or held in such institution, LB243 requires the administrators of secure state institutions to inform the victim of the assault of all disciplinary actions that are being taken and their results, as well as inform the appropriate county attorney of such assault.</i>
LB244	Bolz		Business and Labor 02/27/2017	General File 03/03/2017	Change provisions relating to mental injury and mental illness for workers' compensation <i>LB244 allows frontline state employees to receive workers' compensation for mental injuries if they can establish, by preponderance of the evidence, that their employment conditions causing the mental injury or illness were extraordinary and unusual and that the medial causation between the mental injury or illness and the employment. A frontline employee means an employee of the Department of Corrections or the Department of Health and Human Services whose duties involve regular and direct interaction with high-risk individuals.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB245	Bolz		Judiciary 02/16/2017	In Committee 01/13/2017	Provide for a corrections-related emergency and overtime as prescribed <i>LB245 requires that employees of the Department of Corrections must have at least eight consecutive hours off work before a shift. Overtime of such employees is also limited to thirty-two hours during a period of two consecutive weeks. However, in the event of a serious disturbance at a correctional facility, the director may declare an emergency and the overtime restrictions may be suspended for up to two weeks or until the director rescinds the declaration.</i>
LB249	Harr		Revenue 02/23/2017	In Committee 01/13/2017	Expand business inventory property tax exemption <i>LB249 expands business inventory property tax exemptions to personal property that is equipment useable for construction, agriculture, or manufacturing.</i>
LB250	Harr		Judiciary 02/16/2017	In Committee 01/13/2017	Change provisions relating to probationers' rights <i>LB250 takes away a probationer's right to a prompt consideration of a motion or information to revoke probation when the probationer has failed or refused to report to their probation officer as ordered by the court.</i>
LB251	Harr		Revenue 02/16/2017	In Committee 01/13/2017	Redefine agricultural or horticultural purposes for revenue and taxation purposes <i>LB251 requires that, when determining whether a parcel of land is primarily used for agricultural or horticultural purposes, no regard may be given to whether some or all of the parcel is platted and subdivided into separate lots or developed with improvements such as streets, sidewalks, curbs, gutters, sewer lines, water lines, or utility lines.</i>
LB253	Crawford		Revenue 02/24/2017	General File 03/23/2017 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>
LB256	Briese		Urban Affairs 01/31/2017	General File 03/06/2017	Adopt the Vacant Property Registration Act <i>LB256 adopts the Vacant Property Registration Act. The purpose of this act is to promote the health, safety, and welfare of Nebraska residents by providing authority for municipalities to enact vacant property registration ordinances. These ordinances should allow communities to identify and register vacant properties, collect fees to compensate for the public costs of vacant properties, plan for the rehabilitation of vacant properties, and encourage the occupancy of vacant properties. These registration ordinances may apply to either residential or commercial buildings, but not to property owned by the federal government, the State of Nebraska, or any political subdivision.</i>
LB258	Hansen		Judiciary 02/16/2017	General File 03/01/2017	Provide opportunity for inmates to obtain state identification card or driver's license before discharge <i>LB258 provides for inmates the opportunity to obtain a state identification card or a motor vehicle operator's license prior to release.</i>
LB259	Hansen		Judiciary 03/02/2017	General File 04/12/2017 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>
LB261	Hansen		Business and Labor 02/13/2017	In Committee 01/13/2017	Adopt the Nebraska Worker Adjustment and Retraining Notification Act <i>LB261 adopts the Nebraska Worker Adjustment and Retraining Notification Act. The purpose of this act is to protect workers and communities by requiring advance notification of large-scale employment loss. The act requires an employer, before ordering a mass layoff, to provide notice to possibly affected parties at least sixty days in advance. For actions that will result in employment loss for two hundred fifty or more employees, such notice must give one hundred twenty days in advance. This notice must include the number of employees who will be terminated, a statement of the reasons for the mass layoff, a statement of any employment that may be available at other establishments, a statement of employee rights, and a statement concerning information about public programs available to the employee. LB261 also allows for an employee, the Attorney General, the commissioner, or an affected city, village, or county who has been aggrieved by an employer's failure to comply with the notice requirement to proceed with a civil action against the employer.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB262	Groene		Urban Affairs 02/21/2017	In Committee 01/13/2017	Change provisions relating to undeveloped vacant land under the Community Development Law <i>LB262 prohibits tax-increment financing from being used for the acquisition, planning, and preparation for development or disposal of undeveloped vacant land. LB262 also prohibits undeveloped vacant land from being declared or designated blighted and substandard in order to qualify for the use of tax-increment financing unless such land meets the definition of a blighted area.</i>
LB263			Transportation and Telecommunications 02/07/2017	Select File 03/31/2017 Transportation and Telecommunications Priority Bill	Change provisions relating to motor vehicles, the Public Service Commission, motor carriers, and the statewide one-call notification center <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>
LB266	Friesen	Monitor	Revenue 02/16/2017	In Committee 01/13/2017	Change the valuation of agricultural land and horticultural land <i>LB266 requires that, for the purposes of school district taxation, agricultural and horticultural land be taxed at a percentage of its actual value. For the 2018 tax year, the percentage will be fifty. For the 2019 tax year, the percentage will be forty. For the 2020 tax year and years after, the percentage will be thirty.</i> <i>LB266 also allows for the commission to increase or decrease the value of real property. For the purpose of school district taxation, agricultural and horticultural tax ranges may be: 44 to 50 for tax year 2018; 34-40 for tax year 2019; and 24-30 for tax years 2020 and after.</i> <i>State aid means, for agricultural and horticultural land, a percentage of the actual value of the land. For tax year 2018, 47%, for tax year 2019, 37%, and for tax years 2020 and after, 27%.</i>
LB268	Schumacher		Judiciary 02/01/2017	General File 03/14/2017 Schumacher Priority Bill	Change court and other provisions relating to medical assistance reimbursement <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> <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> <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> <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>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 15

Document	Senator	Position	Committee	Status	Description
					<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>
					<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>
LB271	Hilgers		Transportation and Telecommunications 01/23/2017	Final Reading 04/10/2017 Geist Priority Bill	Authorize the Department of Roads to assume certain responsibilities under federal environmental laws and provide for limited waiver of the state's sovereign immunity <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>
LB275	Hughes		Transportation and Telecommunications 02/06/2017	General File 03/08/2017	Provide duties for law enforcement officers and rights and duties for private property owners regarding abandoned vehicles <i>LB275 allows for law enforcement officers and private property owners to remove or cause removal of an abandoned vehicle from private property upon request of the private property owner whose property the vehicle is abandoned on.</i>
LB277	Wayne		Government, Military and Veterans Affairs 03/09/2017	In Committee 01/13/2017	Change population requirements for election precincts <i>LB277 lowers the population requirements for election precincts from one thousand seven hundred fifty registered voters to one thousand registered voters.</i>
LB278	Kolterman		Nebraska Retirement Systems 02/03/2017	General File 03/16/2017	Redefine disability and change disability retirement application and medical examination provisions for various retirement acts <i>LB278 requires, in order for disability retirement applications, that the member of the state, county or school retirement plan be initially diagnosed with a physical or mental impairment, or become disabled while the member was an active participant in the plan. LB278 also requires a medical examination prior to a member being retired as a result of disability and the expense of the board. LB278 also allows for the board to require any disability beneficiary under the age of fifty-five to undergo annual medical examinations.</i>
LB280	Crawford		Government, Military and Veterans Affairs 02/09/2017	General File 02/27/2017	Change provisions relating to the Address Confidentiality Act <i>LB280 allows victims of trafficking to apply to the Secretary of State to have a different address, other than their real one, designated as their address. LB280 also requires the State Treasurer to transfer XX dollars from the Records Management Cash Fund to the Secretary of State Administration Cash Fund to defray the costs of implementing these changes on July 1, 2017.</i>
LB286	Craighead		Banking, Commerce and Insurance 02/21/2017	In Committee 01/13/2017	Adopt the Nebraska Flexible Loan Act and change provisions of the Delayed Deposit Services Licensing Act <i>LB286 adopts the Nebraska Flexible Loan Act. This act prohibits a person, unless they are exempted, from engaging in the business of making a flexible credit loan to a resident without first obtaining a license as a flexible credit lender. The director must issue a license to an applicant within sixty days after receiving a complete application unless the applicant is insolvent, fails to demonstrate financial responsibility, failed to pay the required fee of \$500, or fails to maintain at least twenty-five thousand dollars in readily available assets. All advertisements of a licensee must comply with the federal Truth in Lending Act. Licensees are prohibited from providing a flexible credit loan to a consumer with more than one outstanding flexible credit loan. LB286 also includes interest rate caps for certain categories of consumers. LB286 stipulates that, for closed-end credit, the term of the flexible credit loan may not exceed twenty-four months.</i>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 16

