

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
THURSDAY, APRIL 4, 2019  
COUNTY-CITY BUILDING  
ROOM 113 - BILL LUXFORD STUDIO  
8:30 A.M.**

Commissioners Present: Jennifer Brinkman, Chair; Roma Amundson, Vice Chair; Deb Schorr, Sean Flowerday and Rick Vest

Others Present: Kerry Eagan, Chief Administrative Officer; Ann Ames, Deputy Chief Administrative Officer; Dan Nolte, County Clerk; and Leslie Brestel, 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 3, 2019.*

The Chair noted the location of the Open Meetings Act and opened the meeting at 8:33 a.m.

**AGENDA ITEM**

**1) APPROVAL OF STAFF MEETING MINUTES FOR MARCH 28, 2019**

**MOTION:** Vest moved and Flowerday seconded approval of the March 28, 2019 Staff Meeting minutes.

Brinkman noted on page 7, "Shelley Schindler" should be corrected to "Sheli Schindler."

**ROLL CALL:** Brinkman, Amundson, Vest and Flowerday voted yes. Schorr was absent. Motion carried 4-0.

**2) LEGISLATIVE UPDATE – Joe Kohout and Brennen Miller, Kissel, Kohout, ES Associates LLC**

Schorr entered the meeting at 8:34 a.m.

Joe Kohout, Kissel, Kohout, ES Associates LLC, reported LR14CA (Constitutional amendment to authorize municipalities to pledge property taxes for up to twenty years if more than one-half of the property in a redevelopment project is extremely blighted) was pulled from the agenda.

The implementation date for federal Medicaid implementation will be October 1, 2020. Senator Chambers wanted to strike all provisions and offered an amendment for Supplemental Nutrition Assistance Program (SNAP) benefits to be available to individuals exiting State correctional facilities. Kohout reviewed the weekly legislative report (Exhibit A).

Regarding LB335 (Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail), updated changes from the Department of Motor Vehicles (DMV) and best standards language were submitted to the bill drafters.

Schorr submitted an email of support on LB267 (Provide a duty for the county board relating to deficient bridges and authorize a tax levy) to Senator Hilgers.

When asked about LB646 (Eliminate cash bail bonds, appearance bonds, and related provisions), Kohout stated it does not have a priority designation.

Information on legislative bills and the bill hearing schedule were distributed (Exhibits B and C).

## **CHIEF ADMINISTRATIVE OFFICER REPORT**

### **A. County Board Initiatives Update**

Regarding the Chief Administrative Officer search process, Brinkman reported Doug McDaniel, Human Resources Director, will email search firm proposals to the Commissioners. The Commissioners will discuss how to proceed at a later date.

The Request for Proposal (RFP) for a facilities study and the Request for Information (RFI) for the Continuum of Care, Aftercare and Recover for Everyone (C-CARE) proposal will be published soon.

Brinkman stated the results from the Commission on Accreditation of Rehabilitation Facilities (CARF) resurvey should be available in four weeks.

Schorr reported the recent conversations at the Nebraska Association of County Officials (NACO) meetings have been regarding flood concerns and an increased presence on social media. She also said the Lincoln Journal Star will write a story on the Stepping Up Summit.

Amundson said the RFP for the fleet vehicles closes tomorrow.

Ann Ames, Chief Deputy Administrative Officer, stated the re-branding and logo work for the website have begun.

Amundson has strategic plan examples and will have them available for the Commissioners to review.

Dennis Meyer, Budget and Fiscal Director, offered a training for employees using OpenGov, the new County budgeting tool.

### **B. Annual Report Discussion**

Ames reviewed the previous annual report (see agenda packet, pages 2-5) and felt it should be a stand-alone informational piece. There was general discussion on using the report as a State of the County address, including functions of the County Board, accomplishments and information from other elected officials.

The preferred distribution method is the website with the possibility of some hard copies available.

### C. Saline Wetlands Conservation Partnership

Flowerday reported he and Amundson spoke with Brent Meyer, Weed Control Superintendent, and discussed a proposal to lease the rights-of-way of certain county-owned roads to the Saline Wetlands Conservation Partnership as opposed to contributing funds.

It was the Board's consensus for Flowerday, Amundson and Dingman to meet with Tom Malmstrom, Natural Resources Coordinator/Park Planner II, to discuss the proposal.

#### **3) NATIONAL ASSOCIATION OF COUNTY OFFICIALS (NACo) & VISA PILOT PROJECT UPDATE** – Rachel Garver, Lancaster County Treasurer; and Candace Meredith, NACO Operations Manager

Candace Meredith, NACO Operations Manager, and Rachel Garver, Lancaster County Treasurer, reviewed the presentation (see agenda packet). Garver said there has been a 68% increase in online payments for property tax and a 38% increase for other online payments.

When asked about the digital payment survey, Meredith stated the questionnaire was both online and on paper and included questions about demographics, payment difficulties, and the probability of using electronic payment.

#### **4) CENTERPOINTE PROGRAM UPDATE FOR OLD ATTENTION CENTER** – Topher Hansen, Centerpointe President & CEO; Kerin Peterson, Lancaster County Property Manager; and Kristy Bauer, Lancaster County Deputy County Attorney

Topher Hansen, Centerpointe President and Chief Executive Officer (CEO), described the adult residential program, which provides long-term treatment for homeless individuals with mental illness and addiction. It was noted that there is a high need for this program.

Kerin Peterson, Facilities and Properties Director, reviewed the current CenterPointe lease. The new lease is for five years with the same rental rate for the first two years and a 2% increase for the remaining years. Kristy Bauer, Lancaster County Deputy County Attorney, added the lease agreement must outline the services offered because rent is below fair market value. Hansen said no modification of services would need to go into the contract.

Schorr asked for the building's estimated market rate. Not having a current appraisal available, Peterson answered the building located at 2220 South 10<sup>th</sup> Street, Lincoln is assessed at \$901,000.

Hansen stated the building is ideally suited for the kind of treatment they are offering as the building has been remodeled while still keeping the needed visual access.

It was the consensus of the Board to review the updated contract at a later date.

#### **5) ROAD VACATION POLICY** – Jen Holloway, Lancaster County Deputy County Attorney

Jen Holloway, Lancaster County Deputy County Attorney, distributed and reviewed an updated road vacation policy (Exhibit D).

There was general discussion regarding the County's inability to charge an appraisal fee. It was noted the City of Lincoln has a \$206 application fee.

## **GENERAL ADMINISTRATIVE REPORT**

- A.** Employee Recognition Breakfast (Tuesday, May 21, 2019, 7:30 a.m. Lincoln Marriott Cornhusker Hotel)

For informational purposes only.

## **DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED**

- A.** Lincoln Chamber of Commerce Coffee – Brinkman/Flowerday

Brinkman said the following items were discussed: Lincoln Partnership for Economic Development (LPED) report, Nebraska Passport tours, LB720 (Adopt the ImagiNE Nebraska Act and provide tax incentives), LB267 (Provide a duty for the county board relating to deficient bridges and authorize a tax levy), recent flooding and water emergency, the proposed sales tax increase and the Superintendent Facilities Advisory Committee upcoming report.

- B.** NACO District Meetings – Schorr

Schorr said National Association of County Officials (NACo) membership is encouraged.

- C.** SAMHSA Learning Collaborative – Schorr

Schorr stated the County received a Substance Abuse and Mental Health Services Administration (SAMHSA) grant for the restoration of competency. The grant addresses the following issues: no standard data being collected nationwide, process is legal and not psychiatric, and competency system should not be a pathway to behavioral health.

- 6) POTENTIAL LITIGATION** – Sue Eckley, Lancaster County Risk Manager; Kari Wiegert, Risk Management Specialist; and Doug Cyr, Lancaster County Chief Deputy County Attorney

**MOTION:** Schorr moved and Amundson seconded to enter Executive Session at 9:45 a.m. for the purposes of potential litigation, and to protect public interest.

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

**ROLL CALL:** Brinkman, Schorr, Amundson, Vest and Flowerday voted yes. Motion carried 5-0.

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

**MOTION:** Amundson moved and Vest seconded to exit Executive Session at 10:08 a.m. Brinkman, Schorr, Amundson, Vest and Flowerday voted yes. Motion carried 5-0.



**7) INSURANCE COVERAGE FOR RENTED EXCAVATOR** – Pam Dingman, Lancaster County Engineer; Sue Eckley, Lancaster County Risk Manager; and Jen Holloway, Lancaster County Deputy County Attorney

Ron Bohaty, Road Maintenance Supervisor, was also available for the discussion.

Bohaty and Sue Eckley, Lancaster County Risk Manager, led discussion on the need for insurance on rented equipment. The County's general liability policy provides liability coverage for rental equipment. Options discussed were self-insurance, adding rented equipment coverage for \$4,500 per year with \$1,000 deductible and a \$1,000,000 per incident coverage. The rental company does have a rental insurance requirement.

Amundson requested Eckley research increasing the deductible.

It was the consensus of the Board to pursue researching an insurance option.

**8) MUTUAL AID AGREEMENT WITH CITY OF LINCOLN FOR ON-CALL USE OF EQUIPMENT DURING EMERGENCIES** – Pam Dingman, Lancaster County Engineer; and David Derbin, Lancaster County Deputy County Attorney

Dingman reviewed the proposed mutual aid agreement (see Exhibit E). David Derbin, Lancaster County Deputy County Attorney, added the agreement would be left in place until terminated. The rates are billed at contract rates.

Pat Condon, County Attorney, stated the County Attorney's Office has salaried employees that can be available at any time to help with agreements as needed.

It was the consensus of the Board of continue with a mutual aid agreement between the County and the City of Lincoln, and to pursue similar agreements with surrounding towns and villages.

**9) CHIEF ADMINISTRATIVE OFFICER REPORT**

- A.** County Board Initiatives Update
- B.** Annual Report Discussion
- C.** Saline Wetlands Conservation Partnership

Items A-C moved forward on agenda.

**10) GENERAL ADMINISTRATIVE REPORT**

- A.** Employee Recognition Breakfast (Tuesday, May 21, 2019, 7:30 a.m. Lincoln Marriott Cornhusker Hotel)

Item moved forward on agenda.

## 11) DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

- A. Lincoln Chamber of Commerce Coffee – Brinkman/Flowerday
- B. NACO District Meetings – Schorr
- C. SAMHSA Learning Collaborative - Schorr

Items A-C moved forward on agenda.

## 12) SCHEDULE OF BOARD MEMBER MEETINGS

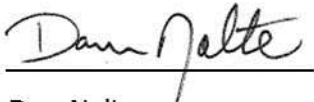
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## 13) EMERGENCY ITEMS

There were no emergency items.

## 14) ADJOURNMENT

**MOTION:** Schorr moved and Amundson seconded to adjourn at 10:23 a.m. Brinkman, Schorr, Amundson, Vest and Flowerday voted yes. Motion carried 5-0.



Dan Nolte  
Lancaster County Clerk





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**LEGISLATIVE MEMORANDUM**

TO: Lancaster County Board of Commissioners  
FROM: Joseph D. Kohout  
Brennen L. Miller  
DATE: April 4, 2019  
RE: Weekly Report

Good morning! Please accept this as your weekly report for the 2019 session of the Legislature for the date noted above.

Between last Thursday and yesterday, the Legislature has officially slowed down its progress. Last Thursday, the morning was consumed by discussions on two confirmation reports on two gubernatorial appointees. Similarly, much of Tuesday morning was spent discussing five gubernatorial appointees and the afternoon saw discussion of amendments to Senator Gragert’s bill to create a Healthy Soils Task Force. A cloture motion on Senator Gragert’s bill was needed on Wednesday morning and then the Legislature moved to consideration of Senator Briese’s bill to require use of Nebraska Early Childhood Professional Record System for documentation and verification of staff training to which Senator Chambers offered an amendment to strike the provisions of the bill and insert the SNAP bill that would provide benefits for those leaving the penitentiary. Once that amendment was dealt with, cloture was once again invoked and the bill moved to Final Reading.

Finally the Legislature took up LB212. LB 212’s committee amendment included the provisions of LB239 noted below. The bill was advanced to Select File.

**LANCASTER COUNTY PRIORITIES**

**Competency to Stand Trial.** This concept was introduced as LB240 by Senator Matt Hansen. The bill has been referred to the Judiciary Committee for public hearing. The hearing was held on Wednesday, February 20, 2019 at 130pm. Commissioner Flowerday, Brad Johnson and Kim Etherton all testified in support on behalf of Lancaster County. Joe Nigro testified in support on behalf of his office and the Nebraska State Bar Association. There was no opposition and the County Attorneys appeared in neutral capacity. While the bill has not yet emerged from committee, we remain optimistic about the chances for the bill – in some form – to be considered part of a judiciary package to address correctional issues.

**24/7 Sobriety.** Introduced as LB335 by Senator Matt Hansen. The bill was referred to the Judiciary Committee and was heard on Wednesday, February 13, 2019 before the Judiciary

Committee. Supporting testimony was offered by Kim Etherton, Joe Nigro and Pat Condon, the County Attorneys Association and the Nebraska Bar Association. Opposition testimony was offered by the Department of Motor Vehicles and MADD. The national coordinator for 24/7 and Douglas County appeared in the neutral capacity. Since the hearing, we have been contacted by the contractors who provide the testing for the program with suggested amendments. Last week, we submitted the amendment for drafting and once back shared it with the Department of Motor Vehicles. We received a bit of feedback from the bill drafter on the best standards language in the bill. Too, we are awaiting a few small, minor changes from the DMV. Once those are received, we will work to make sure that Vigilnet and the other interested parties are okay with the bill and then try to move it out of Judiciary Committee.

**Financing of County Bridge Repairs.** Introduced as LB267 by Senator Kate Bolz. The bill was referred to the Government, Military & Veterans Affairs Committee. The hearing on this bill was held on Thursday, March 7, 2019. Those appearing in support included Chair Brinkman, Engineer Dingman, Lincoln Chamber of Commerce through Todd Wiltgen, NACO through Jon Cannon, Associated General Contractors through Bill Mueller, and the State Chamber through Ron Sedlacek. Appearing in opposition to the bill was LIBA. We remain optimistic about the bill. Pam Dingman has reached out to committee members at our request and we are hopeful that the bill may have the opportunity on one of several transportation related bills this session. We continue to visit directly with key committee members and work with Senator Bolz to craft language that would emerge from the committee with maximum level of support. We have drafted an amendment that creates two conditions for use of the levy – either scour critical and structurally deficient or destroyed due to a nationally declared disaster.

**Licensure of Facilities Providing CPC.** Introduced by Senator Anna Wishart as LB200, the bill was referred to the Health and Human Services Committee and the hearing was held on Thursday, January 24, 2019. Commissioner Flowerday testified on behalf of the Board. Other testifiers included Tammy Stevenson and Chief Blimeister. The Department of Health and Human Services appeared in a neutral capacity. The bill was advanced on a 7-0 by the Health and Human Services Committee on January 30, 2019. The bill was signed by the Governor on March 12, 2019.

**County Real Property.** Senator Myron Dorn has introduced this legislation as LB525 and the bill was referred to the Government, Military & Veterans Affairs Committee. The bill was heard on February 28, 2019 and there was testimony from Mr. Eagan on behalf of Lancaster County, Silas Clark on behalf of Hickman, the League of Nebraska Municipalities and NACO. There was no opposition. The bill was placed on General File with an 8-0 vote on March 13, 2019. We are hopeful that the bill will be considered for Consent Calendar.

**Medical Care for Inmates Granted Medical Parole.** Senator Lynn Walz introduced LB726 and the bill was referred to the Health and Human Services Committee. The hearing was held on February 20, 2019 at 130pm before that committee. Commissioner Vest and Sara Hoyle testified on behalf of the county. Their testimony was met with positive response from the committee, with limited questions. Senator Williams and Senator Murman both asked clarifying questions in order to ensure they understood the process that would be undertaken, and how the system is currently working. Sara Hoyle followed up briefly with Senator Murman after the hearing as well. The bill was placed on General File on February 28, 2019. Senator Walz is requesting Consent Calendar status on the bill. We are hopeful that the bill will be considered for Consent Calendar.

**Rental car options for counties.** Senator Andrew LaGrone introduced LB609 and the bill was referred to the Government, Military & Veterans Affairs Committee. The hearing for this bill will occurred on February 21, 2019 before that committee. Commissioner Amundson testified in support. There was no opposition. We expect the bill to come out of committee. There was one question at the committee hearing that asked whether or not the gas that would be needed to fill the car would be allowed. The bill was placed on General File with an 8-0 vote on March 13, 2019. We are hopeful that the bill will be considered for Consent Calendar.

#### **ISSUES ON WHICH THE BOARD HAS TAKEN ACTION**

**LB20 (Briese) Require voter approval of public building commission bonds. OPPOSED.** LB20 would amend provisions with respect to public building commissions as they relate to Lancaster County / City of Lincoln and Douglas County / City of Omaha. The bill would provide that no bonds are authorized to be issued by a related public building commission unless the question of a proposed bond issue has been presented to the voters of the affected county at an election called for consideration of such a proposal. The hearing saw support from Commissioner Jim Cavanaugh of Douglas County, Taxpayers for Freedom and other groups; opposition came from Commissioner Chris Rogers of Douglas County, Councilman Ben Gray of Omaha, and Commissioner Sean Flowerday. The bill does not appear to have the support to move from committee. The bill was not prioritized.

**LB204 (Briese) Require approval of voters for bonds under the Interlocal Cooperation Act. OPPOSED.** Prohibits bonds from being issued by any joint entity on or after the effective date of the act until the question has been submitted to the qualified electors of each public agency which is part of the joint entity. Senator Briese asked the committee to kill LB204.

**LB103 (Linehan) Change provisions relating to property tax requests. OPPOSED.** This bill appears to cap property tax requests at a rate of the previous year and only allows for an increase the rate of levy and property tax request above the amounts identified in the bill, a governing body can do it only following a public hearing. The bill also puts some significant requirements in place for the public hearing and notice. The bill saw support from Bruce Riecker on behalf of several ag groups, Colby Mach on behalf of the Lincoln Independent Business Association, Sarah Curry on behalf of the Platte Institute. Opposition came from Kyle McGallon on behalf of several education groups, Steve Curtis on behalf of the city of Omaha, Greg Adams on behalf of the Nebraska Community College Association, Lynn Rex on behalf of the League of Nebraska Municipalities, Mark Johnson on behalf of several SIDs. NACO appeared in a neutral capacity. The committee advanced the bill on a 7-0-1 vote by the Revenue Committee with a committee amendment attached. That amendment was forwarded to Chairwoman Brinkman and Mr. Eagan for their review.

The bill was debated on General File and there were a series of questions asked by Senators of Chairwoman Linehan. The amendment appeared to alleviate the concerns of many of the groups that were previously opposed as there was no organized opposition. The bill was sent to the Governor on March 7, 2019 and was signed by him on March 12, 2019.

**LB158 (Brewer) Change provisions relating to the assessed value of real property. OPPOSED.** The bill caps property taxes at the 2019 level for a period of four tax years, 2020-2023. The bill includes provisions that accommodate changes in valuation of property accounting for improvements or destruction that would affect the assessed value of the property. Absent these material changes that would alter the value of property, it shall remain at the 2019

level. The bill was supported by Colby Mach, Bruce Riecker. It was opposed by Connie Knoche on behalf of Open Sky, Steve Curtis, John Cannon on behalf of NACO, Rob Winter on behalf of the Greater Nebraska Schools Association. The committee has not advanced the bill. The bill was not prioritized.

**LB11 (Blood) Provide for interlocal agreements regarding nuisances. SUPPORT.**

Intended to provide for interlocal agreements between any city or village and the county where it is located to abate, remove, or prevent nuisances. The governing body of such city or village and the county board of such county shall first approve such interlocal agreement by ordinance or resolution. High priority for Sarpy County. Those appearing in support included NACO and Joe Kohout on behalf of Lancaster County and MAPA. The bill was signed by the Governor on March 7, 2019.

**LB373 (Brewer) Provide setback and zoning requirements for wind energy generation projects. OPPOSED.**

LB373 defines wind energy generation project. The bill requires zoning provisions prior to construction of wind energy projects as prescribed, including notices. It provides for fees, eliminates provisions relating to zoning regulations, limits agreements relating to school lands, repeals the original sections, and to declares an emergency. It is most notable because of opposition to the establishment of wind farms in Western Nebraska. The concern Lancaster County should have is the state usurping the county's ability to exercise local control of zoning rules and regulations. The bill was opposed by many, many groups with limited support mostly from the Sandhills. Several wind energy companies opposed the bill. We believe it will hard to move the bill from committee unless significant concessions are made. Senator Brewer filed an amendment to LB373 on March 5, 2019 and it was contained in your March 7, 2019 report. The bill was not prioritized.

**BRAD JOHNSON – LB247 (Bolz) Adopt the Advance Mental Health Care Directives Act. SUPPORT.**

Brad believes that this bill could in some instances provide the correctional staff with the ability to treat individuals who find themselves in a crisis and cannot rationally make decisions for themselves. This bill saw a good amount of support and some opposition. Support came from a law student from UNL, NAMI, Jakob Dahlke from Nebraska Medicine, Deniece Rieder a police deputy from Omaha. Opposition came from Brad Muerrens. Neutral testimony was offered by the Nebraska State Bar Association, Methodist Hospital. The bill remains held in committee. The bill was not prioritized.

**LB289 (Linehan) Change provisions relating to county assessor inspections of real property for property tax purposes. MONITOR.**

The county assessor shall determine the portion to be inspected and reviewed each year to assure that all parcels of real property in the county have been inspected and reviewed no less frequently than every 3 years amended from no less frequently than every 6 years. The bill was not supported or opposed by anyone; NACO appeared in a neutral capacity. Senator Linehan advised that this bill is merely a placeholder or shell bill. The bill was prioritized by the Revenue Committee and is likely to be their vehicle for any property tax changes.

**BRAD JOHNSON – LB254 (McCollister) Adopt the Fair Chance Hiring Act.**

**AMEND THE BILL TO INCLUDE CORRECTIONS WORKERS.** Brad is concerned that the provisions in the bill do not include correctional workers as a position where criminal background checks can be considered. There was a considerable amount of opposition to the bill. We had language in our possession to utilize with Senator McCollister.

LB254 was advanced by the Business & Labor Committee on February 14, 2019 without amendment. The bill began to pick up immediate opposition. The bill was debated by the entire Legislature and an amendment was offered by Senator Ben Hansen of Blair which gutted the original proposal. The bill is on Final Reading, as amended.

**LB148 (Groene) Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies. MONITOR.** Under LB148, and for the purposes of the Nebraska Budget Act, “governing body” shall now also include any joint entity created pursuant to the Interlocal Cooperation Act that receives tax funds generated under section 2-3226.05. (That is: River-flow enhancement bonds; costs and expenses of qualified projects; occupation tax authorized; exemption; collection; accounting; lien; foreclosure.)

Each governing body shall each year or biennial period conduct a public hearing on its proposed budget statement. Such hearing shall be held separately from any regularly scheduled meeting of the governing body and shall not be limited by time. At such hearing, the governing body shall make a detailed presentation of the proposed budget statement and shall make at least three copies of the proposed budget statement available to the public. Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the governing body and shall be given a reasonable amount of time to do so.

Notice shall be given by publishing in a newspaper of the general circulation within the public bodies jurisdiction and, if available, in a digital advertisement on such newspapers website. In addition to search required methods of notice, such notice may also be provided by any other appropriate method designated by such a public body or advisory committee.

A few supporters showed up for the bill which were mostly citizens. Opposition was raised by NRDs, the League, City of Omaha. NACO came in a neutral capacity agreeing with amendments suggested by the League. Dan Nolte has sent us an email indicating that he believes this bill could have a financial impact on Lancaster County. Early this week, we received a series of amendments from Senator Carol Blood which were to be presented at the Government Committee executive session. One of them was on LB148. After talking to several folks including NACO, it became clear to us that the opposition to this bill had evaporated.

The bill was not prioritized. Senator Justin Wayne, responding to Senator Groene’s efforts to derail LR14CA (constitutional amendment to allow for 20 year TIF in cases of “extreme” blight), filed an amendment that would apply the provisions of that bill only to a city located in a county with a population between 35,000 and 40,000.

**LB239 (Dorn) Change requirements for notices of hearings on county budgets. SUPPORT.** Change requirements for notice of hearing on county budget. A summary of the budget, in the form required by section 23-905, showing for each fund (1) the requirements, (2) the outstanding warrants, (3) the operating reserve to be maintained, (4) the cash on hand at the close of the preceding fiscal year, (5) the revenue from sources other than taxation, (6) the amount to be raised by taxation, and (7) the amount raised by taxation in the preceding fiscal year, together with a notice of a public hearing to be had with respect to the budget before the county board, shall be published once at least four calendar days prior to the date of hearing in some legal newspaper published and of general circulation in the county or, if no such legal newspaper is published, in some legal newspaper of general circulation in the county. For purposes of such notice, the four calendar days shall include the day of publication but not the day of hearing - amended from 5 days before the hearing. On or before August 1, the budget-

making authority shall prepare a county budget document, in the form required by sections 23-904 and 23-905, for the fiscal year and transmit the document to the county. The bill took 2 minutes yesterday. There were no opponents. The bill has been advanced to General File. The provisions of LB239 are also part of the committee amendment to LB212 which was advanced to Select File on April 3, 2019.

**BRAD JOHNSON - LB376 (Friesen) Provide for safekeeping of prisoners.**

**SUPPORT.** This is a bill that would correct language from LB 605 as it pertains to county jails housing inmate with the Nebraska Department of Corrections as "safe keeping". Lancaster County Department of Corrections has only done this one time that Brad can remember and that was for a medical issue. The hearing on this measure was yesterday. Support was offered by Platte County and others. Our letter was read into the record. Director Frakes appeared in opposition. The bill remains held in committee.

**LB443 (McCollister) Require the Department of Correctional Services to allow committed offenders reasonable access to their attorneys. MONITOR.**

The department shall allow each committed offender reasonable access to his or her attorney or attorneys. If a committed offender communicates with his or her attorney or attorneys by telephone or videoconferencing, such communication shall be provided without charge to the committed offender and without monitoring or recording by the department or law enforcement. The bill was passed by the Legislature on a 32-9-8 vote and was signed by the Governor on March 27, 2019.

**LB412 (Geist) Require an election regarding creation of a joint public agency.**

**OPPOSITION.** Beginning on the effective date of this act, before any agreement is entered into regarding the creation of a joint public agency which involves a political subdivision of this state that has authority to levy a tax or issue bonds, the question of the creation of the joint public agency shall be submitted to the registered voters of each such political subdivision which intends to be a party to the agreement at an election held in conjunction with the statewide primary election or statewide general election. No agreement shall be entered into until the question has been submitted to the registered voters of each such political subdivision and a majority of all the voters voting on the question have voted in favor of creating the joint public agency, at an election called for the purpose, upon notice given by the governing body of each political subdivision at least twenty days prior to such election. The same measure, either in form or in essential substance, shall not be submitted to the people, either affirmatively or negatively, for a period of six months from and after the date of such election. Certain procedural requirements are mandated by the bill in the event a related question is submitted to voters.

The City of Lincoln opposed the bill at the hearing through testimony by Mayor Beutler. Our letter of opposition was submitted. The bill remains held in committee. The bill was not prioritized and will not likely emerge from committee.

**LB490 (Wayne) Consolidate offices of clerk of the district court and clerk magistrates. NEUTRAL.**

The position of appointed clerk of the district court shall be consolidated with the position of clerk magistrate into the position of clerk of the courts; and the clerk of the courts and any transferred employees shall become state employees. The clerk of the courts shall have all the duties, obligations, and powers of the clerk of the district court and clerk magistrate.



Consolidation under this section shall occur: (a) On July 1, 2021, for district court judicial district numbers 8, 10, 11, and 12; (b) On July 1, 2022, for district court judicial district numbers 1, 3, 5, 6, 7, and 9; and (c) On July 1, 2023, for district court judicial district numbers 2 and 4.

A consolidation plan shall be submitted to the State Court Administrator in a format prescribed by the administrator within 120 days after the request by the Supreme Court. A majority of the judges affected by the consolidation shall approve the plan prior to submission to the State Court Administrator. A consolidation plan shall not become effective unless approved and adopted by the Supreme Court. If a plan is not submitted within such 120 days, the Supreme Court shall develop a substitute consolidation plan.

At the request of the Supreme Court, the judges of the district court, county courts, and separate juvenile court of a district court judicial district, in conjunction with any remaining clerk of the district court or clerk magistrate and any representative of a vacated office, shall develop a plan to consolidate the positions of clerk of the district court and clerk of the county court into the position of clerk of the courts for the county.

Each consolidation plan shall address, but not be limited to, the facilities, assignment of magistrate duties to a clerk or to an existing court employee who will become part of the consolidated office under the plan, selection of an administrative judge from within the district for the purposes of administration of the consolidated office of the clerk of the courts, and personnel structure. Each plan shall also identify other employees who are not employed by the clerk of the district court or clerk magistrate at the time of the consolidation but who are integral to the operation of the court, and employees so identified shall remain county employees. In developing the consolidation plan, interests and comments from the public and attorneys who regularly practice in the county shall be considered.

The hearing on this bill was on Friday, February 8, 2019 before the Judiciary Committee. Senator Wayne asked the committee to hold the bill.

**LB616 (Hilgers) Provide for build-finance projects under the Build Nebraska Act and the Transportation Innovation Act.** The hearing on this bill occurred on Tuesday, February 12, 2019 before the Transportation & Telecommunications Committee. The Committee was offered an amendment during the hearing that would merely allow for the payment of the costs for the south beltway over an 8 year period, but could be constructed over a 3 year period. The bill was advanced by the Transportation and Telecommunications Committee with AM442 attached. We attached that amendment for your review to our February 28, 2019 report. Senator Hilgers has declared LB616 to be his priority bill.

**PAM DINGMAN – LB612 (Erdman) Authorize the display of roadside memorials.**  
**RECOMMEND: SUPPORT.** LB612 directs the Nebraska Department of Transportation to erect blue triangular road signs memorializing those who have died on Nebraska's roadways. Signs may contain the name and a photographic image of the deceased. Signs shall also contain one of four safety messages. Signs shall not be posted for drunk drivers who died on Nebraska's roadways. Signs shall be posted for ten years, but can be renewed by way of an application and fee for an additional ten years. The hearing on this measure was on Tuesday, February 12, 2019. Testimony in a supportive neutral capacity was offered by Engineer Dingman. The bill remains held in committee. The bill was not prioritized.

**BRAD JOHNSON – LB282 (Hansen, M) Change provisions relating to bail.**  
**RECOMMEND: NEUTRAL/MONITOR.** Brad does not see this bill as having any serious

impact with regard to the courts' bail decision behaviors. This bill does require anybody in custody who has been arraigned to be assigned an attorney if they are indigent.

As before, any bailable defendant shall be ordered released from custody pending judgment on his or her personal recognizance unless the judge determines in the exercise of his or her discretion that such a release will not reasonably assure the appearance of the defendant as required or that such a release could jeopardize the safety and maintenance of evidence or the safety of victims, witnesses, or other persons in the community however, under LB282, this rule would get increased specificity as it relates to what defendants fall under it.

To wit: the rule would apply to any bailable defendant who is charged with a Class IIIA, IV, or V misdemeanor OR a violation of a city ordinance. (Except when the victim is an intimate partner as defined in section 28-323)

Any bailable defendant described in this subsection shall be ordered released from custody pending judgment on his or her personal recognizance unless: i. The defendant has previously failed to appear in the instant case; AND ii. The judge determines in the exercise of his or her discretion that such a release will not reasonably assure the appearance of the defendant as required or that such a release could jeopardize the safety and maintenance of evidence or the safety of victims, witnesses, or other persons in the community.

If the court requires a defendant to execute an appearance or bail bond, the court shall appoint counsel for the defendant if the court finds the defendant to be indigent. The bill remains held in committee. The bill was not prioritized.

**LB646 (Chambers) Eliminate cash bail bonds, appearance bonds, and related provisions.** Eliminates subsection (c) from section 29-901 and related provisions elsewhere relying on appearance bonds. A fiscal note has been submitted by the county estimating a cost savings of over \$600,000 per year. The bill remains held in committee. I would note that the Douglas County Board of Commissioners passed a resolution supporting this bill on February 26, 2019.

**LB230 (Pansing-Brooks) Provide for room confinement of juveniles as prescribed. NEUTRAL.** For LB230, additional rules are mandated to juvenile facilities regarding placement in room confinement of a juvenile in a juvenile facility specifically, room confinement of a juvenile for longer than one hour during a twenty-four-hour period shall be documented and approved in writing by a supervisor in the juvenile facility. The intent and purpose of this rule shall not be avoided by the use of consecutive periods of room confinement. Rules relating to confinement are outlined in the bill also, for example, notice to the juvenile's parent or guardian, rooms having adequate lighting, etc.

Per the board's request, we did visit with Senator Pansing-Brooks and she indicated that she is willing to clarify the record on the continuous monitoring language of the bill to mean electronic or every 15 minutes.

The Judiciary Committee did advance LB230 with a committee amendment attached. We attached that amendment to the February 28, 2019 report. The bill was not prioritized.

**LB651 (Wayne) Change funding provisions for the Community-based Juvenile Services Aid Program.** Beginning on the effective date of the act, funding under this program shall only be available for service provided directly juveniles or services provided to

carry out express statutorily authorized functions. Any government entity applying for funds from the program shall develop policies governing the distribution of the funds that are adopted by the governing board of the entity after a public hearing. This bill remains held in the Judiciary Committee. The bill was not prioritized.

**LB631 (Morfeld) Create the Medicaid Expansion Implementation Task Force.**

**SUPPORT.** The task force shall consist of six voting members: The chairperson of the Health and Human Services Committee of the Legislature or his or her designee, the chairperson of the Appropriations Committee of the Legislature or his or her designee, the chairperson of the Judiciary Committee of the Legislature or his or her designee, and three members of the Legislature chosen by the Executive Board of the Legislative Council.

The task force shall also include seven nonvoting members chosen by the Executive Board of the Legislative Council, as follows: a health care provider licensed under the Uniform Credentialing Act, a behavioral health care provider licensed under the Uniform Credentialing Act, a health care consumer or consumer advocate, a hospital representative, a business representative, a representative from a political subdivision likely to have its constituency impacted by Medicaid expansion, and a rural health care provider.

