

2019 LANCASTER COUNTY LEGISLATIVE PRIORITIES

1. Allow Outpatient Treatment for Restoration of Competency to Stand Trial

Pursuant to Neb. Rev. Stat. §29-1823, criminal defendants found mentally incompetent to stand trial must be sent to the Lincoln Regional Center for treatment to remove the disability and restore competency. Allowing for outpatient treatment in appropriate cases could help reduce the County's jail population; and also help reduce overcrowding at the Lincoln Regional Center.

2. Statutory Changes to Implement Statewide 24/7 Sobriety Program

The 24/7 Sobriety Program has been successfully used in other states to reduce recidivism for alcohol-related offenses such as driving under the influence. Lancaster County is in the process of establishing a 24/7 program under the supervision of the County's Community Corrections Department. Statutory changes are needed to mandatory sentencing and drivers license provisions to provide incentives for participants to actively participate and complete the program.

3. Allow financing of County Bridges under Neb. Rev. Stat. §23-120(3)(b)

The number of structurally deficient county bridges in Nebraska is increasing at an alarming rate. Amending Neb. Rev. Stat. §23-120(3)(b) to include county bridges could provide a steady source of revenue to address this public safety issue.

4. Require the State to Pay for Medical Care Provided to Inmates Granted Medical Parole

Neb. Rev. Stat. §83-1,110.02 allows Committed offenders, not under a sentence of death or life in prison, to be granted medical parole if they become terminally ill or permanently incapacitated. The cost of caring for these individuals can be very expensive, and the burden often falls to General Assistance. The State should be required to pay the medical expenses of all committed offenders while they are on medical parole.

5. Clarify Licensure Requirements for Facilities Providing Civil Protective Services Pursuant to Neb. Rev. Stat. §53-1,121

For many years law enforcement agencies in Lancaster County have utilized The Bridge to house individuals removed from public places under the civil protective custody (CPC) procedures authorized under §53-1,121. Recent changes to the interpretation of regulations governing the licensure of facilities providing CPC services have jeopardized the ability of The Bridge to serve CPC individuals in a licensed facility. Legislation is necessary to clarify licensure requirements for CPC facilities.

6. Statutory Amendments to Increase Efficiency in the Management of County Real Property

A. Amend Neb. Rev. Stat. §23-174.03 to provide that property dedicated to public use in plats is acquired by the County in fee simple. This language already exists for plats filed within the zoning jurisdiction of a City of the primary class; and should be extended to Lancaster County.

B. Allow counties to sell County-owned real property directly to other governmental entities.

Under existing statutory authority, a county can only sell its real property when: (1) it is found to be surplus and sold at a public sale pursuant to Neb. Rev. Stat. §23-107.01; or (2) in conjunction with the exercise of its human services powers under Neb. Rev. Stat. §23-104.03. Neither of these procedures should apply in the situation where another governmental entity wants to purchase real estate owned by a county. Counties should be given the same authority as municipalities to sell real property directly to another governmental entity.

Standing Priorities

1. Property Tax Relief

Property tax relief continues to be the top legislative priority for Lancaster County.

Pressure on the property tax can be reduced by eliminating unfunded mandates which primarily benefit the State, including the obligation of counties to pay rent for certain Health and Human Services facilities under Neb. Rev. Stat. §68-130. Another way to reduce reliance on the property tax is to diversify county revenue sources. Potential new revenue sources for counties could include:

- Tobacco tax increase
- Occupation tax on wineries
- Remove sales tax exemption on soda, energy drinks, and candy, and earmark the proceeds for property tax relief
- Increase statutory fees to keep pace with the cost of the service being provided

2. Funding for Adult Criminal Justice System Reform

Lancaster County's jail population and probation housing costs have increased as a direct result of 2015 Neb. Laws LB 605. Funding for the County Justice Reinvestment Grant Program created under LB 605 should be maintained or increased to help offset these additional costs.

3. Funding for Juvenile Justice Reform

Juvenile justice reform under 2013 Neb. Laws LB 561 is not being adequately funded. With the passage of 2018 Neb. Laws LB 1112, adequate funding becomes even more critical. Additional funding should be appropriated for community-based post adjudication services, and existing funding levels for the Juvenile Justice Community Based Aid Program should be maintained or increased.