Document	Senator	Position	Committee	Status	Description
LB288	Harr		Revenue 02/24/2017	In Committee 01/13/2017	Change provisions relating to service of notice when applying for a tax deed and the laws governing tax sale certificates <i>LB288 permits the use of certified mail and designated delivery in order to serve notice upon every person in actual possession or occupancy of real property that qualifies as an owner-occupant. If certified mail or designated delivery service is used, the certified mail return receipt of a copy of the signed delivery receipt must be filed with and accompany the return of service. Since an emergency exists, this act takes effect when passed and approved according to law.</i>
LB289	Pansing Brooks		Judiciary 02/23/2017	Select File 03/31/2017 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. Portions of LB188, LB178 & LB394 have been amended into LB289. Amended Bills: LB178, LB188, LB394</i>
LB290	Vargas		Government, Military and Veterans Affairs 03/15/2017	In Committee 01/13/2017	Provide for voter registration upon application for driver's license, state identification card, or certain benefits <i>LB290 requires the Department of Motor Vehicles, with assistance from the Secretary of State, to prescribe a voter registration application with may be used to register to vote or change address for voting purposes at the same time a person is applying for a driver's license or state identification card. This application must be designed in such a way so that the elector's information can be transmitted to the election commission or county clerk, unless the elector specifies on the form that they do not want to register to vote. LB290 also allows for the Secretary of State to enter into agreements with the Commissioner of Education and the chief executive officer of the Department of Health and Human Services to prescribe an electronic voter registration application</i>
LB291	Larson		Revenue 03/01/2017	Select File 04/10/2017 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. 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. LB291 also allows for the governing bodies of federally recognized Indian Tribes to enter into revenue sharing agreement with the Department of Revenue.</i>
LB294	Smith		Transportation and Telecommunications 02/07/2017	In Committee 01/13/2017	Provide for a reciprocity agreement with a foreign country for mutual recognition of motor vehicle operator licenses <i>LB294 allows for the Department of Motor Vehicles to enter into a reciprocity agreement with a foreign country to provide for the mutual recognition and reciprocal exchange of a valid operator's license issued by this state or the foreign country if the department determines that the licensing standards of the foreign country are comparable to those of the state. Commercial driver's licenses may not be included in such agreement</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB297	McCollister		Health and Human Services 02/23/2017	General File 03/15/2017	Create Children and Juveniles Data Pilot Project <i>LB297 creates the Children and Juveniles Data Pilot Project. The purpose of this project is to identify how existing state agency data systems currently used to account for the use of all services, programs, and facilities by children and juveniles in the State can be used to establish an independent, external data warehouse. The Children and Juveniles Data Pilot Project Advisory Group is also created to oversee the pilot project. The advisory group will consist of the Inspector General of Nebraska Child Welfare, the State Court Administrator, the probation administrator of the Office of Probation Administration, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice, the Commissioner of Education, the executive director of the Foster Care Review Office, the director of the University of Nebraska at Omaha Juvenile Justice Institute, the Chief Information Officer of the Office of Chief Information Officer, the Director of Children and Family Services of the Division of Children and Family Services of the Department of Health and Human Services, the Director of Developmental Disabilities of the Division of Developmental Disabilities of the Department of Health and Human Services, the Director of Behavioral Health of the Division of Behavioral Health of the Department of Health and Human Services, and the Director of Medicaid and Long-Term Care of the Division of Medicaid and Long-Term Care of the Department of Health and Human Services.</i>
LB298	Baker		Health and Human Services 02/23/2017	General File 03/15/2017	Change provisions relating to the Nebraska Strengthening Families Act and a task force <i>LB298 clarifies that the immediate and public dissemination of a current picture and information about a child who is missing from a foster or out-of-home placement is not restricted by certain confidentiality requirements. However, the disseminated information may not include the fact that the child is in the care, custody, or control of the Department of Health and Human Services or the Office of Probation Administration. LB298, beginning July 1, 2017, makes the Normalcy Task Force the Nebraska Strengthening Families Act Committee. This committee shall monitor and make recommendations regarding the implementation in Nebraska of the federal Preventing Sex Trafficking and Strengthening Families Act. LB298 also clarifies the Legislatures intent to recognize the importance of parental rights and the different rights that exists dependent on a variety of factors.</i> <i>LB298 also requires the department or officer to ensure the presence of a written normalcy plan describing how the department or office will ensure all children have access to age or developmentally appropriate activities.</i>
LB299	Ebke		Government, Military and Veterans Affairs 02/24/2017	In Committee 01/17/2017	Adopt the Occupational Board Reform Act and change procedures for rules and regulations <i>LB299 adopts the Occupational Board Reform Act. The purpose of this act is to require occupational boards to respect the fundamental right of an individual to pursue an occupation and to ensure that occupational boards and individual members of occupational boards avoid liability under federal antitrust laws. The act allows for individuals with criminal history to petition the relevant occupational board to determine if such criminal history would disqualify them from certification. An individual's criminal history will only disqualify them for a felony conviction, that felony conviction is expressly listed as a disqualifying offense, and the occupational board concludes that the state has an important interest in protecting public safety.</i> <i>LB299 also creates the Office of Supervision of Occupational Boards. The purpose of this board is to monitor occupational boards and ensure compliance with the act.</i> <i>LB299 also creates the Legislative Office of Occupational Regulations. The duties and responsibilities of the Office as specified in Section 23 of the act.</i>
LB300	Krist		Judiciary 02/24/2017	Select File 04/10/2017 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>
LB304	Crawford		Urban Affairs 01/31/2017	In Committee 01/17/2017	Change provisions relating to the Nebraska Housing Agency Act <i>LB304 eliminates the provisions limiting more than three members of a housing agency from being residents of the same incorporated community within a county. LB304 also changes the amount of time housing agencies must wait before disposing of abandoned personal property from forty-five days to fourteen days. LB304 also eliminates a provision requiring each local housing agency to file with the governing body of the city or country a copy of the five-year plan and annual plan.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB305	Crawford		Business and Labor 02/06/2017	In Committee 01/17/2017	Adopt the Paid Family Medical Leave Insurance Act <i>LB305 adopts the Paid Family Medical Leave Insurance Act. The act allows for covered individuals to take paid family medical leave to care for a new child, because the covered individual has a serious health condition, to care for a family member, to care for a covered service member, or for other qualifying exigencies. The weekly benefits to be paid, for a covered individual whose individual average weekly wage is not more than 20% of the state average, an amount equal to 95% of the individuals average weekly wage. For individuals, whose weekly wage is more than 20% of the state average, the weekly benefits will be equal to 90% of such individuals average weekly wage. Claims for family medical leave benefits must be filed with the commissioner.</i> <i>LB305 also creates the Paid Family Medical Leave Insurance Fund. On the operative date of this act, the State Treasurer shall transfer four million dollars from the Nebraska Health Care Cash Fund to this fund to pay the upfront administrative costs. The four million dollars will be paid back from the Fund according to the outlined payment schedule. Every year on December 31, from 2021 to 2024, \$800,000 will be paid back from the Fund.</i> <i>LB305 also allows for covered individuals to take intermittent leave, and mandates that covered employees returning from leave be restored to the position held prior to the leave.</i>
LB307	Brasch		Judiciary 02/09/2017	General File 03/20/2017	Provide for mediation, child abuse prevention, and civil legal services fees in certain proceedings <i>LB307 requires the clerk of the court to collect an additional fifty-dollar mediation fee and a twenty-five-dollar child-abuse prevention fee for each complaint filed. For each paternity determination or parental support proceeding, a civil legal service fee of fifteen dollars will be collected.</i>
LB310	Friesen	Monitor	Transportation and Telecommunications 02/06/2017	General File 03/01/2017	Change provisions relating to bridge carrying capacities and weight limits <i>LB310 requires counties to firmly post or attach to a bridge a notice if the bridges carrying capacity is less than the limits of twenty thousand points per axel. Any person who drives across such posted bridge that weighs greater than the limit may not recover from the county any damages associated with any injury or damage arising therein. They are also guilty of a Class III misdemeanor.</i>
LB312	Briese	Oppose	Revenue 02/22/2017	In Committee 01/17/2017	Change and eliminate revenue and taxation provisions <i>LB312 eliminates Motor vehicles, motorboat trade-ins, newspapers, laundromats, and telefloral deliveries from being included under "consumer goods" for the purpose of a report created by the department for the purpose of reviewing the major tax exemptions for which state general funds are used to reduce the impact of revenue lost due to a tax expenditure. From the same report, under "nonprofits, governments, and exempt entities" the Nebraska lottery, admissions to school events, and fine art purchases by a museum are eliminated. From the same report, all provisions are eliminated under "services purchased for nonbusiness use" and replaced with only household professional services. Prepaid calling arrangements are also eliminated from "telecommunications."</i> <i>LB312 also removes the exemptions under gross income received for animal specialty services for the purpose of determining gross receipts for providing a service. Other sources of gross are added to the definition of gross receipts for providing a service are added in section 2.</i> <i>LB312 allows the credit from trading in motor vehicles, motorboats, all-terrain vehicles and utility-type vehicles to be used when computing the Sales price.</i> <i>LB312 removes prepared food, food, and food ingredients served by public or private schools from sales tax exemption. Fees and admissions charged by a public or private school are also removed from sales tax exemption. Fees and admissions charged for participants in any activity provided by a nonprofit are also removed from sales tax exemption.</i> <i>LB312 removes from the definition of "food and food ingredients" soft drinks, candy, and bottled water.</i> <i>LB312 allows for a refundable credit against the income tax up to ten percent of the allowed federal credit for taxable years beginning or deemed to be before January 1, 2018 and seventeen percent for taxable years beginning or deemed to begin on or after January 1, 2018.</i> <i>LB312 requires the Tax Commissioner, from the amounts collected under the Nebraska Revenue Act of 1967, credit to the Excess Revenue Property Tax Credit Fund an amount equal to the net increase in state tax revenue received as a result of the changes made by this legislative bill.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<i>LB312 creates the Excess Revenue Property Tax Credit Fund. This fund will be used to provide a property tax credit to owners of real property. To determine the amount of this credit, the county treasurer shall multiply the amount disbursed to the county by the ratio of the real property valuation of the parcel to the total real property valuation in the county. The amount dispersed to each county will be equal to the amount in the Excess Revenue Property Tax Credit Fund multiplied by the ratio of the real property valuation in the county to the real property valuation in the state.</i>
LB313	Briese		Revenue 02/22/2017	In Committee 01/17/2017	Change the sales tax rate and the earned income tax credit and provide property tax credits
					<i>LB313 changes the sales tax rate to six and one-half percent on the operative date of this act. LB313 also allows for a refundable tax credit of 17% of the federal credit allowed for taxable years beginning or deemed to begin on or after January 1, 2018. LB313 also creates the Excess Revenue Property Tax Credit Fund. This fund shall be used to provide a property tax credit to owners of real property.</i>
LB314	Murante		Government, Military and Veterans Affairs 03/01/2017	In Committee 01/17/2017	Change state and municipal election provisions to conform to prior legislation
					<i>LB314 requires cities to file a certified copy of the economic development program with the election commissioner or county clerk no later than fifty days prior to a special election or not later than March 1 prior to a primary or general election. LB314 also eliminates a provision prohibiting the use of General Funds being appropriated for the purpose of a voter registration list. LB314 also makes the penalty for a Class IV felony up to two years' imprisonment and twelve months of post-release supervision.</i>
LB316	Murante		Government, Military and Veterans Affairs 03/09/2017	In Committee 01/17/2017	Change election provisions relating to technology and funding
					<i>LB316 allows for election signatures to be written in ink or affixed electronically. LB316 also creates the Election Technology Fund. The primary purpose of this fund is to ensure the longevity of the state's election technology. The Secretary of State must make periodic requests for appropriation for the fund in order to ensure the ability to purchase new technology on a statewide basis as necessary. LB316 allows for electronic aspects authorized under the Election Act to be used to tabulate ballots. LB316 also allows eliminates a provision allowing for the consolidation of precincts and polling places into fewer and larger for the use of electronic voting systems.</i>
LB317	Hughes		Urban Affairs 01/24/2017	Final Reading 04/11/2017 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 relevied or reassessed whenever the special assessment is found to be invalid and uncollectable. Portions of LB133 have been amended into LB317 via AM19.</i>
					Amended Bills: LB133
LB327	Scheer	Oppose	Appropriations 02/21/2017	In Committee 01/17/2017	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2019
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>
LB334	Scheer		Health and Human Services 01/25/2017	IPP (Killed) 03/13/2017	Change Department of Health and Human Services provisions relating to families
					<i>LB334 eliminates a provision that creates a pilot project of the process of locating and engaging family members in the life of a child who is a ward of the state. LB334 also eliminates provisions requiring contracted providers of family finding services and family members of the children which were part of the pilot project to participate in family finding.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB337	Smith	Revenue	Revenue 02/08/2017	In Committee 01/17/2017 Lindstrom Priority Bill	Change income tax rates and provide for deferrals of the rate changes <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> <i>LB337 also adds additional tax bracket tables.</i>
LB338	Brasch	Revenue	Revenue 02/08/2017	In Committee 01/17/2017 Brasch Priority Bill	Adopt the Agricultural Valuation Fairness Act <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> <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>
LB339	Friesen	Transportation and Telecommunications	Transportation and Telecommunications 01/30/2017	Final Reading 04/10/2017 Transportation and Telecommunications Priority Bill	Merge the Department of Aeronautics into the Department of Roads and rename as the Department of Transportation
LB344	Albrecht	Health and Human Services	Health and Human Services 03/01/2017	In Committee 01/17/2017	Change credentialing and regulation of mental health substance abuse centers <i>LB344 allows the board to issue a license to those who hold a license or certification that is current in another jurisdiction that authorized the applicant to provide alcohol and drug counseling, has at least two hundred seventy hours of counseling education, has at least three years of full-time counseling practice and has passed a counseling examination.</i> <i>LB344 also includes provisions regarding approved educational programs. These programs are accredited by the Commission on Accreditation for Marriage and Family Therapy Education, the Counsel for Accreditation of Counseling and Related Educational Program, the Counsel on Rehabilitation Education, the Council on Social Work Education, or The American Psychological Association for a doctoral degree program enrolled in by a person who has a master's degree or its equivalent in psychology.</i> <i>LB344 allows those who have received a doctoral degree or the equivalent of a master's degree to be qualified to be a licensed mental health practitioner. LB344 also allows those who have been in active practice in the appropriate discipline for at least five years following initial licensure or certification in another jurisdiction and has passed the Nebraska jurisprudence examination to be issued a license by the board.</i> <i>LB344 makes ineligible for SNAP those with one or two felony convictions for possession or use of a controlled substance unless they are participating in, since the date of conviction, a substance abuse program that is nationally accredited or provided in a mental health substance use treatment center licensed under the Health Care Facility Licensure Act.</i> <i>LB344 requires health care facilities applying for a license as a mental health substance use treatment center to designate whether the license is to be issued to provide services for mental health disorders only, for substance use disorders only, or for both mental health and substance use disorders.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB345	Craighead		Banking, Commerce and Insurance 03/06/2017	General File 03/08/2017	Eliminate an experience requirement for abstracters <i>LB345 eliminates a provision requiring at least one year of verified land title-related experience satisfactory to the board for individuals desiring to become a registered abstracter.</i>
LB349	Hilkemann		Judiciary 01/27/2017	General File 02/06/2017	Change provisions relating to the maintenance and administration of the State DNA Sample and Data Base Fund <i>LB349 makes the State DNA Sample and Data Base Fund maintained and administered by the Nebraska State Patrol.</i>
LB353	Baker		Judiciary 02/01/2017	In Committee 01/17/2017	Change claim, award, and judgment payment provisions under the Political Subdivisions Tort Claims Act <i>LB353 requires that any claim, award, or judgment pursuant to the Political Subdivisions Tort Claims Act be paid in the same manner as other claims, awards, or judgments against the political subdivision.</i>
LB354	Kolowski		Business and Labor 02/27/2017	In Committee 01/17/2017	Adopt the Wage Disclosure Act <i>LB354 adopts the Wage Disclosure Act. This act makes it unlawful for an employer to screen job applicants based on their current or prior wages, request or require that a job applicant disclose his or her current or prior wages, or seek information regarding an applicant's current or prior wages. Violations of this act will be a Class IV misdemeanor.</i>
LB357	Bolz	Support	Transportation and Telecommunications 02/28/2017	In Committee 01/17/2017	Increase original certificate of title fees for vehicles transferred to Nebraska from another state and provide for voluntary contributions to brain injury programs <i>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.</i>
LB359	Kolterman		Judiciary 02/15/2017	In Committee 01/17/2017	Authorize damages for property taxes and special assessments paid on property lost through adverse possession <i>LB359 allows persons who have lost title to real property due to a successful claim of adverse possession to recover damages for all taxes and special assessments paid during the period of adverse possession.</i>
LB365	Blood		Government, Military and Veterans Affairs 02/02/2017	General File 03/15/2017	Change provisions relating to access to public records and provide for fees <i>LB365 makes, for nonresidents of Nebraska, the actual added cost used as the basis for the calculation of a fee for records include a charge for the existing salary or pay obligation to the public officers or employees, including a charge for the services of an attorney to review the requested public records.</i>
LB367	Krist	Oppose	Judiciary 02/24/2017	In Committee 01/17/2017	Change provisions relating to payment of costs in juvenile matters <i>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.</i>
LB369	Lowe		Government, Military and Veterans Affairs 02/16/2017	In Committee 01/17/2017	Change provisions relating to fees charged by the register of deeds <i>LB369 eliminates the provision that ended the ten-dollar fee received by the register of deeds and the county clerk for recording a deed, mortgage, or release, recording and indexing of a will, recording and indexing of a decree in a testate estate, recording proof of publications, or recording any other instrument. LB369 allocates two dollars and fifty cents of this fee to the preservation and maintenance of public records.</i> <i>LB369 eliminates the uniform fee for presenting for filing and indexing and for filing and indexing each notice of lien or certificate of notice affecting the lien. LB369 also eliminates the provision that ended the uniform fee for presenting for filing, releasing, continuing, or subordinating or for filing, releasing, continuing, or subordinating each tax lien.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB370	Lowe		Judiciary	In Committee 01/17/2017	Eliminate requirement to obtain certificate or complete background check to receive or transfer a handgun <i>LB370 eliminates the requirement to obtain a certificate to purchase, lease, rent, or receive transfer of a handgun from the chief of police or sheriff. LB370 also makes the Nebraska State Patrol, for purposes of background checks for handguns, unable to access patient records from institutions associated with the Department of Health and Human Services.</i>
LB371	Crawford		Judiciary 02/01/2017	General File 02/06/2017	Eliminate condemnation authority of the State Fire Marshal <i>LB371 eliminates the requirement that the county attorney of any county assist the State Fire Marshal in condemnation proceedings.</i>
LB373	Schumacher	Oppose	Revenue 03/22/2017	In Committee 01/17/2017	Change and eliminate revenue and taxation provisions <i>SUMMARY ON SEPARATE DOCUMENT</i>
LB378	McCollister		Appropriations 03/06/2017	In Committee 01/17/2017	Appropriate funds to the Department of Correctional Services <i>LB378 appropriates \$5,000,000 from the General Fund for FY2016-17 to the Department of Correctional Services, for Program XXX. The appropriation shall only be used to house prison inmates at county jails where such inmates have been classified as community corrections inmates and are housed at county jails in the general area where the inmates on parole or release will be located</i>
LB381	Harr		Judiciary 02/01/2017	In Committee 01/17/2017	Change provisions relating to jury sequestration <i>LB381 allows the court to order a jury sequestered during trial or after a case is finally submitted to the jury on the court's own motion or on motion by a party for good cause shown. LB381 also prohibits jurors that are sequestered from reading, listening, or viewing any reports of the case in the media.</i>
LB382	Erdman		Government, Military and Veterans Affairs 02/16/2017	General File 04/05/2017	Change provisions relating to budget limitations <i>LB382 makes, for FY2017-18, the last prior year's total of restricted funds for counties equal to the last prior year's total of restricted funds minus the last prior year's restricted funds budgeted by counties plus the last prior year's amount of restricted funds budgeted by counties for capital improvements.</i>
LB383	Quick		Urban Affairs 01/31/2017	In Committee 01/17/2017	Change membership provisions for certain community redevelopment authorities, citizen advisory review committees, and planning commissions <i>LB383 prohibits members of planning commissions from also being members of a community redevelopment authority. LB383 also prohibits members of planning commissions from being members of a citizen advisory review committee.</i>
LB384	Lindstrom		Banking, Commerce and Insurance 02/06/2017	General File 02/09/2017	Change the rate of interest to be charged on installment loans <i>LB384 changes the interest rate charged on installment loans under the Nebraska Installment Loan Act to twenty-nine percent per annum.</i>
LB385	Lindstrom	Monitor	Revenue 03/01/2017	In Committee 01/17/2017	Change provisions relating to the burden of proof and who may appeal under the Tax Equalization and Review Commission Act <i>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.</i>
LB386	Lindstrom		Banking, Commerce and Insurance 02/21/2017	In Committee 01/17/2017	Change time period a licensee under the Delayed Deposit Services Licensing Act may hold a check <i>LB386 prohibits licensees from holding or agreeing to hold a check for more than forty days.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB389	Friesen		Transportation and Telecommunications 02/21/2017	In Committee 01/17/2017 Speaker Priority Bill	Adopt the Small Wireless Facilities Act <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>
LB392	Larson		Natural Resources 02/09/2017	In Committee 01/17/2017	Adopt the Wind Friendly Counties Act <i>LB392 adopts the Wind Friendly Counties Act. The Act requires the Director of Agriculture to establish a process to recognize and assist efforts of the counties to create, maintain, or expand winder energy opportunities.</i>
LB394	Morfeld		Judiciary 02/09/2017	General File 03/13/2017	Change provisions relating to possession of a deadly weapon by person subject to a domestic violence protection order <i>LB394 makes subjects of a current and validly issued harassment protection order who are in possession of a firearm, knife, or brass knuckles guilty of the offense of possession of a deadly weapon by a prohibited person.</i>
LB395	Morfeld	Monitor	Judiciary 03/16/2017	General File 04/12/2017	Change provisions relating to conditions of and ability to post bail <i>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.</i>
LB399	Wayne		Urban Affairs 01/31/2017	In Committee 01/17/2017	Change provisions relating to housing commissions <i>LB399 allows the chief elected official of cities of the metropolitan class to appoint seven adult persons to an established local housing agency. LB399 also requires any commissioner of a local housing agency to attain a commissioner's certification from the National Associate on Housing and Redevelopment Officials at their own expense.</i>
LB400	Hilkemann		Revenue 03/02/2017	General File 04/04/2017	Change provisions relating to motor vehicle fees and taxes <i>LB400 makes all refunds for motor vehicle registrations based upon the number of unexpired time remaining from the date of the event, not the date of presentation to the county treasurer.</i>
LB405	Baker		Judiciary 03/15/2017	In Committee 01/17/2017	Change provisions relating to DNA samples, DNA records, and thumbprints under the DNA Identification Information Act <i>LB405 allows for the detention, arrest, adjudication, and conviction of a person based upon a DNA record, DNA sample, or thumb or fingerprint even if the DNA sample, DNA records, or thumb or fingerprint was obtained for inclusion or was placed in the State DNA Data Base, Combined DNA Index System, or State DNA Sample Bank by mistake. Law enforcement agencies or their employee that mistakenly submit the information for inclusion shall not be criminally or civilly liable if mistake was made in good faith.</i>
LB413	Kolterman		Nebraska Retirement Systems 02/03/2017	General File 03/16/2017	Change a retirement application timeframe for judges and Nebraska State Patrol officers as prescribed and change supplemental lump-sum cost-of-living adjustments under the Judges Retirement Act <i>LB413 requires a judge's application for retirement to be filed no more than one hundred twenty days in advance of qualifying for retirement. LB413 also changes the word "adjustment" to "payment" in terms of lump-sum cost of living. LB413 also changes the definition of Officer to exempt law enforcement officers who have been granted an appointment conditioned on satisfactory completion of a training program approved by the Nebraska Police Standards Advisory Council.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB415	Kolterman		Nebraska Retirement Systems 02/27/2017	General File 04/10/2017 Nebraska Retirement Systems Priority Bill	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