The task force will report annually by December 1 (beginning 2019). The task force terminates on December 31, 2020, unless reauthorized by the Legislature.

The hearing on this bill was held on February 22, 2019 and several letters of support were read into the record. The only opposition came from the Director of the Department of Medicaid and Long Term Care. The bill was not prioritized.

**LB710 (Cavanaugh) Change provisions relating to tobacco including sales, crimes, a tax increase, and distribution of funds. SUPPORT.** The bill proposes a significant increase in the tobacco tax from \$.64 per pack to \$2.14 per pack and distributes the additional \$1.50 in a manner of ways that could benefit county operations. Included in this are the following county operational issues:

- Medicaid Expansion – 25% (est. \$63 Million)
- Public Health Departments – 4% (est. \$4 Million)
- Smoking cessation – 5% (est. \$12.6 Million)
- EPC – 1% (est. \$2.5 Million)
- Behavioral Health Rebasing – 2% (\$5 Million)
- Health Services in County Corrections – 2% (\$5 Million)

The Director of the Department of Health, Shavonna M. Lausterer, sent an email recommending support for this bill as well. The hearing has been set for February 28, 2019 before the Revenue Committee.

The bill was heard before the Revenue Committee on Thursday February 28th. During her opening, Senator Cavanaugh noted that she will be bringing an amendment to clarify where the funds generated from the bill go. This topic was left vague in the introduced copy.. Proponents included mostly those with health care backgrounds, while opponents consisted of the Department of Health and Human Services Medicaid Division, who spoke regarding lack of clarity noted above, and the Platte Institute who discussed the dollars produced being an unstable revenue source for ongoing spending. The Attorney General's Tobacco Enforcement officer appeared in neutral with suggested language changes to not jeopardize tobacco

settlement dollars, specifically how the bill defines cigarettes. We expect this change to be included with Senator Cavanaugh's coming amendment. The bill was not prioritized.

**LB736 (Murman) Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities. OPPOSE.** Under current law, counties and cities of the metropolitan, primary, first, second and villages shall have power to tax for revenue, license, and regulate any person within the limits of the city by ordinance except as otherwise provided in this section. Such tax may include both a tax for revenue and license. Under LB726, beginning January 1, 2020, (i) no occupation tax or license fee imposed under the above paragraph shall be greater than \$25 annually; (ii) No occupation tax or license fee shall be imposed by a city or county on a profession or business that provides goods or services unless the profession or business was subject to an occupation tax or license fee under this subsection on January 1, 2020; and (iii) No licensing requirements shall be imposed by a city of the metropolitan class on any profession or business which is subject to state licensing requirements. The bill saw support only from the Platte Institute and Americans for Prosperity. Opposition came from multiple groups include the League of Municipalities, NACO and multiple other groups. The bill was not prioritized.

**PAM DINGMAN – LB39 (Hilkemann) Change provisions relating to occupant protection system enforcement and change certain violations from secondary to primary enforcement.** Designed to change passenger restraint system enforcement from a secondary offense to a primary offense, as well as to require the use of occupant protection systems for each vehicle occupant. Hearing was held on March 4, 2019. Several groups and individuals appeared in support; opposition was limited. We believe the bill will have a hard time advancing from committee.

**PAM DINGMAN – LB40 (Hilkemann) Change provisions related to provisional operator's permits, LPD and LPE learner's permits, and interactive wireless communication devices.** Designed to change certain uses of interactive wireless communication devices from secondary offenses to primary offenses regarding provisional operator's permits, and LPD/LPE learner's permits. Hearing was held on March 4, 2019. Several groups and individuals appeared in support; opposition was limited. We believe the bill will have a hard time advancing from committee. The bill was not prioritized.

**SHAVONNA LAUSTERER - LB304 (Crawford) Change provisions relating to the Nebraska Pure Food Act to exempt certain operations from the definition of a food establishment as prescribed. OPPOSITION THROUGH LETTER.** This bill would allow foods to be prepared and sold from a private home without a food safety permit. We believe this could lead to an increase in foodborne illnesses. Licensed businesses would also be impacted if people are allowed to purchase foods from unlicensed vendors. The bill was prioritized by Senator Ben Hansen. The Agriculture Committee advanced LB304 to General File with AM990 attached. I would recommend that Lincoln/Lancaster Department of Health review this amendment to advise on whether these changes meet their concerns. I would note that the bill, as amended, would require that they meet any food safety and handling guidelines adopted by the county, city or village where it is sold.

**BRAD JOHNSON - LB 690 (Cavanaugh) Adopt the Healthy Pregnancies for Incarcerated Women Act. RECOMMEND: AMENDMENTS.** This bill pertains to the transporting and restraining of pregnant inmates. The restraining of pregnant women has been discouraged for many years. Lancaster County has been in compliance with that practice for at least five years and our current procedures prohibit it unless authorized by the jail

administrator. Quoting Brad: "I want to emphasize that we are not opposed to this bill in spirit. As I have mentioned, we have not, for at least five years, had a reason to restrain any of our pregnant women and we have established written procedures prohibiting it without appropriate authorization. My request is that the statute not take away all of our discretion for very rare but potentially dangerous cases." In other words, please seek an amendment to the bill that allows for some discretion.

On Tuesday, Brad Johnson met in the rotunda of the Capitol with Senator Cavanaugh to discuss the concerns with LB690. Senator Cavanaugh was open to amending the bill, and asked for language suggestions to be submitted to her following the hearing. At the hearing she noted in her opening that she is working with parties to develop language that will ensure the safety of correctional staff and healthcare workers. The hearing had proponent testimony from the ACLU and the Nebraska Catholic Conference and was kept very brief. Senator Cavanaugh has asked Brad to discuss potential changes to the bill with Spike Eickholt from the ACLU.

There has been a series of conversations between Brad, Spike, myself, Senator Cavanaugh and Brandon, her aide. The latest version of the amendment offered by the Senator's office following discussions would include 90% of the suggestions made by us and would still allow for a medical facility to request that correctional staff to remain in the room or allow for correctional staff to ask if they can remain. The bill was prioritized by Speaker Scheer. Based on continued conversations with Brad, he believes we can live with the amendment as provided by Senator Cavanaugh that would become the committee amendment.

**BRAD JOHNSON / DOUGLAS COUNTY – LB446 (McDonnell) State intent relating to appropriations for the County Justice Reinvestment Grant**

**Program. SUPPORT.** Bill states that it is the intent of the Legislature to appropriate one million dollars to the County Justice Reinvestment Grant Program within the Nebraska Crime Commission on Law Enforcement and Criminal Justice for FY2018-19 and FY2019-20 to alleviate county jail populations through programming and services. The programming and services shall include, but not be limited to, the inmates who are diagnosed as mentally ill. This is the reimbursement portion of LB 605 that allows counties who can show that LB 605 increased their population. As you may remember we took advantage of this grant in 2017 and received nearly \$75,000. The money has to be used for programming. In this bill the total funding is double, from \$500,000 to \$1 million. We could receive around \$150,000 if passed.

Commissioner Schorr, and Kim Etherton testified in support of the legislation on behalf of Lancaster County. Also appearing in support were NACO, Region 6 Behavioral Health, and Sarpy County. The bill further appropriates justice reinvestment funds by \$1,000,000 to counties in response to increased costs from LB605. With lowered revenue forecast bills seeking additional funding face a more difficult path in being included in the budget that will emerge later this session.

**SARA HOYLE – LB703 (Vargas) Appropriate funds to the Nebraska Commission on Law Enforcement and Criminal Justice. SUPPORT.** The bill would appropriate \$2.5 Million to the aforementioned fund. If the Appropriations Committee agrees with the bill, the provisions would be included in the mainline budget recommendation. However, with lowered revenue forecast bills seeking additional funding face a more difficult path in being included in the budget that will emerge later this session.

**SARA HOYLE – LB174 (Bolz) State intent relating to appropriations for the Office of Violence Prevention. SUPPORT.** The bill seeks to appropriate \$1.525 Million each fiscal

year beginning with FY2019-20 from the General Fund to the Nebraska Commission on Law Enforcement and Criminal Justice for the Office of Violence Prevention. The office shall use such appropriation to increase total grant awards, develop an annual statewide strategic plan, increase administrative capacity, and develop a technical assistance partnership with the University of Nebraska through the University of Nebraska Medical Center College of Public Health. The bill was heard Wednesday by the Appropriations Committee. The letter of support from Chair Brinkman was read into the record by Chairman Stinner. Additionally, Officer Jeff Sorensen of the Lincoln Police Department's Gang Prevention unit, and members of the Omaha community testified as proponents. Conversation included the impact of grants, and included questions from Senators if these funds were being strategically spent; these comments included Senator Wishart inquiring if it is better to put these funds towards the development of mental health courts. The bill increases the appropriation to the Office of Violence Prevention from \$427,616 to \$1,525,000. If the Appropriations Committee agrees with the bill, the provisions would be included in the mainline budget recommendation. However, with lowered revenue forecast bills seeking additional funding face a more difficult path in being included in the budget that will emerge later this session.

**DAVE SHIVELY – SECRETARY OF STATE’S BUDGET: Funding for New Vote Tabulating Machines. SUPPORT THROUGH LETTER.** The funding for new vote tabulating machines has been included in the Governor’s proposed budget. The funding is dependent on a 10 percent match from each county. Mr. Shively has estimated this cost to be between \$60,000 and \$70,000. Our letter was submitted to the committee. We hope that it will remain a part of the Secretary’s budget.

**LB718 (Hunt) Require additional polling places prior to elections in certain counties. SUPPORT THROUGH LETTER.** The election commissioner in a county with a population of more than one hundred thousand inhabitants shall provide additional office hours during which ballots for early voting may be picked up or returned pursuant to section 32-941 or registered voters of the county may vote or pick up or return a ballot for early voting pursuant to section 32-942. The additional hours shall be provided for any primary or general election, but not for special elections, beginning at least two weeks prior to the day of the election and shall include at least four hours on each of the two Saturdays preceding the day of the election and at least five hours during each week of such two-week period in addition to normal business hours on business days. Our letter was submitted to the committee. The hearing on this bill consisted of Nebraskans for Civic Reform testifying in support with the election commissioners from the three largest counties appearing in opposition. The bill was not prioritized and is not likely to emerge from committee.

**LB712 (Friesen) Prohibit joint entities and joint public agencies from taking action against representative for their speech. FIND OUT MORE INFORMATION.** First, under the Interlocal Cooperation Act, Sections 13-801 to 13-827, a joint entity shall not prohibit a representative of its members or of any joint board from, or censure such representative for, expressing his or her opinion or speaking on any matter related to the joint entity or joint board if such speech is otherwise lawful. And under the Joint Public Agency Act, Sections 13-2501 to 13-2550, a joint public agency shall not prohibit a representative of its member public agencies or of any board from, or censure such representative for, expressing his or her opinion or speaking on any matter related to the joint public agency or board if such speech is otherwise lawful.

At the hearing on this bill, Sen Friesen indicated that LB712 prohibits a joint entity formed under the Interlocal Cooperation Act and joint public agency formed under the Joint Public Agency Act from restricting the members of their boards from expressing their opinions or

speaking on matters related to the entity or the agency. Senator Chambers indicated that the bill seemed strange to him and asked where the bill came from and Senator Friesen explained where it came from. There were no proponents or opponents. Two folks appeared in a neutral capacity. The bill was not prioritized and likely will not advance from committee.

**BRENT MEYER – DEPARTMENT OF AGRICULTURE: Funding for Riparian Management Task Force. SUPPORT.** The hearing on the budget made no mention of the Riparian Management Task Force; however, Brennen did confirm through the fiscal analyst for the Department that the \$456,000 appropriation is unchanged and remains in the budget.

**LB472 (Dorn) Adopt the Qualified Judgment Payment Act and authorize a sales and use tax.** For purposes of the Qualified Judgment Payment Act, qualified judgment means a judgment that is rendered against a county by a federal court for a violation of federal law. Any county that has a qualified judgment rendered against it may, upon adoption of a resolution by at least a two-thirds vote of the county board, impose a sales and use tax of one-half of one percent on transactions that are subject to the state sales and use tax under the Nebraska Revenue Act of 1967, as amended from time to time, and that are sourced as provided in sections 77-2703.01 to 77-2703.04 within the county. Any sales and use tax imposed pursuant to this section shall be used to pay the qualified judgment. The bill was advanced on a 7-0-1 vote by the Revenue Committee and was prioritized by Senator Dorn. The bill is on today's agenda.

**BRAD JOHNSON – LB90 (Wayne) Make post-release supervision optional for Class IV felonies. RECOMMEND: SUPPORT.** Currently, individuals sentenced to a Felony IV offense must do 12 months of post release supervision. This has had a significant impact on population numbers because many of these individuals violate the terms of their supervision and are sentenced to additional jail time as a result. Over the past two years this has involved thousands of jail days. By giving judges an option the Department may see some relief. The hearing on bill has been set for March 20, 2019. The hearing on this bill was on March 20, 2019 and received support from the Criminal Defense Attorneys Association, the County Attorney's Association. No opposition was registered.

**BRAD JOHNSON - LB 684 (Lathrop) Change provisions relating to post-release supervision for Class IV felonies. RECOMMEND: OPPOSE.** This bill pertains to F4 sentencing and post release supervision. His concern with this bill is that in Section 2, paragraph 2, line 11 it changes the length of term for revocation of post-release supervision from remaining period to original period. This means if a person is sentenced to 12 months post-release supervision and 6 months into the supervision period the courts revoke it the individual could now be sentenced to the jail for the entire 12 month period, rather than the 6 months that was left. I would encourage opposing this bill as written. The hearing on this bill has been set for March 20, 2019. The hearing on this bill was on March 20, 2019 and received support from the Criminal Defense Attorneys Association, the County Attorney's Association. The Department of Probation appeared in a neutral capacity. No opposition was registered.

We did discuss a concern Brad had with a provision in LB684 with both Senator Lathrop's LA and the Legal Counsel handling LB684 and expressed the potential concern. We were told that our concern was Senator Lathrop's as well and it would not likely be in an advanced version of LB684 (if it in fact came out).

**SHAVONNA LAUSTERER - LB480 (Quick) State intent relating to appropriations to local public health departments. RECOMMEND: SUPPORT.** Appropriates \$900,000 to local public health departments established by LB 692 for preventative health

programs to reduce chronic disease and associated health care costs. Each Department would get \$50,000. The preventive health programs that will benefit from the funds will be selected to: Increase physical activity; prevent complications from diabetes, cardiovascular disease, and other chronic diseases; improve access to medical homes and dental homes to offer prevention and wellness services; increase worksite wellness initiatives to prevent disease and disability; assure preventive services for children and adults; and promote preventive health and wellness in additional ways. Programs will be selected based on needs identified by the community and based on Evidence Based Practices. NACO supported this bill last year. Several individuals and agencies appeared in support. If the Appropriations Committee agrees with the bill, the provisions would be included in the mainline budget recommendation.

**LB327 (Bolz) State intent to appropriate funds for an increase in rates paid to behavioral health service providers. SUPPORT.** The Legislature finds that the initial report from the cost model study project (ten years in the making) shows rates paid to behavioral health providers from seven percent below the actual cost of providing services to thirty-five percent below the actual cost of providing services and that the average rate paid is eighteen and one-tenth percent below the actual cost of providing services. Therefore, this bill earmarks for related appropriations. The hearing on this measure was on Tuesday of this week and Commissioner Schorr, Chief Blimeister, representatives of NABHO, representatives of the Supreme Court and others testified in support. If the Appropriations Committee agrees with the bill, the provisions would be included in the mainline budget recommendation.

**LB455 (Arch) Change medical services payment provisions relating to jails.** For purposes of sections 47-701 to 47-705, which governs responsibility for payment of the costs of medical services for any person ill, wounded, injured, or otherwise in need of such services at the time such person is arrested, detained, taken into custody, or incarcerated. Here, medical services include: medical and surgical care and treatment, hospitalization, transportation, medications and prescriptions, examinations to determine fitness for confinement, and other associated items. Associated references are to be amended elsewhere, namely, 47-703. The hearing on this bill was on Wednesday, March 27, 2019. Senator Arch asked that the committee hold the bill during his opening. Brad, a representative of Sarpy County and NACO testified in support. The League and a lawyer for Ogallala testified in opposition. The bill will not emerge from committee.

**LB550 (Vargas) Require voter approval of fees and taxes on wireless services and eliminate the Prepaid Wireless Surcharge Act. REVIEW REQUESTED BY CITY OF LINCOLN.** LB550 states that no municipality shall impose any tax or fee related to wireless and prepaid wireless services after the effective date of this act unless and until the question of whether to impose such tax has been submitted at a primary, general, or special election held within the municipality and in which all registered voters shall be entitled to vote on such question. The officials of the municipality shall order the submission of the question by submitting a certified copy of the resolution proposing the tax to the election commissioner or county clerk by March 1 for a primary election, by September 1 for a general election, or at least fifty days before a special election. The election shall be conducted in accordance with the Election Act. If a majority of the votes cast upon such question are in favor of such tax, then the governing body of such municipality shall be empowered to impose such tax. If a majority of those voting on the question are opposed to such tax, then the governing body of the municipality shall not impose such tax.

A concern was raised by the City of Lincoln and I have forwarded to Dennis Meyer for his review.



This concludes our report for this week. We would be happy to answer any questions you might have.

04/03/2019  
05:16 PM

**Kissel Kohout ES Associates LLC**  
**Lancaster County Board of Commissioners**  
**106th Legislature, 1st Regular Session**

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Document	Senator	Position	Committee	Status	Description
LB23	Kolterman		Urban Affairs 02/05/2019	General File 03/20/2019 Speaker Priority Bill	Change the Property Assessed Clean Energy Act  <i>Designed to change legislative findings and to change provisions relating to requirements for ordinances or resolutions, assessment contracts, and duties of municipalities regarding energy efficiency.</i>
LB34	Kolterman		Nebraska Retirement Systems 02/05/2019	Final Reading 04/03/2019 Nebraska Retirement Systems Priority Bill	Change various retirement provisions  <i>Designed to eliminate provisions relating to benefits payable after the filing of a grievance or appeal and change provisions relating to employee reinstatement under the County Employees Retirement Act and State Employees Retirement Act, specifically the bill proposes to eliminate the repayment of the value of the amount received from his or her employee account or member cash balance account.</i>
LB59	Cavanaugh		Health and Human Services 03/06/2019	Select File 03/27/2019 Speaker Priority Bill	Change investigation and reporting provisions under the Children's Residential Facilities and Placing Licensure Act  <i>LB59 is a bill for an amendment relating to the Children's Residential Facilities and Placing Licensure Act. Any person may submit a complaint to the department and request investigation of an alleged violation of the Act or rules and regulations adopted and promulgated under the act. The department shall review all complaints, including complaints of abuse and neglect from professionals, and determine whether to conduct an investigation within five working days after receiving the complaint. If such an investigation is conducted, an investigation report shall be issued within thirty days after the determination is made to conduct the investigation.</i>
LB86	Wayne		Revenue 01/25/2019	General File 03/19/2019 Wayne Priority Bill	Change provisions relating to the allocation of the Affordable Housing Trust Fund and the collection and remittance of the documentary stamp tax  <i>Creates a new category for the Documentary Stamp Tax for properties in excess of \$1,000,000 at 3.25. Moves money around according to a new formula and creates a category of extremely blighted property to move some of the money into.</i>
LB87	Wayne		Urban Affairs 02/19/2019	Select File 04/02/2019 Speaker Priority Bill	Provide funding in opportunity zones designated pursuant to federal law  <i>First priority in allocating funds from the Affordable Housing Trust Fund for use by the Department of Economic Development those projects which are located in whole or in part within an enterprise zone designated pursuant to the Enterprise Zone Act or an opportunity zone designated pursuant to the federal Tax Cuts and Jobs Act, Public Law 115-97, serve the lowest income occupant, and are obligated to serve qualified occupants for the longest period of time.</i>
LB96	Wayne		Urban Affairs 02/12/2019	General File 03/04/2019 Speaker Priority Bill	Change local building code provisions  <i>The state building code shall be the building and construction standard within the state and shall be applicable:</i> 1.to state buildings and structures, 2.if adopted by a county, city, or village, and 3.in each county, city, or village which has not adopted a local building or construction personnel to Nebraska law within two years after an update to the state building code.

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Document	Senator	Position	Committee	Status	Description
LB109	Bolz		Government, Military and Veterans Affairs 02/14/2019	In Committee 01/14/2019 Bolz Priority Bill	Require the position classification plan and salary or pay plan for state employees to include certain positions  <i>Under LB109, the State Director of Personnel shall, for fiscal year 2021-22 and each fiscal year thereafter, include the following positions within the position classification plan (and the salary or pay plan) of the Department of Correctional Services: Corrections Corporal I, Corrections Corporal II, and Corrections Corporal III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan. Corrections Sergeant I, Corrections Sergeant II, and Corrections Sergeant III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan. Corrections Unit Caseworker I, Corrections Unit Caseworker II, and Corrections Unit Caseworker III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan.</i>
LB110	Wishart		Judiciary 01/25/2019	In Committee 01/14/2019 Wishart Priority Bill	Adopt the Medical Cannabis Act  <i>Adopts the Medical Cannabis Act. Establishes the act, dispensaries, the Marijuana Enforcement Division, patient registries, additional assistant attorneys general, violations, and other definitions. The act also sets forth those illnesses that would qualify for the use of medical marijuana including symptoms caused by cancer, HIV, multiple sclerosis, terminal illness with probable life expectancy of under one year, or any other illness which cannabis could provide relief as determined by a health care practitioner. Nothing in the act requires a private insurer to reimburse for any costs related to the use of medical cannabis, however they are required to continue coverage for the underlying medical condition(s).</i>  <i>Patients seeking the use of medical cannabis will apply to the newly created division for enrollment in a registry. Those enrolled may consume marijuana legally, possess three or less ounces on themselves, six or fewer plants or seeding plants, one ounce or less of concentrated substance, seventy-two ounces or less of edibles, or eight ounces or less in a residence.</i>  <i>The act also sets forth requirements for acting as a caregiver, including background checks, age requirements, and limiting the number of patients per caregiver at no more than one unless patients reside in the same residence.</i>  <i>The act allows for up to ten producers and ten processors in each congressional district by November 1, 2020. Requirements of both the producers and the processors are set forth. Processors must begin supplying dispensaries before May 1, 2021. The Medical Cannabis Board may extend any required start date. Specific requirements of both applicant producers and processors are included.</i>
LB155	Brewer		Natural Resources 02/07/2019	Failed to Advance 02/27/2019 Brewer Priority Bill	Eliminate authority for eminent domain by certain political subdivisions  <i>Under LB155, the specific exercise of eminent domain to provide needed transmission lines and related facilities for a privately developed renewable energy generation facility is no longer a public use therefore, a consumer-owned electric supplier operating in the state of Nebraska may still exercise eminent domain authority to acquire the land rights necessary for the construction of transmission lines and related facilities but not with a statutory presumption that it would be designated as a public use.</i>
LB183	Briese		Revenue 01/24/2019	Select File 03/01/2019 Briese Priority Bill	Change the valuation of agricultural land and horticultural land for purposes of certain school district taxes  <i>Creates an exception to the 75% valuation rule for agricultural and horticultural land that states that for the purposes of payment of principal and interest on bonds issued for a school district, the appropriate percentage is 1%.</i>

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LB212			Government, Military and Veterans Affairs 02/06/2019	General File 02/22/2019 Speaker Priority Bill	Change requirements for videoconferencing and telephone conferencing under the Open Meetings Act  <i>When a meeting of a state agency (etc.) meets requirements to have videoconferences or telephone conferences, members of an organization created under the Interlocal Cooperation Act, or their designees, may be present at any site of such videoconferences or telephone conferences. Such individuals shall not be included in counts related to the quorum. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization must hold at least one meeting each calendar year that is not by videoconferencing or telephone conferencing. Moreover, publication requirements now apply to certain meetings with members of organizations created under the Interlocal Cooperation Act (and their designees).</i>
LB218	Lindstrom		Revenue 02/22/2019	Select File 03/27/2019 Speaker Priority Bill	Redefine tangible personal property and gross receipts for tax purposes  <i>Under LB218, "tangible personal property" shall exclude electrical generation, transmission, distribution and street lighting structures or facilities owned by a political subdivision of the state.</i>  <i>"Gross receipts" of every person engaged as a public utility, as a community antenna television service operator, or as a satellite service operator or any person involved in connecting and installing services does not apply to the lease or use of electric generation, transmission, distribution, or street lighting structures or facilities owned by a political subdivision of the state.</i>
LB222	Albrecht		Revenue 02/01/2019	General File 02/22/2019 Speaker Priority Bill	Change the Volunteer Emergency Responders Incentive Act  <i>Each volunteer department serving a county, city, village, or rural or suburban fire protection district shall designate one member of the department to serve as the certification administrator. The designation of such individual as the certification administrator shall be confirmed and approved by the governing body of such county, city, village, or rural or suburban fire protection district. The certification administrator shall keep and maintain records on the activities of all volunteer members and award points for such activities based upon the standard criteria for qualified active service.</i>  <i>No later than July 15 of each year, the certification administrator shall provide each volunteer member with notice of the total points he or she has accumulated during the first six months of the current calendar year of service.</i>  <i>No later than February 1 of each year, the certification administrator shall provide each volunteer member with a written certification stating the total number of points accumulated by the volunteer member during the immediately preceding calendar year of service and whether the volunteer member has qualified as an active emergency responder, active rescue squad member, or active volunteer firefighter for such year. Such certification may be sent electronically or by mail.</i>  <i>The certification administrator of the volunteer department shall file with the Department of Revenue a certified list of those volunteer members who have qualified as active emergency responders, active rescue squad members, or active volunteer firefighters for the immediately preceding calendar year of service no later than February 15.</i>  <i>Each volunteer member on the list described in subsection (1) of this section shall receive a refundable credit against the income tax imposed by the Nebraska Revenue Act of 1967 in an amount equal to two hundred fifty dollars beginning with the second taxable year in which such volunteer member is included on such list. The volunteer member shall claim the credit by including a copy of the certification received under subsection (3) of section 77-3104 with the volunteer member's state income tax return.</i>  <i>This act becomes operative on January 1, 2020.</i>
LB237	Crawford		Revenue 02/22/2019	General File 03/15/2019 Speaker Priority Bill	Change provisions relating to sales and use tax collection fees  <i>Change provisions relating to sales and use tax collection fees LB237, relates to the tax imposed on the sales and use of motor vehicles, semitrailers, and trailers under 77-2703.</i>

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*Specifically, the county treasurer or Department of Motor Vehicles shall report and remit the tax so collected to the Tax Commissioner by the fifteenth day of the following month. The county treasurer, for his or her collection fee, shall deduct and withhold from all amounts required to be collected, the collection fee permitted to be deducted by any retailer collecting the sales tax, all of which shall be deposited in the county general fund, plus one-half of one percent of all amounts in excess of three thousand dollars remitted each month, seventy-five percent of which shall be deposited in the county general fund and twenty-five percent of which shall be deposited in the county road fund. The Department of Motor Vehicles, for its collection fee, shall deduct,*

*withhold, and deposit in the Motor Carrier Division Cash Fund the collection fee permitted to be deducted by any retailer collecting the sales tax.*

*The collection fee for the county treasurer or the Department of Motor Vehicles shall be forfeited if the county treasurer or department violates any rule or regulation pertaining to the collection of the use tax. The county treasurer, for his or her collection fee, shall deduct and withhold for the use of the county general fund, from all amou*

LB243	Gragert		Agriculture 01/29/2019	Final Reading 04/03/2019 Gragert Priority Bill	Create the Healthy Soils Task Force and add a use for a fund
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*Under LB243, the Legislature finds that appropriate planning and coordination is needed to speed up and coordinate the adoption of conservation practices that rebuild and protect soil carbon to increase water holding capacity and enhance the vitality of the subsurface microbiome for landowners to capitalize on the economic and production benefits of soil health, while simultaneously enhancing water quality, capturing carbon, building resilience to drought and pests, reducing greenhouse gas emissions, expanding pollinator and other wildlife habitat, and protecting fragile ecosystems for a more sustainable future therefore: The Healthy Soils Task Force is created within the Department of Agriculture. The Department may request additional advisory support from appropriate federal and state agencies.*

*The task force shall consist of the following voting members: The Director of Agriculture or his or her designee; Two representatives of natural resources districts in Nebraska, appointed by the Governor; Two academic experts in agriculture and natural resources in Nebraska, appointed by the Governor; Five representatives from production agriculture, appointed by the Governor; Two representatives from agribusiness, appointed by the Governor; and one representative from an environmental organization in Nebraska, appointed by the Governor.*

*The task force shall consist of the following nonvoting members: The chairperson of the Natural Resources Committee of the Legislature; and the chairperson of the Agriculture committee of the Legislature.*

*The Healthy Soils Task Force shall primarily develop a comprehensive healthy soils initiative for the State of Nebraska. On or before January 1, 2021, the Healthy Soils Task Force shall submit the action plan and report its findings and recommendations to the Governor and electronically to the Natural Resources Committee of the Legislature. The task force shall terminate on January 1, 2021.*

LB288	Linehan		Revenue 04/03/2019	In Committee 01/17/2019 Revenue Priority Bill	Change income tax rates
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*Change income tax rates*

*Applies the individual income tax brackets and rates for taxable years beginning or deemed to begin on or after January 1, 2014 those beginning before January 1, 2020. Creates individual income tax brackets and rates for the taxable years beginning or deemed to begin on or after January 1, 2020.*

LB289	Linehan	Monitor	Revenue 02/01/2019	In Committee 01/17/2019 Revenue Priority Bill	Change provisions relating to county assessor inspections of real property for property tax purposes
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*The county assessor shall determine the portion to be inspected and reviewed each year to assure that all parcels of real property in the county have been inspected and reviewed no less frequently than every 3 years. (Amended from no less frequently than every 6 years.)*

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LB304	Crawford		Agriculture 03/05/2019	General File 03/27/2019 Hansen, B. Priority Bill	Exempt certain operations from the definition of a food establishment under the Nebraska Pure Food Act  <i>LB304 provides exemptions under 81-2,245.01 by redefining food establishment to exclude a private home or other area where food that is not time/ temperature control for safety food is prepared: For sale or service at a religious, charitable, or fraternal organization's bake sale or similar function; or For sale directly to the consumer including, but not limited to, at a farmers market, fair, festival, craft show, or other public event or for pick up at or delivery from such private home or other area, if such producer meets and abides by other requirements outlined in the proposed bill, such as specific labeling of the food, abiding by the food handler's rule of the event, etc.</i>
LB320	Albrecht		Agriculture 02/05/2019	Select File 03/27/2019 Agriculture Priority Bill	Change various provisions of the Pesticide Act and update federal references  <i>Historically, if the pesticide contains arsenic in any form, a statement of the percentage of total water-soluble arsenic calculated as elementary arsenic. This rule would be repealed here. Warning labels related hereto shall now include danger, symbol, or cautionary labeling when applicable.</i>
LB323	Crawford		Health and Human Services 02/28/2019	General File 03/25/2019 Crawford Priority Bill	Change eligibility provisions under the Medical Assistance Act for certain disabled persons  <i>The associated federal rule has changed and therefore eligibility is now as allowed under 42 U.S.C. 1396a(a)(10)(A)(ii)(XV) and (XVI). A qualifying family's premiums shall be graduated based on family income and shall not exceed 7.5% of family income and the department shall not include assets or available resources in the determination of eligibility.</i>
LB352	Morfeld		Judiciary 03/06/2019	General File 03/18/2019 Morfeld Priority Bill	Provide requirements relating to the use of jailhouse informants  <i>LB352 addresses concerns relating to the reliability of jailhouse witness testimony, by such means as the creation and maintenance of a central record of each case including testimony offered or provided by jailhouse informants (felons), the benefits so requested, etc. Such record will be the responsibility of the county attorney's office. There are additional disclosure requirements as well.</i>
LB379	Kolterman		Banking, Commerce and Insurance 03/12/2019	General File 03/15/2019 Speaker Priority Bill	Change provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act  <i>This bill defines Nationwide Mortgage Licensing System and Registry. Licensees under the Delayed Deposit Services Licensing Act are required to be licensed and registered through the Nationwide Mortgage Licensing System and Registry. In order to carry out this requirement, the department is authorized to participate in the Nationwide Mortgage Licensing System and Registry. For this purpose, the department may establish requirements as necessary by adopting and promulgating rules and regulations or by order. The requirements may include, but are not limited to: background checks, criminal history checks through fingerprint data bases, credit checks, etc.,</i>
LB390	Pansing Brooks	Neutral	Judiciary 02/14/2019	Select File 03/27/2019 Pansing Brooks Priority Bill	Provide duties regarding school resource officers and security guards  <i>LB390 is for a bill relating to public safety. The bill would state findings, define terms, and provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice, law enforcement agencies, security agencies, and school districts relating to school resource officers and security guards as prescribed.</i>