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.

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.

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.

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.

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.

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<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 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. 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 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 eared 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> <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 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 eared 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	Final Reading 04/12/2017 Riepe Priority Bill	Change and eliminate provisions relating to public health and welfare
					<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>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB418	Briese		Transportation and Telecommunications 01/31/2017	General File 02/10/2017	Update certain references to federal regulations regarding motor vehicles and motor carriers <i>LB418 changes the date from "2016" to "2017." LB418 also adopts the rules of practice for FMCSA. LB418 also updates civil penalty amounts to match federal regulations for commercial carriers.</i>
LB420	McCullister		Business and Labor 03/13/2017	General File 03/21/2017	Adopt the Fair Chance Hiring Act <i>LB420 adopts the Fair Chance Hiring Act. This act prohibits employers and employment agencies from asking an applicant to disclose information concerning the applicants criminal record or history unless such disclosure is needed to determine if the applicant meets the minimum employment qualifications of the position. Such positions include those in which a criminal history record information check is required by law or federal or state law specifically disqualifies an applicant with a criminal background even if such law allows for a waiver that would allow such applicant to be employed.</i>
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>
LB424	Ebke		Judiciary 03/17/2017	In Committee 01/17/2017	Provide for earned time and discontinue use of good time in the Department of Correctional Services <i>LB424 provides for an earned time credit and discontinues the use of good time. For sentences imposed on or after the operative date of this act, the department may apply earned time only to eligibility for parole or mandatory supervision. If a committed offender commits an offense or violates a rule of the department during the actual term of imprisonment, the department may forfeit all or any part of the committed offender's accrued earned time, or place all or part of the accrued time under suspension. If parole or mandatory supervision of a committed offender is revoked, the committed offender shall forfeit all earned time previously accrued. LB424 requires the department to establish a policy regarding the suspension of earned time. This policy should provide that the department will consider the severity of an offense or violation when determining if earned time should be suspended and during any period that earned time is suspended, it may not be used for purposes of granting privileges or to compute eligibility for parole.</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
LB427	Vargas		Education 01/30/2017	Select File 04/10/2017 Vargas Priority Bill	Require breastfeeding accommodations for student-parents <i>LB427 requires schools to provide private or appropriate facilities for accommodation for milk expression and storage for breast feeding student-mothers.</i>
LB431	Erdman		Government, Military and Veterans Affairs 01/26/2017	In Committee 01/19/2017	Change provisions relating to cash reserves under the Nebraska Budget Act <i>LB431 prohibits governing bodies from referencing cash reserves in their actual and estimated revenue that exceed fifty percent of the total amount received from personal and real property taxation. Since an emergency exists, this act takes effect when passed and approved according to law</i>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 27

Document	Senator	Position	Committee	Status	Description
LB432	Erdman		Government, Military and Veterans Affairs 01/26/2017	Final Reading 04/10/2017 Erdman Priority Bill	Change 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>
LB434	Ebke	Neutral	Judiciary 03/09/2017	In Committee 01/19/2017	Change videoconferencing provisions relating to certain juvenile hearings <i>LB434 requires any telephone or videoconference juvenile evidentiary hearings to ensure the preservation of due process or rights of all parties.</i>
LB435	Ebke		Judiciary 03/15/2017	In Committee 01/19/2017	Change provisions relating to escape <i>LB435 makes escape a Class IIA felony.</i>
LB437	Craighead		Government, Military and Veterans Affairs 03/08/2017	In Committee 01/19/2017	Change requirements for independent instrumentalities under the Taxpayer Transparency Act <i>LB437 includes a definition for independent instrumentalities. Independent instrumentality means a body created by the laws of this state which may sue and be sued and with respect to which the state, by law, does not provide indemnification. LB437 allows, in lieu of providing copies of each active contract, an independent instrumentality may provide a link to copies of such contracts that are stored on a severed owned or managed by it. LB437 also allows independent instrumentalities to provide information that is necessary to accomplish the purposes of the Taxpayer Transparency Act by providing the State Treasurer with a link to a web site or document containing such information that is stored on a server owned or managed by the independent instrumentality. Since an emergency exists, this act takes effect when passed and approved according to law.</i>
LB438	Howard		Revenue 03/17/2017	In Committee 01/19/2017	Increase cigarette and tobacco taxes as prescribed and provide for the distribution of funds <i>LB438 creates the Behavioral Health Provider Rate Stabilization Fund. This fund shall be used to support reimbursement of behavioral health services providers through provider rates within the Children's Health Insurance Program, the Medical Assistance Act, the Nebraska Behavioral Health Services Act, and the Nebraska Community Aging Services Act. LB438 provides specific distribution guidelines for the Nebraska Health Care Cash Fund. LB438 also increases the tax on each package of cigarettes containing not more than twenty cigarettes to two dollars and fourteen cents per package. Beginning July 1, 2017, the State Treasurer shall place one dollar and twenty-four cents of such tax in the General Fund. Beginning July 1, 2016, and each FY thereafter, the State Treasurer shall place sixty-one million two hundred fifty thousand dollars of such tax in the Nebraska Health Care Cash Fund. Since an emergency exists, this act takes effect when passed and approved according to law.</i>
LB441	Morfeld	Support	Health and Human Services 03/08/2017	In Committee 01/19/2017	Change eligibility provisions under the Medical Assistance Act <i>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.</i>
LB444	Walz		Judiciary 03/03/2017	Final Reading 04/11/2017 Walz Priority Bill	Prohibit cities and counties from canceling health insurance coverage for injured first responders as prescribed <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>
LB445	Chambers		Executive Board 02/02/2017	IPP (Killed) 04/05/2017	Prohibit lobbyist-provided meals and beverages for legislators during session in the State Capitol <i>LB445 prohibits meals and beverage from being provided anywhere in the State Capitol building to members of the Legislature by any lobbyist while the Legislature is in session.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
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>
LB458	Harr		Government, Military and Veterans Affairs 01/27/2017	General File 04/04/2017	Change provisions relating to the County Purchasing Act <i>LB458 excludes any purchase or lease of personal property or services by or on behalf of a county from the definition of purchasing or purchase for purposes of the County Purchasing Act.</i>
LB463	Watermeier		General Affairs 01/30/2017	General File 02/22/2017	Change a provision relating to appointment to certain cemetery boards <i>LB463 allows a mayor of a city with fewer than twenty-five thousand residents to appoint members to a cemetery board from among citizens at large from the county in which the village is located.</i>
LB468	Krist	Oppose	Revenue 02/15/2017	In Committee 01/19/2017	Change revenue and taxation provisions <i>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.</i> <i>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.</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>
LB472	Bostelman		Transportation and Telecommunications 02/21/2017	General File 03/01/2017	Change provisions relating to signs and advertising on highways <i>LB472 only allows the Department of Roads to require permits for advertising signs, displays, and devices placed along or upon the Highway Beautification Control System</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB473	Walz		Business and Labor 03/13/2017	In Committee 01/19/2017	Require rest periods for employees <i>LB473 prohibits employers from requiring any employee to work without a rest period of at least fifteen minutes for every four hours worked. No reduction in compensation may be made for such rest period.</i>
LB479	Groene		Government, Military and Veterans Affairs 01/26/2017	General File 03/17/2017	Change public hearing provisions and redefine a term under the Nebraska Budget Act <i>LB479 adds joint entity created pursuant to the Interlocal Cooperation Act that receives tax funds to the definition of Governing Body for the Nebraska Budget Act. LB479 also requires governing bodies to hold public hearings on proposed budgets on a separate day from any regularly scheduled meeting. At such hearing, the governing body must make a detailed presentation and make available a written copy of the budget.</i>
LB480	McCollister		Banking, Commerce and Insurance 02/13/2017	General File 03/15/2017	Provide requirements relating to health benefit plan coverage for insureds in jail custody <i>LB480 prohibits an insurer offering a health benefit plan from denying reimbursement for any service or supply covered by the plan or cancel the plan if the insured is in the custody of a jail pending disposition of charge, the insured receives publicly funded medical care while in such custody, and the care was provided by an employee or contractor who meets the credentialing requirements of the plan. LB480 requires health benefit plans to reimburse the political subdivision for the costs of covered services provided to the insured who is in custody.</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>
LB482	Smith		Government, Military and Veterans Affairs 02/24/2017	In Committee 01/19/2017	Adopt the Government Neutrality in Contracting Act <i>LB482 adopts the Government Neutrality in Contracting Act. The purpose of this act is to provide for the efficient procurement of goods and services by governmental units and to promote the economical, nondiscriminatory, and efficient administration and completion of construction projects funded, assisted, or awarded by a governmental entity. The Act requires that a governmental unit ensure that any requests for proposals or bid specification for a public contract do not contain a term that requires, prohibits, encourages, or discourages bidders, contractors, or subcontractors from entering into a collective-bargaining agreement or a term that discriminates based on status as a party or nonparty to, or the willingness or refusal to enter into, a collective-bargaining agreement relating to construction under a public contract.</i>
LB487	Morfeld		Judiciary 02/23/2017	Select File 04/05/2017 Judiciary Priority Bill	Provide and change immunity provisions relating to naloxone and asthma and allergic reactions and change provisions of the Uniform Controlled Substances Act <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> <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> <i>Portions of LB167, LB293, and LB296, as amended by AM276, have been amended into LB487 via AM568.</i>