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LB411	Scheer		Government, Military and Veterans Affairs 02/14/2019	Select File 03/19/2019 Government, Military and Veterans Affairs Priority Bill	Provide an additional method of changing the number of county commissioners  <i>LB411 allows for a county board of commissioners to vote to place the question on the ballot regarding the number of commissioners on the county board. Currently, the only way the question can be placed on the ballot is by citizen petition.</i>
LB428	Friesen		Business and Labor 03/18/2019	General File 03/28/2019 Business and Labor Priority Bill	Change eligibility for benefits under the Employment Security Law for certain workers in the construction industry  <i>LB428 amends 42-377, as follows: Children born to the parties, or to either spouse the wife, in a marriage relationship which may be dissolved or annulled pursuant to sections 42-347 to 42-381 shall be legitimate unless otherwise decreed by the court, and in every case the legitimacy of all children conceived before the commencement of the suit shall be presumed until the contrary is shown.</i>
LB460			Health and Human Services 03/07/2019	In Committee 01/23/2019 Health and Human Services Priority Bill	Change criminal background check provisions under the Children's Residential Facilities and Placing Licensure Act
LB463	Williams		Revenue 02/08/2019	Approved by Governor 03/27/2019 Williams Priority Bill	Change provisions relating to treasurer's tax deeds and tax sale certificates  <i>This bill changes and eliminates provisions relating to real property sold for delinquent taxes. Further, it re-outlines the process the process for issuing treasurer's tax deeds, and tax sale certificates.</i>
LB468	Walz	Monitor	Health and Human Services 03/01/2019	In Committee 01/23/2019 Health and Human Services Priority Bill	Prohibit additional services and populations under the medicaid managed care program  <i>The bill proposes the following language be added to the Medical Assistance Act: Until at least January 1, 2020, or until a critical evaluation is performed of the at-risk capitated managed care program of the medical assistance program and the success of such managed care program is proven, whichever is later, the department shall not add any additional service or population to the medicaid managed care program in effect on January 1, 2017.</i>
LB472	Dorn		Revenue 03/13/2019	General File 03/20/2019 Dorn Priority Bill	Adopt the Qualified Judgment Payment Act and authorize a sales and use tax  <i>For purposes of the Qualified Judgment Payment Act, qualified judgment means a judgment that is rendered against a county by a federal court for a violation of federal law.</i>  <i>Any county that has a qualified judgment rendered against it may, upon adoption of a resolution by at least a two-thirds vote of the county board, impose a sales and use tax of one-half of one percent on transactions that are subject to the state sales and use tax under the Nebraska Revenue Act of 1967, as amended from time to time, and that are sourced as provided in sections 77-2703.01 to 77-2703.04 within the county. Any sales and use tax imposed pursuant to this section shall be used to pay the qualified judgment.</i>
LB481	Bolz		Appropriations 03/28/2019	In Committee 01/24/2019 Scheer Priority Bill	State intent relating to an appropriation to the Department of Health and Human Services  <i>It is the intent of the Legislature to appropriate XXX from the General Fund for FY2019-20 to the Department of Health and Human Services.</i>

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LB483	Erdman		Revenue 02/21/2019	General File 03/20/2019 Erdman Priority Bill	Change the valuation of agricultural land and horticultural land  <i>'Agricultural land and horticultural land' means a parcel of land, excluding land associated with a building or enclosed structure located on the parcel, which is primarily used for agricultural or horticultural purposes, including wasteland lying in or adjacent to and in common ownership or management with other agricultural land and horticultural land.</i>  <i>Agricultural land and horticultural land shall constitute a separate and distinct class of property for purposes of property taxation, shall be subject to taxation, unless expressly exempt from taxation, and shall be valued at its agricultural productivity value.</i>  <i>For tax year 2020 and each tax year thereafter, the agricultural productivity value of agricultural land and horticultural land shall be determined based upon the land's capitalized net earning capacity (as prescribed).</i>
LB496	Wayne		Judiciary 03/15/2019	General File 03/19/2019 Speaker Priority Bill	Increase penalties for tampering with witnesses, informants, jurors, or physical evidence and change provisions relating to discovery in criminal cases  <i>Specifically:</i> <i>Tampering with witnesses or informants is a Class IV felony, except that if such offense involves a pending criminal proceeding which alleges a violation of another offense classified as a Class I, IA, IB, IC, ID, or II felony, the offense is a Class II felony.</i>  <i>Jury tampering is a Class IV felony, except that if such offense involves a pending criminal proceeding which alleges a violation of another offense classified as a Class I, IA, IB, IC, ID, or II felony, the offense is a Class II felony.</i>  <i>Tampering with physical evidence is a Class IV felony, except that if such offense involves a pending criminal proceeding which alleges a violation of another offense classified as a Class I, IA, IB, IC, ID, or II felony, the offense is a Class II felony.</i>  <i>The bill further defines enforcement provisions under certain circumstances, for instance, when the prosecution believes a witness could be in danger of harm through particular disclosures, etc.</i>
LB512	Linehan		Revenue 01/31/2019	General File 02/26/2019 Moser Priority Bill	Change revenue and taxation provisions  <i>LB512 proposes to eliminate the Motor Fuel Tax Enforcement and Collection Division of the Department of Revenue; to change and eliminate provisions relating to a list of exempt real property, collection agency fees, rules and regulations, and reimbursement to political subdivisions; to provide for reassessment of destroyed or damaged property; to change provisions relating to personal exemptions, standard deductions, requirements for filing income tax returns, notices of deficiency, and homestead exemptions.</i>
LB524	Dorn		Government, Military and Veterans Affairs 02/28/2019	General File 03/13/2019 Speaker Priority Bill	Change provisions relating to annexations under the Nebraska Budget Act  <i>On or before August 20 of each year, the county assessor shall certify to each governing body or board empowered to levy or certify a tax levy the current taxable value of the taxable real and personal property subject to the applicable levy.</i>  <i>Specifically, for LB524, [i]f a political subdivision annexes property since the last time taxable values were certified from above, the governing body of such political subdivision shall send notification of such annexation to the county clerk of the county in which the annexed property is located. Such notification shall include a description of the annexed property.</i> <i>If the county clerk receives such notification prior to July 1, the valuation of the real and personal property annexed shall be considered in the taxable valuation of the annexing political subdivision for the current year.</i>



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<p><i>If the county clerk receives such notification on or after July 1, the valuation of the real and personal property annexed shall be considered in the taxable valuation of the annexing political subdivision for the following year.</i></p>					
LB583	Hilgers		Government, Military and Veterans Affairs 03/01/2019	General File 03/13/2019 Arch Priority Bill	Provide powers for certain counties under the Transportation Innovation Act
<p><i>This bill provides contracting agencies with substantial authority as prescribed. Much of the authority was previously authority authorized to the Department of Transportation. It (re)defines and relieves certain terms, such as "eligible county". The bill was introduced by Senator Hilgers at the request of Sarpy County.</i></p>					
LB616	Hilgers	Monitor	Transportation and Telecommunications 02/11/2019	General File 02/22/2019 Hilgers Priority Bill	Provide for build-finance projects under the Build Nebraska Act and the Transportation Innovation Act
<p><i>This bill defines build-finance project as a project in which a design-builder, a construction manager, or a contractor working under any project structure allowed by law pays for the project labor, materials, and vendors as the work is performed and payments due from the Department of Transportation are made by, or on behalf of, the department over a period not to exceed ten years after the date of substantial completion. And, financing plan would mean an assurance of available funding and security to ensure payment to vendors and labor as work is performed on a build-finance project and, if not addressed in the request for proposal, the terms of required structured repayment.</i></p> <p><i>The department may structure a contract as a "build-financing" project pursuant to the Build Nebraska Act, sections 39-2808 to 39-2824, or the Accelerated State Highway Capital Improvement Program created in section 39-2804. Prior to entering into a contract for a build-finance project, the department shall determine that there will be an estimated cost savings to the state as a result of a cost-benefit analysis.</i></p> <p><i>The department may authorize a design-builder or a construction manager engaged in a contract pursuant to sections 39-2808 to 39-2824 or a contractor engaged in a contract pursuant to the Build Nebraska Act or the Accelerated State Highway Capital Improvement Program to structure the contract as a build-finance project.</i></p> <p><i>If a build-finance project will be under consideration by the department, the department shall include the financing requirements in the request for proposals or the initial project solicitation. The department may include in the financing requirements the maximum annual payment, the interest rate on the financing, and the minimum number of years for repayment.</i></p> <p><i>The department may require a financing plan from the design-builder, the construction manager, or the contractor. If required, the financing plan shall be included in the proposal and may be considered by the department as a part of the best value-based selection process or a qualifying factor in the selection process, as applicable.</i></p> <p><i>The contract for any build-finance project shall include in its terms that the payments extending beyond the contract year of completion will be subject to annual appropriations by the Legislature, that the project is unsecured, and that it does not constitute a debt obligation of the state.</i></p> <p><i>The department shall not obligate more than ten percent of the annual revenue of the Highway Trust Fund to secure payment on all build-finance projects at the time a contract for a build-finance project is under consideration</i></p>					
LB619	Kolowski		Banking, Commerce and Insurance 03/05/2019	Final Reading 04/03/2019 Kolowski Priority Bill	Prohibit denial of coverage for mental health services delivered in a school
<p><i>Requires that any insurance policy providing coverage for behavioral health treatment shall provide coverage for behavioral health services delivered in a school or other educational setting.</i></p>					

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LB657	Wayne		Agriculture 02/12/2019	General File 04/02/2019 Brandt Priority Bill	Adopt the Nebraska Hemp Act  <i>The department shall establish, operate, and administer a hemp grower registration program. Except as otherwise provided under the Nebraska Hemp Act for a postsecondary institution, a person shall not grow hemp in this state unless the person is registered as a grower under the act. A person other than a postsecondary institution that wishes to grow hemp in this state shall submit the registration application fee (\$100) and register with the department on a form prescribed by the department. Cannabis found to have a measured delta-9 THC content greater than three-tenths percent on a dry weight basis will be subject to forfeiture and destruction, without compensation.</i>
LB663	Friesen		Revenue 02/21/2019	General File 03/15/2019 Friesen Priority Bill	Change provisions relating to Nebraska adjusted basis  <i>77-118 (1) Nebraska adjusted basis shall mean the adjusted basis of property as determined under the Internal Revenue Code increased by the total amount allowed under the code for depreciation or amortization or pursuant to an election to expense depreciable property under section 179 of the code. (2) For purchases of depreciable personal property occurring on or after January 1, 2018, if similar personal property is traded in as part of the payment for the newly acquired property, the Nebraska adjusted basis shall be the remaining federal tax basis of the property traded in, plus the additional amount that was paid by the taxpayer for the newly acquired property.</i>
LB686	Lathrop		Judiciary 03/27/2019	In Committee 01/25/2019 Judiciary Priority Bill	Change provisions relating to correctional system emergencies  <i>Under LB686, the term operational capacity no longer is a defined term. The term population is amended to mean the actual number of inmates assigned to the Department of Corrections. As before, until July 1, 2020, the Governor may declare a correctional system overcrowding emergency whenever the director certifies that the department's inmate population is over one hundred forty percent of design capacity. Beginning July 1, 2020, and until December 31, 2020, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred forty percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred forty percent of design capacity. Beginning January 1, 2021, and until June 30, 2021, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred thirty-five percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred thirty-five percent of design capacity. Beginning July 1, 2021, and until December 31, 2021, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred thirty percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred thirty percent of design capacity. Beginning January 1, 2022, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred twenty-five percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred twenty-five percent of design capacity. During a correctional system overcrowding emergency, the Governor shall take immediate action to reduce the prison population. Further, during an overcrowding emergency, the Board of Parole shall immediately consider or reconsider committed offenders eligible for parole who have not been released on parole. The board shall order the release of each committed offender unless it is of the opinion that such release should be deferred because: a) The board has determined that it is more likely than not that the committed offender will not conform to the conditions of parole; b) The board has determined that release of the committed offender would have a very significant and quantifiable effect on institutional discipline; or c) The board has determined that there is a very substantial risk that the committed offender will commit a violent act against a person.</i>

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LB690	Cavanaugh		Judiciary 03/06/2019	In Committee 01/25/2019 Speaker Priority Bill	Adopt the Healthy Pregnancies for Incarcerated Women Act  <i>This bill intends to adopt the Healthy Pregnancies for Incarcerated Women Act. A detention facility shall not use restraints on a prisoner or detainee known to be pregnant, including during labor, delivery, or postpartum recovery or during transport to a medical facility or birthing center, unless the administrator makes an individualized determination that there are extraordinary circumstances where the administrator makes an individualized determination that there is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the prisoner or detainee known to be pregnant, the staff of the detention facility or medical facility, other prisoners or detainees, or the public, except that: a) If the doctor, nurse, or other health professional treating the prisoner or detainee known to be pregnant requests that restraints not be used, any detention facility employee accompanying the prisoner or detainee shall immediately remove all restraints; b) Under no circumstances shall leg or waist restraints be used on the prisoner or detainee known to be pregnant; AND c) Under no circumstances shall any restraints be used on any prisoner or detainee in labor or during childbirth. The bill further elucidates the manner and circumstances where restraints may (not) be used, and creates a cause of action for making whole a detainee harmed by the violation of the rule, including reasonable attorney's fees and, potentially, punitive damages. On or before October 1, 2019, each detention facility in this state shall adopt and promulgate rules and regulations to carry out the Healthy Pregnancies for Incarcerated Women Act. A detention facility may also adopt and promulgate rules and regulations developed by the Jail Standards Board or the Nebraska Commission on Law Enforcement and Criminal Justice.</i>
LB693	Halloran		Transportation and Telecommunications 02/19/2019	General File 03/27/2019 Halloran Priority Bill	Prohibit the selling, renting, or conveying of telephone numbers  <i>LB693 creates the Neighbor Spoofing Protection Act. The act requires that no person shall sell, rent, or convey any interest in a telephone number to any out-of-state person unless such telephone number is listed or available from directory assistance to the general public so that a member of the general public could determine the source of the telephone number by contacting his or her telecommunications provider. No person shall, in connection with any telecommunications service or IP-enabled voice service, cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value. Public Service Commission penalties, after hearing, may be imposed, but, shall not exceed \$2,000. Every violation within the state shall be considered a separate and distinct violation.</i>
LB700	Bostelman		Natural Resources 03/06/2019	In Committee 01/25/2019 Natural Resources Priority Bill	Provide for decommissioning and reclamation of a wind energy conversion system  <i>Under LB700, any person owning, operating, or managing a wind energy conservation system in this state shall be responsible for all decommissioning or reclamation costs necessary for removal of such system, including the removal of any aboveground equipment and restoration of the land to its natural state. For purposes of this section reclamation means restoration of the area on which a wind energy conservation system is constructed to the condition that existed prior to construction.</i>
LB713	Vargas		Executive Board 02/28/2019	Select File 03/27/2019 Executive Board Priority Bill	Provide for long-term accountability from the Legislative Fiscal Analyst  <i>Here, a mandate would be added to the Legislative Fiscal Analyst duties, such that, in addition to the already legislated duties, the analyst shall provide the following cycle of analyses of long-term fiscal sustainability, beginning, in FY2020-21: i. In even-numbered years, the joint revenue volatility report required under section 50-419.02; ii. In odd-numbered years, a budget stress test comparing estimated future revenue to and expenditure from major funds and tax types under various potential economic conditions; AND iii. Every four years, a long-term budget for programs appropriated for major funds and tax types. Also under LB713, the Legislative Fiscal Analyst's revenue-forecasting information shall include, in addition to the already legislated duties, the estimated revenue receipts for each year of the following biennium, including comparisons of current estimates for: i. Each major tax type to long-term trends for that tax type, ii. Federal fund receipts to long-term federal fund trends; AND iii. Tax collections and federal fund receipts to long-term trends.</i>

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LB720	Kolterman		Revenue 03/06/2019	In Committee 01/25/2019 Kolterman Priority Bill	Adopt the ImagiNE Nebraska Act and provide tax incentives
<p><i>Under LB720, the Legislature finds that it is the policy of this state to modernize its economic development platform in order to (1) encourage new businesses to relocate to Nebraska, (2) encourage existing businesses to remain and grow in Nebraska, (3) encourage the creation and retention of new, high-paying jobs in Nebraska, (4) attract and retain investment capital in Nebraska, (5) develop the Nebraska workforce, (6) simplify the administration of the tax incentive program created in the ImagiNE Nebraska Act for both businesses and the state, and (7) improve the transparency and accountability of such program. SECTION 28 of the Act describes the application process for a taxpayer to request an agreement. If the director fails to make his or her determination within the prescribed ninety-day period, the application is deemed approved. Within ninety days after approval of the application, the director shall prepare and deliver a written agreement to the taxpayer for the taxpayer's signature. The taxpayer and the director shall enter into a written agreement. The taxpayer shall agree to increase employment or investment at the qualified location or locations, report wage and hours data at the qualified location or locations to the Department of Labor annually, and report all qualified property at the qualified location or locations to the Property Tax Administrator. The director, on behalf of the State of Nebraska, shall agree to allow the taxpayer to use the incentives contained in the ImagiNE Nebraska Act. The application, and all supporting documentation, to the extent approved, shall be considered a part of the agreement. There shall be no new applications for incentives filed by a taxpayer after December 31, 2029.</i></p>					
LR14CA	Wayne		Urban Affairs 03/05/2019	General File 03/07/2019 Urban Affairs Priority Bill	Constitutional amendment to authorize municipalities to pledge property taxes for up to twenty years if more than one-half of the property in a redevelopment project is extremely blighted
<p><i>Extends the constitutional provision regarding tax increment financing from fifteen years to not exceed twenty years if more than one-half of the property in the project area is designated as extremely blighted.</i></p>					

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LB4	Stinner		Revenue 01/25/2019	Final Reading 03/05/2019	Change mileage reimbursement and filing fees under the Tax Equalization and Review Commission Act  <i>LB4 mandates that because of the commission shall have three commissioners, one from each congressional district, and because a commissioner shall be a qualified voter and resident of the state and a domiciliary of the district he or she represents each commissioner shall be reimbursed for mileage for actual round-trip travel from the commissioner's residence to the state office building in Lincoln or to the location of any hearing or other official business of the commission. Reimbursement requests shall be based on the rate established by the Department of Administrative Services. Funds expended for parking may be requested in addition to mileage. Also, LB4 mandates that when an appeal or petition is filed with the commission regarding the taxable value of a parcel of real property, the filing fees shall be: Forty dollars (\$40) if the taxable value of the parcel is less than two hundred fifty thousand dollars (\$0-249,999); Fifty dollars (\$50) if the taxable value of the parcel is at least two hundred fifty thousand dollars but less than five hundred thousand dollars (\$250,000-\$499,999); Sixty dollars (\$60) if the taxable value of the parcel is at least five hundred thousand dollars but less than one million dollars (\$500,000-\$999,999); or Eighty-five dollars (\$85) if the taxable value of the parcel is at least one million dollars (\$1,000,000+). For any appeal or petition filed with the commission not regarding the taxable value of a parcel of real property, the filing fee shall be forty dollars (\$40). No filing fee (\$0) shall be required for an appeal by a county assessor, the Tax Commissioner, or the Property Tax Administrator acting in his or her official capacity or a county board of equalization acting in its official capacity.</i>
LB9	Blood		Government, Military and Veterans Affairs 02/21/2019	General File 03/05/2019	Prohibit cities, counties, and villages from taxing or regulating distributed ledger technology  <i>Designed to prohibit cities, villages, and counties from taxing or otherwise regulating the use of distributed ledger technology, which is a technology that is a uniformly ordered, redundantly maintained electronic record of transactions, or other data, validated by the use of cryptography.</i>
LB11	Blood	Support	Urban Affairs 01/29/2019	Approved by Governor 03/12/2019	Provide for interlocal agreements regarding nuisances  <i>Intended to provide for interlocal agreements between any city or village and the county where it is located to abate, remove, or prevent nuisances. The governing body of such city or village and the county board of such county shall first approve such interlocal agreement by ordinance or resolution.</i>
LB13	Blood		Revenue 01/25/2019	General File 02/22/2019	Provide a sales tax exemption for breast pumps and related supplies and exempt breast-feeding from public indecency offenses  <i>LB13 is creates an exemption from the public indecency offenses, that is it shall not be a violation for an individual to breast-feed a child in a public place. Also, it proscribes sales and use taxes sale, lease, or rental of and the storage, use, or other consumption of breast pump and breast pump collection and storage supplies (caps, tubes, pump kits, etc.).</i>
LB17	Briese		Judiciary 01/31/2019	In Committee 01/14/2019	State a right of juveniles who have a parent with a disability  <i>Designed to assure the right of each juvenile to be parented by his or her parent, which shall not be abridged based solely on a disability of the parent.</i>
LB20	Briese	Oppose	Government, Military and Veterans Affairs 01/24/2019	In Committee 01/14/2019	Require voter approval of public building commission bonds  <i>Designed to require approval by the voters for the issuance of bonds by public building commissions and to repeal the original provision.</i>
LB23	Kolterman		Urban Affairs 02/05/2019	General File 03/20/2019 Speaker Priority Bill	Change the Property Assessed Clean Energy Act  <i>Designed to change legislative findings and to change provisions relating to requirements for ordinances or resolutions, assessment contracts, and duties of municipalities regarding energy efficiency.</i>
LB28	Kolterman		Judiciary 01/24/2019	In Committee 01/14/2019	Authorize damages for property taxes and special assessment paid on property lost through adverse possession  <i>Intended to authorize damages in causes of action arising on or after January 1, 2020, for property taxes and special assessments paid on property lost through adverse possession.</i>

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LB32	Kolterman		Nebraska Retirement Systems 01/29/2019	Approved by Governor 03/12/2019	Change defined contribution benefit investment options as prescribed under the County Employees Retirement Act and State Employees Retirement Act  <i>Designed to change defined contribution benefit investment options as prescribed under the County Employees Retirement Act and State Employees Retirement Act on or after January 1, 2021, which shall include, but not be limited to: an investor select account, a stable return account, an equities account, a fixed income account, and a life-cycle fund.</i>
LB33	Kolterman		Nebraska Retirement Systems 01/22/2019	Approved by Governor 03/06/2019	Change various provisions relating to retirement and the Nebraska Investment Council and the Public Employees Retirement Board  <i>Designed to change written plan of action deadlines for the Nebraska Investment Council and the Public Employees Retirement Board (prior to 2020, and by April 10 of each year beginning in 2020). The bill also limits the information obtained by the board of trustees that can be disclosed as public information to name, retirement commencement and ending dates.</i>
LB34	Kolterman		Nebraska Retirement Systems 02/05/2019	Final Reading 04/03/2019 Nebraska Retirement Systems Priority Bill	Change various retirement provisions  <i>Designed to eliminate provisions relating to benefits payable after the filing of a grievance or appeal and change provisions relating to employee reinstatement under the County Employees Retirement Act and State Employees Retirement Act, specifically the bill proposes to eliminate the repayment of the value of the amount received from his or her employee account or member cash balance account.</i>
LB35	Kolterman		Nebraska Retirement Systems 02/05/2019	In Committee 01/14/2019	Change provisions relating to reemployment, reinstatement, repayment, and age eligibility for certain members under the County Employees Retirement Act and State Employees Retirement Act  <i>Designed to change provisions relating to reemployment, reinstatement, repayment, and age eligibility (proposed to be 18 years of age) regarding certain retirement system members under the County Employees Retirement Act and State Employees Retirement Act. To become operative January 1, 2020.</i>
LB38	Hilkemann		Transportation and Telecommunications 02/05/2019	In Committee 01/14/2019	Provide for one license plate and In Transit decal per vehicle  <i>Designed to provide for one license plate and In Transit decal per vehicle; to change provisions relating to license plates; to eliminate obsolete provisions.</i>
LB42	Hilkemann		Banking, Commerce and Insurance 01/28/2019	Approved by Governor 03/12/2019	Provide certain responsibilities and a duty under the Condominium Property Act and a duty under the Nebraska Condominium Act  <i>Designed to create responsibility for maintenance, repair, and replacement of common elements in the association of co-owners and board of administrators, or other body governing the condo. As well as to require the board of administrators or other administrative body under the Condominium Property Act for the yearly (on or before December 31) filing of the names and addresses of the current officers of the board with the county clerk, and the filing fees (not more than \$25).</i>
LB43	Bolz		Judiciary 02/22/2019	In Committee 01/14/2019	Adopt the Sexual Assault Survivors' Bill of Rights Act  <i>Designed to adopt the Sexual Assault Survivors' Bill of Rights Act, which includes, among other things, the survivor's right to consult with and have present an advocate of his or her choosing during medical evidentiary or physical examination (regardless of whether or not said right has been previously waived), the right to a free forensic medical examination, the right to shower at no cost if the facilities are available, right to consult with or have an advocate available during an interview by police/prosecution/defense, the right to be interviewed by an interviewer the gender of the survivor's choosing, and to and interpreter for differences regarding primary language.</i>
LB47	Chambers		Judiciary 01/25/2019	IPP (Killed) 02/01/2019	Change provisions relating to when a grand jury report may be made public  <i>Designed allow for a grand jury report may be made public only after all persons indicted have been adjudicated in district court, or when required by statute, or when the judge of the district court finds that such a release will exonerate a person or persons who have requested such a release.</i>

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LB48	Stinner		Natural Resources 02/13/2019	Approved by Governor 03/21/2019	Change provisions relating to sufficient cause for nonuse of a water appropriation  <i>Designed to change provisions relating to a finding of sufficient cause for nonuse of a water appropriation, namely, to add the following sufficient cause: "The land subject to the appropriation is under an acreage reserve program or production quota or is otherwise withdrawn from use as required for participation in any federal, state, or natural resources district program...OR... such land was previously under such a program but currently is not under such a program and there have been not more than five consecutive years of nonuse on such land subsequent to when that land was last under such program."</i>
LB50	Vargas		Revenue 01/23/2019	In Committee 01/14/2019	Change individual income tax brackets and rates  <i>Increases income tax also creates a one percent (1%) tax rate on that portion of a taxpayer's Nebraska taxable income in excess of one million dollars and, a two percent (2%) tax rate on that portion of a taxpayer's Nebraska taxable income in excess of two million dollars.</i>
LB53	Scheer		Natural Resources 02/14/2019	In Committee 01/14/2019	Change and provide duties for landowners or their tenants relating to removal of a blockage or obstruction in a watercourse and provide for court costs and attorney's fees  <i>LB53 mandates landowners or their tenants removal of a blockage or an obstruction in a watercourse, slough, or drainage ditch or drainage course whenever such blockage or obstruction is caused by any of the acts of such landowner or tenant or with his or her knowledge or consent and to do so at least once a year between March 1st and April 15th, and, between April 15th and the following March 1st within thirty days after notification of such blockage or obstruction by a landowner or tenant having the same watercourse, slough, drainage ditch or drainage course running through the land owned or occupied by such landowner or tenant. Any person violating the above rule will be guilty of a misdemeanor and upon conviction shall be fined up to \$10 and be liable for all damages caused by reason of such obstruction, including court costs and reasonable attorney's fees if: the person was properly notified at least 10 days before the filing of a complaint relating to the March 1st to April 15th time-frame, or if the person was properly notified at least 10 days before the filing of a complaint but after the thirty-day period provided for above</i>
LB54	Lowe		Judiciary 02/28/2019	In Committee 01/14/2019	Change provisions relating to carrying a concealed weapon  <i>LB54 creates an exemption to the carrying a concealed weapon statute. The statute would now allow for possessing, carrying, transporting, shipping, or receiving a firearm for any lawful purpose to or from any place where such firearm may be lawfully possessed or carried by a person if such firearm is unloaded and stored in a case and such person is not otherwise prohibited by state or federal law from possessing, carrying, transporting, shipping, or receiving a firearm. Here, "case" means case means (i) a hard-sided or soft-sided box, container, or receptacle intended or designed for the purpose of storing or transporting a firearm or (ii) the firearm manufacturer's original packaging.</i>
LB55	Lowe		Judiciary 01/24/2019	Approved by Governor 03/12/2019	Authorize persons eighteen years of age to acquire or convey title to real property  <i>LB55 would authorize persons eighteen years of age to acquire or convey title to real property</i>
LB56	Lowe		General Affairs 01/28/2019	Approved by Governor 03/12/2019	Change special designated licensure provisions under the Nebraska Liquor Control Act  <i>Holders of catering licenses may seek a special designated license for the delivery, sale or dispensing of alcohol at a specific date/location. Application may be made by for such special event licensing and must be made at least 21 days prior to the event, unless the local governing body has established an expedited process for such applications, in which case the application shall be filed at least twelve days prior to the event. License can be delivered electronically.</i>
LB58	Morfeld		Judiciary 02/28/2019	In Committee 01/14/2019	Adopt the Extreme Risk Protection Order Act  <i>Under LB58 a petitioner may file for an extreme risk protection order, requesting such order be issued ex parte to the respondent and without prior notice to the respondent, by including in the petition detailed allegations based on personal knowledge that the respondent poses a significant risk of causing personal injury to self or others in the near future by having in his or her custody or control, purchasing, possessing, or receiving a firearm. The court shall hold a hearing on a petition for an ex parte extreme risk protection order on the day the petition is filed or on the judicial day immediately following the day the petition is filed. If the court finds reasonable cause, the extreme risk protection order shall issue ex parte as a temporary order. Upon notice of such an order, Respondent has five days to request a show-cause hearing, the court must calendar the such a requested hearing to be held within thirty days after receipt of the request. If the Respondent fails to appear at the show-cause hearing or fails to defeat a preponderance of the Petitioner's evidence, the court shall issue a final extreme risk protection order. The clerk of the court would be responsible for providing two certified copies to the Petitioner, as well as copies to law enforcement.</i>

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LB59	Cavanaugh		Health and Human Services 03/06/2019	Select File 03/27/2019 Speaker Priority Bill	Change investigation and reporting provisions under the Children's Residential Facilities and Placing Licensure Act
<p><i>LB59 is a bill for an amendment relating to the Children's Residential Facilities and Placing Licensure Act. Any person may submit a complaint to the department and request investigation of an alleged violation of the Act or rules and regulations adopted and promulgated under the act. The department shall review all complaints, including complaints of abuse and neglect from professionals, and determine whether to conduct an investigation within five working days after receiving the complaint. If such an investigation is conducted, an investigation report shall be issued within thirty days after the determination is made to conduct the investigation.</i></p>					
LB63	Groene	Monitor	Revenue 01/24/2019	Approved by Governor (E- Clause) 03/12/2019	Change tax levy provisions relating to rural and suburban fire protection districts and change the Mutual Finance Assistance Act
<p><i>Under LB63, beginning July 1, 2016, rural and suburban fire protection districts may levy a maximum levy of ten and one-half cents per one hundred dollars of taxable valuation of property subject to the levy if such district is located in a county that had a levy in the previous year of at least forty cents per one hundred dollars of taxable valuation of property subject to the levy OR such district had a levy request in any of the three previous years and the county board of the county in which the greatest portion of the valuation of such district is located did not authorize any levy authority to such district in such year. If a mutual finance organization qualifies for assistance under this section and one or more rural or suburban fire protection districts or cities or villages fail to levy a tax rate that complies with the Mutual Finance Assistance Act, as required under a mutual finance organization agreement, the mutual finance organization shall be disqualified for assistance in the following year and each subsequent year until the year following any year for which all districts and cities and villages in the mutual finance organization levy a tax rate required by a mutual finance organization agreement. LB63 further asserts that the members of the board of directors of a rural or suburban fire protection district may receive up to fifty dollars (\$50) for each meeting of the board. (Which used to be capped at \$25).</i></p>					
LB67	Hansen		Urban Affairs 01/22/2019	Approved by Governor 03/06/2019	Change provisions relating to determination of municipality population thresholds and references to cities, villages, and governing bodies
<p><i>Under LB67, the population of a city under the Nebraska Trust Company Act shall be the population as determined by the most recent federal decennial census OR the most recent revised certified count by the United States Bureau of the Census. This bill also changes the governing body of counties from the county commissioners to the county board. Members of the governing body of a village are now referred to as members of the "village board of trustees".</i></p>					
LB68	Hansen		Urban Affairs 02/19/2019	General File 03/04/2019	Change provisions of the Business Improvement District Act as prescribed
<p><i>LB68 addresses the Business Improvement District Act. Hearings must be called by city council now not only when simply expanding the district's boundaries, but now under LB68, hearings are required after any change in the boundaries have been proposed or any change the functions or provisions of an existing business improvement district have been proposed. If a city council has not acted to call a hearing to change the boundaries or change the functions or provisions of an existing business improvement district, it shall do so when presented with a petition signed by the users of thirty percent of space in a business area proposed to be added to or removed from an existing improvement district where an occupation tax is imposed, or by the record owners of thirty percent of the assessable front footage in a portion of a business area proposed to be added to or removed from an existing business improvement district, or if the recommendation is to change the functions or provisions of an existing business improvement district, by the record owners of thirty percent of the existing business improvement district.</i></p>					
LB71	Hansen		Judiciary 01/23/2019	Approved by Governor 03/12/2019	Eliminate a cause of action for damages for shoplifting
<p><i>The rule relating to small claims court causes of action that says no party shall file more than two claims within any calendar week nor more than ten claims in any calendar year now applies also to shoplifting, which it did not before.</i></p>					
LB72	Hansen		Government, Military and Veterans Affairs	Withdrawn 01/18/2019	Provide for nonpartisan election of county officers
<p><i>Under LB72, each county Assessor, county sheriff, county treasurer, county attorney, public defender, clerk of the district court, county surveyor, county engineer, county commissioners, as well as the county supervisors—shall be elected on the nonpartisan ballot rather than the partisan ballot.</i></p>					
LB76	Williams		Revenue 02/08/2019	General File 03/13/2019	Change provisions relating to the nameplate capacity tax
<p><i>"Nameplate capacity" means the capacity of a renewable energy generation facility to generate electricity as measured in megawatts, including fractions of a megawatt. LB76 adds the specificity that "nameplate capacity" shall be determined based on the facility's alternating current capacity.</i></p>					



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LB77	Williams		Banking, Commerce and Insurance 01/22/2019	Approved by Governor 03/06/2019	Change provisions of the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act

*"Education providers", that provide appraiser training or education, shall no longer as a technical term include simply any person that provides appraiser qualifying or continuing training or education. Specifically, "education provider" is proposed to mean: Any real property appraisal or real estate related organization, proprietary school, accredited degree-awarding community college, college, or university, state or federal agency, or other such provider that may be approved by the Real Property Appraiser Board that provides appraiser training or education. The one licensed real estate broker board member that is selected at large no longer would need to also hold a credential as a licensed or certified real property appraiser. Three members of the board, at least two of whom are real property appraisers, shall constitute a quorum.*

*The Real Property Appraiser Board- approved qualifying education courses shall now be conducted by education providers as prescribed by the board. Such courses shall include a proctored, closed-book examination, and the degree so earned upon successful completion and passing of said examination shall be conferred within the five-year period immediately preceding submission of any application.*

*The scope of practice for the trainee real property appraiser shall be limited to the appraisal of the types of real property or real estate that the supervisory certified real property appraiser is permitted to appraise by his or her current credential and that the supervisory appraiser is competent to appraise.*

*To qualify for a credential as a licensed residential real property appraiser, an applicant shall: Be at least nineteen years of age; Hold a high school diploma or a certificate of high school equivalency or have education acceptable to the Real Property Appraiser Board; Have successfully completed and passed examination for no fewer than one hundred fifty class hours in Real Property Appraiser Board-approved qualifying education courses conducted by education providers as prescribed by rules and regulations of the Real Property Appraiser Board and completed the fifteen-hour National Uniform Standards of Professional Appraisal Practice Course. Each course shall include a proctored, closed-book examination pertinent to the material presented; or hold a bachelor's degree or higher in real estate from an accredited degree-awarding college or university that has had all or part of its curriculum approved by the Appraiser Qualifications Board as required core curriculum or the equivalent as determined by the Appraiser Qualifications Board. If the degree in real estate or equivalent as approved by the Appraiser Qualifications Board does not satisfy all required qualifying education for credentialing, the remaining class hours shall be completed in Real Property Appraiser Board-approved qualifying education; Have no fewer than one thousand hours of experience (down from two thousand hours) that occurred during a period no fewer than six months (down from twelve months); Comply with the filing requirements as before, such as proper fingerprinting, etc.*