Amended Bills: LB167, LB293, LB296

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 30

Document	Senator	Position	Committee	Status	Description
LB488	Groene		Natural Resources 02/15/2017	IPP (Killed) 03/08/2017	Adopt the Water Conservation Grant Act <i>LB488 adopts the Water Conservation Grant Act. The act allows for the department to be accepting applications for water conservation grants if they determine that the states that are subject to a multi-state compact have agreed to count any reduction in water usages in determining Nebraska's compliance with the multi-state compact. LB488 requires that ground water that is not used for irrigation purposes be considered used when a natural resources district calculates irrigation caps under an integrated management plan created pursuant to the Act.</i> <i>LB488 also creates the Water Conservation Grant Fund. The Fund shall be used to fund water conservation grants awarded under the Act.</i>
LB489	Groene		Urban Affairs 02/21/2017	In Committee 01/19/2017	Redefine development project under the Community Development Law <i>LB489 removes other improvements in accordance with the development plan from the definition of development project under the Community Development Law.</i>
LB492	Harr		Judiciary 02/15/2017	General File 03/01/2017	Adopt the Self-Service Storage Facilities Act and authorize certain liens <i>LB492 adopts the Self-Service Storage Facilities Act. LB492 prohibits an operator from knowingly permitting a leased space at a self-service storage facility to be used for residential purposes. LB492 requires an occupant, upon reasonable request from the operator, to allow the operator to enter a leased space for purposes of inspection or repair. LB492 establishes that, upon the date in which personal property is placed in a leased space, the operator shall have a lien upon the occupant's personal property for delinquent rent, late fees, labor, or other charges incurred pursuant to a rental agreement. This lien is enforceable once the occupant is in default for forty-five days. The operator may then, after providing the appropriate notice, hold a public sale. LB492 also grants the operator the right to deny the occupant access for any default rent or charges.</i>
LB496	Stinner		Urban Affairs 02/28/2017	General File 03/08/2017 Williams Priority Bill	Define and redefine terms under the Community Development Law <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>
LB498	Brewer		Revenue 02/24/2017	In Committee 01/20/2017	Change provisions relating to transfer of homestead exemptions <i>LB498 stipulates that, for purposes of such determination, the January 1 through August 15 ownership and occupancy requirement shall not apply.</i>
LB500	Brewer		Judiciary 03/01/2017	In Committee 01/20/2017	Authorize the carrying of concealed handguns by qualified active and retired law enforcement officers <i>LB500 allows an individual who is a qualified law enforcement officer or qualified retired law enforcement officer and who is carrying the required identification may carry a concealed handgun anywhere in the State of Nebraska. For law enforcement officers, such identification shall be photogenic and issued by the employing governmental entity. For retired officers, the identification shall be either a photographic identification issued from the agency from which the individual separated in good standing or a photographic identification issued and a certificate issued by the individual's state of residence.</i>
LB501	Brewer		Judiciary 03/08/2017	In Committee 01/20/2017	Change prohibition on locations where permitholder may carry a concealed weapon <i>LB501 requires that, in order for a permit holder to violate the section, there must be a posted conspicuous notice that carrying a concealed handgun is prohibited and the property owner must make a request that the permitholder leave, which the permitholder defies. LB501 also makes this violation a Class II misdemeanor.</i>
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>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB503	Brewer		Business and Labor 03/20/2017	In Committee 01/20/2017	Prohibit certain provisions in collective-bargaining agreements <i>LB503 prohibits the deduction of wages of a public employee, either directly or indirectly, on behalf of a collective-bargaining organization except as required by a collective-bargaining agreement entered into between a public employer and a representative of its employees prior to the effective date of this act.</i>
LB508	Hilgers	Support	Government, Military and Veterans Affairs 02/22/2017	General File 04/04/2017	Change the population threshold for the county civil service system <i>LB508 changes the threshold requiring the formation of a Civil Service Commission from three hundred thousand inhabitants of a county to four hundred inhabitants.</i>
LB510	Ebke	Oppose	Government, Military and Veterans Affairs 03/08/2017	In Committee 01/20/2017	Provide a restriction on installment contracts for the purchase of real or personal property by political subdivisions <i>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.</i>
LB511			Education 02/28/2017	In Committee 01/20/2017	Change provisions for payment of educational costs for state wards and students in residential settings <i>LB511 requires the resident school district to pay the cost of education and any required transportation associated with education for any student who is a ward of the state or resident in certain residential settings except as provided. DHHS shall pay the costs of education and transportation for a student who is a ward of the state, does not reside in a foster family home, and is placed in a school district other than the school district in which they resided at the time they became a ward of the state. DHHS shall pay the costs of education and transportation for any student that is a ward of the state and is placed in an institution which maintains an approved special education program. DHHS shall pay the costs of education and transportation for a student who is a ward of the state, is eighteen years of age or younger, and is placed in a county detention home.</i> <i>LB511 also requires that, except as provided in the Nebraska Indian Child Welfare Act, a child shall continue to attend the same school as prior to placement outside their home unless a determination is made that continued attendance at such school would not be in the best interests of the child.</i>
LB514	Bolz		Appropriations 02/27/2017	In Committee 01/20/2017	State intent to appropriate funds for a Justice Reinvestment Initiative Coordinator <i>LB514 states the intent of the Legislature to appropriate one hundred thousand dollars to the University of Nebraska at Omaha for fiscal year 2017-18 to fund the position of Justice Reinvestment Initiative Coordinator at the University of Nebraska at Omaha College of Public Affairs and Community Service Nebraska Center for Justice Research.</i>
LB516	Pansing Brooks		Judiciary 03/09/2017	General File 04/04/2017	Change provisions relating to a report on juvenile facilities <i>LB516 requires juvenile facilities to redact all personal identifying information from their quarterly report. LB516 also make intentional or knowingly failure to comply with this section a Class V misdemeanor.</i>
LB517	Pansing Brooks		Judiciary 02/10/2017	General File 04/04/2017	Change provisions regarding transfer of property upon death <i>LB517 makes divorce or annulment of a marriage, except as provided by the express terms of a governing instrument made between the divorced individuals, revokes any revocable disposition or appointment of property, provision in a governing instrument conferring a general or nongeneral power of appointment on the divorced individual's spouse or relative of the spouse, or nomination of the divorced spouse to serve in any fiduciary or representative capacity. The divorce or annulment also severs the interests of the former spouses in property held by them at the time of the divorce or annulment as joint tenants with the right of survivorship, transforming the interests of the former spouses to equal tenancies in common.</i>
LB520	Hansen		Judiciary 03/08/2017	In Committee 01/20/2017	Require notification when persons prohibited by state or federal law obtain a handgun or concealed carry permit <i>LB520, if a prohibited person files an application to obtain a handgun or concealed carry permit, requires the forwarding of the denied application to the Nebraska Commission on Law Enforcement and Criminal Justice. The commission is then required to evaluate whether local law enforcement should be alerted based on the application. Law enforcement agencies are also required to report certain statistics related to rejected applications and noticed received from the commission.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB529	Harr		Judiciary 03/16/2017	In Committee 01/20/2017	Authorize county courts sitting as probate courts in cases of guardianship to authorize abortions in judicial by-pass cases. <i>LB529 allows county courts sitting as a probate court in the case of a pregnant woman for whom a guardian has been appointed to authorize abortions in judicial by-pass cases.</i>
LB530	Harr		Executive Board 02/08/2017	IPP (Killed) 04/05/2017	Change requirements for providing information to the Legislative Fiscal Analyst and provide for withholding appropriations. <i>LB530 requires the Legislative Fiscal Analyst, beginning July 1, 2017, to notify the State Treasurer and the Director of Administrative Services to withhold the appropriations for any officer, board, commission, or department which does not furnish the required information until such information is received.</i>
LB531	Harr		Revenue 03/02/2017	In Committee 01/20/2017	Change sales tax collection fees for motor vehicles. <i>LB531 allows the county treasurer to deduct and withhold for the use of the county general fund an additional one-half of one percent of all amount in excess of three thousand dollars remitted each month.</i>
LB532	Kolterman		Nebraska Retirement Systems 02/13/2017	In Committee 01/20/2017	Change provisions relating to a military service credit for certain retirement plans as prescribed. <i>LB532, for military service rendered on or after January 1, 2018, requires that county employees, school employees, State Patrol Officers and judges who are reemployed pursuant to 38 U.S.C. 4301 be treated as not having incurred a break in service by reason of their period of military service. Such service will be credited for purposes of determining the nonforfeitable of the member's accrued benefits and the accrual of benefits under the plan. LB532 makes the county employing the member liable for funding any obligation of the plan to provide the benefits based upon such period of service. The state will be liable to fund the obligation of the plan for judges and State Patrol Officers. The employer shall be liable for funding any obligations for the school employee.</i>
LB539	Krist		Executive Board 02/08/2017	Final Reading 04/10/2017 Executive Board Priority Bill	Change the Office of Inspector General of the Nebraska Correctional System Act. <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>
LB544	Watermeier	Monitor	Judiciary 02/15/2017	In Committee 01/20/2017	Provide for elimination of the office of clerk of the district court as prescribed. <i>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.</i>
LB545	Watermeier		Appropriations 03/03/2017	In Committee 01/20/2017	Provide for fund transfers relating to the Property Tax Credit Cash Fund. <i>LB545 requires the State Treasurer to transfer from the General Fund to the Property Tax Credit Cash Fund: Four hundred twenty-four million dollars for tax year 2018; Six hundred twenty-four million dollars for tax year 2019; Eight hundred twenty-four million dollars for tax year 2020.</i>
LB555	Smith		Revenue 03/01/2017	In Committee 01/20/2017	Change and eliminate provisions of the Tax Equalization and Review Commission Act. <i>LB555 allows commissioners who live within fifty miles of the state office building to be reimbursed for mileage for actual round trip travel. Commissioners who live more than fifty miles may be reimbursed for mileage for one round trip per week and shall be paid a per diem at the federal per diem rate for each day worked at the state office building. LB555 also makes the filing fee for each appeal or petition filed with the commission fifty dollars if the taxable value of each parcel involved in the appeal is one million dollars or less, and a fee of one hundred dollars if the taxable value of each parcel involved is more than one million dollars.</i>
LB556	Halloran		Judiciary 03/08/2017	General File 03/20/2017	Change provisions relating to firearms and create the offenses of use of a facsimile or nonfunctioning firearm to commit a felony and possession of a firearm by a prohibited juvenile offender. <i>LB556 creates the offense of use of a facsimile firearm or nonfunctioning firearm to commit a felony. This offense is a Class IIA felony, and shall be treated as separate and distinct from the felony being committed.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
					<i>LB556 also creates the offense of possession of a firearm by a prohibited juvenile offender. This offense applies to those under the age of 25, who have previously been adjudged as a juvenile who commit certain specified offenses. It is a Class III felony.</i>
LB559	Schumacher		Banking, Commerce and Insurance 03/07/2017	In Committee 01/20/2017	Prohibit the collection of interchange fees on specified taxes and fees relating to electronic payment transactions
					<i>LB559 excludes the from the amount of an interchange fee charged for an electronic payment transaction the amount of any tax or fee imposed by state or local government that is calculated as a percentage of an electronic payment transaction amount and listed separately on the payment invoice. This act will apply to electronic payment transactions processed on or after October 1, 2017.</i>
LB560	Schumacher		Judiciary 03/22/2017	In Committee 01/20/2017	Change restrictive housing and inmate discipline provisions
					<i>LB560 changes the status of solitary confinement to mean confinement in an isolated cell, alone or with a cell mate, for an average of twenty-two or more hours per day, with limited human interaction or constructive activity, and in an environments that ensures maximum control. LB560 allows inmates to have been confined in restrictive housing for more than nineteen days to seek review of the decision to place them in restrictive housing. The review shall be conducted by the district court of the county in which the correctional facility is located.</i>
					<i>LB560 requires that any inmate placed in restrictive housing be done so in the least restrictive manner consistent with maintaining order in the facility and pursuant to the rules and regulations. LB560 also prohibits any member of a vulnerable population from being placed in restrictive housing.</i>
LB562	McCollister		Judiciary 03/17/2017	General File 04/04/2017	Require a monthly report from the Department of Correctional Services as prescribed
					<i>LB562 requires the Department of Correctional Services to prepare a monthly report including the number of committed offenders at or past their parole eligibility dates who have not received appropriate programming, the number and type of vacant position for behavioral health staff, and the number of inmates who have achieved community-custody status but are not in community-custody facilities.</i>
LB563	McCollister		Revenue 02/22/2017	In Committee 01/20/2017	Impose sales tax on certain services and eliminate certain sales tax exemptions
					<i>LB563 eliminates sales and use tax exemptions for newspapers, laundromats, telefloral deliveries, the Nebraska Lottery, maintenance and repair services, personal care services, lawn care, gardening, storage and moving services, and taxi, limousine and other transportation services. LB563 also includes new provisions under the definition for gross receipts for receiving a service.</i>
LB567	Bolz	Support	Government, Military and Veterans Affairs 02/22/2017	In Committee 01/20/2017	Change funding for county public assistance offices
					<i>LB567 requires the state to pay the cost for the office and service facilities used for the administration of the public assistance programs.</i>
LB570	Friesen		Revenue 03/09/2017	In Committee 01/20/2017	Provide a property tax exemption for all tangible personal property
					<i>LB570 exempts all tangible personal property from property tax beginning January 1, 2019.</i>
LB576	Brewer		Revenue 03/09/2017	In Committee 01/20/2017	Limit increases in property tax bills
					<i>LB576 prohibits an owner's property tax bill for 2017 and 2018 from exceeding their property tax bill for 2016.</i>
LB577	Hilgers		Judiciary 03/03/2017	In Committee 01/20/2017	Create offense of assault on a peace officer, firefighter, or out-of-hospital emergency care provider by ambush
					<i>A person commits the offense of assault on a peace officer, firefighter, or out-of-hospital emergency care provider by ambush if they knowingly and intentionally attack such a person while they are engaged in the performance of their official duties and the attacker either attacks without warning from a concealed position or approaches an unsuspecting officer and intentionally or knowingly causes serious bodily injury. This offense is a Class IB Felony and required a minimum sentence of forty years and possibly a fine up to one hundred thousand dollars.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB578	McDonnell		Health and Human Services 03/15/2017	General File 04/10/2017 McDonnell Priority Bill	Change medicaid reimbursement provisions relating to ground emergency medical transportation <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> <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>
LB581	McDonnell		Government, Military and Veterans Affairs 03/22/2017	In Committee 01/20/2017	Require lobbyists to disclose conflicts of interest to principals and provide for cancellation of contracts <i>LB581 requires every lobbyist to present a disclosure statement to their principle including: the name, permanent residence address, and office address of the lobbyist; a description of the business activity of the lobbyist; the name of every other principle represented by such lobbyists, the nature of the business of such principle, the amounts or sums given or to be given to the lobbyists as compensation and an identification of such matters on which the lobbyists expects to lobby; a description of any business association of the lobbyist; any information which the lobbyist possess that might constitute a conflict of interest; and a notice that a principle has the right to cancel the contract by mailing a written notice before midnight of the third business day after receipt. Any person violating these requirements will be guilty of a Class III misdemeanor.</i> <i>LB581 also provides principles with the right to cancel a lobbying contract until midnight of the third business day after the lobbyist has presented a disclosure statement.</i>
LB584	Friesen		Transportation and Telecommunications 01/30/2017	General File 02/10/2017	Change provisions relating to mowing of weeds <i>LB584 prohibits those employed by or under contract with a county or township from mowing roadside ditches before July 1 of any year.</i>
LB585	Linehan		Judiciary 03/17/2017	In Committee 01/20/2017	Change provisions relating to dangerous dogs, seizure of animals, and animal control authorities <i>LB585 requires the county attorney where an animal is seized to file an application for a hearing to determine the disposition and the cost for the care of the animal within thirty days after seizure. LB585 also changes the definition of dangerous dog. The requirement of animal control authority records has been eliminated, and a dog can be considered dangerous if it has conflicted serious bodily injury on a domestic animal without provocation that required medical treatment. LB585 prohibits any person knowingly, recklessly, or negligently owning, keeping, or harboring a dangerous dog without complying with specific laws.</i>
LB589	Crawford		Judiciary 03/02/2017	General File 03/13/2017	Provide for depositions of a child victim or child witness <i>LB589 prohibits depositions of a child being taken when the child has undergone a video-recorded forensic interview at a child advocacy center, except by agreement of the parties or by approval of the court. If a request to depose a child is granted, the court must make any protective order that justice requires to protect the child from emotional harm, distress, harassment, undue influence, or intimidation.</i>
LB591	Crawford		Urban Affairs 02/07/2017	In Committee 01/20/2017	Provide for enforcement of building codes under the Contractor Registration Act <i>LB591 requires each contractor who files an application with the department to include, if applicable, any previous revocation from the registry for failure to comply with applicable state and local business codes.</i> <i>LB591 allows the commissioner to issue a notice of revocation to a contractor when an investigation reveals that the contractor has willfully failed to take corrective action to bring one or more buildings into compliance with applicable building codes. The registration may temporarily be reinstated pending a hearing on the revocation if the contractor can make a showing of corrective action. In order for the commissioner to initiate an investigation, there must be a written complaint that includes signed substantiation of a potential code violation from an inspector, code official, State Energy Office, or a certified building official and the complainant must have taken reasonable steps to obtain compliance with building codes through local code officials. If the commissioner decides to issue a citation for failure to comply, they must provide the contract with a proposed timeframe for taking corrective action.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Document	Senator	Position	Committee	Status	Description
LB597	Groene		Urban Affairs 02/21/2017	IPP (Killed) 03/09/2017	Provide for application process through county assessor and Tax Commissioner prior to using tax-increment financing <i>LB597 requires any governing body that seeks to use tax-increment financing to submit an application to the county assessor. This application must include the information reasonably required to determine the eligibility of the governing body, the redevelopment plan, and the parcel or parcels for such tax-increment financing. This application will be forward by the county assessor to the Tax Commissioner if the county assessor determines that the certain requirements of the application have been met. The Tax Commissioner will then review the application to ensure all provision of the Constitution of Nebraska, the Community Development Law, and tax-increment financing have been satisfied.</i>
LB599	Groene		Revenue 03/09/2017	In Committee 01/20/2017	Exempt certain improvements on land from taxes as prescribed <i>LB599 exempts from personal property tax any improvements on land of infrastructure, redevelopment, or new construction intended for business or housing purposes until occupied, sold, or leased.</i>
LB602	Erdman		Revenue 02/24/2017	In Committee 01/20/2017	Change and eliminate provisions relating to the valuation of agricultural land <i>LB602 states that the actual value of agricultural and horticultural land for purposes of taxation means the capitalized net earning capacity that the land produced without regard to any value that the land might have for other purposes or uses.</i> <i>LB602 requires that agricultural and horticultural land used primarily for those purposes will constitute a separate and distinct class of property for purposes of property taxation. LB600 prohibits the following from being classified as agricultural or horticultural land: farm home sites and land used for grazing of animals kept primarily for personal use. LB602 requires that any agricultural and horticultural land that qualifies for valuation using the capitalized net income approach be valued upon the basis of the agricultural income. Any agricultural or horticultural land assessment values will be based upon an eight-year Olympic average of crop income derived from the reported income from each county's productivity information chart.</i>
LB607	Kintner		Revenue	IPP (Killed) 02/21/2017	Provide a homestead exemption for certain first responders <i>LB607 provides homestead exemptions for first responders who are drawing compensation from the state or a political subdivision or is receiving workers' compensation benefits because of a one hundred percent disability received in the line of duty.</i>
LB613	Wayne		Revenue 03/16/2017	In Committee 01/20/2017	Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act <i>LB613 requires any housing agency or controlled affiliate provide notice of a property tax exemption to the county assessor on or before December 31 of the year preceding the year for which the exemption is sought.</i>
LB619	Wayne		Government, Military and Veterans Affairs 03/09/2017	In Committee 01/20/2017	Permit certain counties to conduct elections by mail <i>LB619 allows the election commissioner to apply to the Secretary of State to mail ballots for elections.</i>
LB623	Wishart		Judiciary 03/03/2017	In Committee 01/20/2017	Change and eliminate provisions and penalties relating to assault on an officer, certain employees, or a health care professional <i>LB623 eliminates provisions that specify assaults on officials and replaces them with the term "public officer."</i>
LB624	Wishart		Government, Military and Veterans Affairs 02/03/2017	General File 02/27/2017	Provide procedure to withhold from the public law enforcement officers' residential addresses in county records <i>LB624 requires the county assessor and register of deeds to withhold from the public the residential address of a law enforcement officers who applies and pays a \$25 fee.</i>
LB625	Larson	Monitor	Urban Affairs 02/14/2017	Final Reading 04/10/2017 Urban Affairs Priority Bill	Change the Property Assessed Clean Energy Act <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 or village located in whole or in part within such county.</i>