*To qualify for a credential as a certified residential real property appraiser, a licensed residential real property appraiser shall: Meet the postsecondary educational requirements—or—have held a credential as a licensed residential real property appraiser for a minimum of five years, AND Not have been subject to a nonappealable disciplinary action by the board or any other jurisdiction, which action limited the real property appraiser's legal eligibility to engage in real property appraisal activity within five years immediately preceding the date of application for the certified residential real property appraiser credential, AND*

- Successfully complete and pass proctored, closed-book examinations for no fewer than fifty additional class hours in board-approved qualifying education courses conducted by education providers as prescribed by rules and regulations of the board, or hold a bachelor's degree in real estate from an accredited degree-awarding college or university, AND*
- Meet the experience requirements.*

*To qualify for a credential as a certified general real property appraiser, a licensed residential real property appraiser shall:*

- Meet the postsecondary educational requirements,*
- Successfully complete and pass proctored, closed-book examinations for no fewer than one hundred fifty additional class hours in board-approved qualifying education courses conducted by education providers as prescribed by rules and regulations of the board, or hold a bachelor's degree in real estate from an accredited degree-awarding college or university or equivalent, AND*
- Meet the experience requirements.*

*To qualify for a credential as a certified residential real property appraiser, an applicant shall:*

- Be at least nineteen years of age,*
- Hold a bachelor's degree, or higher, from an accredited degree-awarding college or university,*
- Hold an associate's degree from an accredited degree-awarding community college, college, or university in the study of business administration, accounting, finance, economics, or real estate;*
- Successfully complete thirty semester hours of college-level education from an accredited degree-awarding community college, college, or university that includes:*
  - o Three semester hours in each of the following: English composition; microeconomics; macroeconomics; finance; algebra, geometry, or higher mathematics; statistics; computer science; business law or real estate law; and*
  - o Three semester hours each in two elective courses in any of the topics listed in subdivision (b)(iii)(A), or in accounting, geography, agricultural economics, business management, or real estate;*

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					<ul style="list-style-type: none"> <li>• Successfully complete thirty semester hours of College-Level Examination Program from an accredited degree-awarding community college, college, or university that includes three semester hours in each of the following subject matter areas: College algebra; college composition; college composition modular; college mathematics; principles of macroeconomics; principles of microeconomics; introductory business law; and information systems; or</li> <li>• Successfully complete any combination that ensures coverage of all topics and hours identified.</li> </ul> <p>(Rules exist for equivalency if an individual's degree is from a foreign country.)</p>
LB79	Friesen		Transportation and Telecommunications 01/22/2019	Approved by Governor 03/06/2019	<p>Adopt and update references to federal transportation laws and allow for electronic images of certain registration certificates</p> <p><i>In the case of an apportionable vehicle, the registration certificate may be displayed as a legible paper copy or electronically as authorized by the department.</i></p> <p><i>Registration fees credited to the Motor Carrier Services Division Distributive Fund pursuant to section 60-3,198 and remaining in such fund at the close of each calendar month shall be remitted to the State Treasurer for credit as follows: (a) Three percent of thirty percent of such amount shall be credited to the Department of Revenue Property Assessment Division Cash Fund; (b) the remainder of such thirty percent shall be credited to the Motor Vehicle Tax Fund; and (c) seventy percent of such amount shall be credited to the Highway Trust Fund.</i></p> <p><i>Regulations implemented from federal acts and regulations shall be done as such acts and regulations existed on January 1, 2019.</i></p>
LB80	Friesen		Transportation and Telecommunications 01/28/2019	Approved by Governor 03/13/2019	<p>Change motor vehicle identification inspection provisions</p> <p><i>Each county sheriff shall establish a process to enter into an agreement with any franchisee licensed under the Motor Vehicle Industry Regulation Act with a franchisee location in the county in which the sheriff has jurisdiction to collect information for the identification inspection on motor vehicles which are in the inventory of the franchisee and which are at a franchise location in such county. The agreement shall require that the franchisee provide the required fee, a copy of the documents evidencing transfer of ownership, and the make, model, vehicle identification number, and odometer reading in a form and manner prescribed by the county sheriff, which shall include a requirement to provide a photograph or digital image of the vehicle, the vehicle identification number, and the odometer reading. The county sheriff shall complete the identification inspection as required using such information and return to the franchisee the statement that an identification inspection has been conducted for each motor vehicle. If the information is incomplete or if there is reason to believe that further inspection is necessary, the county sheriff shall inform the franchisee. If the franchisee knowingly provides inaccurate or false information, the franchisee shall be liable for any damages that result from the provision of such information. The franchisee shall keep the records for five years after the date the identification inspection is complete.</i></p>
LB82	Friesen		Transportation and Telecommunications 01/22/2019	Approved by Governor (E-Clause) 03/12/2019	<p>Change provisions relating to contracts and state aid for bridges, land acquisition for state highways, functional classification, minimum standards, six-year and one-year plans, and distribution of funds and to change and provide duties as prescribed</p> <p><i>No longer shall the total costs of all contracts for bridge erection or repair, approaches thereto, culverts, or road improvements in excess of twenty thousand dollars be included in the annual reports to the Board of Public Roads Classifications and Standards. The Board of Public Roads Classifications and Standards no longer needs to consider bridge replacement applications during certain specific months (previously required in June and December each year). The Board of Public Roads Classifications and Standards shall develop and adopt the specific criteria for each functional classification, after public hearing. Following their adoption, the board shall provide an electronic copy of such criteria to the Secretary of State and the Clerk of the Legislature. The board shall also provide an electronic notification of such criteria to the appropriate representative of each county and each incorporated municipality and to the Director-State Engineer.</i></p> <p><i>In cooperation with the Department of Transportation, counties, and municipalities, the board is authorized to develop, support, approve, and implement programs and project strategies that provide additional flexibility in the design and maintenance standards. Once a program is established, the board shall allow project preapproval for all projects that conform to the agreed-upon program. The programs shall be set out in memorandums of understanding or guidance documents and may include, but are not limited to, the following:</i></p> <ol style="list-style-type: none"> <li><i>Practical design, flexible design, or similar programs or strategies intended to focus funding on the primary problem or need in constructing projects that will not meet all the standards but provide substantial overall benefit at a reasonable cost to the public,</i></li> <li><i>Asset preservation or preventative maintenance programs and strategies that focus on extending the life of assets such as, but not limited to, pavement and bridges that may incorporate benefit cost, cost effectiveness, best value, or lifecycle analysis in determining the project approach and overall benefit to the public; and</i></li> <li><i>Context sensitive design programs or similar programs that consider the established needs and values of a county, municipality, community, or other connected group to enable projects that balance safety while making needed improvements in a manner that fits the surroundings and provides overall benefit to the public.</i></li> </ol>

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					<p>To encourage unified operations, counties and municipalities may contract between themselves to administer all phases of their road and street programs without filing such contracts with the Board of Public Roads.</p> <p>1. The Department of Transportation and each county and municipality shall develop, adopt, maintain as a public record, and annually update a long-range, six-year plan or program of highway, road, and street improvements based on priority of needs and calculated to contribute to the orderly development of an integrated statewide system of highways, roads, and streets. The department and each county and municipality shall annually certify compliance with the requirements of this section to the Board of Public Roads Classifications and Standards using the certification form developed by the board pursuant to section 39-2120. Each county and municipality shall annually develop, adopt, and maintain as a public record a one-year plan or program for specific highway, road, or street improvements for the current year. No plan or program will be adopted until after public hearing thereon and its approval by the governing body. Each county and municipality shall schedule and hold the public hearing each year, and such hearing may be held prior to or in conjunction with that entity's annual public hearing on its proposed budget statement in any year such budget statement hearing is held according to law. Each county and municipality shall annually certify compliance with the requirements of this section to the Board of Public Roads Classifications and Standards using the certification form developed by the board. If the county or municipality complies within a six-month period it shall receive the money in escrow, but after six months, if the county or municipality fails to comply, the money in the escrow account shall be lost to the county or municipality and shall be distributed to other counties or municipalities, as appropriate, in the manner provided by law for allocation of highway-user revenue.</p> <p>The Board of Public Roads Classifications and Standards shall develop and schedule for implementation a certification form for annual filing by the Department of Transportation and each county and municipality. The certification for shall include:</p> <p>1) A statement from the department and each county or municipality that it has developed, adopted, and included in its public records the plans or programs required by sections 39-2115 to 39-2119;</p> <p>2) A statement that the department and each county or municipality:</p> <p>a. Meets the standards or programs of design, construction, and maintenance for its highways, roads, or streets;</p> <p>b. Expends all tax revenue for highway, road, or street purposes in accordance with approved plans and standards, including county and municipal tax revenue as well as highway-user revenue allocations; and</p> <p>c. Uses a system of revenue and cost accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, and programs;</p> <p>d. Uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, and accomplishments;</p> <p>e. Uses an accounting system including an inventory of machinery, equipment, and supplies; and</p> <p>f. Uses an accounting system that tracks equipment operation costs;</p> <p>3) The information required under subsection (2) of section 39-2510 or subsection (2) of section 39-2520, when applicable. The certification by the department shall be signed by the Director- State Engineer. The certification by each county and municipality shall be signed by the board chairperson or mayor and shall include a copy of the resolution or ordinance of the governing body of the county or municipality authorizing the signing of the certification form.</p> <p>The certification form shall be filed annually by the Department of Transportation by July 31 and by each county and municipality by October 31.</p> <p>The county or municipal county shall determine the amount of revenue other than sales and use tax revenue derived from motor vehicles, trailers, or semitrailers that is to be expended for the purposes listed in subsection (1) of this section and (ii) the amount of sales and use taxes expected to be collected from sales of motor vehicles, trailers, and semitrailers for that year. The county or municipal county shall create and maintain such determination as a public record and certify the determination pursuant to law.</p>
LB83	Wayne		Government, Military and Veterans Affairs	In Committee 01/14/2019	<p>Provide for restoration of voting rights upon completion of a felony sentence or probation for a felony</p> <p>LB83 allow for the restoration of an individual's voting rights immediately upon completion of that person's felony sentence or successful completion of probation for a felony, rather than after the two-year waiting period necessary under previous law.</p>
LB86	Wayne	Revenue		General File 03/19/2019 Wayne Priority Bill	<p>Change provisions relating to the allocation of the Affordable Housing Trust Fund and the collection and remittance of the documentary stamp tax</p> <p>Creates a new category for the Documentary Stamp Tax for properties in excess of \$1,000,000 at 3.25. Moves money around according to a new formula and creates a category of extremely blighted property to move some of the money into.</p>
LB87	Wayne	Urban Affairs		Select File 04/02/2019 Speaker Priority Bill	<p>Provide funding in opportunity zones designated pursuant to federal law</p> <p>First priority in allocating funds from the Affordable Housing Trust Fund for use by the Department of Economic Development those projects which are located in whole or in part within an enterprise zone designated pursuant to the Enterprise Zone Act or an opportunity zone designated pursuant to the federal Tax Cuts and Jobs Act, Public Law 115-97, serve the lowest income occupant, and are obligated to serve qualified occupants for the longest period of time.</p>

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LB89	Wayne		Judiciary 03/20/2019	In Committee 01/14/2019	Change certain marijuana penalties  <i>Unlawful knowing or intentional manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance or a counterfeit controlled substance shall be guilty of a Class IV felony with respect to 5 pounds or less of marijuana and shall be guilty of a Class IIA felony for more than 5 pounds of marijuana. Any person knowingly or intentionally possessing marijuana weighing more than 3 ounces (up from 1 ounce) but not the more than 1 pound shall be guilty of a shall be guilty of a Class III misdemeanor. Any person knowingly or intentionally possessing marijuana weighing more than 1 pound but not more than 5 pounds (up from 1 pound) shall be guilty of a Class I misdemeanor. Any person guilty of knowingly or intentionally possessing marijuana wings 1 ounce or less shall be guilty, for their second offense, of a class IV misdemeanor. And for that person's third or all subsequent offenses, shall be guilty of a Class IIIA misdemeanor.</i>
LB90	Wayne	Monitor	Judiciary 03/20/2019	In Committee 01/14/2019	Make post-release supervision optional for Class IV felonies  <i>Under the Nebraska Criminal Code, the penalty for a Class IV felony shall be a Maximum: two years imprisonment and twelve months post-release supervision or \$10,000 fine, or both, and a Minimum: no imprisonment and no post-release supervision. BEWARE: the changes made to the penalty above shall apply to offenses committed on or after the effective date of this act, and offenses committed prior to the effective date of this act and on or after August 30, 2015, for which a final judgment has not been entered. For purposes here, an offense shall be deemed to have been committed prior to August 30, 2015, if any element of the offense occurred prior to such date.</i>
LB91	Wayne		Judiciary 03/20/2019	In Committee 01/14/2019	Provide for deferred judgments by courts as prescribed  <i>A court may defer the adjudication of guilt and the imposition of a sentence and place the defendant on probation after hearing from the prosecution and defense. Upon a showing by the prosecuting attorney that the defendant is intentionally violating the conditions of probation, the court may revoke, pronounce judgment, and impose such new sentence as would have been imposed originally for the crime convicted. Whereas upon fulfillment of the conditions of probation, the defendant shall have his or her charge dismissed without entry of judgment.</i>  <i>A defendant is not eligible for a deferred judgment if he or she has been previously convicted of a felony anywhere in the United States for, prior to the commission of the offense the defendant had been granted a deferred judgment or two or more time anywhere in the United States (with limited exceptions) OR, prior to the commission of the offense the defendant has been granted a deferred judgment anywhere in the United States within the proceedings five years (measured from the date of granting of the prior deferred judgment to the date of the commission of the offense) OR, the defendant is not eligible for probation or, they defendant is a business entity and not a person. (Other restrictions on disqualification exist as well.)</i>  <i>The clerk of the court is mandated to keep a statewide data base (including a permanent record of the deferred judgment), which shall serve as the deferred judgment docket created and maintained by the State Court Administrator.</i>
LB94	Wayne		Judiciary 01/30/2019	In Committee 01/14/2019	Designate Nebraska State Patrol as agency to investigate criminal activity within Department of Correctional Services correctional facilities  <i>Under LB94, the Nebraska state patrol would be authorized to conduct investigations of any criminal activity that takes place within any correctional facility be operated by the Department of Corrections Services. When the act becomes operative, the Nebraska State Patrol shall employ and have oversight over any investigators employed by the Department of Correctional Services (as well as all the funds used by the Department of Correctional Services for the administration of salaries for such investigators).</i>  <i>The Nebraska state patrol shall provide information regarding any investigations conducted here in to the Inspector General of the Nebraska correctional system. With very limited exception, these are not public records and shall not be subject to discovery by any other person or entity.</i>
LB95	Wayne		Urban Affairs 02/12/2019	In Committee 01/14/2019	Change applicability provisions for building codes  <i>Allstate agencies shall comply with the state building code except that the construction or repair of any building or structure beginning on or after January 1, 2020, which is owned by the state or any state agency, the state agency shall comply with the local building and construction codes and acted, administered, or enforced to the extent that such codes meet or exceed the standards of the state building code. Related fees shall not exceed the actual expenses incurred by such county, city, or village.</i>
LB96	Wayne		Urban Affairs 02/12/2019	General File 03/04/2019 Speaker Priority Bill	Change local building code provisions  <i>The state building code shall be the building and construction standard within the state and shall be applicable:</i> 1. to state buildings and structures, 2. if adopted by a county, city, or village, and

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					<i>3.in each county, city, or village which has not adopted a local building or construction personnel to Nebraska law within two years after an update to the state building code.</i>
LB97	Wayne		Revenue 03/27/2019	In Committee 01/15/2019	Change provisions relating to highway funding  <i>Under LB 97, the Legislature finds that safe and modern highway infrastructure is of great importance to Nebraska. That it is in the interest of Nebraska taxpayers to leverage historically low interest rates to offset the challenges that construction inflation and uncertain Federal highway funding pose to adequately financing the state's infrastructure needs. It is the intent of the legislature to conservatively utilize the bond financing by issuing bonds, not to exceed \$200 million in the aggregate principal amount with a maturity on or before July 1, 2039.</i>  <i>Upon the recommendation of the department of transportation, the commission acting for and on behalf of the state meet issues from time to time bonds under the Nebraska highway behind act in such principal amounts as determined by the commission for accelerating completion of the highway construction projects under the Build Nebraska act. No bonds shall be issued with a fixed interest rate exceeding 5% or with a variable interest rate. No bonds shall be issued after June 30, 2022, except for refunding bonds issued in accordance with the Nebraska Highway Bond Act. Bonds issued pursuant therein shall be paid off by July 1, 2039.</i>  <i>The Build Nebraska Bond Fund is created, and shall consist of money credited to the fund herein. At least 25% of the proceeds shall be used for construction of the expressway system and federally designated highway priority corridors and the remaining proceeds shall be used to pay for service transportation projects at the highest priority as determined by the department. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska state funds investment, and the fund shall retain any earnings related thereto.</i>  <i>Such bonds shall in all respects comply with the provisions of Article XIII, section 1, of the constitution of Nebraska.</i>
LB98	Wayne		Government, Military and Veterans Affairs 03/13/2019	General File 04/03/2019	Change signature requirements for nomination of partisan candidates by petition  <i>For LB98, the number of signatures of registered voters needed to place the name of a candidate for an office upon the partisan ballot for the general election shall be as follows:</i>  <i>For each partisan office to be filled by the registered voters of the entire state, at least four thousand, and at least 750 signatures shall be obtained in each congressional district in the state, and</i>  <i>For each partisan office to be filled by the register voters of a county, at least 20% of the total number of registered voters voting for governor or president of the United States the immediately preceding general election within the county, not to exceed two thousand, except that the number of signatures shall not be required to exceed 25% of the total number of registered voters voting for the office in the preceding general election, and</i>  <i>For each participant office to be filled up by the registered voters of a political subdivision other than a county, at least 20% of the total number of registered voters voting for governor or president of the United States at the immediately preceding general election within the political subdivision, not to exceed two thousand.</i>
LB103	Linehan	Oppose	Revenue 01/24/2019	Approved by Governor (E- Clause) 03/13/2019	Change provisions relating to property tax requests  <i>This bill appears to cap property tax requests at a rate of the previous year and only allows for an increase the rate of levy and property tax request above the amounts identified in the bill, a governing body can do it only following a public hearing. The bill also puts some significant requirements in place for the public hearing and notice.</i>
LB106	Dorn		Judiciary 03/28/2019	In Committee 01/14/2019	Change provisions relating to disclosure of DNA records under the DNA Identification Information Act  <i>Under LB106, all DNA samples and related records submitted to the State DNA sample bank or the State DNA database are confidential except as otherwise provided in the DNA Identification Information Act. The Nebraska State patrol shall make DNA records in the State DNA database available to law enforcement agencies and forensic DNA laboratories which serve such agencies and which participate in the combined DNA index system.</i>

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LB108	Bolz		Judiciary 02/06/2019	In Committee 01/14/2019	Change provisions relating to placement of Department of Correctional Services inmates in county jails  <i>LB108 creates annual limits on placements in county jails such that: in any year the department of corrections may contract with county jail facilities to house no more than 150 committed offenders. This limit shall apply to the entire state. Committed offenders eligible for placement in the county jails shall only include those within one year of parole or release eligibility or those requiring only community-based or minimum-security supervision.</i>  <i>The department shall only place a committed offender for housing in a county jail if the county jail facility has the capacity and agrees to offer services to meet one or more of the offenders prerelease programming requirements when such programming is needed for the offender to become eligible for parole or release. The department may place a committed offender who does not have prerelease programming requirements in a county jail facility in which such programming is not offered.</i>  <i>The department may not withhold good time or in any other way sanction a committed offender solely based upon his or her with usual to participate in placement in a county jail related hereto.</i>
LB109	Bolz		Government, Military and Veterans Affairs 02/14/2019	In Committee 01/14/2019 Bolz Priority Bill	Require the position classification plan and salary or pay plan for state employees to include certain positions  <i>Under LB109, the State Director of Personnel shall, for fiscal year 2021-22 and each fiscal year thereafter, include the following positions within the position classification plan (and the salary or pay plan) of the Department of Correctional Services: Corrections Corporal I, Corrections Corporal II, and Corrections Corporal III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan. Corrections Sergeant I, Corrections Sergeant II, and Corrections Sergeant III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan. Corrections Unit Caseworker I, Corrections Unit Caseworker II, and Corrections Unit Caseworker III. Each position listed here shall be assigned to a different pay grade within the salary or pay plan.</i>
LB110	Wishart		Judiciary 01/25/2019	In Committee 01/14/2019 Wishart Priority Bill	Adopt the Medical Cannabis Act  <i>Adopts the Medical Cannabis Act. Establishes the act, dispensaries, the Marijuana Enforcement Division, patient registries, additional assistant attorneys general, violations, and other definitions. The act also sets forth those illnesses that would qualify for the use of medical marijuana including symptoms caused by cancer, HIV, multiple sclerosis, terminal illness with probable life expectancy of under one year, or any other illness which cannabis could provide relief as determined by a health care practitioner. Nothing in the act requires a private insurer to reimburse for any costs related to the use of medical cannabis, however they are required to continue coverage for the underlying medical condition(s).</i>  <i>Patients seeking the use of medical cannabis will apply to the newly created division for enrollment in a registry. Those enrolled may consume marijuana legally, possess three or less ounces on themselves, six or fewer plants or seeding plants, one ounce or less of concentrated substance, seventy-two ounces or less of edibles, or eight ounces or less in a residence.</i>  <i>The act also sets forth requirements for acting as a caregiver, including background checks, age requirements, and limiting the number of patients per caregiver at no more than one unless patients reside in the same residence.</i>  <i>The act allows for up to ten producers and ten processors in each congressional district by November 1, 2020. Requirements of both the producers and the processors are set forth. Processors must begin supplying dispensaries before May 1, 2021. The Medical Cannabis Board may extend any required start date. Specific requirements of both applicant producers and processors are included.</i>
LB111	Howard		Transportation and Telecommunications 01/29/2019	Approved by Governor 03/13/2019	Change a certificate of title application signature requirement as prescribed  <i>In the case of the sale of a motorboat, the certificate of title shall be obtained in the name of the purchaser upon application signed by the purchaser, except that for titles to be held by a married couple (changed from husband and wife), applications may be accepted by the county treasurer upon the signature of either spouse as a signature for himself or herself and as an agent for his or her spouse.</i>

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LB113	Blood		Judiciary 01/30/2019	In Committee 01/14/2019	Require the Department of Correctional Services to disclose certain records
<p><i>The Department of Correctional Services shall provide the Public Counsel and the Inspector General with access to all documents or information submitted for entry into the department's criminal information data base. This includes documents and information submitted by department staff and related to activity or action that has taken place within departmental correctional facilities. This also includes physical documents maintained by department staff to document what has been submitted for entry into the data base.</i></p> <p><i>This section does not require the department to provide access to documents or information collected and submitted for entry into the data base by local, state, and federal law enforcement agencies.</i></p> <p><i>For purposes of this section, criminal information data base means a data base developed, maintained, and secured by the department that includes intelligence information.</i></p>					
LB117	Hilgers		Transportation and Telecommunications 01/22/2019	Approved by Governor 03/12/2019	Change provisions relating to bridge and highway construction contracts, certification of financial showing, and obtaining contract plans prepared by the Department of Transportation
<p><i>Any person desiring to submit to the department a bid for the performance of any contract for the construction, reconstruction, improvement, maintenance, or repair of roads, bridges, and their appurtenances, which the department proposes to let, shall apply to the department for prequalification. Such application shall be made not later than five days (amended down from ten days) before the letting of the contract unless fewer than five days is specified by the department. The department shall determine the extent of any applicant's qualifications by a full and appropriate evaluation of the applicant's experience, bonding capacity as determined by a bonding agency licensed to do business in the State of Nebraska or other sufficient financial showing deemed satisfactory by the department and performance record. In determining the qualification of an applicant to bid on any particular contract, the department shall consider the resources available for the particular contract contemplated.</i></p> <p><i>As before, any person proposing to bid on a contract for the construction, reconstruction, improvement, maintenance, or repair of roads, bridges, and their appurtenances to be let by the department shall submit to the department, at such times as it may require, a statement showing such person's qualifications. Such statement shall be under oath and on a standard form to be prepared and supplied by the department. However, the financial showing required in the statement shall no longer necessarily be certified by a certified public accountant or by a public accountant holding a currently valid permit from the Nebraska State Board of Public Accountancy.</i></p> <p><i>Reproductions of the plans prepared by the department at their discretion may now be paper or electronic, and a reasonable sum may be established by the department to cover the actual cost of preparing such paper or electronic reproductions for those requesting them.</i></p>					
LB118	Arch		Government, Military and Veterans Affairs 02/08/2019	In Committee 01/14/2019	Provide a procedure to withhold residential address of physicians in county records
<p><i>Unless requested by a member of the public in writing, the county assessor and register of deeds shall withhold from the public the residential address of a physician or an osteopathic physician licensed under the Medicine and Surgery Practice Act who applies to the county assessor in the county of his or her residence to have such address withheld. The application shall be on a form prescribed by the county assessor and shall include the name, address, and medical license number of the physician or osteopathic physician and the parcel identification number for his or her residential address. The county assessor shall notify the register of deeds regarding the receipt of a complete application. The county assessor and the register of deeds shall withhold the address of a physician or an osteopathic physician who complies with this section for five years after receipt of a complete application. The physician or osteopathic physician may renew his or her application every five years upon submission of an updated application. A change of address requires a new application.</i></p>					
LB124	Crawford		Urban Affairs 02/05/2019	Approved by Governor (E- Clause) 03/21/2019	Change provisions relating to jointly created clean energy assessment districts under the Property Assessed Clean Energy Act
<p><i>Two or more municipalities may enter into an agreement pursuant to the Interlocal Cooperation Act to jointly create, administer, or create and administer clean energy assessment districts. Such districts may be separate, overlapping, or coterminous and may be created anywhere within the municipalities that entered into the agreement or within their extraterritorial zoning jurisdictions, except that such districts shall not include any area within the corporate boundaries or extraterritorial zoning jurisdiction of any city or village unless such city or village is one of the municipalities that entered into the agreement. The agreement shall provide for a governing body for any such district, which shall be made up of members of the governing bodies of the municipalities that entered into the agreement. If the creation of clean energy assessment districts is implemented jointly by two or more municipalities, a single public hearing held jointly by the cooperating municipalities is sufficient to satisfy the requirements of section 13-3204. A municipality or municipalities may contract with a third party for the administration of clean energy assessment districts.</i></p>					

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LB131	Pansing Brooks		Judiciary 03/15/2019	In Committee 01/14/2019	Change certain provisions relating to minimum sentences  <i>Except when a term of life imprisonment is required by law, in imposing a sentence upon an offender for any class of felony other than Class III, IIIA, or IV felony, the court shall fix the minimum and maximum terms of the sentence to be served within the limits provided by law.</i>  <i>The maximum term shall not be greater than the maximum limit provided by law, and: The minimum term fixed by the court shall not be less than the minimum or mandatory minimum provided in section 28-105 and shall not be greater than 1/3 of the maximum limit provided by law, or the minimum term shall be the minimum limit provided by law.</i>  <i>Further, when a maximum term of life is imposed by the court for a Class IB felony, the minimum term fixed by the court shall be any term of years not less than the minimum limit provided by law. (The rule from this paragraph is amended by LB131 to remove "a term of life imprisonment" from the potential minimum terms imposed by the court herein.)</i>
LB132	Pansing Brooks		Judiciary 02/14/2019	In Committee 01/14/2019	Change penalties for certain felonies committed by persons under nineteen years of age  <i>The minimum term of imprisonment for any person convicted of a Class IC or Class ID felony for an offense committed when such person was under nineteen years of age shall not be a mandatory minimum but a minimum term only.</i>
LB133	Pansing Brooks		Judiciary 02/27/2019	In Committee 01/14/2019	Change provisions relating to structured programming and deferral of parole  <i>Within 30 days after receiving a notice of deferred parole, the department shall provide the committed offender an opportunity to enroll in the earliest offered treatment or programming as recommended by the board. If the committed offender refuses to enroll or participate in such treatment or programming, the department shall obtain a written statement from the committed offender in which a committed offender expresses his or her refusal and any reason is relevant to his or her decision. The department shall provide the written statement to the office of Inspector General of the Nebraska correctional system. If the committed offender refuses to provide such written statements or reasons, the department shall document in writing its attempts to obtain such written statement or reasons. An annual report shall also be provided by the department to the office regarding any committed offender whose parole was deferred with all relevant information on treatment and programming received, refusals to enroll or participate in treatment and programming, and the reasons for such refusals.</i>
LB144	Hughes		Government, Military and Veterans Affairs 02/27/2019	In Committee 01/15/2019	Provide for voter approval of nonpartisan nomination and partisan election of county officers  <i>All county officers elected pursuant to sections 32-517 to 32-529 shall be nominated and elected on a partisan ballot except as otherwise provided in this section. The county board in counties with a population of fifteen thousand or fewer inhabitants may adopt a resolution requiring the submission of the question to the voters of the county proposing the nomination of all officers elected pursuant to sections 32-517 to 32-529 without a political party designation on a nonpartisan ballot and the election of such officers with a political party designation on the general election ballot. Specific resolution requirements and procedure are mandated herein.</i>
LB148	Groene	Monitor	Government, Military and Veterans Affairs 02/06/2019	General File 03/05/2019	Change requirements for public hearings on proposed budget statements and notices of meetings of public bodies  <i>Under LB148, and for the purposes of the Nebraska Budget Act, "governing body" shall now also include any joint entity created pursuant to the Interlocal Cooperation Act that receives tax funds generated under section 2-3226.05. (That is: River-flow enhancement bonds; costs and expenses of qualified projects; occupation tax authorized; exemption; collection; accounting; lien; foreclosure.)</i>  <i>Each governing body shall each year or biennial period conduct a public hearing on its proposed budget statement. Such hearing shall be held separately from any regularly scheduled meeting of the governing body and shall not be limited by time. At such hearing, the governing body shall make a detailed presentation of the proposed budget statement and shall make at least three copies of the proposed budget statement available to the public. Any member of the public desiring to speak on the proposed budget statement shall be allowed to address the governing body and shall be given a reasonable amount of time to do so.</i>  <i>Notice shall be given by publishing in a newspaper of the general circulation within the public bodies jurisdiction and, if available, in a digital advertisement on such newspapers website. In addition to search required methods of notice, such notice me also be provided by any other appropriate method designated by such a public body or advisory committee.</i>



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LB150	Brewer		Government, Military and Veterans Affairs 02/08/2019	In Committee 01/15/2019	Change provisions relating to access to public records and provide for fees  <i>Under LB 150, the persons interested in the examination of public records are divided into residents and nonresidents. "Resident" means a person domiciled in this state and includes news media without regard to domicile. For non-residents of Nebraska, the actual added cost used as the basis for the calculation of a fee for records may 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>
LB151	Brewer		Government, Military and Veterans Affairs 02/20/2019	In Committee 01/16/2019	Adopt the Government Neutrality in Contracting Act  <i>LB 151 creates the Government Neutrality in Contracting Act. Its purposes are to provide for the efficient procurement of goods and services by governmental units and to promote the economical, non-discriminatory, and efficient administration in completion of construction projects funded, assisted, or awarded by a governmental unit.</i>  <i>The act defines bidder, collective-bargaining agreement, construction, governmental unit, public benefit, public contract, public contractor, real property, and subcontractor. Unless otherwise required by federal law, a governmental unit challenge sure that any requests for proposals or bid specifications for public contract or the procurement procedures for a public contract do not contain barriers to entering into or adhering to a collective bargaining agreement relating to construction under the public contract or that discriminates based on related collective-bargaining agreements.</i>
LB152	Brewer		Government, Military and Veterans Affairs 01/30/2019	Approved by Governor 03/13/2019	State rights of Nebraska National Guard members and provide for confidentiality of member's residential addresses  <i>The rights of a member of the Nebraska national guard in the state of Nebraska shall include, but not be limited to, the right to:</i> <ul style="list-style-type: none"> <li>• Seek implement with the state, county, and local government,</li> <li>• Not have a membership in the Nebraska national guard impact such members rights to donate to political parties when not on duty status,</li> <li>• Participate with state, county, or local government in a law enforcement function as prescribed by that government,</li> <li>• Receive the same protections a law enforcement officer is afforded under law if the member is acting as a law-enforcement officer, or</li> <li>• Protection of such members personal information as afforded personnel of public bodies.</li> </ul> <i>Unless requested in writing, the County assessor and register of deeds shall withhold from the public the residential address of a law-enforcement officer or member of the Nebraska national guard acting as a law-enforcement officer herein.</i>
LB155	Brewer		Natural Resources 02/07/2019	Failed to Advance 02/27/2019 Brewer Priority Bill	Eliminate authority for eminent domain by certain political subdivisions  <i>Under LB155, the specific exercise of eminent domain to provide needed transmission lines and related facilities for a privately developed renewable energy generation facility is no longer a public use therefore, a consumer-owned electric supplier operating in the state of Nebraska may still exercise eminent domain authority to acquire the land rights necessary for the construction of transmission lines and related facilities but not with a statutory presumption that it would be designated as a public use.</i>
LB158	Brewer	Oppose	Revenue 01/24/2019	In Committee 01/15/2019	Change provisions relating to the assessed value of real property  <i>The bill caps property taxes at the 2019 level for a period of four tax years, 2020-2023. The bill includes provisions that accommodate changes in valuation of property accounting for improvements or destruction that would affect the assessed value of the property. Absent these material changes that would alter the value of property, it shall remain at the 2019 level.</i>
LB162	Hunt		Revenue 03/01/2019	In Committee 01/15/2019	Impose sales and use taxes on certain services  <i>LB 162 proposes to tax the gross income received for body piercing, tattooing, tanning, and electrolysis hair removal services.</i>

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LB163	Hunt		Government, Military and Veterans Affairs 03/06/2019	In Committee 01/15/2019	Permit counties to conduct elections by mail  <i>Under LB 163 the election commissioner (which has been added) OR the county clerk may apply to the Secretary of State for the mailing of ballots for all elections held after approval of the application to registered voters of any or all of the precincts in the county in lieu of establishing polling places for such precincts.</i>
LB171	Pansing Brooks		Appropriations 03/14/2019	In Committee 01/15/2019	Appropriate funds to the Department of Administrative Services  <i>There is hereby appropriated \$150,000 from the Capitol Buildings Parking Revolving Fund for FY2019-20 to the Department of Administrative Services, for Program 560, to aid in carrying out the provisions of this section. The Department of Administrative Services shall enter into a contract with a parking consultant for a professional analysis of existing parking and future parking needs around the Capitol. Such parking analysis shall include a state-needs analysis of existing facilities, future facilities, and capacity to supply parking for state employees in and around the Capitol, a list of best practices for such a parking system, and recommendations for where any new parking structures should be built. The study shall also include identification of the optimum site of such structures, any suggestions regarding multi-use opportunities, and the possibility of public-private and intergovernmental partnerships as to aid in future growth related to state, city, and neighborhood parking needs. The analysis shall be completed no later than January 1, 2020, and shall be submitted electronically to the Governor, the Chairperson of the Executive Board of the Legislative Council, and the Chairperson of the Appropriations Committee of the Legislature.</i>
LB174	Bolz	Support	Appropriations 03/06/2019	In Committee 01/15/2019	State intent relating to appropriations for the Office of Violence Prevention  <i>The bill seeks to appropriate one million five hundred twenty-five thousand dollars each fiscal year beginning with FY2019-20 from the General Fund to the Nebraska Commission on Law Enforcement and Criminal Justice for the Office of Violence Prevention. The office shall use such appropriation to increase total grant awards, develop an annual statewide strategic plan, increase administrative capacity, and develop a technical assistance partnership with the University of Nebraska through the University of Nebraska Medical Center College of Public Health.</i>
LB176	Chambers		Judiciary 03/15/2019	In Committee 01/15/2019	Eliminate certain mandatory minimum penalties  <i>LB 176, for purposes of the Nebraska criminal code, proposes to change the mandatory minimum 5 years imprisonment for a Class IC felony to simply a minimum of 5 years imprisonment (no longer mandatory). Further, it proposes to change the mandatory minimum 3 years imprisonment for a Class ID felony to simply a minimum of 3 years in prison (no longer mandatory).</i>
LB182	Bolz		Revenue 02/13/2019	In Committee 01/15/2019	Adopt the School District Local Option Income Surtax Act  <i>LB182 relates to the School District Local Option Income Surtax Act. By majority vote the school Board of any school district may impose a local option income surtax, upon individuals who reside in the school district, for property tax reduction or building construction, remodeling, and site acquisition. A school board may pass a resolution which calls for a vote on such resolutions no more than once each calendar year. Certain rules apply if the resolution calls for a vote at a primary or general election, or for a vote at a special election. Department of revenue me adopting promulgate rules and regulations to carry out the school district the local option income surtax tax.</i>
LB183	Briese		Revenue 01/24/2019	Select File 03/01/2019 Briese Priority Bill	Change the valuation of agricultural land and horticultural land for purposes of certain school district taxes  <i>Creates an exception to the 75% valuation rule for agricultural and horticultural land that states that for the purposes of payment of principal and interest on bonds issued for a school district, the appropriate percentage is 1%.</i>
LB185	Friesen		Revenue 01/30/2019	Approved by Governor 03/13/2019	Change provisions relating to the special valuation of agricultural and horticultural land  <i>Agricultural or horticultural land which has an actual value reflecting purposes or uses other than agricultural or horticultural purposes or uses (under 77-112) shall be assessed as provided in subsection (3) of section 77-201 if the land meets the qualifications of this subsection and an application for such special valuation is filed and approved pursuant to section 77-1345. In order for the land to qualify for special valuation, all of the following criteria shall be met: (a) The land must be located outside the corporate boundaries of any sanitary and improvement district, city, or village except as provided in subsection (2) of this section; and (b) the land must be agricultural or horticultural land. If the land consists of five contiguous acres or less, the owner or lessee of the land must also provide an Internal Revenue Service Schedule F documenting a profit or loss from farming for two out of the last three years in order for such land to qualify for special valuation.</i>

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					<i>Upon approval of an application, the county assessor shall value the land as provided in section 77-1344 until the land becomes disqualified for such valuation by: (1) Written notification by the applicant or his or her successor in interest to the county assessor to remove such special valuation; (2) Except as provided in subsection (2) of section 77-1344, inclusion of the land within the corporate boundaries of any sanitary and improvement district, city, or village; (3) The land no longer qualifying as agricultural or horticultural land; or (4) For land that consists of five contiguous acres or less, the owner or lessee of the land not being able to provide an Internal Revenue Service Schedule F documenting a profit or loss from farming for two out of the last three years.</i>
LB191	La Grone		Government, Military and Veterans Affairs 02/06/2019	General File 02/22/2019	Change provisions relating to budgets and public hearing notice for certain governmental entities  <i>If a governmental unit transfers the financial responsibility of providing a service financed in whole or in part with restricted funds to another governmental unit or the state, the amount of restricted funds associated with providing the service shall be subtracted from the last prior year's total of budgeted restricted funds for the previous provider and may be added to the last prior year's total of restricted funds for the new provider.</i>  <i>A governmental unit may exceed the applicable allowable growth percentage otherwise prescribed in this section by an amount approved by a majority of legal voters voting on the issue at a special election called for such purpose upon the recommendation of the governing body or upon the receipt by the county clerk or election commissioner of a petition requesting an election signed by at least five percent of the legal voters of the governmental unit.</i>  <i>In lieu of the election procedures above, any governmental unit may, for a period of one year, exceed the allowable growth percentage otherwise prescribed in this section by an amount approved by a majority of legal voters voting at a meeting of the residents of the governmental unit, called after notice is published in a newspaper of general circulation in the governmental unit at least twenty days prior to the meeting (among other requirements for documentation, etc.).</i>  <i>The limitations in section 13-519 shall apply to restricted funds pledged to retire bonds or restricted funds used by a public airport to retire interest-free loans from the division of area not excepted apartment of transportation in lieu of bonded indebtedness at a lower-cost to the public airport, restricted funds budgeted in support of a service which is the subject of an agreement or modification of an existing agreement whether operated by one of the parties to the agreement or by an independent joint entity or joint public agency.</i>
LB200	Wishart	Support	Health and Human Services 01/24/2019	Approved by Governor 03/13/2019	Change provisions relating to licensure under the Health Care Facility Licensure Act of mental health substance use treatment centers providing civil protective custody of intoxicated persons  <i>The Department of Health and Human Services shall not deny issuance or renewal of a license under the Health Care Facility Licensure Act to an alcoholism center on the basis that the alcoholism center utilizes locked rooms to provide civil protective custody services if the alcoholism center is otherwise in compliance with the applicable rules and regulations of the department and if a person placed into civil protective custody in the alcoholism center is not kept in a locked room after such person is no longer a danger to himself or herself or other patients or staff of the alcoholism center.</i>
LB204	Briese	Oppose	Government, Military and Veterans Affairs 01/24/2019	In Committee 01/15/2019	Require approval of voters for bonds under the Interlocal Cooperation Act  <i>Prohibits bonds from being issued by any joint entity on or after the effective date of the act until the question has been submitted to the voters of each public agency which is part of the joint entity.</i>
LB211	Crawford		Government, Military and Veterans Affairs 03/06/2019	In Committee 01/15/2019	Provide for nonpartisan nomination and election of county officers  <i>Under LB211, the register of deeds, county assessor, county sheriff, county treasurer, county attorney, public defender, clerk of the district court, county surveyor, county engineer, county supervisors, and county commissioners would now be elected on the nonpartisan ballot.</i>

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LB212			Government, Military and Veterans Affairs 02/06/2019	General File 02/22/2019 Speaker Priority Bill	Change requirements for videoconferencing and telephone conferencing under the Open Meetings Act  <i>When a meeting of a state agency (etc.) meets requirements to have videoconferences or telephone conferences, members of an organization created under the Interlocal Cooperation Act, or their designees, may be present at any site of such videoconferences or telephone conferences. Such individuals shall not be included in counts related to the quorum. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization must hold at least one meeting each calendar year that is not by videoconferencing or telephone conferencing. Moreover, publication requirements now apply to certain meetings with members of organizations created under the Interlocal Cooperation Act (and their designees).</i>
LB213	McCollister	Judiciary 01/25/2019		In Committee 01/15/2019	Provide for setting aside certain infraction, misdemeanor, and felony convictions  <i>Nebraska law allows for courts to set aside a conviction after a defendant completes his or her sentence. Currently, the only people who can request a set aside are those offenders who were sentenced to probation or ordered to pay a fine. A set aside is a limited remedy, and it results in a restoration of some privileges or rights which were lost as a result of the criminal conviction. LB 213 would extend the rehabilitative remedy and allow for an offender who was sentenced to a year of imprisonment or less after the offender completes his or her sentence. The factors that a judge considers under current law in determining whether to issue a set aside order remain the same. The extension of the set aside remedy proposed in this bill would not apply to a person convicted of a traffic offense resulting in jail time or of any offense which would require the offender to register pursuant to the sex offender registration act.</i>
LB216	Kolterman	Judiciary 02/06/2019		In Committee 01/15/2019	Prohibit releasing a person in custody to avoid medical costs  <i>A law enforcement officer having custody of a person shall not release such person from custody merely to avoid the cost of necessary medical services while the person is receiving such medical services from a health care provider unless the health care provider consents to such release or unless the release is ordered by a court of competent jurisdiction. If the law enforcement officer is satisfied that probable cause no longer exists to believe such person committed a crime based upon an ongoing investigation or if the prosecuting attorney gives notice that no charges will be filed at the time such person is in custody, the law enforcement officer may release such person from custody.</i>  <i>Upon the date of notification to the health care provider that the person is being released from custody because the ongoing investigation indicates that probable cause no longer exists or because of a decision by the prosecuting attorney that no charges will be filed, the law enforcement agency shall no longer be responsible for the cost of such person's medical services.</i>
LB218	Lindstrom	Revenue 02/22/2019		Select File 03/27/2019 Speaker Priority Bill	Redefine tangible personal property and gross receipts for tax purposes  <i>Under LB218, "tangible personal property" shall exclude electrical generation, transmission, distribution and street lighting structures or facilities owned by a political subdivision of the state.</i>  <i>"Gross receipts" of every person engaged as a public utility, as a community antenna television service operator, or as a satellite service operator or any person involved in connecting and installing services does not apply to the lease or use of electric generation, transmission, distribution, or street lighting structures or facilities owned by a political subdivision of the state.</i>
LB222	Albrecht	Revenue 02/01/2019		General File 02/22/2019 Speaker Priority Bill	Change the Volunteer Emergency Responders Incentive Act  <i>Each volunteer department serving a county, city, village, or rural or suburban fire protection district shall designate one member of the department to serve as the certification administrator. The designation of such individual as the certification administrator shall be confirmed and approved by the governing body of such county, city, village, or rural or suburban fire protection district. The certification administrator shall keep and maintain records on the activities of all volunteer members and award points for such activities based upon the standard criteria for qualified active service.</i>  <i>No later than July 15 of each year, the certification administrator shall provide each volunteer member with notice of the total points he or she has accumulated during the first six months of the current calendar year of service.</i>

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No later than February 1 of each year, the certification administrator shall provide each volunteer member with a written certification stating the total number of points accumulated by the volunteer member during the immediately preceding calendar year of service and whether the volunteer member has qualified as an active emergency responder, active rescue squad member, or active volunteer firefighter for such year. Such certification may be sent electronically or by mail.

The certification administrator of the volunteer department shall file with the Department of Revenue a certified list of those volunteer members who have qualified as active emergency responders, active rescue squad members, or active volunteer firefighters for the immediately preceding calendar year of service no later than February 15.

Each volunteer member on the list described in subsection (1) of this section shall receive a refundable credit against the income tax imposed by the Nebraska Revenue Act of 1967 in an amount equal to two hundred fifty dollars beginning with the second taxable year in which such volunteer member is included on such list. The volunteer member shall claim the credit by including a copy of the certification received under subsection (3) of section 77-3104 with the volunteer member's state income tax return.

This act becomes operative on January 1, 2020.

LB226	Quick		Appropriations 03/26/2019	In Committee 01/16/2019	State intent relating to appropriations for the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva
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It is the intent of the Legislature to appropriate \$3,948,965 from the General Fund to the Department of Health and Human Services, for Program 250, for the purpose of hiring and training staff at the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva to maintain (1) a youth-staff ratio of no greater than eight to one at any time without use of mandatory overtime, (2) evidence-based programming and mental health treatment for youth while committed, and (3) re-entry planning and transition supports and services for the youth exiting treatment at these centers.

A portion of such appropriation shall also be used by the Department of Health and Human Services to contract with an academic institution to complete an independent evaluation of the Youth Rehabilitation and Treatment Center-Kearney and the Youth Rehabilitation and Treatment Center-Geneva on the evidence-based spectrum. Such evaluation shall assess the existence and role of the facilities in an evidence-based juvenile justice system, whether the programs and operations of the facilities are evidence-based, whether the facilities improve short-term and long-term public safety, whether the facilities effectively address the needs of committed youth, and whether commitment reduces the risk that a youth will reoffend.

Evaluation measures shall include, but not be limited to:

- (1) Measures of youth and staff safety during the period of commitment;
- (2) Educational, vocational, or educational and vocational attainment of youth during the period of commitment;
- (3) Educational, vocational, or educational and vocational attainment of youth subsequent to release from commitment;
- (4) The outcome of the juvenile court case under which commitment was ordered, including whether completion of juvenile probation is successful or unsuccessful; and
- (5) Recidivism rates of committed youth in the three years following release from commitment which include the following information:
  - a. Subsequent adjudications in juvenile court;
  - b. Subsequent criminal convictions in county or district court; and
  - c. For any sentence of incarceration in county or district court, the length of sentence ordered to be served.

The department shall enter into such contract in FY2019-20 and evaluation shall begin no later than FY2020-21. The department shall electronically transmit the evaluation to the Health and Human Services Committee of the Legislature.

LB230	Pansing Brooks	Neutral	Judiciary 02/14/2019	General File 02/26/2019	Provide for room confinement of juveniles as prescribed
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For LB230, additional rules are mandated to juvenile facilities regarding placement in room confinement of a juvenile in a juvenile facility specifically, room confinement of a juvenile for longer than one hour during a twenty-four-hour period shall be documented and approved in writing by a supervisor in the juvenile facility. The intent and purpose of this rule shall not be avoided by the use of consecutive periods of room confinement. Rules relating to confinement are outlined in the bill also, for example, notice to the juvenile's parent or guardian, rooms having adequate lighting, etc.

LB231	Pansing Brooks		Judiciary 03/06/2019	General File 03/18/2019	Change provisions relating to legal defense of juveniles
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Change provisions relating to legal defense of juveniles

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<p><i>The Juvenile Indigent Defense Fund is created. The fund shall be administered by the Commission on Public Advocacy and shall only be used to provide legal services to juveniles in juvenile court, provide resources to assist counties in fulfilling their obligation to provide for effective assistance of legal counsel for indigent juveniles, and pay the costs of administering the Juvenile Indigent Defense Grant Program. There is created a separate and distinct budgetary program within the Commission on Public Advocacy to be known as the Juvenile Indigent Defense Grant Program. Funds from the Juvenile Indigent Defense Fund shall be used to provide grants to counties to help offset the cost of providing legal counsel for indigent juveniles and for the administrative costs of the commission. A county may apply for a grant under the program beginning October 15, 2020.</i></p>					
LB232	Slama		Appropriations 03/14/2019	In Committee 01/16/2019	Reduce the threshold amount for claims against the state for prosecution costs
<p><i>Reduce the threshold amount for claims against the state for prosecution costs</i></p> <p><i>Under LB232, threshold amount would now mean the amount of property tax revenue raised by a county from a levy of one and \$0.015 per \$100 of taxable valuation of property subject to the levy. (Amended from \$0.025 per every \$100). The threshold amount shall be determined using valuations for the year in which the correctional institution incident occurred. Original section 81-8,236, Revised Statutes Cumulative Supplement, 2018, is repealed.</i></p>					
LB233	Wayne		Judiciary 01/30/2019	In Committee 01/16/2019	Prohibit bringing a cell phone into a detention facility
<p><i>Prohibit bringing a cell phone into a detention facility</i></p> <p><i>LB233 creates a Class I misdemeanor for if a person unlawfully introduces within a detention facility, or unlawfully provides an inmate with, any weapon, tool, mobile or cellular telephone, or other thing which may be useful for escape. An inmate commits an offense if he or she unlawfully procures, makes, or otherwise provides himself or herself with, or has in his or her possession, any such item or implement of escape. "Detention facility" means a jail, prison, penitentiary, house of correction, or other place of penal detention, whether operated by the state or a political subdivision of the state;</i></p>					
LB237	Crawford		Revenue 02/22/2019	General File 03/15/2019 Speaker Priority Bill	Change provisions relating to sales and use tax collection fees
<p><i>Change provisions relating to sales and use tax collection fees LB237, relates to the tax imposed on the sales and use of motor vehicles, semitrailers, and trailers under 77-2703.</i></p> <p><i>Specifically, the county treasurer or Department of Motor Vehicles shall report and remit the tax so collected to the Tax Commissioner by the fifteenth day of the following month. The county treasurer, for his or her collection fee, shall deduct and withhold from all amounts required to be collected, the collection fee permitted to be deducted by any retailer collecting the sales tax, all of which shall be deposited in the county general fund, plus one-half of one percent of all amounts in excess of three thousand dollars remitted each month, seventy-five percent of which shall be deposited in the county general fund and twenty-five percent of which shall be deposited in the county road fund. The Department of Motor Vehicles, for its collection fee, shall deduct,</i></p> <p><i>withhold, and deposit in the Motor Carrier Division Cash Fund the collection fee permitted to be deducted by any retailer collecting the sales tax.</i></p> <p><i>The collection fee for the county treasurer or the Department of Motor Vehicles shall be forfeited if the county treasurer or department violates any rule or regulation pertaining to the collection of the use tax. The county treasurer, for his or her collection fee, shall deduct and withhold for the use of the county general fund, from all amou</i></p>					

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LB239	Dorn	Support	Government, Military and Veterans Affairs 02/06/2019	General File 02/22/2019	Change requirements for notices of hearings on county budgets  <i>Change requirements for notice of hearing on county budget. A summary of the budget, in the form required by section 23-905, showing for each fund (1) the requirements, (2) the outstanding warrants, (3) the operating reserve to be maintained, (4) the cash on hand at the close of the preceding fiscal year, (5) the revenue from sources other than taxation, (6) the amount to be raised by taxation, and (7) the amount raised by taxation in the preceding fiscal year, together with a notice of a public hearing to be had with respect to the budget before the county board, shall be published once at least four calendar days prior to the date of hearing in some legal newspaper published and of general circulation in the county or, if no such legal newspaper is published, in some legal newspaper of general circulation in the county. For purposes of such notice, the four calendar days shall include the day of publication but not the day of hearing. (Amended from 5 days before the hearing.) On or before August 1, the budget-making authority shall prepare a county budget document, in the form required by sections 23-904 and 23-905, for the fiscal year and transmit the document to the county.</i>
LB240	Hansen	Support	Judiciary 02/20/2019	In Committee 01/16/2019	Change procedures for determining competency to stand trial  <i>Change procedures for determining competency to stand trial LB240, replaces the term 'accused', under 29-1823 as it relates to competency to stand trial, with the term 'defendant'. Further, should the judge determine after a hearing that the defendant accused is mentally incompetent to stand trial and that there is a substantial probability that the defendant accused will become competent within the foreseeable future, the judge shall order the defendant accused to be committed to the Department of Health and Human Services to provide appropriate treatment to restore competency, which may include commitment until such time as the disability may be removed, to: a state hospital for the mentally ill; another or some other appropriate state-owned or state-operated facility; a private facility; a facility, other than a jail, operated by a political subdivision, or; on an outpatient basis at any such facility for appropriate treatment.</i>  <i>If the department determines that treatment outside of a state hospital for the mentally ill is appropriate, the department shall file a report outlining its determination with the court. The court may approve or deny the alternative treatment plan. A defendant shall not be eligible for outpatient treatment under this section if he or she is charged with an offense for which bail is prohibited or if the judge determines that the public's safety would be at risk.</i>
LB242	Lindstrom		Revenue 02/22/2019	In Committee 01/16/2019	Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue  <i>Adopt the Infrastructure Improvement and Replacement Assistance Act and provide for a turnback of state sales tax revenue. Funds received under this legislation shall be used exclusively to assist in: (a) Paying for infrastructure improvements relating to constructing, upgrading, redeveloping, or replacing sewer and water infrastructure facilities; (b) Paying for the redevelopment and replacement of obsolete water or sewer facilities; or (c) Repaying bonds issued and pledged for such work. The state shall assist political subdivisions and sewer and water utilities by turning back a percentage of certain state sales tax revenue to political subdivisions and sewer and water utilities as provided in this section.</i>  <i>Taxes refunded according to this schedule: For sales taxes imposed from July 1, 2019, through June 30, 2021: Two percent; for sales taxes imposed from July 1, 2021, through June 30, 2023: Three percent; and for sales taxes imposed on and after July 1, 2023: Four percent.</i>  <i>The Department of Revenue shall adopt and promulgate rules and regulations as necessary to carry out the Infrastructure Improvement and Replacement Assistance Act.</i>
LB243	Gragert		Agriculture 01/29/2019	Final Reading 04/03/2019 Gragert Priority Bill	Create the Healthy Soils Task Force and add a use for a fund  <i>Under LB243, the Legislature finds that appropriate planning and coordination is needed to speed up and coordinate the adoption of conservation practices that rebuild and protect soil carbon to increase water holding capacity and enhance the vitality of the subsurface microbiome for landowners to capitalize on the economic and production benefits of soil health, while simultaneously enhancing water quality, capturing carbon, building resilience to drought and pests, reducing greenhouse gas emissions, expanding pollinator and other wildlife habitat, and protecting fragile ecosystems for a more sustainable future therefore: The Healthy Soils Task Force is created within the Department of Agriculture. The Department may request additional advisory support from appropriate federal and state agencies.</i>  <i>The task force shall consist of the following voting members: The Director of Agriculture or his or her designee; Two representatives of natural resources districts in Nebraska, appointed by the Governor; Two academic experts in agriculture and natural resources in Nebraska, appointed by the Governor; Five representatives from production agriculture, appointed by the Governor; Two representatives from agribusiness, appointed by the Governor; and one representative from an environmental organization in Nebraska, appointed by the Governor.</i>  <i>The task force shall consist of the following nonvoting members: The chairperson of the Natural Resources Committee of the Legislature; and the chairperson of the Agriculture committee of the Legislature.</i>

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					<i>The Healthy Soils Task Force shall primarily develop a comprehensive healthy soils initiative for the State of Nebraska. On or before January 1, 2021, the Healthy Soils Task Force shall submit the action plan and report its findings and recommendations to the Governor and electronically to the Natural Resources Committee of the Legislature. The task force shall terminate on January 1, 2021.</i>
LB246	Brewer		Government, Military and Veterans Affairs 02/07/2019	General File 03/05/2019	Change provisions relating to elections
					<i>As before, a registered voter may file petition(s) for the submission of a question of township organization (for creation or discontinuation). A county board may use the rule above to submit the question of township discontinuation to the office of the election commissioner.</i>
					<i>However, now, under LB246, in addition to the previous requirements, the petition or petitions shall be so-filed in the office of the election commissioner or county clerk by September 1 of the year of the general election at which the petitioners wish to have the question submitted for a vote. If such petition or petitions are filed in conformance with requirements, the question shall be submitted to the registered voters at the next general election held not less than seventy days after the filing of the petition or petitions.</i>
					<i>Before adopting an economic development program, a city shall submit the question of its adoption to the registered voters at an election. The governing body of the city shall order the submission of the question by filing a certified copy of the resolution proposing the economic development program with the election commissioner or county clerk not later than fifty days prior to a special election or a municipal primary or general election which is not held at the statewide primary or general election or not later than March 1 prior to a statewide primary election or September 1 prior to a statewide general election. And now under LB246, the governing body of the city may determine not to submit the question at a particular election and order the removal of the question from the ballot by filing a certified copy of the resolution approving removing the question with the election commissioner or county clerk not later than March 1 prior to a statewide primary election or September 1 prior to a statewide general election.</i>
					<i>LB246 also changes the requirements for disclosure of lists of registered voters by the Secretary of State, election commissioner, or the county clerk, with an emphasis on protecting voter record confidentiality. Such lists shall be used solely for purposes related to elections, political activities, voter registration, law enforcement, or jury selection—and not for commercial purposes. Changes rules relating to any political subdivision requesting the adjustment of the boundaries of election districts.</i>
					<i>Creates additional rules relating to election commissioner or county clerk submitting a written plan to the Secretary of State within five business days after receiving a resolution from the political subdivision to hold an election. Changes ballot requirements under Section 32-1007. And write-in votes under Section 32-1008. And other recall election timing and publication requirements.</i>
LB247	Bolz	Support	Judiciary 02/01/2019	In Committee 01/16/2019	Adopt the Advance Mental Health Care Directives Act
					<i>Adopt the Advance Mental Health Care Directives Act. An individual may use such a directive to: 1) Set forth instructions for mental health care, including consent to inpatient mental health treatment, psychotropic medication, or electroconvulsive therapy; 2) Dictate whether the directive is revocable during periods of incapacity and consent to treatment despite illness-induced refusals; 3) Choose the standard by which the directive becomes active; 4) Designate an agent to make mental health care decisions for the individual and 5) List all health care professionals, mental health care professionals, family, friends, and other interested individuals with whom treatment providers are allowed to communicate if the individual loses capacity. Under the bill, an individual's decision-making capacity is evaluated relative to the demands of a particular mental health care decision as an individual may lose capacity without being eligible for civil commitment in Nebraska.</i>
LB250	Walz		Revenue 01/30/2019	In Committee 01/16/2019	Change provisions relating to agricultural land and horticultural land receiving special valuations
					<i>Change provisions relating to agricultural land and horticultural land receiving special valuations. LB250 reworks the requirements for special valuation of agricultural or horticultural land, with differing rules depending on whether in a county of population greater than or less than 100,000 inhabitants.</i>
LB253	McCollister		Executive Board 02/14/2019	In Committee 01/16/2019	Adopt the Redistricting Act
					<i>Adopt the Redistricting Act. The Redistricting Act would recognize that decennial redistricting is a significant part of the legislative and political process and must be administered in an equitable and transparent manner to ensure citizen confidence in government. It is the intent of the Legislature to create and approve districts that have an equal distribution of population, as directed by Article I, section 2, of the Constitution of the United States and the Constitution of Nebraska. It is the intent of the Legislature to create the Independent Redistricting Citizen's Advisory Commission for the purpose of assisting the Legislature in the process of redistricting in 2021 and thereafter.</i>



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					<p><i>In preparation for developing redistricting plans on the basis of census data, the director shall acquire and maintain temporary and permanent equipment, materials, supplies, facilities, software, and staff as necessary to assist the commission. The Legislature shall appropriate funds to the office of Legislative Research to be used for the purchase or lease of temporary or permanent equipment, materials, supplies, facilities, software, or staff for the explicit purpose of carrying out the Redistricting Act only and with the prior approval of the Executive Board of the Legislative Council.</i></p> <p><i>The director shall act as a liaison between the commission, the Secretary of State, and the Legislature, among many other responsibilities under the bill.</i></p>
LB254	McCollister	Monitor	Business and Labor 02/04/2019	Final Reading 03/12/2019	<p>Adopt the Fair Chance Hiring Act</p> <p><i>An employer or employment agency shall not ask an applicant to disclose, orally or in writing, information concerning the applicant's criminal record or history, including any inquiry on any employment application, until the employer or employment agency has determined the applicant meets the minimum employment qualifications. Prior to determining whether an applicant meets the minimum employment qualifications, an employer or employment agency may ask the applicant to disclose, orally or in writing, information concerning the applicant's criminal record or history, including any inquiry on any employment application, if:</i></p> <p><i>(a) The applicant is applying for a position for which: a criminal history record information check is required by federal or state law; or, to any position for which 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; AND (b) The inquiry or request for disclosure is limited to the types of criminal offenses that the employer or employment agency is required to conduct a check for or that disqualify the applicant.</i></p> <p><i>Exemptions and other regulations exist, such as school exemptions and opportunities for applicants to explain their answers.</i></p>
LB264	La Grone		Judiciary 01/24/2019	Approved by Governor 03/12/2019	<p>Redefine premises under the Disposition of Personal Property Landlord and Tenant Act</p> <p><i>For purposes of the Disposition of Personal Property Landlord and Tenant Act: "Premises" means (a) a dwelling unit as defined in the Uniform Residential Landlord and Tenant Act, section 76-1410 or a distinct portion of a dwelling unit, the facilities and appurtenances in such dwelling unit, and the grounds, areas, and facilities held out for the use of tenants generally or the use of which is promised to the tenants or (b) self-service storage units or facilities.</i></p>
LB265	La Grone		Banking, Commerce and Insurance 03/12/2019	In Committee 01/17/2019	<p>Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act</p> <p><i>Adopt the Unsecured Consumer Loan Licensing Act and clarify licensing provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act</i></p> <p><i>LB265 relates to the Unsecured Consumer Loan Licensing Act. The bill updates and/or (re)defines: Annual percentage rate, check, default, department (Dept. of Banking and Finance), director, financial institution, licensee, Nationwide Mortgage Licensing System and Registry, person, and unsecured consumer loan business.</i></p> <p><i>The Unsecured Consumer Loan Licensing Act shall not apply to a financial institution organized under the laws of this state or the laws of the United States.</i></p> <p><i>The bill outlines the process for application for a license. Licensees under the Unsecured Consumer Loan Licensing Act are required to be licensed and registered through the Nationwide Mortgage Licensing System and Registry. The department is authorized to contract with certain entities to fulfill the purposes of the act. The bill further provides for duties of the director, bond requirements, publication and hearing and related waivers, expenses paid by applicants, when the director shall issue licenses, appeal procedures, etc.</i></p> <p><i>There are in this bill requirements impressed upon the licensees, such as disclosure within thirty days of material developments, like bankruptcy or corporate reorganization, felony convictions against the licensee, etc. As well as numerous rules relating to the specifics of lending hereinunder.</i></p> <p><i>Original sections 45-901 and 45-1001, Revised Statutes Cumulative Supplement, 2018, are repealed.</i></p>

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LB267	Bolz	Support	Government, Military and Veterans Affairs 03/07/2019	In Committee 01/17/2019	Provide a duty for the county board relating to deficient bridges and authorize a tax levy  <i>Provide a duty for the county board relating to deficient bridges and authorize a tax levy</i>  <i>LB267 requires, under 23-120, in addition to already existing mandates, that the county board is authorized to and shall repair, retrofit, reconstruct, or replace any bridge owned by the county and deemed deficient by Department of Transportation standards.</i>
LB269	Friesen		Transportation and Telecommunications 02/11/2019	Select File 03/19/2019	Change provisions relating to ignition interlock permits and school permits  <i>Youth drivers would now be allowed to drive not only to school, but now under LB 269 also to property used by the school he or she attends for purposes of school events or functions.</i>
LB270	Friesen		Transportation and Telecommunications 02/04/2019	Select File 03/19/2019	Change provisions relating to motorboats, motor vehicles, state identification cards, and operators' licenses  <i>Department of Motor Vehicles' omnibus bill. Under LB270, the director shall designate an implementation date on or before January 1, 2021, for motor boat registration. Under this bill, and in addition to other requirements, both the full legal name AND the name as it appears on the owner's motor vehicle operator's license or state identification card are required for the application for a certificate of title under 37-1278, relating to the registration of motor boats. Timing and procedure methods are outlined. Mandates to the county treasurer as well. Changes to the rules relating to salvaged, rebuilt or reconstructed motor boats are made herein also. If a vehicle has situs in Nebraska, the application for a certificate of title may be filed with the county treasurer of any county. (The previous exceptions no longer apply.) Implementation dates would change hereunder to the rules from 60-151, relating to mobile homes and cabin trailers. Definitions are (re)made regarding late model vehicles, vehicles that have been wrecked, damaged or destroyed—and how the county treasurer shall issue salvage branded certificates of title. New rules would be put in place re: "low-speed vehicles" as well, including that three-wheeled motor vehicles no longer need to comply with 49 C.F.R. part 571 to qualify as low-speed vehicles. Changes would also be made to replacing lost, stolen, or mutilated Military Honor Plates (with related duties mandated to the director and department). Further, changes would be made to rules regarding plates of former prisoners of war, Purple Heart Award recipients, disabled veterans, those holding amateur radio station license issued by the Federal Communications Commission, Nebraska Comhusker Spirit Plates, commercial motor vehicles, historical vehicles, etc.</i>
LB275	Hansen		Judiciary 02/28/2019	In Committee 01/17/2019	Require notification when persons prohibited by state or federal law attempt to obtain a handgun purchase permit or concealed handgun permit  <i>Require notification when persons prohibited by state or federal law attempt to obtain a handgun purchase permit or concealed handgun permit</i> <i>Certain definitions relating to sections 69-2401 to 69-2425 are changed, including commission, prohibited processor. Notification requirements are mandated on the chief of police and/or the sheriff when purchases would be in violation of federal law. The Nebraska State Patrol shall be notified under certain circumstances. Changes to the Concealed Handgun Permit Act would be made as well, including definitions and rules relating, again, to the term "prohibited processor". The Nebraska State Patrol will now have affirmative obligations for notification to the commission in the event an application for renewal is made by a prohibited processor, and to peace officers if such peace officer has reasonable cause to believe that the permit holder is a prohibited possessor. If a permit is revoked under subsection (3) of this section because the permit holder is found to be a prohibited possessor, the attorney who prosecuted the case shall electronically send a notification of prohibited possessor to the commission pursuant to section 20 of this act. If the county attorney refused or was unable to prosecute the case, the Attorney General shall report such fact to the commission, along with any explanation for why the county attorney refused or was unable to prosecute the case. A notification of prohibited possessor that is required shall be sent in a form and in a manner prescribed by the commission. The notification shall include the identity of the prohibited possessor, and other information, including, any other information deemed relevant by the commission.</i>
LB277	McCollister		Judiciary 02/06/2019	In Committee 01/17/2019	Change membership provisions for the Board of Parole  <i>Change membership provisions for the Board of Parole</i> <i>Specifically, beginning with members appointed in 2020, at least one member of the board shall have experience as a professional treating mental illness or substance abuse.</i> <i>The members of the board shall elect one member to serve a four-year term as chairperson (previously designated by the Governor).</i>