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

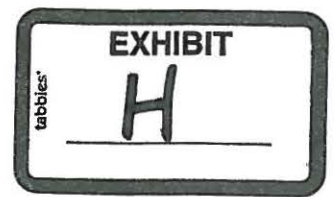
Document	Senator	Position	Committee	Status	Description
LB628	Larson		Government, Military and Veterans Affairs 02/10/2017	General File 03/15/2017 Speaker Priority Bill	Prohibit ordinances and resolutions prohibiting certain short-term rentals of residential property <i>LB628 prohibits cities, villages, and counties from adopting or enforcing an ordinance or result ions 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>
LB649	Pansing Brooks	Monitor	Health and Human Services 03/17/2017	Introduced 01/18/2017	Prohibit additional services or populations under the medicaid managed care program <i>LB649 prohibits the department from adding any additional service or population to the Medicaid managed care program in effect on January 1, 2017 until at least January 1, 2018 or until a critical evaluation is performed of the at-risk capitated managed care program and the success of such managed care program is proven.</i>
LB656	Baker		Judiciary 03/09/2017	In Committee 01/20/2017	Provide for claims against the state by persons wrongfully incarcerated <i>LB656 makes a successful claimant one who had a claim against a political subdivision arising from their wrongful incarceration or conviction, which claim was precluded by the provisions of the State Tort Claims Act or the Political Subdivisions Tort Claims Act and who obtained a final judgment against such political subdivision from a federal court under 42 U.S.C. 1983 for a violation of their rights protected by the Constitution and arising out of such wrongful incarceration. A successful claimant and the political subdivision against which the claimant obtained final judgment may file a claim with the State Claims Board for full payment of such judgment, or any part of such judgment, which exceeds the available financial resources and revenue of the political subdivision required for its ordinary purpose.</i>
LB658	Wayne	Oppose	Judiciary 03/09/2017	In Committee 01/20/2017	Provide for expert witness appointment as prescribed in certain juvenile proceedings <i>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.</i>
LB663	Kuehn		Government, Military and Veterans Affairs 03/22/2017	In Committee 01/20/2017	Require a copy of a lobbying contract for lobbyist registration as prescribed <i>LB663 requires a copy of the lobbying contract for lobbyist registration if the principle receives public funds including taxes, fees, and grants.</i>

04/12/2017
05:39 PM

Kissel E&S Associates
105th Legislature, 1st Regular Session
LC

Page 37

Document	Senator	Position	Committee	Status	Description
LB664	Kuehn		Government, Military and Veterans Affairs 03/22/2017	In Committee 01/20/2017	Prohibit a political subdivision from using taxes or fees to employ a lobbyist
					<i>LB664 prohibits a political subdivision from using revenue from any tax or fee to employ or contract with a lobbyist.</i>
LB665	Kuehn		Government, Military and Veterans Affairs 03/22/2017	In Committee 01/20/2017	Require a statement of activity regarding certain lobbying activity
					<i>LB665 requires every lobbyist who is registered or required to be registered file with the Clerk of the Legislature a statement activity within 24 hours after the lobbyist's initial contact with an official in the executive branch of an official in the legislative branch regarding a legislative bill. The statement must indicate the legislative bill number, the name of the lobbyist, and the principle for whom the contact was made.</i>

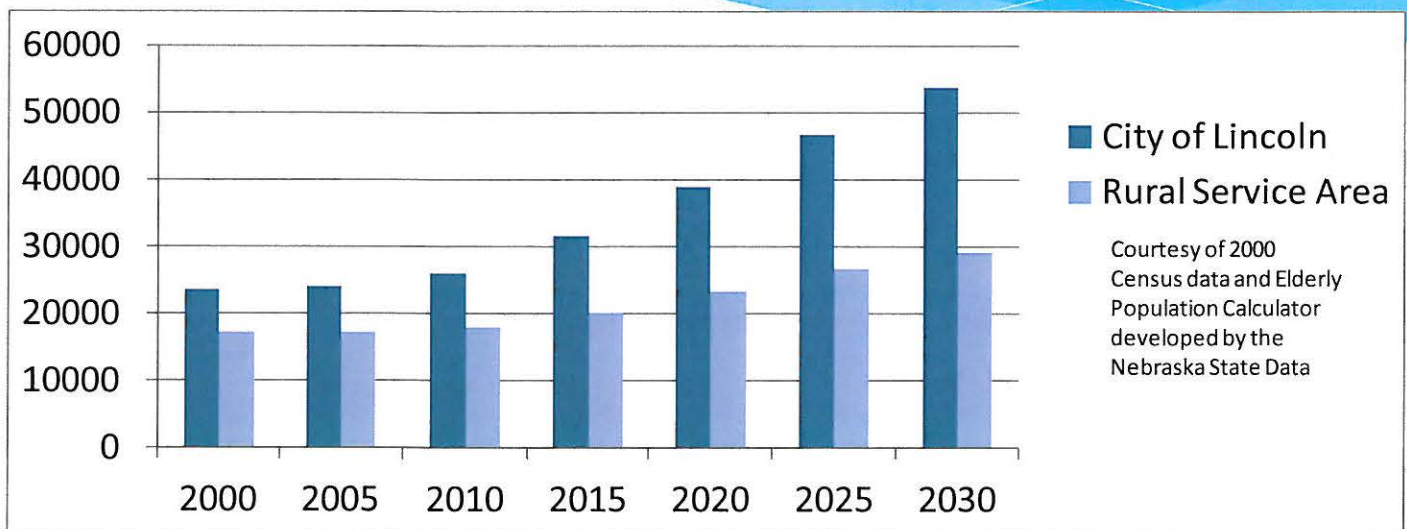


Aging Partners Presentation to
Lancaster County Board

April, 2017

Demographic Projections

Population age 65 and Older



126% increase in older adults in the City of Lincoln
49% increase in older adults in 8-County Rural Service Area