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					<p><i>The members of the Board of Parole appointed for terms beginning prior to January 1, 2019, shall have terms of office of six years, and the members appointed for terms beginning after January 1, 2019, shall have terms of office of eight years and until their successors are appointed. The successors shall be appointed in the same manner as provided for the members first appointed, and a vacancy occurring before expiration of a term of office shall be similarly filled for the unexpired term. A member of the board may not be reappointed for a consecutive term.</i></p> <p><i>The members of the board may be removed only for disability, neglect of duty, or malfeasance in office by the Board of Pardons after a hearing. The Board of Pardons shall promptly file in the office of the Secretary of State a complete statement of the charges, its findings and disposition, and a complete record of the proceedings.</i></p> <p><i>Original sections 83-189 and 83-190, Reissue Revised Statutes of Nebraska, are repealed.</i></p>
LB278	Bostelman		Transportation and Telecommunications 02/11/2019	In Committee 01/17/2019	<p>Provide a veteran notation on an operator's license or a state identification card for certain commissioned officers as prescribed</p> <p><i>Provide a veteran notation on an operator's license or a state identification card for certain commissioned officers as prescribed</i></p> <p><i>LB278 applies to 60-4,189 relating to operator's licenses and state identification cards. Specifically, (1) An operator's license or a state identification card shall include a notation of the word "veteran" on the front of the license or card as directed by the department if the individual applying for such license or card is eligible for the license or card by meeting verification requirements outlined in the bill.</i></p>
LB282	Hansen	Monitor	Judiciary 02/13/2019	In Committee 01/17/2019	<p>Change provisions relating to bail</p> <p><i>Change provisions relating to bail</i></p> <p><i>As before, any bailable defendant shall be ordered released from custody pending judgment on his or her personal recognizance unless the judge determines in the exercise of his or her discretion that such a release will not reasonably assure the appearance of the defendant as required or that such a release could jeopardize the safety and maintenance of evidence or the safety of victims, witnesses, or other persons in the community however, under LB282, this rule would get increased specificity as it relates to what defendants fall under it.</i></p> <p><i>To wit: the rule would apply to any bailable defendant who is charged with a Class IIIA, IV, or V misdemeanor OR a violation of a city ordinance. (Except when the victim is an intimate partner as defined in section 28-323)</i></p> <p><i>Any bailable defendant described in this subsection shall be ordered released from custody pending judgment on his or her personal recognizance unless:</i></p> <p><i>i. The defendant has previously failed to appear in the instant case; AND</i></p> <p><i>ii. The judge determines in the exercise of his or her discretion that such a release will not reasonably assure the appearance of the defendant as required or that such a release could jeopardize the safety and maintenance of evidence or the safety of victims, witnesses, or other persons in the community.</i></p> <p><i>If the court requires a defendant to execute an appearance or bail bond, the court shall appoint counsel for the defendant if the court finds the defendant to be indigent.</i></p>
LB286	McCollister		Judiciary 02/27/2019	In Committee 01/17/2019	<p>Create the Coordinated Reentry Council</p> <p><i>The Legislature finds and declares that there shall be a coordinated effort to establish a comprehensive and successful system of correctional reentry programs throughout this state and to include an array of interests in the establishment and growth of this system. To further such policy, the Coordinated Reentry Council is created. For administrative and budgetary purposes, the council shall be within the Nebraska Commission on Law Enforcement and Criminal Justice.</i></p> <p><i>The council will have voting and nonvoting members and will be populated with individuals from pertinent fields, including two judges appointed by the Chief Justice of the Supreme Court and Two members of the Legislature, appointed by the Executive Board of the Legislative Council. Members will have terms of varying length.</i></p> <p><i>Among other things the council shall develop and implement a plan to establish the statewide operation and use of a continuum of reentry programs, review efforts by individuals and organizations that provide reentry services in Nebraska and, review best practices regarding reentry policies and programs in other states.</i></p>
LB288	Linehan		Revenue 04/03/2019	In Committee 01/17/2019 Revenue Priority Bill	<p>Change income tax rates</p> <p><i>Change income tax rates</i></p> <p><i>Applies the individual income tax brackets and rates for taxable years beginning or deemed to begin on or after January 1, 2014 those beginning before January 1, 2020.</i></p> <p><i>Creates individual income tax brackets and rates for the taxable years beginning or deemed to begin on or after January 1, 2020.</i></p>

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LB289	Linehan	Monitor	Revenue 02/01/2019	In Committee 01/17/2019 Revenue Priority Bill	Change provisions relating to county assessor inspections of real property for property tax purposes  <i>The county assessor shall determine the portion to be inspected and reviewed each year to assure that all parcels of real property in the county have been inspected and reviewed no less frequently than every 3 years. (Amended from no less frequently than every 6 years.)</i>
LB290	Linehan		Revenue 02/01/2019	In Committee 01/17/2019	Change the sales and use tax rate  <i>LB290 amends the sales and use tax of 5.5% commencing on the start of the first calendar quarter after July 20, 2002 so that it extends until July 1, 2020. Further, the bill opens discussion to a new sales and use tax rate commencing July 1, 2020.</i>
LB293	Scheer		Appropriations 02/26/2019	In Committee 01/17/2019	Provide, change, and eliminate provisions relating to appropriations  <i>LB 293, introduced by the Speaker at the request of the Governor, is part of the Governor's biennial budget recommendations. This bill makes adjustments to the appropriations and reappropriations for state operations, aid and construction programs in the current fiscal year ending June 30, 2019. The adjustments will be used in programs where the forecasted cost has risen or decreased due to circumstances that were unforeseen when appropriation bills were passed two years ago and subsequently amended by the Legislature in 2018. The bill contains the emergency clause.</i>
LB294	Scheer	Support	Appropriations 02/26/2019	In Committee 01/17/2019	Appropriate funds for the expenses of Nebraska State Government for the biennium ending June 30, 2021  <i>LB 294, introduced by the Speaker at the request of the Governor, is part of the Governor's biennial budget recommendations. This bill is the mainline appropriations bill for the biennium that begins July 1, 2019 and ends on June 30, 2021. The measure includes the budget recommendations for all State operations and aid programs. The bill includes the appropriate transfers from cash funds to the General Fund as well as between specified cash funds. Finally, it provides the necessary definitions for the proper administration of appropriations and personal service limitations. This bill contains the emergency clause and becomes operative on July 1, 2019.</i>
LB295	Scheer		Appropriations 02/26/2019	In Committee 01/17/2019	Appropriate funds for salaries of members of the Legislature  <i>LB 295, introduced by the Speaker at the request of the Governor, is a part of the Governor's biennial budget recommendations. This bill make the appropriations each year of the biennium for the salaries and benefits of the 49 State Senators. This separate appropriation bill is required by the State Constitution and funds the \$12,000 annual salary of each senator and the corresponding employer payroll contribution for Social Security. This bill contains the emergency clause and becomes operative on July 1, 2019.</i>
LB296	Scheer		Appropriations 02/26/2019	In Committee 01/17/2019	Appropriate funds for salaries of constitutional officers  <i>LB 296, introduced by the Speaker at the request of the Governor, is a part of the Governor's biennial budget recommendations. This bill provides for the funding of the salaries and benefits of certain State Officers as required by the State Constitution and current laws of the State of Nebraska. This bill includes judges as well as elected Constitutional Officers, the Parole Board and the Tax Commissioner. This bill contains the emergency clause and becomes operative on July 1, 2019.</i>
LB297	Scheer		Appropriations 02/26/2019	In Committee 01/17/2019	Appropriate funds for capital construction and property acquisition  <i>LB297, introduced by the Speaker at the request of the Governor, is part of the Governor's biennial budget recommendations. This bill appropriates funds for the reaffirmed and new constructions projects recommended by the Governor for the next biennium. Reaffirmed projects include those projects currently underway that have already received approval and funding previously but were funded over several years. In addition to the new and reaffirmed appropriations set forth in the bill, language is included providing for the re-appropriation of unexpended June 30, 2019 appropriation balances for FY 2019-20 to continue or complete projects. This bill contains the emergency clause and becomes operative on July 1, 2019.</i>
LB298	Scheer		Appropriations 02/26/2019	In Committee 01/17/2019	Repeal funds and authorize, provide, change, and eliminate fund transfer provisions  <i>LB 298, introduced by the Speaker, at the request of the Governor, is a part of the Governor's biennial budget recommendations. This bill provides for fund transfers, eliminates fund transfer provisions, and changes provisions governing the administration and use of funds. This bill contains the emergency clause and becomes operative on July 1, 2019.</i>

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LB299	Scheer		Appropriations 02/26/2019	In Committee 01/17/2019	Change Cash Reserve Fund provisions  <i>LB299, introduced by the Speaker, at the request of the Governor, is part of the Governor's biennial budget recommendations. This bill's primary purpose is to amend Nebraska Revised Statutes section 84-612 to provide for transfers to/from the Cash Reserve Fund. This bill contains the emergency clause and becomes operative on July 1, 2019.</i>
LB303	Lindstrom		Revenue 02/27/2019	In Committee 01/17/2019	Change the amount of relief under the Property Tax Credit Act  <i>LB303 states, in pertinent part, that it is the intent of the Legislature to fund the Property Tax Credit Act for tax years after tax year 2008 using available revenue. For tax years year 2017 and 2018, the amount of relief granted under the act shall be two hundred twenty-four million dollars (\$224M). For tax year 2019 and each tax year thereafter, the amount of relief granted under the act shall be no less than two hundred seventy-five million dollars (no less than \$275M). The relief shall be in the form of a property tax credit which appears on the property tax statement.</i>
LB304	Crawford		Agriculture 03/05/2019	General File 03/27/2019 Hansen, B. Priority Bill	Exempt certain operations from the definition of a food establishment under the Nebraska Pure Food Act  <i>LB304 provides exemptions under 81-2,245.01 by redefining food establishment to exclude a private home or other area where food that is not time/ temperature control for safety food is prepared: For sale or service at a religious, charitable, or fraternal organization's bake sale or similar function; or For sale directly to the consumer including, but not limited to, at a farmers market, fair, festival, craft show, or other public event or for pick up at or delivery from such private home or other area, if such producer meets and abides by other requirements outlined in the proposed bill, such as specific labeling of the food, abiding by the food handler's rule of the event, etc.</i>
LB306	Crawford		Business and Labor 01/28/2019	Final Reading 02/22/2019	Change provisions relating to good cause for voluntarily leaving employment under the Employment Security Law  <i>Change provisions relating to good cause for voluntarily leaving employment under the Employment Security Law LB306 provides that persons who leave work to care for a family member with a serious health condition are eligible for unemployment benefits. It adds "caring for a family member with a serious health condition" to the list of reasons which are considered good cause for voluntarily leaving employment under employment security law.</i>
LB313	Bolz		Executive Board 02/20/2019	In Committee 01/18/2019	Provide the office of Inspector General of the Nebraska Correctional System with oversight authority over regional centers  <i>LB313 is designed to rename, amend, and add to the Office of Inspector General of the Nebraska Correctional System Act, which would now be named the Correctional System and Mental Health Facilities Oversight Act. The Department of Health and Human Services (and the regional centers) will now be included in the content of investigations conducted and reports created hereinunder. The bill proposes to provide authority for an independent form of inquiry for concerns regarding the actions of individuals and agencies responsible for the supervision, treatment, and release of persons in the regional centers. It provides duties for the Division of Behavioral Health. It proposes to change provisions relating to qualifications of the Inspector General. And it requires a report.</i>
LB315	Koiterman		Revenue 03/14/2019	In Committee 01/18/2019	Provide for an inheritance tax exemption and change certain inheritance tax proceedings  <i>Proceeds of life insurance receivable by a trustee, of either an inter vivos trust or a testamentary trust, as insurance under policies upon the life of the decedent shall not be subject to inheritance tax. This subsection shall not apply if the decedent's estate is the beneficiary of the trust. In the absence of any probate proceeding brought in this state, an independent proceeding for the sole purpose of determining the tax may be instituted in the county court of the county where the property or any part thereof which might be subject to tax is situated. (Now using "independent proceeding" to refer to such, rather than inheritance tax proceeding vernacular previously used). Notice requirements are still in place, and now apply to these independent proceedings.</i>
LB319	Moser		Natural Resources 02/06/2019	Approved by Governor 03/21/2019	Change provisions relating to notices, rules, and regulations of the Department of Natural Resources  <i>The Department of Natural Resources is given jurisdiction over all matters pertaining to water rights for irrigation, power, or other useful purposes except as such jurisdiction is specifically limited by statute. The department may adopt and promulgate rules and regulations governing matters coming before it (this is now discretionary whereas it was mandatory previously).</i>

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LB320	Albrecht		Agriculture 02/05/2019	Select File 03/27/2019 Agriculture Priority Bill	Change various provisions of the Pesticide Act and update federal references  <i>Historically, if the pesticide contains arsenic in any form, a statement of the percentage of total water-soluble arsenic calculated as elementary arsenic. This rule would be repealed here. Warning labels related hereto shall now include danger, symbol, or cautionary labeling when applicable.</i>
LB322	Crawford		Judiciary 02/01/2019	General File 02/26/2019	Change provisions relating to enforcement of certain tobacco restriction provisions  <i>LB 322 establishes a uniform process for tobacco compliance checks to be performed for the purpose of deterring licensees from providing nicotine products to persons under eighteen years of age. It provides that persons at least fifteen but under eighteen years of age may assist law enforcement or a tobacco prevention coalition in conducting a compliance check with written consent of a parent or guardian.</i>
LB323	Crawford		Health and Human Services 02/28/2019	General File 03/25/2019 Crawford Priority Bill	Change eligibility provisions under the Medical Assistance Act for certain disabled persons  <i>The associated federal rule has changed and therefore eligibility is now as allowed under 42 U.S.C. 1396a(a)(10)(A)(ii)(XV) and (XVI). A qualifying family's premiums shall be graduated based on family income and shall not exceed 7.5% of family income and the department shall not include assets or available resources in the determination of eligibility.</i>
LB324	La Grone		Judiciary 03/21/2019	In Committee 01/18/2019	Change immunity from liability under the 911 Service System Act  <i>Under LB324, any local governing body, the commission, or any public safety agency and their employees, including employees of public safety answering points, involved in the provision of next-generation 911 service, shall, except for failure to use reasonable care or for intentional acts, be immune from liability or the payment of damages in providing next-generation 911 service.</i>
LB325	Bostelman		Transportation and Telecommunications 02/26/2019	In Committee 01/18/2019	Provide for motor vehicle tax exemptions for one hundred percent service-connected disability compensation rated veterans and dependency and indemnity compensation recipients  <i>LB325 provides (one) motor vehicle tax exemptions for one hundred percent service-connected disability compensation rated veterans and dependency and indemnity compensation recipients.</i>
LB327	Bolz	Support	Appropriations 03/26/2019	In Committee 01/18/2019	State intent to appropriate funds for an increase in rates paid to behavioral health service providers  <i>The Legislature finds that the initial report from the cost model study project (ten years in the making) shows rates paid to behavioral health providers from seven percent below the actual cost of providing services to thirty-five percent below the actual cost of providing services and that the average rate paid is eighteen and one-tenth percent below the actual cost of providing services. Therefore, this bill earmarks for related appropriations.</i>
LB328	Bolz		Health and Human Services 03/07/2019	In Committee 01/18/2019	Adopt the Nebraska Family First Act, provide for non-court-involved response to reports of child abuse or neglect, and provide for a family finding project  <i>Under the Nebraska Family First Act proposed by LB328, the department of health and human services shall provide prevention and family services and programs in accordance with the requirements for up to 12 months before a child is removed from their home to be placed into foster care. The bill mandates the department maintain a written prevention plan for each foster care candidate.</i>
LB330	Bolz	Monitor	Executive Board 02/20/2019	In Committee 01/25/2019	Change the administration, duties, membership, purpose, and reports of the Nebraska Children's Commission  <i>Duties relating to the creation of a strategic plan are now to be only monitoring and evaluating responsibilities. The bill overhauls the make-up of the board and who may advise the board, effecting all three branches of government.</i>

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LB331	Bolz		Judiciary 02/27/2019	In Committee 01/18/2019	Change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration  <i>LB331 as proposed would require reports from the Board of Parole and the Office of Probation Administration. It would change provisions relating to release or reentry plans. The obtaining state identification cards or renewing motor vehicle operator's licenses for inmates would undergo rule changes. The duties for the reentry program and the Vocational and Life Skills Program will be moved from the Department of Correctional Services to the Board of Parole. The bill further states intent regarding appropriations. It requires the Department of Correctional Services and the Board of Parole to develop a plan to transition responsibility for community corrections from the department to the board, requires the Board of Parole to develop a plan to transition responsibility for post-release supervision from the Office of Probation Administration to the board.</i>
LB335	Hansen	Support	Judiciary 02/13/2019	In Committee 01/18/2019	Authorize a 24/7 sobriety program permit for operating a motor vehicle as a condition of bail  <i>A 24/7 sobriety program shall coordinate efforts among various state and local governmental agencies for finding and implementing alternatives to incarceration for offenses that involve operating a motor vehicle under the influence of alcohol or other drugs. :</i>
LB336	Hansen		Government, Military and Veterans Affairs 03/07/2019	In Committee 01/18/2019	Change the vote required to exceed certain budget limitations  <i>Under LB336, a governmental unit may exceed the limit on their budget for a fiscal year by up to an additional one percent upon the affirmative vote of a majority of the governing body. (Previously 75% of the governing body.)</i>
LB338	Wayne		Revenue 03/27/2019	In Committee 01/18/2019	Change calculation of gasoline tax and distribution of proceeds  <i>The minimum average wholesale price of gasoline to be used to calculate the tax for tax periods beginning on and after July 1, 2019, shall be two dollars and forty-four cents.</i>
LB341	Arch		Health and Human Services 02/08/2019	In Committee 01/18/2019	Change provisions relating to a determination of ongoing eligibility for a child care subsidy  <i>Limits the amount of transitional care received to the remainder of a family's eligibility period—OR—until the family income exceeds one hundred eighty-five percent of the state median income as reported by the United States Bureau of the Census, whichever occurs first. When the family's eligibility period ends, the family shall continue to be eligible for transitional child care assistance if the family's income is below one hundred eighty-five percent of the federal poverty level. The family shall receive transitional child care assistance through the remainder of the transitional eligibility period or until the family income exceeds eighty-five percent of the state median income as reported by the United States Bureau of the Census, whichever occurs first. (If a family's income falls to one hundred thirty percent of the federal poverty level or below, the twenty-four-month time limit in this subsection shall ongoingly apply.)</i>
LB348	Quick		Urban Affairs 02/12/2019	Select File 03/25/2019	Adopt changes to the state building code  <i>The references of this code shall now comply in pertinent parts to the International Council Code from 2018 (amended from the 2012 edition).</i>
LB351	Morfeld		Education 03/19/2019	In Committee 01/18/2019	Provide for school district levy and bonding authority for cybersecurity and violence prevention  <i>On and after April 19, 2016, the school board of any school district may make a determination that an additional property tax levy is necessary for a specific project to address (amended from specific abatement to address). This bill adds cybersecurity, violence protection, and other possible specific projects allowed under this rule.</i>
LB352	Morfeld		Judiciary 03/06/2019	General File 03/18/2019 Morfeld Priority Bill	Provide requirements relating to the use of jailhouse informants  <i>LB352 addresses concerns relating to the reliability of jailhouse witness testimony, by such means as the creation and maintenance of a central record of each case including testimony offered or provided by jailhouse informants (felons), the benefits so requested, etc. Such record will be the responsibility of the county attorney's office. There are additional disclosure requirements as well.</i>
LB353	Pansing Brooks		Judiciary 03/28/2019	In Committee 01/18/2019	Provide powers and duties for University of Nebraska police departments and police officers as prescribed  <i>LB353 proscribes racial profiling by all University of Nebraska police departments. Further, it places mandates on all University of Nebraska police departments, including the recording of the information using the form developed and promulgated pursuant to section 20-505 relating to traffic stops, and several others.</i>

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LB354	Pansing Brooks		Judiciary 01/31/2019	Approved by Governor 03/27/2019	Change provisions relating to sealing of juvenile records  <i>LB354 mandates that a pretrial diversion program shall seal all records pertaining to the offense and diversion upon discharge from the program. The diversion program shall reply to any public inquiry that no information exists regarding a sealed record. As it relates to related records held by juvenile court judges, the public case file shall not contain any information that is protected under the federal Health Insurance Portability and Accountability Act of 1996, as such act existed on January 1, 2019. Notice requirements and more are mandated against the county attorney as well, like at such time as mediation is offered. Also, the Department of Labor, State Court Administrator have affirmative obligations hereinunder.</i>
LB355	La Grone		Banking, Commerce and Insurance 01/29/2019	Approved by Governor 03/12/2019	Change provisions relating to money transmitters, installment sales, and mortgage loans  <i>LB 355 is a bill introduced at the request of the Nebraska Department of Banking and Finance to update provisions of the Nebraska Money Transmitters Act, the Nebraska Installment Sales Act, and the Residential Mortgage Licensing Act. The bill updates the Department's authority relating to examinations of licensees and their authorized delegates under the Nebraska Money Transmitters Act, by providing for offsite examinations and joint examinations with federal agencies. The bill amends the Nebraska Installment Sales Act to allow licensees to establish branch offices rather than obtaining a full license for each physical location as currently required. The bill defines "branch office," sets licensing and renewal fees for branch offices, requires applicants to submit specific information, sets standards for licensee notifications to the Department, and changes/updates terminology. These amendments would be effective January 1, 2020. The bill amends the Residential Mortgage Licensing Act to provide requirements for the submission of fingerprints for specified principals of an applicant for a mortgage banker license. The bill would also adopt a transitional licensing process, effective November 24, 2019, to allow certain federally-registered mortgage loan originators and mortgage loan originators licensed by another state to temporarily conduct business in Nebraska; limit the term of inactive mortgage loan originator licensees; and change the time period for records retention.</i>
LB366	Bostelman		Transportation and Telecommunications 02/26/2019	In Committee 01/18/2019	Change registration fee for alternative fuel-powered motor vehicles  <i>In addition to any other fee required under the Motor Vehicle Registration Act, a fee for registration of each motor vehicle powered by an alternative fuel shall be charged. The fee shall be \$75 for each such motor vehicle registered in 2019, \$85 dollars for 2020, \$95 for 2021, \$105 dollars for 2022, \$115 dollars for 2023, and \$125 dollars for 2024 and every year thereafter. The fee shall be collected by the county treasurer and remitted to the State Treasurer for credit to the Highway Trust Fund.</i>
LB369	Vargas		Judiciary 03/28/2019	In Committee 01/18/2019	Require jails, law enforcement agencies, and the Nebraska State Patrol to provide public notice before entering into agreements to enforce federal immigration law and to allow audits of noncomplying entities  <i>Beginning September 15, 2019, a law enforcement agency or jail shall, before becoming a party to an agreement with any other public agency to enforce immigration law or to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes pursuant to such agreement, notify the governing body of any political subdivision overseeing such law enforcement agency or jail, in writing, at least thirty days prior to entering into such agreement. The notice shall be filed with the governing body and the governing body shall include the notice in the agenda of subjects of the next regularly scheduled public meeting of the governing body. If such an agreement existed prior to September 15, 2019, such law enforcement agency or jail shall notify the governing body of any political subdivision overseeing such law enforcement agency or jail, in writing, on or before October 15, 2019. The notice shall be filed with the governing body and the governing body shall include the notice in the agenda of subjects of the next regularly scheduled public meeting of the governing body.</i>
LB373	Brewer	Oppose	Government, Military and Veterans Affairs 01/31/2019	In Committee 01/18/2019	Provide setback and zoning requirements for wind energy generation projects  <i>LB373 defines wind energy generation project. The bill requires zoning provisions prior to construction of wind energy projects as prescribed, including notices. It provides for fees, eliminates provisions relating to zoning regulations, limits agreements relating to school lands, repeals the original sections, and to declares an emergency.</i>
LB376	Friesen	Support	Judiciary 02/06/2019	In Committee 01/18/2019	Provide for safekeeping of prisoners  <i>All sentences for maximum terms of imprisonment of less than one year shall be served in the county jail. authority of a sheriff or other county official having a prisoner in lawful custody, when necessary for the safekeeping of such prisoner, to convey such prisoner to and confine such prisoner in the jail of any city or county of this state, any juvenile detention facility of this state, an institution under the control of the Department of Correctional Services, or any other secure and convenient place of confinement in this state, to be procured by such sheriff or other county official having such prisoner in custody.</i>



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					<i>The authority to determine what is necessary for the safekeeping of a prisoner shall rest with the sheriff or other county official having such prisoner in lawful custody. The sheriff or other county official may determine that a prisoner cannot safely serve his or her sentence or otherwise be safely kept in a particular place of confinement if the place of confinement is not staffed or equipped to safely keep the prisoner for any reason, including, but not limited to, the medical or mental health needs of a prisoner or because the prisoner presents a danger to himself, herself, or others.</i>
LB377	DeBoer		Judiciary 03/06/2019	In Committee 01/18/2019	Provide for voidability of certain releases from liability  <i>LB377 reads: An agreement to release another person or entity from liability for personal injury or death, if entered into within thirty days after the date the personal injury or death occurred, shall be voidable by the releasor. The agreement shall be void upon written notification by the releasor to the other party or parties to the agreement. Such notification must occur within one hundred twenty days after the initial execution of the agreement. The Revisor of Statutes shall assign section 1 of this act to Chapter 25, article 21.</i>
LB379	Kolterman		Banking, Commerce and Insurance 03/12/2019	General File 03/15/2019 Speaker Priority Bill	Change provisions under the Delayed Deposit Services Licensing Act and the Nebraska Installment Loan Act  <i>This bill defines Nationwide Mortgage Licensing System and Registry. Licensees under the Delayed Deposit Services Licensing Act are required to be licensed and registered through the Nationwide Mortgage Licensing System and Registry. In order to carry out this requirement, the department is authorized to participate in the Nationwide Mortgage Licensing System and Registry. For this purpose, the department may establish requirements as necessary by adopting and promulgating rules and regulations or by order. The requirements may include, but are not limited to: background checks, criminal history checks through fingerprint data bases, credit checks, etc.,</i>
LB386	Erdman		Government, Military and Veterans Affairs 02/21/2019	In Committee 01/22/2019	Change provisions relating to cash reserves under the Nebraska Budget Act  <i>LB386 proposes to amend section 13-504 in order to change provisions relating to cash reserves, provide an operative date of July 1, 2019, repeal original section 13-504, and declare an emergency.</i>
LB387	Pansing Brooks		Judiciary 03/14/2019	In Committee 01/22/2019	Change and modernize provisions relating to juries  <i>LB387 would be the Jury Selection Act, to become operative January 1, 2020. The bill would define terms and change terminology relating to juries. The bill would transfer, change, and eliminate provisions relating to jury commissioners, juror qualifications, exemptions and excuses from jury service, jury lists and summoning juries, initial and subsequent jury panels, excess jurors, special jury panels in criminal cases, extra jurors, tales jurors, grand juries, jurors' notes, jurors viewing property or a place material to litigation, and compensation for jurors. It would provide duties for clerk magistrates and change terminology relating to verdicts and court proceedings, as well as change penalty provisions. It would repeal the original sections and outright repeal sections 25-1609, 25-1626.02, 25-1627.01, 25-1629.03, 25-1629.04, 25-1633.01, 25-1634.03, 25-1642, and 25-1643.</i>
LB390	Pansing Brooks	Neutral	Judiciary 02/14/2019	Select File 03/27/2019 Pansing Brooks Priority Bill	Provide duties regarding school resource officers and security guards  <i>LB390 is for a bill relating to public safety. The bill would state findings, define terms, and provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice, law enforcement agencies, security agencies, and school districts relating to school resource officers and security guards as prescribed.</i>
LB391	Hansen		Judiciary 02/14/2019	In Committee 01/22/2019	Change duties of peace officers taking juveniles into custody or interrogating juveniles and prohibit use of statements taken in violation of the rights of a juvenile  <i>This bill relates to the Nebraska Juvenile Code. It proposes to amend sections 29-401, 43-248.01, and 43-249, Reissue Revised Statutes of Nebraska, and sections 43-250 and 43-2, 129, Revised Statutes Cumulative Supplement, 2018. In addition to defining a term, this bill would require notification of a juvenile's parent, guardian, custodian, or relative when a juvenile is taken into custody, require an advisement of a juvenile's rights to be given when a juvenile is taken into custody, require that a juvenile's parent, guardian, custodian, or relative be present when requested, and prohibit the use of certain statements in court proceedings. And repeal the original sections.</i>

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LB394	Wishart		Appropriations 03/21/2019	In Committee 01/22/2019	State intent relating to an appropriation to the Department of Transportation  <i>The proposed bill reads: It is the intent of the Legislature that fifteen million dollars be appropriated from the General Fund for FY2019-20 for a program to fund municipal innovation projects focused on transportation technology that improve safety, efficiency, and mobility. The Department of Transportation shall administer the program through a grant process, and the program shall be known as the Nebraska Innovation and Transportation Technology Program. The department shall adopt and promulgate rules and regulations necessary to carry out this section. Immediate effect proposed due to an emergency.</i>
LB405	Hunt		Urban Affairs 02/12/2019	Select File 03/25/2019	Adopt updates to building and energy codes  <i>The bill would amend sections 71-6403, 71-6406, 72-804, 72-805, 72-806, 81-1608, 81-1609, 81-1611, 81-1614, 81-1618, and 81-1622 in order to update provisions relating to building and energy codes, specifically, to adopt the 2018 International Energy Conservation Code (IECC) published by the International Code Council as the Nebraska Energy Code. (amended from the 2008 edition of the IECC). Proposed to become operative July 1, 2020.</i>
LB409	Kolowski		Urban Affairs 02/12/2019	Select File 03/25/2019	Adopt design standards for health care facilities  <i>The Legislature would under LB409 adopt the 2018 Guidelines for Design and Construction of Hospitals, the 2018 Guidelines for Design and Construction of Outpatient Facilities, and the 2018 Guidelines for Design and Construction of Residential Health, Care, and Support Facilities published by the Facility Guidelines Institute for the construction of any health care facility on or after the effective date of this act and for any major addition, remodeling, restoration, repair, or renovation of any health care facility on or after the effective date of this act as determined by the department.</i>
LB411	Scheer		Government, Military and Veterans Affairs 02/14/2019	Select File 03/19/2019 Government, Military and Veterans Affairs Priority Bill	Provide an additional method of changing the number of county commissioners  <i>LB411 allows for a county board of commissioners to vote to place the question on the ballot regarding the number of commissioners on the county board. Currently, the only way the question can be placed on the ballot is by citizen petition.</i>
LB412	Geist	Oppose	Government, Military and Veterans Affairs 02/07/2019	In Committee 01/23/2019	Require an election regarding creation of a joint public agency  <i>Beginning on the effective date of this act, before any agreement is entered into regarding the creation of a joint public agency which involves a political subdivision of this state that has authority to levy a tax or issue bonds, the question of the creation of the joint public agency shall be submitted to the registered voters of each such political subdivision which intends to be a party to the agreement at an election held in conjunction with the statewide primary election or statewide general election. No agreement shall be entered into until the question has been submitted to the registered voters of each such political subdivision and a majority of all the voters voting on the question have voted in favor of creating the joint public agency, at an election called for the purpose, upon notice given by the governing body of each political subdivision at least twenty days prior to such election. The same measure, either in form or in essential substance, shall not be submitted to the people, either affirmatively or negatively, for a period of six months from and after the date of such election. Certain procedural requirements are mandated by the bill in the event a related question is submitted to voters.</i>
LB414	Brandt		Government, Military and Veterans Affairs 03/01/2019	In Committee 01/23/2019	Change county highway superintendent duties as prescribed and eliminate an annual report requirement  <i>LB414 would amend Section 39-1508 such that it shall be the duty of the county highway superintendent to: Annually submit to the county board a proposed schedule of construction, repair, maintenance, and supervision of county roads and bridges in conjunction with sections 39-2115, 39-2119, and 39-2120; Annually file with the county clerk a revised and current map of the county roads clearly distinguishing the primary and secondary roads, indicating the past year's improvements thereon, and showing the number of miles of roads established during the year and the location thereof; and Undertake the projects contained in subsection (1) of this section, and when requested by the county board report the projects completed, the projects in construction, the and equipment and material purchased, the amounts expended upon roads and bridges, and the sum remaining to be expended, except that deviations from the adopted program may be authorized by the unanimous vote of the county board in case of an emergency.</i>
LB415	Friesen		Government, Military and Veterans Affairs 02/13/2019	In Committee 01/23/2019	Repeal recall provisions for political subdivisions  <i>LB415 proposes political subdivision ballot questions shall no longer include recalls.</i>

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LB420	Bolz		Revenue 02/21/2019	In Committee 01/23/2019	Adopt the Property Tax Circuit Breaker Act
<p><i>The purpose of the Property Tax Circuit Breaker Act is to provide tax relief through a refundable income tax credit for taxpayers with limited income available to pay property taxes.</i></p> <p><i>A qualifying residential (or agricultural) taxpayer may apply to the Department of Revenue for a refundable income tax credit under the Property Tax Circuit Breaker Act from January 1 to April 15 of each year beginning in 2020. The application shall be made on a form developed by the department.</i></p> <p><i>Qualifying residential taxpayer means an individual who owns or rents his or her principal residence in the State of Nebraska and who has federal adjusted gross income of less than one hundred thousand dollars for a married filing jointly taxpayer or fifty thousand dollars for any other taxpayer.</i></p> <p><i>Qualifying agricultural taxpayer means an individual who owns agricultural land and horticultural land that is located in this state and that has been used as part of a farming operation which has federal adjusted gross income of less than three hundred fifty thousand dollars in the most recently completed taxable year.</i></p> <p><i>The department may certify tax credits under this section of up to one hundred seven million six hundred thousand dollars for each taxable year. If the total amount of tax credits calculated under subsection (2) of this section for all applications received in any year exceeds one hundred seven million six hundred thousand dollars, the department shall certify tax credits in proportionate percentages based upon the ratio of the amount of tax credits requested in each application to the total amount of tax credits requested in all applications so that the limitation in this subsection is not exceeded</i></p>					
LB428	Friesen		Business and Labor 03/18/2019	General File 03/28/2019 Business and Labor Priority Bill	Change eligibility for benefits under the Employment Security Law for certain workers in the construction industry
<p><i>LB428 amends 42-377, as follows: Children born to the parties, or to either spouse the wife, in a marriage relationship which may be dissolved or annulled pursuant to sections 42-347 to 42-381 shall be legitimate unless otherwise decreed by the court, and in every case the legitimacy of all children conceived before the commencement of the suit shall be presumed until the contrary is shown.</i></p>					
LB429	Wayne		Revenue 03/27/2019	In Committee 01/23/2019	Change tax provisions for cigars, cheroots, and stogies
<p><i>Section 77-4008, Reissue Revised Statutes of Nebraska, would be amended so as to read:</i></p> <p><i>77-4008</i></p> <p><i>(1)</i></p> <p><i>(a) A tax is hereby imposed upon the first owner of tobacco products to be sold in this state.</i></p> <p><i>(b) The tax on cigars, cheroots, and stogies shall be twenty percent of</i></p> <p><i>(i) the purchase price of the cigars, cheroots, or stogies paid by the first owner OR</i></p> <p><i>(ii) the price at which a first owner who made, manufactured, or fabricated the cigars, cheroots, or stogies sells the items to others, except that the maximum tax imposed under this subdivision (b) shall be fifty cents for each cigar, cheroot, or stogie.</i></p> <p><i>(c) The tax on snuff shall be forty-four cents per ounce and a proportionate tax at the like rate on all fractional parts of an ounce. (Such tax shall be computed based on the net weight as listed by the manufacturer.)</i></p> <p><i>(d) The tax on tobacco products other than cigars, cheroots, stogies, and snuff shall be twenty percent of (i) the purchase price of such tobacco products paid by the first owner or (ii) the price at which a first owner who made, manufactured, or fabricated the tobacco product sells the items to others.</i></p> <p><i>(e) The tax on tobacco products shall be in addition to all other taxes.</i></p> <p><i>(2) Whenever any person who is licensed under section 77-4009 purchases tobacco products from another person licensed under section 77-4009, the seller shall be liable for the payment of the tax.</i></p>					

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<i>Amounts collected pursuant to this section shall be used and distributed pursuant to section 77-4025, that is, the Tobacco Products Administration Cash Fund.</i>					
<i>This act becomes operative on October 1, 2019.</i>					
<i>Original section 77-4008, Reissue Revised Statutes of Nebraska, is repealed.</i>					
LB436	Hansen		Government, Military and Veterans Affairs 03/13/2019	In Committee 01/23/2019	Create the Complete Count Commission and provide duties regarding the census
<i>This bill creates the Complete Count Commission. The Complete Count Commission shall develop, recommend, and assist in the administration of a census outreach strategy to encourage full participation in the 2020 federal decennial census of population required by 13 U.S.C. 141.</i>					
<i>The commission shall consist of the following members: The Speaker of the Legislature, or his or her designee, as a nonvoting, ex officio member; The Governor or his or her designee; The Secretary of State or his or her designee; Seven individuals representing political subdivisions, reflecting the geographic diversity of the state, including a representative of a city of the metropolitan class and a representative of a city of the primary class, appointed by the Secretary of State; Five individuals representing school districts, reflecting the geographic diversity of the state, appointed by the State Board of Education; One representative each from four different organizations representing the interests of minorities in the state, appointed by the Secretary of State; One representative each from three different organizations representing the interests of business in the state, including one organization representing minority business interests, appointed by the Governor; AND One representative of the lead agency of the Nebraska State Data Center appointed by the Governor.</i>					
<i>Each appointed member shall serve at the pleasure of the appointing official or board. A vacancy shall be filled in the same manner as the original appointment. The Secretary of State shall serve as the chairperson of the commission. The commission shall meet at the call of the chairperson or upon request of ten members of the commission. A member of the commission shall receive no compensation for service on the commission but shall be reimbursed for actual and necessary expenses.</i>					
LB438	Wishart		Judiciary 01/30/2019	In Committee 01/23/2019	Designate Nebraska State Patrol as agency to investigate criminal activity within Department of Correctional Services facilities and the Lincoln Regional Center
<i>This bill requires a report by the Inspector General of the Nebraska Correctional System. It would designate the Nebraska State Patrol as the agency to investigate criminal activity within correctional facilities operated by the Department of Correctional Services and the Lincoln Regional Center (and provide the related powers and duties for the patrol). No less than ten so-assigned investigators. The bill also provides for confidentiality of certain records.</i>					
<i>Operative date: January 1, 2020.</i>					
<i>Repeal original sections.</i>					
LB443	McCollister	Monitor	Judiciary 02/06/2019	Approved by Governor 03/27/2019	Require the Department of Correctional Services to allow committed offenders reasonable access to their attorneys
<i>The department shall allow each committed offender reasonable access to his or her attorney or attorneys. If a committed offender communicates with his or her attorney or attorneys by telephone or videoconferencing, such communication shall be provided without charge to the committed offender and without monitoring or recording by the department or law enforcement.</i>					
LB446	McDonnell	Support	Appropriations 03/06/2019	In Committee 01/23/2019	State intent relating to appropriations for the County Justice Reinvestment Grant Program
<i>It is the intent of the Legislature to appropriate one million dollars to the County Justice Reinvestment Grant Program within the Nebraska Crime Commission on Law Enforcement and Criminal Justice for FY2018-19 and FY2019-20 to alleviate county jail populations through programming and services. The programming and services shall include, but not be limited to, the inmates who are diagnosed as mentally ill.</i>					
LB455	Arch		Judiciary 03/27/2019	In Committee 01/23/2019	Change medical services payment provisions relating to jails
<i>For purposes of sections 47-701 to 47-705, which governs responsibility for payment of the costs of medical services for any person ill, wounded, injured, or otherwise in need of such services at the time such person is arrested, detained, taken into custody, or incarcerated. Here, medical services include: medical and surgical care and treatment, hospitalization, transportation, medications and prescriptions, examinations to determine fitness for confinement, and other associated items.</i>					
<i>Associated references are to be amended elsewhere, namely, 47-703.</i>					

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LB458	Lathrop		Judiciary 03/15/2019	In Committee 01/23/2019	Change provisions relating to child abuse or neglect
LB460			Health and Human Services 03/07/2019	In Committee 01/23/2019 Health and Human Services Priority Bill	Change criminal background check provisions under the Children's Residential Facilities and Placing Licensure Act
LB463	Williams		Revenue 02/08/2019	Approved by Governor 03/27/2019 Williams Priority Bill	Change provisions relating to treasurer's tax deeds and tax sale certificates
<i>This bill changes and eliminates provisions relating to real property sold for delinquent taxes. Further, it re-outlines the process the process for issuing treasurer's tax deeds, and tax sale certificates.</i>					
LB466	Howard		Executive Board 02/14/2019	In Committee 01/23/2019	Adopt the Redistricting Act
<i>The purpose of the Redistricting Act is to establish procedures to divide the State of Nebraska into districts by designating boundary lines based on population for the representatives from the State of Nebraska to the United States House of Representatives, the judges of the Supreme Court, and the members to be elected to the Legislature, the Board of Regents of the University of Nebraska, the Public Service Commission, and the State Board of Education. The districts shall be established by maps incorporated by reference into legislation enacted by the Legislature.</i>					
<i>If the Legislature fails to enact legislation to provide for district boundaries for any entity listed in section 3 of this act prior to adjournment of the legislative session, the Governor shall call a special session within thirty days after the adjournment sine die of such legislative session and the director and the committee shall begin with a new initial version of the map during the special session and otherwise comply with the Redistricting Act.</i>					
<i>For purposes of the Redistricting Act: 1) Committee means the Redistricting Committee of the Legislature; 2) Director means the Director of Research of the office of Legislative Research or his or her designee. The maps to be established under the Redistricting Act shall be drawn using state-issued computer software and politically neutral criteria, including: Equal population; No political affiliation; No previous voting data; Only data and demographic information from the United States Bureau of the Census; Deference to county and municipal boundary lines when appropriate; and Contiguous districts.</i>					
<i>The director shall deliver initial versions of the maps to be established under the Redistricting Act to the Legislature to be placed on General File no later than fifteen calendar days after the director receives the federal decennial census data from the United States Bureau of the Census in the year after the census. The legislative bills incorporating the initial version of the maps shall not be placed on the agenda for General File consideration until after the committee delivers its report under this act.</i>					
<i>No changes other than corrective amendments shall be allowed to the initial version of the maps to be established under the Redistricting Act or the legislative bills incorporating the maps. If one or more of the legislative bills incorporating the initial version of the maps fail to pass on Final Reading or are vetoed by the Governor, the director shall prepare a second version of the map for each such legislative bill as provided in this act.</i>					
LB467	Vargas		Executive Board 02/14/2019	In Committee 01/23/2019	Prohibit consideration of certain factors in redistricting
<i>In drawing boundaries for legislative districts, no consideration shall be given to the political affiliation of registered voters, demographic information other than population figures, or the results of previous elections, except as may be required by federal law and the Constitution of the United States.</i>					
LB468	Walz	Monitor	Health and Human Services 03/01/2019	In Committee 01/23/2019 Health and Human Services Priority Bill	Prohibit additional services and populations under the medicaid managed care program
<i>The bill proposes the following language be added to the Medical Assistance Act: Until at least January 1, 2020, or until a critical evaluation is performed of the at-risk capitated managed care program of the medical assistance program and the success of such managed care program is proven, whichever is later, the department shall not add any additional service or population to the medicaid managed care program in effect on January 1, 2017.</i>					

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LB472	Dorn		Revenue 03/13/2019	General File 03/20/2019 Dorn Priority Bill	Adopt the Qualified Judgment Payment Act and authorize a sales and use tax  <i>For purposes of the Qualified Judgment Payment Act, qualified judgment means a judgment that is rendered against a county by a federal court for a violation of federal law.</i>  <i>Any county that has a qualified judgment rendered against it may, upon adoption of a resolution by at least a two-thirds vote of the county board, impose a sales and use tax of one-half of one percent on transactions that are subject to the state sales and use tax under the Nebraska Revenue Act of 1967, as amended from time to time, and that are sourced as provided in sections 77-2703.01 to 77-2703.04 within the county. Any sales and use tax imposed pursuant to this section shall be used to pay the qualified judgment.</i>
LB473	Dorn		Revenue 02/28/2019	In Committee 01/23/2019	Change revenue and taxation provisions relating to judgments against public corporations and political subdivisions, authorize certain loans, and provide powers and duties to the State Treasurer  <i>If constitutional or statutory provisions prevent any public corporation or political subdivision from budgeting sufficient funds to pay any judgment in its entirety, the governing body of the public corporation or political subdivision shall pay that portion that can be paid under the Constitution of Nebraska and laws of this state and then shall make application to the State Treasurer for the loan of sufficient funds to pay the judgment in full.</i>  <i>When application is made for such a loan, the State Treasurer shall make such investigation as he or she deems necessary to determine the validity of the judgment and the inability of the public corporation or political subdivision to make full payment on the judgment, and the period of time during which the public corporation or political subdivision will be able to repay the loan. After determining that such loan will be proper, the State Treasurer shall make the loan from funds available for investment in the state treasury, which loan shall carry an interest rate of one-half of one percent per annum. The State Treasurer shall determine the schedule for repayment, and the governing body of the public corporation or political subdivision shall annually budget and levy a sufficient amount to meet the schedule until the loan, with interest, has been repaid in full.</i>
LB474	Dorn		Judiciary 02/21/2019	In Committee 01/23/2019	Change provisions relating to claims against the state for wrongful incarceration and conviction  <i>A claimant under the Nebraska Claims for Wrongful Conviction or Incarceration and Imprisonment Act shall recover damages found to proximately result from the wrongful conviction or wrongful incarceration and that have been proved based upon a preponderance of the evidence. LB474 replaces imprisonment references, largely, into "incarceration."</i>  <i>A successful claimant and the political subdivision against which such claimant obtained a final judgment may, jointly or individually, file a claim with the State Claims Board for full payment of any such judgment, or any part of such judgment, which exceeds the available financial resources and revenue of the political subdivision required for its ordinary purposes. A claim under this subsection shall be filed within two years of the final judgment and shall be governed by the State Miscellaneous Claims Act.</i>
LB476	McCullister		Urban Affairs 02/26/2019	General File 03/04/2019	Eliminate a sunset provision relating to certain retail sales of natural gas by a metropolitan utilities district  <i>The metropolitan utilities district shall pay to the city of the metropolitan class (and to every city or village of any class) a sum equivalent to two percent of the annual gross revenue derived from all retail sales of water and gas sold by such district within such city, except that, retail sales of gas shall not include the retail sale of natural gas used as vehicular fuel. Under LB476, the January 1, 2020 sunset provision on the exception that retail sales of gas shall not include the retail sale of natural gas used as a vehicular fuel would be repealed.</i>
LB479	Wishart		Judiciary 03/15/2019	In Committee 01/24/2019	Prohibit sexual abuse of a detainee and change provisions relating to sexual abuse of an inmate or parolee  <i>Modifies the rules relating to inadmissibility of previous civil and criminal proceedings regarding sexual assault. Redefines the offense of sexual assault for purposes of sections 27-414 and 27-415. Section 7 of the act will be added to the Nebraska Criminal Code. Redefines sexual penetration so as to include non-law enforcement purposes. The bill overhauls what is lawful at such time when law enforcement has a detainee in custody. (4) Any person who engages in sexual penetration with a detainee is guilty of sexual abuse of a detainee in the first degree. Sexual abuse of a detainee in the first degree is a Class IIA felony. Any person who engages in sexual contact with a detainee is guilty of sexual abuse of a detainee in the second degree. Sexual abuse of a detainee in the second degree is a Class IIIA felony.</i>
LB480	Quick		Appropriations 03/25/2019	In Committee 01/24/2019	State intent relating to appropriations to local public health departments  <i>The Legislature finds that by focusing on preventive health and medicine the state will decrease the amount of serious health complications and disease among its residents. By improving health and promoting wellness in the areas of preventive health, rather than waiting for serious illness or disease to strike, it will save money and lead to a healthier state as a whole.</i>

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					<i>It is the intent of the Legislature to appropriate to the Department of Health and Human Services, for Program No. 502, for FY2019-20 \$900,000 General Funds for state aid, for the eighteen local public health departments. The Department of Health and Human Services shall distribute \$50,000 to each of the local public health departments for the purpose of improving preventive health and promoting worksite wellness. The preventive health programs that will benefit from the funds shall be designed to: Increase physical activity; prevent complications from diabetes, cardiovascular disease, and other chronic diseases; improve access to medical homes and dental homes to offer prevention and wellness services; increase worksite wellness initiatives to prevent disease and disability; assure preventive services for children and adults; and promote preventive health and wellness in additional ways.</i>
LB481	Bolz		Appropriations 03/28/2019	In Committee 01/24/2019 Scheer Priority Bill	State intent relating to an appropriation to the Department of Health and Human Services
					<i>It is the intent of the Legislature to appropriate XXX from the General Fund for FY2019-20 to the Department of Health and Human Services.</i>
LB482	Erdman		Revenue 02/27/2019	In Committee 01/24/2019	Provide for an adjustment to the assessed value of destroyed real property
					<i>For purposes of Chapter 77 and any statutes dealing with taxation, unless the context otherwise requires, "destroyed real property" means real property that is destroyed by fire or other natural disaster after January 1 and before October 1 of any year.</i>
					<i>It shall be the duty of the county assessor to report to the county board of equalization all real property in his or her county that becomes destroyed real property during any year.</i>
					<i>If the county board of equalization receives a report of destroyed real property pursuant to the above, the county board of equalization shall adjust the assessed value of the destroyed real property to an amount as the bill describes.</i>
LB483	Erdman		Revenue 02/21/2019	General File 03/20/2019 Erdman Priority Bill	Change the valuation of agricultural land and horticultural land
					<i>'Agricultural land and horticultural land' means a parcel of land, excluding land associated with a building or enclosed structure located on the parcel, which is primarily used for agricultural or horticultural purposes, including wasteland lying in or adjacent to and in common ownership or management with other agricultural land and horticultural land.</i>
					<i>Agricultural land and horticultural land shall constitute a separate and distinct class of property for purposes of property taxation, shall be subject to taxation, unless expressly exempt from taxation, and shall be valued at its agricultural productivity value.</i>
					<i>For tax year 2020 and each tax year thereafter, the agricultural productivity value of agricultural land and horticultural land shall be determined based upon the land's capitalized net earning capacity (as prescribed).</i>
LB484	Lowe		Judiciary 03/15/2019	In Committee 01/24/2019	Change provisions relating to assault on certain employees and officers
					<i>This bill is cleaning up sections related to assault on a public safety officer (including, peace officers, probation officers, firefighters, out-of-hospital emergency care providers, employees of DHHS working at a youth rehabilitation and treatment center or at a regional center, employees of the DHHS if the person committing the offense is committed as a dangerous sex offender under the Sex Offender Commitment Act.</i>
					<i>It outlines penalties, mental states necessary for violations, and defines terms (such as, public safety officer or health care professional in the first, second, or third degree).</i>
LB490	Wayne	Neutral	Judiciary 02/08/2019	In Committee 01/24/2019	Consolidate offices of clerk of the district court and clerk magistrates
					<i>The position of appointed clerk of the district court shall be consolidated with the position of clerk magistrate into the position of clerk of the courts; and the clerk of the courts and any transferred employees shall become state employees. The clerk of the courts shall have all the duties, obligations, and powers of the clerk of the district court and clerk magistrate.</i>

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<p><i>Consolidation under this section shall occur: (a) On July 1, 2021, for district court judicial district numbers 8, 10, 11, and 12; (b) On July 1, 2022, for district court judicial district numbers 1, 3, 5, 6, 7, and 9; and (c) On July 1, 2023, for district court judicial district numbers 2 and 4.</i></p> <p><i>A consolidation plan shall be submitted to the State Court Administrator in a format prescribed by the administrator within 120 days after the request by the Supreme Court. A majority of the judges affected by the consolidation shall approve the plan prior to submission to the State Court Administrator. A consolidation plan shall not become effective unless approved and adopted by the Supreme Court. If a plan is not submitted within such 120 days, the Supreme Court shall develop a substitute consolidation plan.</i></p> <p><i>At the request of the Supreme Court, the judges of the district court, county courts, and separate juvenile court of a district court judicial district, in conjunction with any remaining clerk of the district court or clerk magistrate and any representative of a vacated office, shall develop a plan to consolidate the positions of clerk of the district court and clerk of the county court into the position of clerk of the courts for the county.</i></p> <p><i>Each consolidation plan shall address, but not be limited to, the facilities, assignment of magistrate duties to a clerk or to an existing court employee who will become part of the consolidated office under the plan, selection of an administrative judge from within the district for the purposes of administration of the consolidated office of the clerk of the courts, and personnel structure. Each plan shall also identify other employees who are not employed by the clerk of the district court or clerk magistrate at the time of the consolidation but who are integral to the operation of the court, and employees so identified shall remain county employees. In developing the consolidation plan, interests and comments from the public and attorneys who regularly practice in the county shall be considered.</i></p>					
LB493	Wayne	Revenue	02/28/2019	In Committee 01/24/2019	Change provisions relating to property tax exemptions under the Nebraska Housing Agency Act  <i>This bill repeals the requirement that real property tax exemptions under the Nebraska Housing Agency Act be for properties "wholly owned" controlled affiliates of a housing agency.</i>
LB496	Wayne	Judiciary	03/15/2019	General File 03/19/2019 Speaker Priority Bill	Increase penalties for tampering with witnesses, informants, jurors, or physical evidence and change provisions relating to discovery in criminal cases  <i>Specifically:</i> <i>Tampering with witnesses or informants is a Class IV felony, except that if such offense involves a pending criminal proceeding which alleges a violation of another offense classified as a Class I, IA, IB, IC, ID, or II felony, the offense is a Class II felony.</i>  <i>Jury tampering is a Class IV felony, except that if such offense involves a pending criminal proceeding which alleges a violation of another offense classified as a Class I, IA, IB, IC, ID, or II felony, the offense is a Class II felony.</i>  <i>Tampering with physical evidence is a Class IV felony, except that if such offense involves a pending criminal proceeding which alleges a violation of another offense classified as a Class I, IA, IB, IC, ID, or II felony, the offense is a Class II felony.</i>  <i>The bill further defines enforcement provisions under certain circumstances, for instance, when the prosecution believes a witness could be in danger of harm through particular disclosures, etc.</i>
LB500	Morfeld	Judiciary	02/13/2019	In Committee 01/24/2019	Prohibit participation in pretrial diversion programs for certain driving under the influence and driver's license offenses  <i>No person arrested for a violation of section 60-4,164, 60-6,196, 60-6,197, 60-6,197.04, 60-6,211.01, or 60-6,211.02 (all of which relate to driving under the influence) after having once been convicted of a violation of any such section, nor any person arrested for a violation of section 60-6,196 or 60-6,197 punishable as provided in subdivision (2), (5), (6), (8), or (10) of section 60-6,197.03, charged with a violation of section 60-6,196 or 60-6,197 shall be eligible for pretrial diversion under a program.</i>
LB502	Hunt	Judiciary	03/28/2019	In Committee 01/24/2019	Adopt the Limited Immigration Inquiry Act  <i>The purpose of the Limited Immigration Inquiry Act is to promote the health and safety of all residents of Nebraska by encouraging immigrants to cooperate with the government, especially in reporting violations of the law.</i> <i>Unless required by court order or federal law or required or permitted by state law, no peace officer or government employee or official shall inquire into the immigration status of any person who interacts with such peace officer, employee, or official or with a government agency or law enforcement agency or ask for such person's social security number or other information that would disclose such person's immigration status.</i>



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					<p><i>Each law enforcement agency and each government agency to which residents regularly walk in to report violations of the law or to complain about government operations shall post prominent signs describing the policy under the Limited Immigration Inquiry Act of not asking about residents' immigration status.</i></p> <p><i>Nothing in the Limited Immigration Inquiry Act is intended to prevent peace officers or government employees or officials from knowing a person's immigration status or viewing a document that might provide evidence of a person's immigration status, so long as the person has volunteered the information or document to the peace officer, employee, or official.</i></p> <p><i>Unless required by court order or federal law or required or permitted by state law, if a peace officer or government employee or official learns of a person's immigration status, the peace officer, employee, or official shall keep such status confidential and not disclose it to third parties, including other peace officers, law enforcement agencies, government employees or officials, or government agencies.</i></p> <p><i>A peace officer may inquire into a person's immigration status if required by state or federal law.</i></p> <p><i>The Nebraska Commission on Law Enforcement and Criminal Justice shall develop training to assist law enforcement agencies and other government agencies in understanding and complying with the Limited Immigration Inquiry Act.</i></p>
LB512	Linehan		Revenue 01/31/2019	General File 02/26/2019 Moser Priority Bill	Change revenue and taxation provisions
					<p><i>LB512 proposes to eliminate the Motor Fuel Tax Enforcement and Collection Division of the Department of Revenue; to change and eliminate provisions relating to a list of exempt real property, collection agency fees, rules and regulations, and reimbursement to political subdivisions; to provide for reassessment of destroyed or damaged property; to change provisions relating to personal exemptions, standard deductions, requirements for filing income tax returns, notices of deficiency, and homestead exemptions.</i></p>
LB522	Linehan		Government, Military and Veterans Affairs 02/28/2019	General File 03/19/2019	Name and change the purpose of the County Civil Service Commission Act, change provisions relating to commission membership and duties, and provide for appointment of a human resources director
					<p><i>Douglas County Priority</i></p> <p><i>LB522 names the County Civil Service Commission Act.</i></p> <p><i>It changes the purpose of the Act so it is to guarantee to all citizens a fair and equal opportunity for employment in the county offices governed by the act and to establish conditions of employment and to promote economy and efficiency in such offices.</i></p> <p><i>In addition, the purpose of the act is to establish a system of personnel administration that meets the social, economic, and program needs of county offices. Such system shall provide the means to recruit, select, develop, and maintain an effective and responsive workforce and shall include policies and procedures for employee hiring and advancement, training and career development, position classification, salary administration, benefits, discipline, discharge, and other related matters. All appointments and promotions under the act shall be made based on merit and fitness.</i></p> <p><i>In any county having a population of four hundred thousand inhabitants or more as determined by the most recent federal decennial census, there shall be a civil service commission which shall be formed as provided in the County Civil Service Commission Act. A county shall comply with this section within six months after a determination that the population has reached four hundred thousand inhabitants or more as determined by the most recent federal decennial census.</i></p> <p><i>county board shall appoint a human resources director to help carry out the County Civil Service Commission Act. Such human resources director shall be a person experienced in the field of personnel administration and in known sympathy with the application of merit principles in public employment. The human resources director shall report to the county board. In addition to other duties imposed upon him or her by the county board, the human resources director shall have duties from the Legislature as prescribed in the bill.</i></p>
LB524	Dorn		Government, Military and Veterans Affairs 02/28/2019	General File 03/13/2019 Speaker Priority Bill	Change provisions relating to annexations under the Nebraska Budget Act
					<p><i>On or before August 20 of each year, the county assessor shall certify to each governing body or board empowered to levy or certify a tax levy the current taxable value of the taxable real and personal property subject to the applicable levy.</i></p>

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					<p><i>Specifically, for LB524, [i]f a political subdivision annexes property since the last time taxable values were certified from above, the governing body of such political subdivision shall send notification of such annexation to the county clerk of the county in which the annexed property is located. Such notification shall include a description of the annexed property.</i></p> <p><i>If the county clerk receives such notification prior to July 1, the valuation of the real and personal property annexed shall be considered in the taxable valuation of the annexing political subdivision for the current year.</i></p> <p><i>If the county clerk receives such notification on or after July 1, the valuation of the real and personal property annexed shall be considered in the taxable valuation of the annexing political subdivision for the following year.</i></p>
LB525	Dorn	Support	Government, Military and Veterans Affairs 02/28/2019	General File 03/13/2019	<p>Change provisions relating to the sale of county land in fee simple</p> <p><i>A county board may, by majority vote, sell real estate owned by the county in fee simple to another political subdivision in fee simple in such manner and upon such terms and conditions as may be deemed in the best interest of the county. A county board shall cause to be printed and published at least thirty days prior to the sale in a legal newspaper in the county a notice of the intent to sell county real estate to another political subdivision. The notice shall state the legal description and address of the real estate to be sold.</i></p> <p><i>Further, as it relates to county codes under section 23-174.03, any plat shall, after being filed with the register of deeds, be equivalent to a deed in fee simple absolute to the county, from the owner, of such portion of the land as is therein set apart for public use.</i></p>
LB529	Groene		Revenue 02/28/2019	In Committee 01/24/2019	<p>Change provisions relating to a property tax exemption for hospitals</p> <p><i>For property tax exemption purposes under 77-202: Property owned by educational, religious, charitable, or cemetery organizations, or any organization for the exclusive benefit of any such educational, religious, charitable, or cemetery organization, and used exclusively for educational, religious, charitable, or cemetery purposes, when such property is not (i) owned or used for financial gain or profit to either the owner or user, (ii) used for the sale of alcoholic liquors for more than twenty hours per week, or (iii) owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.</i></p> <p><i>For tax year 2020 and each tax year thereafter, in order for property of a hospital to qualify for exemption under the above rule, the hospital must permit licensed medical practitioners in the community to use the hospital's facilities regardless of whether the practitioner is employed by the hospital, except that a hospital may prohibit a practitioner from using its facilities if good cause is shown. If a hospital meets such requirement, the property of such hospital shall be exempt in proportion to the percentage of the hospital's services that are provided gratuitously. A hospital shall establish such percentage by providing documentation to the applicable county assessor showing the hospital's gross revenue for the most recently completed fiscal year and an estimate of the value of the services that the hospital provided gratuitously during such year.</i></p>
LB531	Vargas		Appropriations 03/13/2019	In Committee 01/24/2019	<p>Create a fund and provide for a transfer of funds</p> <p><i>The Election Administration Fund is hereby created. The fund shall consist of federal funds, state funds, gifts, and grants appropriated for the administration of elections. The Secretary of State shall use the fund for voting systems, provisional voting, computerized statewide voter registration lists, voter registration, training or informational materials related to elections, and any other costs related to elections. The Secretary of State shall transfer two hundred thousand dollars from the Election Administration Fund to the Enhanced Motor Voter Fund on or before June 30, 2019. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.</i></p> <p><i>The Enhanced Motor Voter Fund is hereby created. The fund shall consist of federal funds, gifts, and grants appropriated for the improvement of voter registration processes occurring at the Department of Motor Vehicles or other state agencies.</i></p> <p><i>It is the intent of the Legislature that the fund be used by the Secretary of State to increase the number of eligible Nebraskans who create, update, or affirm their voter registrations while interacting with state agencies.</i></p> <p><i>Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.</i></p> <p><i>Original section 32-204, Revised Statutes Cumulative Supplement, 2018, is repealed.</i></p>

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<i>Since an emergency exists, this act takes effect when passed and approved according to law.</i>					
LB533	Cavanaugh		Judiciary 02/21/2019	In Committee 01/24/2019	Change terminology related to marriage  <i>LB533 changes marriage language (for purposes of solemnization of the marriage or for defining the marriage as void)—that is—the “husband and wife” language would become “party and spouse” or “in marriage” so as to eliminate the gender connotation.</i>
LB545	Wayne		Revenue 02/06/2019	In Committee 01/24/2019	Change income tax provisions relating to the Nebraska educational savings plan trust and authorize employer contributions to the trust  <i>LB 545 is designed to authorize and provide an income tax deduction for employer contributions as a participant in the Nebraska educational savings plan trust or contributions to an account established under the achieving a better life experience program made for the benefit of a beneficiary, as provided in sections 77-1401 to 77-1409, to the extent not deducted for federal income tax purposes, but not to exceed five thousand dollars per married filing separate return or ten thousand dollars for any other return.</i>  <i>For taxable years beginning or deemed to begin on or after January 1, 2020, a participant in the Nebraska educational savings plan trust may include, in any reduction taken pursuant to this subdivision, employer contributions as defined in section 85-1802 that are made to such participant's account.</i>  <i>Further, [b]eginning with tax year 2020, the Tax Commissioner shall include space on the individual income tax return form in which the individual taxpayer may, if a refund is due, designate any amount of such refund as a contribution to an account established under the Nebraska educational savings plan trust. The Tax Commissioner shall determine the total amount of contributions designated pursuant to this section each year, and the State Treasurer shall transfer such amount from the General Fund to the College Savings Plan Program Fund for deposit into the appropriate accounts within the College Savings Plan Program Fund.</i>  <i>A government program administered by any agency of the state that provides benefits or aid to individuals based on financial need, except as may be otherwise provided by federal law or the provisions of any specific grant applicable to the federal law, shall not take into account and shall not consider employer contributions to a participant's account in determining the income of such participant.</i>
LB552	McDonnell		Appropriations 03/04/2019	In Committee 01/24/2019	Change appropriations relating to the Nebraska Tree Recovery Program  <i>Legislative intent: Deal with dead and dying trees that create public safety issues. Appropriation requested: \$3,000,000 from the General Fund for FY2019-20 and for each FY thereafter until the Legislature finds that ash trees are no longer a safety issue for cities and villages.</i>  <i>The Nebraska Forest Service of the University of Nebraska Institute of Agriculture and Natural Resources shall administer the program through a grant process (the Nebraska Tree Recovery Program). The forest service shall designate an application deadline and grants shall not be awarded later than 90 days after such date. Grant money shall be used to plant, remove, or dispose of only those trees located on land owned by state or local governments, including parks, public grounds, and city rights-of-way.</i>
LB554	Wishart		Health and Human Services 02/22/2019	In Committee 01/24/2019	Change provisions relating to prescription drugs not on the preferred drug list under the Medical Assistance Act  <i>Except as otherwise provided in subsection (2) or (3) of this section, a health care provider may prescribe a prescription drug not on the preferred drug list to a medicaid recipient if: the prescription drug is medically necessary, the provider certifies that the preferred drug has not been therapeutically effective, or with reasonable certainty is not expected to be therapeutically effective, in treating the recipient's condition—or—the preferred drug causes or is reasonably expected to cause adverse or harmful reactions in the recipient, AND the department authorizes coverage for the prescription drug prior to the dispensing of the drug. The department shall respond to a prior authorization request no later than twenty-four hours after receiving such request.</i>  <i>A health care provider may prescribe an antidepressant, antipsychotic, or anticonvulsant prescription drug to a medicaid recipient if the prescription drug is medically necessary.</i>  <i>A health care provider may prescribe a prescription drug not on the preferred drug list to a medicaid recipient without prior authorization by the department if the provider certifies that:</i>