Rural Lancaster County

2000-2015
80%

2015-2030
64%

2000-2030
194%

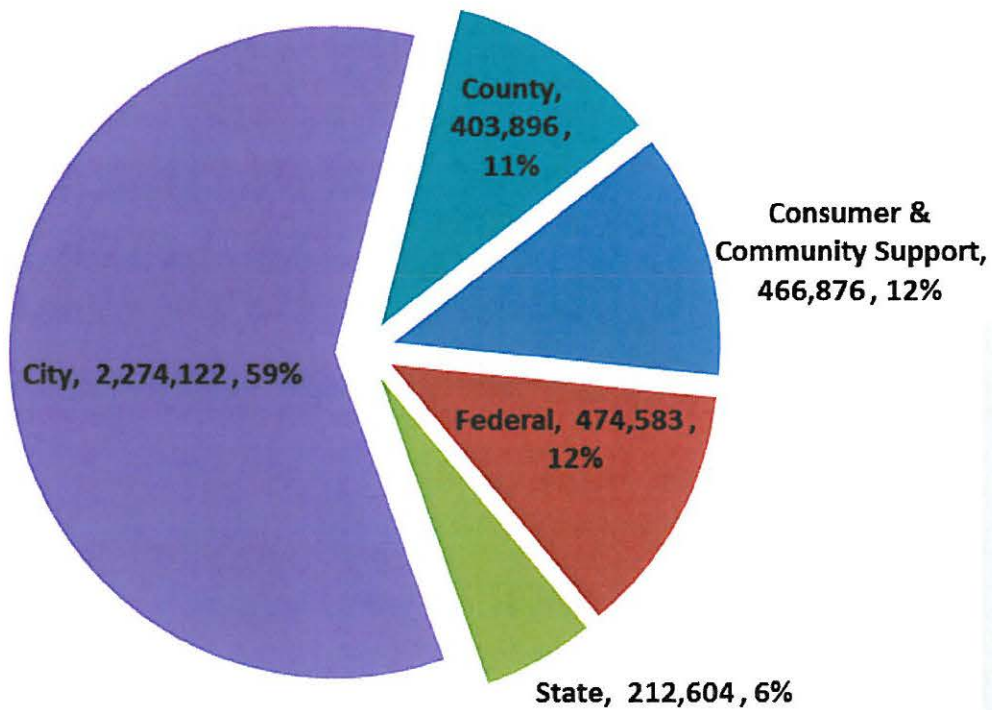
City of Lincoln

2000-2015
34%

2015-2030
71%

2000-2030
126%

FY18 Agency Funding Lincoln/Lancaster County Services



County Funding:
10% of overall
Lincoln/Lancaster
County Budget;
50% Cost of
Downtown Senior
Center.
Rural Transit

AGING PARTNERS



Base Budget

Program	Citywide Outcome/Priority Goal/Tier	Indicator	Progress on Indicator Jan-Dec, 2016	Funding FY17 Budget	Comments
Tier 1 Programs and Outcomes					
Senior Centers - includes 10 senior centers providing meals, transportation, education and socialization.	Healthy and Productive People Goal 2: <i>Support Active Living</i> Tier 1	Target transportation and congregate meal services in Lancaster County to older adults 65+ who live alone so that 50% of the consumers who access those services match that demographic.	In 2016, 53% of Aging Partners 65+ consumers utilizing congregate meal and/or transportation services lived alone	\$ 19,875 Income \$ 199,500 Federal \$ 46,619 State \$ 597,693 City \$ 219,288 County \$1,082,975 Total	<i>In 2016, 10 centers provided 62,439 meals, health clinic services and rides to 780 older adults in Lancaster County</i>
Information and Referral Service	Healthy and Productive People Goal 2: <i>Support Active Living</i> Tier 1	Ensure utilization of Aging Partners services by 20% of all Lancaster County citizens age 65 and older.	In 2016, Aging Partners served 15% of persons age 65 and older living in Lancaster County.	\$ 23,100 Federal \$ 33,799 State \$ 211,350 City \$ 23,483 County \$ 291,732 Total	<i>In 2016, 9,046 contacts to First Service staff by people needing help finding answers to aging questions were recorded.</i>
Insurance and Financial Counseling	Healthy and Productive People Goal 6: <i>Promote Self Sufficiency</i> Tier 1	Ensure utilization of Aging Partners services by at least 75% of people age 65 and older in Lancaster County who are at or below the poverty level.	In 2016, Aging Partners served 94% of persons age 65 and older at or below poverty level.	\$ 9,800 Federal \$ 14,294 State \$ 89,617 City \$ 9,957 County \$ 123,668 Total	<i>In 2016, 2,558 requests for assistance concerning insurance and financial issues were handled.</i>

AGING PARTNERS



Base Budget

Program	Citywide Outcome/Priority Goal/Tier	Indicator	Progress on Indicator Jan-Dec, 2016	Funding FY17 Budget	Comments
Tier 2 Programs and Outcomes					
In-home Services for Seniors (Handyman)	Healthy and Productive People Goal 3: <i>Support Vulnerable Populations</i> Tier 2	Exceed the industry standard percentage of Aging Partners consumers age 60 and older with three or more Activities of Daily Living (ADL) deficits who utilize care coordination, home delivered meal and in-home services.	In 2016, 22% of Aging Partners 60+ consumers utilizing care management and/or in-home services had three or more ADL deficits compared with 18% nationwide.	\$ 64,345 Income \$ 37,790 Federal \$ 5,916 State \$ 20,475 City \$ 2,275 County \$ 130,801 Total	<i>In 2016, 481 Lincoln homeowners age 60+ received 3,272 hours of chore services on a sliding fee rate of service.</i>
Home Delivered Meals (includes contracted meals from Tabitha & meals furnished from the AP Central Kitchen to ensure service outside city limits.)				\$ 69,707 Income \$ 130,826 Federal \$ 2,065 State \$ 18,179 City \$ 2,020 County \$ 222,797 Total	<i>Federally Mandated In 2016, 90,300 home delivered meals were provided in Lincoln and Lancaster County to 745 older adults.</i>
In-home Services for Seniors (PFS)				\$ 700 Federal \$ 1,406 State \$ 111,125 City \$ 12,347 County \$ 125,578 Total	<i>In 2016, 191 Lancaster County seniors received 4,847 units of personal care, chore, homemaker, transportation and/or caregiver in-home assistance through contracts with local providers.</i>
Care Coordination Services				\$ 8,240 Income \$ 30,800 Federal \$ 47,339 State \$ 287,084 City \$ 31,898 County \$ 405,361 Total	<i>In 2016, 11,972 hours of care coordination services were provided in Lancaster County to 1,128 older adults.</i>

Senior Centers

- Access Points for services:
 - Congregate meals
 - Socialization
 - Recreation / entertainment
 - Health & Fitness programming
 - Special events
 - Health Clinics

Location
of 10
Senior
Centers



Transportation

- **Rural Transit:** Partnership with NDOR and County for transportation throughout the County. Must have at least one stop outside of Lincoln. Available to all ages.
- **City Transit:** Transportation from home to Aging Partners delivery sites. Some trips to social activities, grocery stores and special events.



Possible Federal Budget Impact Lancaster County Rural Transit

**President's Blueprint Budget eliminates formula grants from
Dept. of Commerce (5311)**

Would eliminate Federal Funds.

\$55,500	Federal (5311 Formula Grant)	57.51%
\$16,000	State	16.58%
\$16,000	County	16.58%
\$9,000	Fees	9.33%
\$96,500	TOTAL BUDGET	

Care Coordination

- Access or care coordination when an older person is experiencing diminished functioning that require services by formal service providers or family caregivers.
- Conducts assessments, develop care plans, authorize services and provide follow-up.

Chore Services

Assistance such as heavy housework, yard work, maintenance, minor repairs to make the home safe and livable.

Home Delivered Meals

Available for persons who are home-bound. Meals delivered through Aging Partners and Tabitha Meals on Wheels.



AGING PARTNERS

Base Budget

Program	Citywide Outcome/Priority Goal/Tier	Indicator	Progress on Indicator Jan-Dec, 2016	Funding FY17 Budget	Comments
Tier 1 Programs and Outcomes					
Senior Centers - includes 10 senior centers providing meals, transportation, education and socialization.	Healthy and Productive People Goal 2: <i>Support Active Living</i> Tier 1	Target transportation and congregate meal services in Lancaster County to older adults 65+ who live alone so that 50% of the consumers who access those services match that demographic.	In 2016, 53% of Aging Partners 65+ consumers utilizing congregate meal and/or transportation services lived alone	\$ 19,875 Income \$ 199,500 Federal \$ 46,619 State \$ 597,693 City \$ 219,288 County \$1,082,975 Total	<i>In 2016, 10 centers provided 62,439 meals, health clinic services and rides to 780 older adults in Lancaster County</i>
Information and Referral Service	Healthy and Productive People Goal 2: <i>Support Active Living</i> Tier 1	Ensure utilization of Aging Partners services by 20% of all Lancaster County citizens age 65 and older.	In 2016, Aging Partners served 15% of persons age 65 and older living in Lancaster County.	\$ 23,100 Federal \$ 33,799 State \$ 211,350 City \$ 23,483 County \$ 291,732 Total	<i>In 2016, 9,046 contacts to First Service staff by people needing help finding answers to aging questions were recorded.</i>
Insurance and Financial Counseling	Healthy and Productive People Goal 6: <i>Promote Self Sufficiency</i> Tier 1	Ensure utilization of Aging Partners services by at least 75% of people age 65 and older in Lancaster County who are at or below the poverty level.	In 2016, Aging Partners served 94% of persons age 65 and older at or below poverty level.	\$ 9,800 Federal \$ 14,294 State \$ 89,617 City \$ 9,957 County \$ 123,668 Total	<i>In 2016, 2,558 requests for assistance concerning insurance and financial issues were handled.</i>

AGING PARTNERS



Base Budget

Program	Citywide Outcome/Priority Goal/Tier	Indicator	Progress on Indicator Jan-Dec, 2016	Funding FY17 Budget	Comments
Tier 2 Programs and Outcomes					
In-home Services for Seniors (Handyman)	Healthy and Productive People Goal 3: Support Vulnerable Populations Tier 2	Exceed the industry standard percentage of Aging Partners consumers age 60 and older with three or more Activities of Daily Living (ADL) deficits who utilize care coordination, home delivered meal and in-home services.	In 2016, 22% of Aging Partners 60+ consumers utilizing care management and/or in-home services had three or more ADL deficits compared with 18% nationwide.	\$ 64,345 Income \$ 37,790 Federal \$ 5,916 State \$ 20,475 City \$ 2,275 County \$ 130,801 Total	<i>In 2016, 481 Lincoln homeowners age 60+ received 3,272 hours of chore services on a sliding fee rate of service.</i>
Home Delivered Meals <i>(includes contracted meals from Tabitha & meals furnished from the AP Central Kitchen to ensure service outside city limits.)</i>				\$ 69,707 Income \$ 130,826 Federal \$ 2,065 State \$ 18,179 City \$ 2,020 County \$ 222,797 Total	<i>Federally Mandated In 2016, 90,300 home delivered meals were provided in Lincoln and Lancaster County to 745 older adults.</i>
In-home Services for Seniors (PFS)				\$ 700 Federal \$ 1,406 State \$ 111,125 City \$ 12,347 County \$ 125,578 Total	<i>In 2016, 191 Lancaster County seniors received 4,847 units of personal care, chore, homemaker, transportation and/or caregiver in-home assistance through contracts with local providers.</i>
Care Coordination Services				\$ 8,240 Income \$ 30,800 Federal \$ 47,339 State \$ 287,084 City \$ 31,898 County \$ 405,361 Total	<i>In 2016, 11,972 hours of care coordination services were provided in Lancaster County to 1,128 older adults.</i>



County Board of Commissioners Budget Discussion

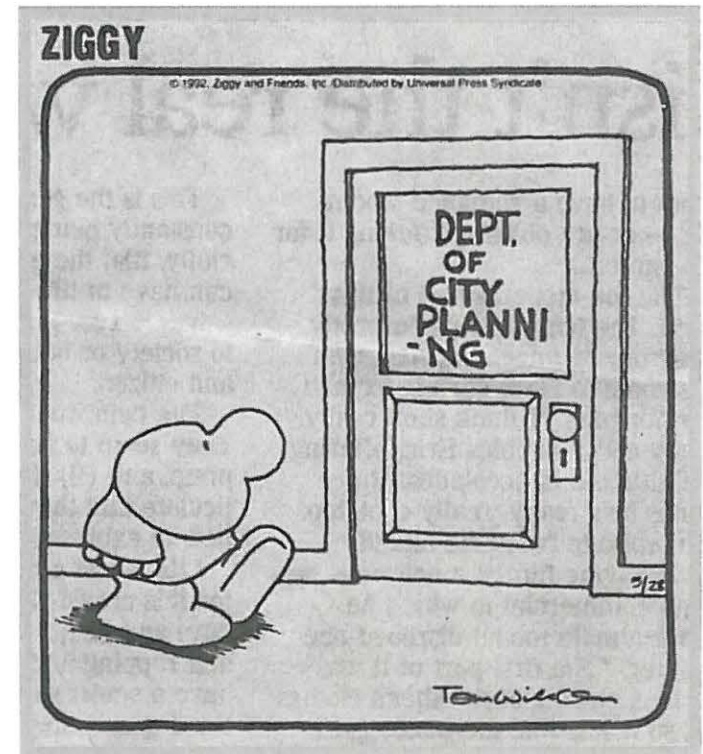
*Lincoln-Lancaster County Planning
Department*

David Cary
Director

April 13, 2017

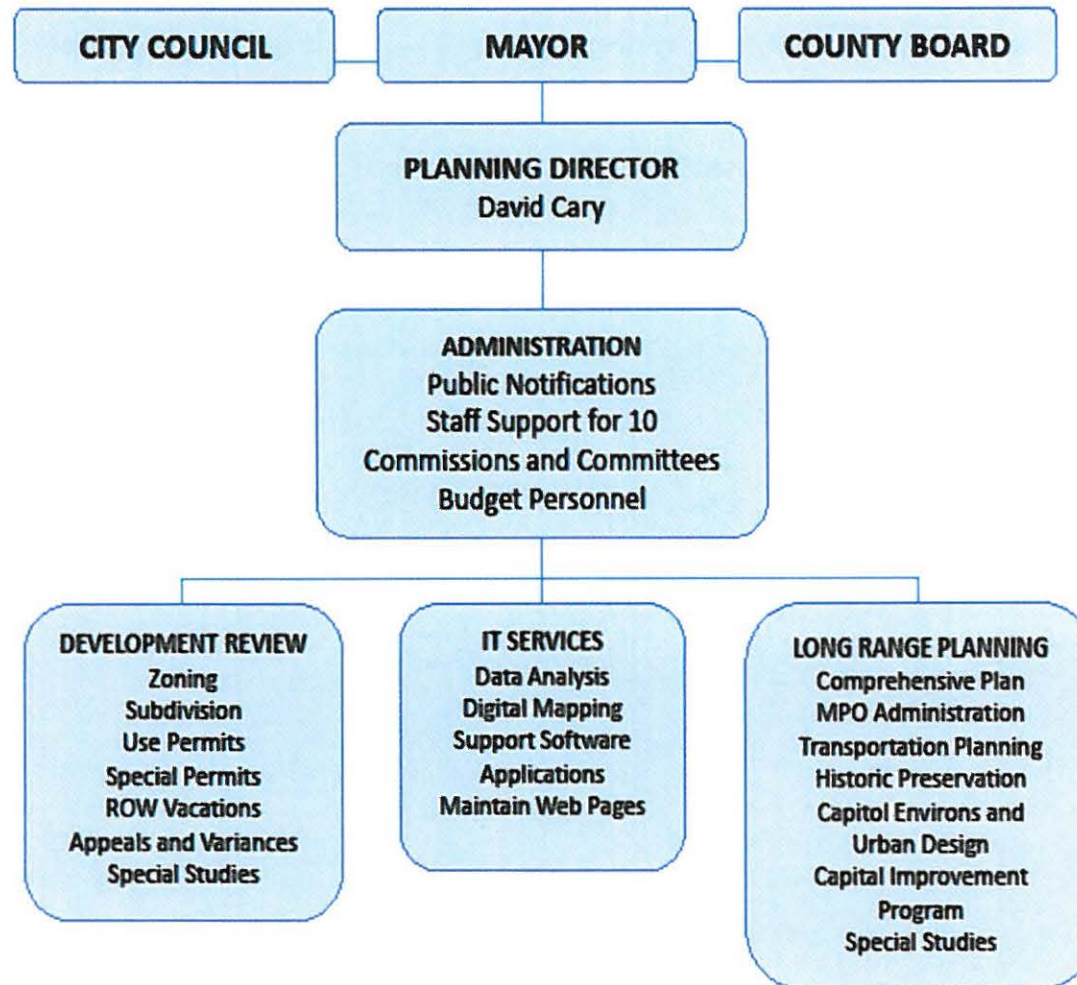
What is the Planning Department?

Department Mission Statement:
“The Lincoln/Lancaster County Planning Department provides technical information and advice to elected and appointed boards and citizens on managing the growth and development of Lincoln and Lancaster County to be efficient, orderly, and attractive, facilitate economic opportunities, and conserve natural and cultural resources.”



How is the Department organized?

CITY/COUNTY PLANNING DEPARTMENT



Interlocal Agreement Since 1959

- Joint agreement entered into by the City of Lincoln and Lancaster County in 1959
- Established the Planning Commission (and its related staff) shall serve both the City and the County
- Also establishes the 80/20 split in budget responsibility between the City and County

Some context for our discussion today...

- Since 2006, Lancaster County has grown by over 37,000 residents, or by 13.7%
- In FY 2006-2007, the Planning Department had 22 Full Time Equivalent (FTE) employees
- Today we have 21 FTE employees

County Applications

- 22% of our applications have been County applications over the past four full fiscal years
- This comprises 482 applications, or 120 on average each year
- Application fees are returned to the County
 - Average of \$19,200 the past four years, or approximately 4.7% of the County budget's cost of service

County Budget Breakdown

- The 20% share of the Planning Department budget equals \$414,101 in FY 2016/2017 and \$401,191 in FY 2017/2018
- The County is billed in January for ½ of the adopted budget and in June for another ½ plus any budget revisions and actual fringe benefits

Budget Investment Highlights

- The services obtained for this budget investment include the following:
 - One full-time County Planner (Tom Cajka)
 - The Full Time Equivalent (FTE) of two other positions including services from:
 - Planning Director
 - Development Review Manager
 - Administrative Officer
 - Three Administrative Staff Members
 - Three GIS Staff Members
 - Back-Up Planners to the County Planner

Budget Investment Highlights

- Other services included in this investment:
 - Investment in overhead costs which include:
 - Use of the Project Dox plan review system (+maintenance)
 - Use of the Automation permit tracking system (+maintenance)
 - Office space and Public Building Commission services
 - IT services and support
- Also included in this investment:
 - Equivalent 20% of services rendered from activities funded by federal grants
 - Federal Historic Preservation grant of \$24,000 annually
 - Annual Federal transportation planning grant of \$255,900

Services Provided

- Detailed services provided by this investment:
 - Administrative Amendments
 - Change of Zone
 - Final Plats
 - Special Permits
 - Text Amendments
 - Waivers
 - County Board of Zoning Appeals
 - Public information and interaction

Services Provided

- Special Projects
 - My Town, Lancaster in 2015
 - Wind Energy discussion and process in 2015
 - Comprehensive Plan and LRTP update in 2016
 - County Code Update in 2017
 - RUTS Update in 2017

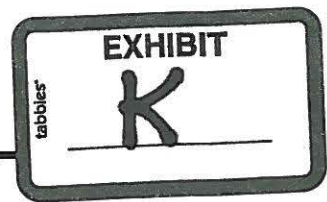
County Board of Commissioners

Budget Discussion

*Lincoln-Lancaster County Planning
Department*

David Cary
Director

April 13, 2017



Ann C. Taylor

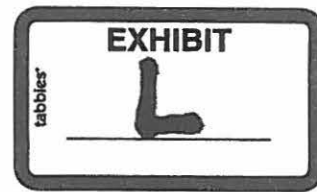
From: David R. Cary
Sent: Monday, April 17, 2017 1:54 PM
To: Ann C. Taylor
Cc: Geri K. Rorabaugh
Subject: County Board Explanation of Priority Programs for Planning

Ann,

Here is a quick summary of how the Planning Department’s generalized programs are prioritized in the Taking Charge Outcome Based Budgeting on the City side. As I mentioned in my discussion with the County Board members last Thursday, the dollar amounts listed for these programs are not formal line item amounts for the Department in the City budget, but are instead General Fund impact indicators after other revenue streams (federal grants, County 20%) are removed from the Department’s totals, and prior to adding in fringe benefits. I would also reiterate that none of these programs have been given a Tier 3 prioritization. I would also suggest that the Developer Applications for Zoning program likely should change to a Tier 1 instead of a Tier 2 program given its level of importance to the community, but that change has not been made on the City side. Let me know if there is a need for further explanation of this information. Thank you.

David R. Cary, AICP
 Planning Director
 Lincoln-Lancaster County Planning Department
 (402) 441-6364

Program	Net General Fund Cost	Other Sources	Tier	Outcome	Goal	Dept(s)
Comprehensive Plan, CIP, and plan conformance reviews	\$230,000		0	3	4	Planning
Developer applications for subdivisions / right-of-way vacation	\$110,000		0	3	6	Planning
Metropolitan Planning Organization Administration	\$35,000	Planning grant, Federal DOT	1	4	1	Planning
Historic preservation	\$70,000	Federal DOI grant	1	8	1	Planning
Design reviews by staff and boards	\$25,000		2	2	4	Planning
Code review to streamline / clarify development standards and processes	\$60,000		2	3	6	Planning
Developer applications for zoning	\$380,000		2	3	6	Planning
Long range transportation planning	\$75,000	Federal DOT planning grant, street funds	1	4	1	Planning / Put Works
Traffic studies / multi-modal plans	\$30,000	Federal DOT planning grant, street funds	1	4	1	Planning / Put Works



City/County Purchasing

BUDGET INFORMATION

County Purchasing Act

- The County Purchasing Act states that all Counties with a population over 150,000 must employ a Purchasing Agent.

Staffing

- The City/County Purchasing Department currently has seven (7) employees:
- The Purchasing Agent
- Two Assistant Purchasing Agents
- One Buyer
- Three Administrative Staff

City/County Purchasing

- Lincoln and Lancaster County is one of only a few entities around the country who have a combined Purchasing Department for a City and County.
- The Purchasing Department serves the City of Lincoln, Lancaster County, the Public Building Commission and the West Haymarket JPA.

Contracts

- There are currently 746 active contracts in use by all three entities
- 538 – Annual Supply/Service Contracts
- 103 – Unit Price Contracts
- 35 – Sole Source Contracts
- 51 – Construction Contracts
- 19 – Misc. Contracts

Vendors

- There are currently 9,708 Vendors registered in the City/County Ebid system.

Annual Budget

- The Annual Budget for the Purchasing department for FY16-17
\$703,463.00 (With Benefits) (77%)
- County Contribution - \$157,235.00 (23%)
- PBC Contribution - \$0

Contract Administrator Position

- The City and County have given approval for a Contract Administrator position in the department.
- The estimated budget for the new position is \$80,416.00 (With Benefits)

Based on current split for City and County:

County - \$18,495.00

City - \$61,920.00

FY 17-18 City Budget

- Proposed City Budget for the department for FY 17-18:
- **\$718,174.00** (Without the Contract Admin Position)
(2.1% over 16-17)
- **\$798,590.00** (With Contract Admin Position - \$80,416)

FY 17-18 County Budget

- Proposed County Budget for the department for FY 17-18:
- **\$160,537.00** (Without the Contract Admin Position)
(2.1% over 16-17)
- **\$179,031.00** (With Contract Admin Position - \$18,495.)

Alternate FY 17-18 Budget

- Total - \$798,590.00
- Proposed – PBC Total – 5% - \$39,930.00
- City Total – 74% - \$590,956.00
- County Total – 21% - \$167,704.00