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					<p><i>the recipient is achieving therapeutic success with a course of antidepressant, antipsychotic, or anticonvulsant medication or medication for human immunodeficiency virus, multiple sclerosis, epilepsy, cancer, or immunosuppressant therapy OR</i></p> <p><i>the recipient has experienced a prior therapeutic failure with a medication.</i></p> <p><i>A managed care organization shall not substitute a generic equivalent for an antidepressant, antipsychotic, or anticonvulsant medication.</i></p>
LB565	Bolz		Nebraska Retirement Systems 02/12/2019	In Committee 01/24/2019	<p>State legislative intent relating to a designated beneficiary determination under certain retirement systems</p> <p><i>LB565 proposes the following statement of intent be added to the County Employees Retirement Act:</i></p> <p><i>It is the intent of the Legislature that if a member of any retirement system established under the Class V School Employees Retirement Act is married at the time of his or her death and there is no designated beneficiary on file with the board, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board, then the benefit shall be paid to the member's estate.</i></p> <p><i>LB565 further proposes the following statement of intent be added to the School Employees Retirement Act:</i></p> <p><i>It is the intent of the Legislature that if a member of any retirement system established under the Class V School Employees Retirement Act is married at the time of his or her death and there is no designated beneficiary on file with the board of trustees, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board of trustees, then the benefit shall be paid to the member's estate.</i></p> <p><i>LB565 also proposes the following statement of intent be added to the State Employees Retirement Act:</i></p> <p><i>It is the intent of the Legislature that if a member of the retirement system is married at the time of his or her death and there is no designated beneficiary on file with the board, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board, then the benefit shall be paid to the member's estate.</i></p> <p><i>LB565 creates an additional duty of the Public Employees Retirement Board for the administration of the retirement systems provided for in the County Employees Retirement Act, the Judges Retirement Act, the Nebraska State Patrol Retirement Act, the School Employees Retirement Act, and the State Employees Retirement Act, specifically:</i></p> <p><i>To adopt and promulgate rules and regulations consistent with the intent of the Legislature that if a member of the deferred compensation plan is married at the time of his or her death and there is no designated beneficiary on file with the board, then the spouse married to the member on the date of the member's death is determined to be the beneficiary. If the member is not married on the date of his or her death and there is no surviving designated beneficiary on file with the board, then the benefit shall be paid to the member's estate.</i></p>
LB566	Crawford		Executive Board 02/08/2019	General File 03/18/2019	<p>Provide for notice to the Legislature if the Department of Insurance applies for a 1332 waiver from requirements of federal law as prescribed</p> <p><i>LB566 requires the Department of Insurance to provide notification to the legislature prior to applying for a Section 1332 State Innovation Waiver under the Affordable Care Act. If a waiver application is approved, the Department must seek legislative authorization prior to implementing any approved changes associated with the waiver.</i></p>
LB573	Hansen		Banking, Commerce and Insurance 03/18/2019	IPP (Killed) 03/19/2019	<p>Change provisions relating to agreements under the Intergovernmental Risk Management Act</p>
LB579	Quick		Judiciary 02/13/2019	General File 02/26/2019	<p>Authorize issuance of ignition interlock permits to persons who caused serious bodily injury while driving under the influence</p> <p><i>Prohibits the issuance of an interlock device to any person who is convicted of driving under influence of alcoholic liquor or drugs and causes serious bodily injury.</i></p>
LB583	Hilgers		Government, Military and Veterans Affairs 03/01/2019	General File 03/13/2019 Arch Priority Bill	<p>Provide powers for certain counties under the Transportation Innovation Act</p> <p><i>This bill provides contracting agencies with substantial authority as prescribed. Much of the authority was previously authority authorized to the Department of Transportation. It (re)defines and reifies certain terms, such as "eligible county". The bill was introduced by Senator Hilgers at the request of Sarpy County.</i></p>

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LB584	Hilgers		General Affairs 02/11/2019	General File 03/25/2019	Change farm winery provisions and provide for a promotional special designated license  <i>LB584 amends 53-103.13 such that "farm winery" means any enterprise which produces and sells wines produced from grapes, other fruit, or other suitable agricultural products of which at least 60% (amended down from 75%) of the finished product is grown in this state or which meets the requirements of 53-123.13.</i>  <i>A farm winery could not produce more than 30,000 gallons. This proposed amendment would increase that threshold to 50,000 gallons. This proposed amendment would allow them to sell any alcohol to the public.</i>  <i>53-123.13 is amended as follows: If the operator of a farm winery is unable to produce or purchase 60% (amended down from 75%) of the grapes, fruit, or other suitable agricultural products used in the farm winery from within the state due to natural disaster which causes substantial loss to the Nebraska-grown crop, such operator may petition the commission to waive the 60% requirement (which was the 75% requirement) prescribed for one year.</i>  <i>It shall be within the discretion of the commission to waive the 60% requirement taking into consideration the availability of products used in farm wineries in this area and the ability of such operator to produce wine from products that are abundant within the state.</i>  <i>If the operator of a farm winery is granted a waiver, any product purchased as concentrated juice from grapes or other fruits from outside of Nebraska, when reconstituted from concentrate, may not exceed in total volume along with other products purchased the total percentage allowed by the waiver.</i>  <i>Any product purchased under the waiver or as part of the 40% (amended up from 25%) of allowable product purchased that is not Nebraska-grown for the production of wine shall not exceed the 40% volume allowed under state law if made from concentrated grapes or other fruit, when reconstituted. The concentrate shall not be reduced to less than twenty-two degrees Brix in accordance with 27 C.F.R. 24.180.</i>  <i>Further, the bill allows for issuance of promotional special designated licenses. That is, the commission may issue a promotional special designated license to a craft brewery, microdistillery, or farm winery licensee for the sale or consumption of alcoholic liquor at a festival, bazaar, picnic, carnival, or similar function conducted by the licensee outside of the manufacturer's designated premises at one location per twelve-month period commencing May 1 of each year or such other date as the commission may prescribe by rule and regulation. A licensee shall apply thirty days prior to the promotional event. A promotional special designated license may be issued to a licensee for the duration of an annual event without reapplying to the commission. The licensee shall comply with the rules and regulations adopted and promulgated by the commission.</i>
LB589	Chambers	Monitor	Judiciary 02/14/2019	In Committee 01/25/2019	Prohibit peace officers from serving as school resource officers  <i>Except as provided, no peace officer shall serve or work as a school resource officer, whether or not such officer is on duty as an employee of a law enforcement agency at the time of such service or work. The provisions do not apply to a peace officer who is responding to a specific request for assistance from a student, school employee, or member of the public regarding a safety threat or a criminal act, or who is providing security for an extracurricular event or activity.</i>  <i>Law enforcement agency would mean an agency or department of this state or of any political subdivision of this state that is responsible for the prevention and detection of crime, the enforcement of the penal, traffic, or highway laws of this state or any political subdivision of this state, and the enforcement of arrest warrants. Law enforcement agency includes a police department, an office of a town marshal, an office of a county sheriff, the Nebraska State Patrol, and any department to which a deputy state sheriff is assigned as provided in section 84-106; Peace officer would mean any officer or employee of a law enforcement agency authorized by law to make arrests.</i>
LB596	Quick		Executive Board 02/20/2019	In Committee 01/25/2019	Adopt the Office of Inspector General of Nebraska Public Health  <i>LB596 would adopt the Office of Inspector General of Nebraska Public Health Act and create within the Office of Public Counsel for the purpose of conducting investigations, audits, inspections, and other reviews of state-owned facilities providing health care and state-licensed health care facilities as defined in section 71-413. The Inspector General shall be appointed by the Public Counsel with approval from the chairperson of the Executive Board of the Legislative Council and the chairperson of the Health and Human Services Committee of the Legislature.</i>  <i>The Inspector General shall be appointed for a term of five years and may be reappointed. During his or her employment, the Inspector General shall not be actively involved in partisan affairs. The Inspector General shall employ such investigators and support staff as he or she deems necessary to carry out the duties of the office within the amount available by appropriation through the office of Public Counsel for the office of Inspector General. The Inspector General shall be subject to the control and supervision of the Public Counsel, except that removal of the Inspector General shall require approval of the chairperson of the Executive Board of the Legislative Council and the chairperson of the Health and Human Services Committee of the Legislature.</i>

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LB599	Walz		Executive Board 02/27/2019	In Committee 01/25/2019	Provide data to the Public Counsel from the Division of Children and Family Services of the Department of Health and Human Services  <i>The bill would add the following section to the Health and Human Services Act: The Director of Children and Family Services of the Department of Health and Human Services shall make any data available to the Public Counsel upon request, including any triage complaint data base.</i>
LB608	La Grone		Government, Military and Veterans Affairs 02/07/2019	General File 03/05/2019	Change and eliminate provisions regarding counting methods under the Election Act  <i>LB 608 eliminates outdated provisions on election technology, implements the remaining structural recommendations from the 2016 Special Committee on Election Technology, and creates a process by which, overseen by the Secretary of State, local election authorities change their ballot counting method.</i>
LB609	La Grone	Support	Government, Military and Veterans Affairs 02/21/2019	General File 03/13/2019	Provide for reimbursement of actual costs of a rental vehicle by county and local governments  <i>This bill would allow for the expenditure of public funds for the payment or reimbursement of actual and necessary expenses incurred by elected and appointed officials, employees, or volunteers at educational workshops, conferences, training programs, official functions, hearings, or meetings now may include travel by rental vehicle or commercial or charter means is economical and practical,</i>
LB612	Erdman	Monitor	Transportation and Telecommunications 02/12/2019	In Committee 01/25/2019	Authorize the display of roadside memorials  <i>LB612 directs the Nebraska Department of Transportation to erect blue triangular road signs memorializing those who have died on Nebraska's roadways. Signs may contain the name and a photographic image of the deceased. Signs shall also contain one of four safety messages. Signs shall not be posted for drunk drivers who died on Nebraska's roadways. Signs shall be posted for ten years, but can be renewed by way of an application and fee for an additional ten years.</i>
LB613	Crawford		Revenue 03/06/2019	In Committee 01/25/2019	Change application deadlines under certain tax incentive programs  <i>Repurposes the thirty million dollars saved from no longer accepting applications under the New Markets Job Growth Investment Act, the Nebraska Job Creation and Mainstreet Revitalization Act, and the Beginning Farmer Tax Credit Act be used to increase the appropriation to the Site and Building Development Fund for fiscal year 2019-20 and each fiscal year thereafter. Contains the emergency clause.</i>
LB615	Hilgers		Revenue 02/20/2019	In Committee 01/25/2019	Reduce income tax rates and provide for certain transfers from the Cash Reserve Fund  <i>Beginning in November 2019 and each November thereafter until the top corporate and individual income tax rates are set at five and ninety-nine hundredths percent, the Tax Rate Review Committee shall examine the expected rate of growth in net General Fund receipts from the current fiscal year to the upcoming fiscal year, as determined by the Nebraska Economic Forecasting Advisory Board, and shall determine the balance of the Cash Reserve Fund.</i>  <i>If the expected rate of growth in net General Fund receipts is at least three and one-half percent for the upcoming fiscal year and the balance of the Cash Reserve Fund is at least five hundred million dollars, the Tax Rate Review Committee shall: (a) Certify such rate of growth and balance to the Tax Commissioner. Upon receipt of each such certification, the Tax Commissioner shall reduce the top corporate income tax rate in accordance with subdivision (1)(c) of section 77-2734.02 and shall reduce the top individual income tax rate in accordance with subsection (3) of section 77-2715.03; and (b) Certify such rate of growth and balance to the State Treasurer. Upon receipt of each such certification, the State Treasurer shall make the transfer prescribed in subsection (13) of section 84-612.</i>  <i>Each time the State Treasurer receives certification from the Tax Rate Review Committee pursuant to subsection (3) of section 77-2715.01, he or she shall transfer seventy-five million dollars from the Cash Reserve Fund to the Property Tax Credit Cash Fund on such date as directed by the budget administrator of the budget division of the Department of Administrative Services.</i>

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LB616	Hilgers	Monitor	Transportation and Telecommunications 02/11/2019	General File 02/22/2019 Hilgers Priority Bill	Provide for build-finance projects under the Build Nebraska Act and the Transportation Innovation Act  <i>This bill defines build-finance project as a project in which a design-builder, a construction manager, or a contractor working under any project structure allowed by law pays for the project labor, materials, and vendors as the work is performed and payments due from the Department of Transportation are made by, or on behalf of, the department over a period not to exceed ten years after the date of substantial completion. And, financing plan would mean an assurance of available funding and security to ensure payment to vendors and labor as work is performed on a build-finance project and, if not addressed in the request for proposal, the terms of required structured repayment.</i>  <i>The department may structure a contract as a "build-financing" project pursuant to the Build Nebraska Act, sections 39-2808 to 39-2824, or the Accelerated State Highway Capital Improvement Program created in section 39-2804. Prior to entering into a contract for a build-finance project, the department shall determine that there will be an estimated cost savings to the state as a result of a cost-benefit analysis.</i>  <i>The department may authorize a design-builder or a construction manager engaged in a contract pursuant to sections 39-2808 to 39-2824 or a contractor engaged in a contract pursuant to the Build Nebraska Act or the Accelerated State Highway Capital Improvement Program to structure the contract as a build-finance project.</i>  <i>If a build-finance project will be under consideration by the department, the department shall include the financing requirements in the request for proposals or the initial project solicitation. The department may include in the financing requirements the maximum annual payment, the interest rate on the financing, and the minimum number of years for repayment.</i>  <i>The department may require a financing plan from the design-builder, the construction manager, or the contractor. If required, the financing plan shall be included in the proposal and may be considered by the department as a part of the best value-based selection process or a qualifying factor in the selection process, as applicable.</i>  <i>The contract for any build-finance project shall include in its terms that the payments extending beyond the contract year of completion will be subject to annual appropriations by the Legislature, that the project is unsecured, and that it does not constitute a debt obligation of the state.</i>  <i>The department shall not obligate more than ten percent of the annual revenue of the Highway Trust Fund to secure payment on all build-finance projects at the time a contract for a build-finance project is under consideration</i>
LB618	Hilgers		Government, Military and Veterans Affairs 02/22/2019	General File 03/05/2019	Change provisions relating to electioneering  <i>Electioneering would mean any activity done to persuade voters to vote, or not vote, for a particular candidate, ballot question, or political party which appears on the ballot at the election for which the voters are appearing to vote. No person shall do any electioneering, or circulate petitions within any polling place or any building designated for voters to cast ballots by the election commissioner or county clerk pursuant to the Election Act while the polling place or building is set up for voters to cast ballots or within two hundred feet of any such polling place or building except as otherwise provided here.</i>  <i>Subject to any local ordinance, a person may display yard signs on private property within two hundred feet of a polling place or building designated for voters to cast ballots if the property is not under common ownership with the property on which the polling place or building is located. Any person violating this section shall be guilty of a Class V misdemeanor.</i>
LB619	Kolowski		Banking, Commerce and Insurance 03/05/2019	Final Reading 04/03/2019 Kolowski Priority Bill	Prohibit denial of coverage for mental health services delivered in a school  <i>Requires that any insurance policy providing coverage for behavioral health treatment shall provide coverage for behavioral health services delivered in a school or other educational setting.</i>
LB620	Kolowski		Transportation and Telecommunications 03/04/2019	In Committee 01/25/2019	Provide for enforcement of handheld wireless communication devices as a primary action  <i>LB 620 changes the violation of texting while driving from a secondary offense to a primary offense.</i>

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LB621	Kolowski		Judiciary 02/21/2019	In Committee 01/25/2019	Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action
LB625	Pansing Brooks		Appropriations 03/18/2019	In Committee 01/25/2019	Appropriate funds to the Department of Correctional Services  <i>There would be appropriated \$5,800,000 from the General Fund for FY2019-20 to the Department of Correctional Services to provide for programming, programming portables, and programming staffing costs.</i>
LB627	Pansing Brooks		Judiciary 02/07/2019	General File 02/19/2019	Prohibit discrimination based upon sexual orientation and gender identity  <i>LB627 prohibits employment discrimination based on sexual orientation and gender identity. Under LB627 it would be an unlawful employment practice for an employer, an employment agency, or a labor organization to discriminate against an individual on the basis of sexual orientation or gender identity. The Act applies to employers having 15 or more employees, employers with state contracts regardless of the number of employees, the State of Nebraska, governmental agencies and political subdivisions. Current law prohibits employment discrimination based on race, color, religion, sex, disability, marital statute or national origin.</i>
LB631	Morfeld	Support	Executive Board 02/22/2019	In Committee 01/25/2019	Create the Medicaid Expansion Implementation Task Force  <i>The task force shall consist of six voting members: The chairperson of the Health and Human Services Committee of the Legislature or his or her designee, the chairperson of the Appropriations Committee of the Legislature or his or her designee, the chairperson of the Judiciary Committee of the Legislature or his or her designee, and three members of the Legislature chosen by the Executive Board of the Legislative Council. The task force shall also include seven nonvoting members chosen by the Executive Board of the Legislative Council, as follows: a health care provider licensed under the Uniform Credentialing Act, a behavioral health care provider licensed under the Uniform Credentialing Act, a health care consumer or consumer advocate, a hospital representative, a business representative, a representative from a political subdivision likely to have its constituency impacted by medicaid expansion, and a rural health care provider. The task force will report annually by December 1 (beginning 2019). The task force terminates on December 31, 2020, unless reauthorized by the Legislature.</i>
LB633	Wishart		Government, Military and Veterans Affairs 03/01/2019	In Committee 01/25/2019	Change provisions relating to real property owner information available to the public  <i>When a county board's annual inventory of all real estate and real property is made and filed with the county clerk of such county, such inventory shall not include the residential address or name of any owner of such real estate. The county clerk shall retain such inventory for filing as a public record in his or her office in a manner convenient for reference and in a manner that protects the identity and residential address of any owner unless a request is made in writing to the county assessor to provide such information.</i>
LB636	Stinner		Executive Board 02/28/2019	In Committee 01/25/2019	Create the Financial Condition of Counties and Municipalities Task Force  <i>The task force shall: (a) Consider whether it is advisable to create a system to effectively detect, monitor, and prevent financial distress in counties and municipalities; (b) Consider whether it is advisable to provide a rating criterion to evaluate the financial health of counties and municipalities; and (c) Provide recommendations as to the state's role in alleviating any such financial distress. The task force shall report electronically to the Executive Board of the Legislative Council no later than December 1, 2019. It is the intent of the Legislature to appropriate fifty thousand dollars to carry out this section.</i>
LB643	McDonnell		Judiciary 03/14/2019	In Committee 01/25/2019	Change death and disability-related prima facie evidence provisions relating to emergency responders  <i>This bill relates to 35-1001, regarding circumstances where a firefighter's death is presumed, prima facie, to have been caused in the line of duty. When the other already existing criteria are met, breast cancer and ovarian cancer are hereinafter causes which shall be considered occurring "in-the-line-of-duty".</i>
LB646	Chambers	Monitor	Judiciary 02/13/2019	In Committee 01/25/2019	Eliminate cash bail bonds, appearance bonds, and related provisions  <i>Eliminates subsection (c) from section 29-901, and related provisions elsewhere relying on appearance bonds.</i>



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LB648	Wayne		Urban Affairs 03/05/2019	Introduced 01/23/2019	Change the Community Development Law  <i>LB648 proposes to provide requirements, in addition to those found in 18-2109, for certain redevelopment plans such that an authority shall not prepare a redevelopment plan that will divide ad valorem taxes pursuant to section 18-2147 for a period of more than fifteen years unless the governing body of the city in which the redevelopment project area is located has, by resolution adopted after the public hearings required under this section, declared more than fifty percent of the property in such redevelopment project area to be an extremely blighted area in need of redevelopment. Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is extremely blighted and shall submit the question of whether such area is extremely blighted to the planning commission or board of the city for its review and recommendation.</i>  <i>The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to this subsection. The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing. Upon receipt of the recommendations of the planning commission or board, or if no recommendations are received within thirty days after the public hearing, the governing body shall hold a public hearing on the question of whether the area is extremely blighted after giving notice of the hearing as provided in section 18-2115.01.</i>  <i>Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to subsection (2) of this section. At the public hearing, all interested parties shall be afforded a reasonable opportunity to express their views respecting the proposed declaration. After such hearing, the governing body of the city may make its declaration.</i>
LB651	Wayne		Judiciary 02/14/2019	In Committee 01/25/2019	Change funding provisions for the Community-based Juvenile Services Aid Program  <i>Beginning on the effective date of this act, funding under the program shall only be available for services provided directly to juveniles or services provided to carry out express statutorily authorized functions. Any government entity applying for funds from the program shall develop policies governing the distribution of the funds that are adopted by the governing board of the entity after a public hearing.</i>
LB652	Wayne		Judiciary 03/20/2019	In Committee 01/25/2019	Change a penalty for controlled substance possession as prescribed  <i>A person knowingly or intentionally possessing a controlled substance, except marijuana or any substance containing a quantifiable amount of the substances, chemicals, or compounds described, defined, or delineated in subdivision (c)(25) of Schedule I of section 28-405, unless such substance was obtained directly or pursuant to a medical order issued by a practitioner authorized to prescribe while acting in the course of his or her professional practice, or except as otherwise authorized by the act, is subject to the following penalties: (i) If the controlled substance is an amount constituting only residue, such person is guilty of a Class I misdemeanor; OR (ii) If the controlled substance is an amount constituting more than residue, such person is guilty of a Class IV felony.</i>
LB657	Wayne		Agriculture 02/12/2019	General File 04/02/2019 Brandt Priority Bill	Adopt the Nebraska Hemp Act  <i>The department shall establish, operate, and administer a hemp grower registration program. Except as otherwise provided under the Nebraska Hemp Act for a postsecondary institution, a person shall not grow hemp in this state unless the person is registered as a grower under the act. A person other than a postsecondary institution that wishes to grow hemp in this state shall submit the registration application fee (\$100) and register with the department on a form prescribed by the department. Cannabis found to have a measured delta-9 THC content greater than three-tenths percent on a dry weight basis will be subject to forfeiture and destruction, without compensation.</i>
LB659	Wayne		Judiciary 02/20/2019	In Committee 01/25/2019	Remove cannabidiol from list of controlled substances  <i>Cannabidiol means processed cannabis plant extract, oil, or resin that contains more than ten percent cannabidiol by weight, but not more than three-tenths of one percent tetrahydrocannabinols by weight, and delivered in the form of a liquid or solid dosage form, regardless of whether or not the cannabidiol is contained in a drug product approved by the federal Food and Drug Administration or obtained pursuant to sections 28-463 to 28-468.</i> <i>The following are the schedules of controlled substances referred to in the Uniform Controlled Substances Act, unless specifically contained on the list of exempted products of the Drug Enforcement Administration of the United States Department of Justice as the list existed on November 9, 2017:</i>

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					<i>Tetrahydrocannabinols, including, but not limited to, synthetic equivalents of the substances contained in the plant or in the resinous extractives of cannabis, sp. or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol and their optical isomers, excluding dronabinol in a drug product approved by the federal Food and Drug Administration; Delta 6 cis or trans tetrahydrocannabinol and their optical isomers; and Delta 3,4 cis or trans tetrahydrocannabinol and its optical isomers. Since nomenclature of these substances is not internationally standardized, compounds of these structures shall be included regardless of the numerical designation of atomic positions covered. This subdivision does not include tetrahydrocannabinols in cannabidiol.</i>
LB663	Friesen	Revenue	02/21/2019	General File 03/15/2019 Friesen Priority Bill	Change provisions relating to Nebraska adjusted basis  <i>77-118 (1) Nebraska adjusted basis shall mean the adjusted basis of property as determined under the Internal Revenue Code increased by the total amount allowed under the code for depreciation or amortization or pursuant to an election to expense depreciable property under section 179 of the code. (2) For purchases of depreciable personal property occurring on or after January 1, 2018, if similar personal property is traded in as part of the payment for the newly acquired property, the Nebraska adjusted basis shall be the remaining federal tax basis of the property traded in, plus the additional amount that was paid by the taxpayer for the newly acquired property.</i>
LB666	Dorn	Appropriations	03/12/2019	In Committee 01/25/2019	Change Nebraska Health Care Cash Fund provisions and provide for a transfer to the Board of Regents of the University of Nebraska for a program to train first responders and emergency medical technicians in rural areas  <i>The State Treasurer shall transfer two hundred thousand dollars for FY2019-20 and two hundred thousand dollars for FY2020-21 from the Nebraska Health Care Cash Fund to the Board of Regents of the University of Nebraska for the University of Nebraska Medical Center. It is the intent of the Legislature that these funds be used for the Simulation in Motion program to train first responders and emergency medical technicians in rural areas.</i>
LB684	Lathrop	Judiciary	03/20/2019	In Committee 01/25/2019	Change provisions relating to post-release supervision for Class IV felonies  <i>LB684 would allow judges to decide whether to require post-release supervision for persons sentenced to county jail for committing class IV felonies. A minimum of nine months of post-release supervision would still be required for felony offenders imprisoned with the Nebraska Department of Correctional Services. In case of a violation, LB684 would also allow judges to revoke a person's post-release supervision and order them imprisoned for a period as long as their original post-release supervision term, rather than just for the remainder of the time they were to spend on post-release supervision.</i>
LB686	Lathrop	Judiciary	03/27/2019	In Committee 01/25/2019 Judiciary Priority Bill	Change provisions relating to correctional system emergencies  <i>Under LB686, the term operational capacity no longer is a defined term. The term population is amended to mean the actual number of inmates assigned to the Department of Corrections. As before, until July 1, 2020, the Governor may declare a correctional system overcrowding emergency whenever the director certifies that the department's inmate population is over one hundred forty percent of design capacity. Beginning July 1, 2020, and until December 31, 2020, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred forty percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred forty percent of design capacity. Beginning January 1, 2021, and until June 30, 2021, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred thirty-five percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred thirty-five percent of design capacity. Beginning July 1, 2021, and until December 31, 2021, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred thirty percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred thirty percent of design capacity. Beginning January 1, 2022, a correctional system overcrowding emergency shall exist whenever the director certifies that the department's inmate population is over one hundred twenty-five percent of design capacity. The director shall so certify within thirty days after the date on which the population first exceeds one hundred twenty-five percent of design capacity. During a correctional system overcrowding emergency, the Governor shall take immediate action to reduce the prison population. Further, during an overcrowding emergency, the Board of Parole shall immediately consider or reconsider committed offenders eligible for parole who have not been released on parole. The board shall order the release of each committed offender unless it is of the opinion that such release should be deferred because: a) The board has determined that it is more likely than not that the committed offender will not conform to the conditions of parole;</i>

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					<p>b) The board has determined that release of the committed offender would have a very significant and quantifiable effect on institutional discipline; or</p> <p>c) The board has determined that there is a very substantial risk that the committed offender will commit a violent act against a person.</p>
LB687	Vargas		Government, Military and Veterans Affairs 03/14/2019	In Committee 01/25/2019	<p>Provide for voter registration of applicants for driver's licenses and state identification cards</p> <p><i>Specifically, the voter registration application shall be designed so that the elector's information is transmitted to the election commissioner or county clerk via electronic transmission for each applicant verified by the Department of Motor Vehicles to be a citizen of the United States and at least eighteen years of age or will be eighteen years of age on or before the first Tuesday after the first Monday in November of the then-current year, unless the elector specifies on the form that he or she does not want to register to vote or update his or her voter registration record. The voter registration application shall contain the information required (pursuant to section 32-312) and shall be designed so that it does not require the duplication of information in the application for the motor vehicle operator's license or state identification card, except that it may require a second signature of the applicant. The department and the Secretary of State shall make the voter registration application available to any person applying for an operator's license or state identification card. The application shall be completed at the office of the department by the close of business on the third Friday preceding any election to be registered to vote at such election. A registration application received after the deadline shall not be processed by the election commissioner or county clerk until after the election. If a voter registration application is submitted under this section with the signature of the applicant but the applicant is not eligible to register to vote, the submission shall not be considered a violation of section 32-1502 or 32-1503 and the document submitted shall not be considered a valid or completed voter registration application for purposes of registration or enforcement of the Election Act unless the applicant has willfully and knowingly taken affirmative steps to register to vote knowing that he or she is not eligible to do so. Any deputy registrar, judge or clerk of election, or other officer having the custody of records, registers, copies of records or registers, oaths, certificates, or any other paper, document, or evidence of any description by law directed to be made, filed, or preserved who uses the voter registration records for any purpose other than voter registration, election administration, or enforcement of the Election Act shall be guilty of a Class III misdemeanor.</i></p>
LB690	Cavanaugh		Judiciary 03/06/2019	In Committee 01/25/2019 Speaker Priority Bill	<p>Adopt the Healthy Pregnancies for Incarcerated Women Act</p> <p><i>This bill intends to adopt the Healthy Pregnancies for Incarcerated Women Act. A detention facility shall not use restraints on a prisoner or detainee known to be pregnant, including during labor, delivery, or postpartum recovery or during transport to a medical facility or birthing center, unless the administrator makes an individualized determination that there are extraordinary circumstances where the administrator makes an individualized determination that there is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the prisoner or detainee known to be pregnant, the staff of the detention facility or medical facility, other prisoners or detainees, or the public, except that:</i></p> <p><i>a) If the doctor, nurse, or other health professional treating the prisoner or detainee known to be pregnant requests that restraints not be used, any detention facility employee accompanying the prisoner or detainee shall immediately remove all restraints; b) Under no circumstances shall leg or waist restraints be used on the prisoner or detainee known to be pregnant; AND c) Under no circumstances shall any restraints be used on any prisoner or detainee in labor or during childbirth. The bill further elucidates the manner and circumstances where restraints may (not) be used, and creates a cause of action for making whole a detainee harmed by the violation of the rule, including reasonable attorney's fees and, potentially, punitive damages. On or before October 1, 2019, each detention facility in this state shall adopt and promulgate rules and regulations to carry out the Healthy Pregnancies for Incarcerated Women Act. A detention facility may also adopt and promulgate rules and regulations developed by the Jail Standards Board or the Nebraska Commission on Law Enforcement and Criminal Justice.</i></p>
LB693	Halloran		Transportation and Telecommunications 02/19/2019	General File 03/27/2019 Halloran Priority Bill	<p>Prohibit the selling, renting, or conveying of telephone numbers</p> <p><i>LB693 creates the Neighbor Spoofing Protection Act. The act requires that no person shall sell, rent, or convey any interest in a telephone number to any out-of-state person unless such telephone number is listed or available from directory assistance to the general public so that a member of the general public could determine the source of the telephone number by contacting his or her telecommunications provider. No person shall, in connection with any telecommunications service or IP-enabled voice service, cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value. Public Service Commission penalties, after hearing, may be imposed, but, shall not exceed \$2,000. Every violation within the state shall be considered a separate and distinct violation.</i></p>

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LB700	Bostelman		Natural Resources 03/06/2019	In Committee 01/25/2019 Natural Resources Priority Bill	Provide for decommissioning and reclamation of a wind energy conversion system  <i>Under LB700, any person owning, operating, or managing a wind energy conservation system in this state shall be responsible for all decommissioning or reclamation costs necessary for removal of such system, including the removal of any aboveground equipment and restoration of the land to its natural state. For purposes of this section reclamation means restoration of the area on which a wind energy conservation system is constructed to the condition that existed prior to construction.</i>
LB701	Bostelman		Health and Human Services 03/20/2019	In Committee 01/25/2019	Require billing for emergency medical services  <i>An emergency medical service shall transmit a request for payment to a recipient of services involving transportation of the recipient to a health care facility licensed under the Health Care Facility Licensure Act or to his or her parent or legal guardian if the recipient is a minor or under guardianship.</i>
LB703	Vargas	Support	Appropriations 03/06/2019	In Committee 01/25/2019	Appropriate funds to the Nebraska Commission on Law Enforcement and Criminal Justice  <i>There would hereinunder LB703 be appropriated \$2,500,000 from the General Fund for FY2019-20 to the Nebraska Commission on Law Enforcement and Criminal Justice to be used by the Community-based Juvenile Services Aid Program to aid in supporting alternatives for juvenile detention.</i>
LB704	McCollister		Government, Military and Veterans Affairs 03/15/2019	In Committee 01/25/2019	Provide for a request for proposals for renewable energy for state-owned buildings and a study regarding state vehicles  <i>Under LB704, it is the intent of the Legislature that the State Energy Office shall continue implementing the energy efficiency and consumption policy for the state without further General Fund appropriations—AND—the Department of Administrative Services use an appropriation of \$50,000 for fiscal year 2021-22 to analyze and compile the results of the Nebraska Benchmarking and Beyond Initiative to assess utilization of resources, including using in-state renewable energy generation for state-owned buildings, reduction of energy consumption in state-owned buildings, and other measures to increase energy efficiency in state-owned buildings. The Department of Administrative Services shall prepare a request for proposals for contracts for purchase of energy to meet the requirements of this bill. Of all energy purchased for state-owned buildings, the State of Nebraska, including the University of Nebraska, shall purchase at least 50% from renewable energy sources by 2022, at least 60% from renewable energy sources by 2025, at least 75% from renewable energy sources by 2028, and at least 80% from renewable energy sources by 2031.</i>
LB707	Erdman		Revenue 03/13/2019	In Committee 01/25/2019	Authorize the Tax Equalization and Review Commission to hold certain hearings by videoconference and telephone conference  <i>A single commissioner of the Tax Equalization and Review Commission may hear an appeal and cross appeal and appeals and cross appeals consolidated with any such appeal and cross appeal when: a) The taxable value of each parcel is one million dollars or less as determined by the county board of equalization; AND b) The appeal and cross appeal has been designated for hearing pursuant to this section by the chairperson of the commission or in such manner as the commission may provide in its rules and regulations. Under LB707, when such a hearing is held, before a single commissioner, such hearing may now be held by means of videoconferencing or telephone conference.</i>
LB710	Cavanaugh	Support	Revenue 02/28/2019	In Committee 01/25/2019	Change provisions relating to tobacco including sales, crimes, a tax increase, and distribution of funds  <i>LB710 eliminates many, if not all, distinctions between "tobacco products". The rules of chapter 28, 71, and 77 are titivated so as to reflect that linguistically minor but wide-encompassing change, for instance the elimination of "vapor products" as a defined term. Also, the Nebraska Behavioral Health Services Act would get an additional section which reads: [t]he Behavioral Health Provider Rate Stabilization Fund is created. The fund shall consist of money credited to the fund pursuant to section 77-2602, any gifts, grants, or donations from any source, and any other funds appropriated by the Legislature. The fund shall be used to support reimbursement of behavioral health services providers through provider rates within, but not limited to, the Children's Health Insurance Program, the Medical Assistance Act, the Nebraska Behavioral Health Services Act, and the Nebraska Community Aging Services Act. The money credited to the fund pursuant to section 77-2602 shall be used to the greatest extent possible to leverage federal funds for behavioral health services provider rate reimbursement under such program and acts. The Legislature finds that, in order to provide Nebraska residents with appropriate access to behavioral health services and providers, provider rates need to be adequate and stable in order to attract and maintain the number and variety of behavioral health services providers necessary to maintain an adequate behavioral health services provider network. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.</i>

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					<p><i>Beginning July 1, 2020, and every fiscal year thereafter, the State Treasurer shall place the equivalent of \$47,400,000 (amended up from one million two hundred fifty thousand dollars) of such tax in the Nebraska Health Care Cash Fund. In addition, the State Treasurer shall place the equivalent of \$13,000,000 of such tax in the Nebraska Health Care Cash Fund to ensure future sustainability of the fund.</i></p> <p><i>Further, beginning with fiscal year 2020-21, and every fiscal year thereafter, one dollar and fifty cents of the two dollars and fourteen cents special privilege tax under subsection (1) of section 77-2602 shall be distributed as follows:</i></p> <p><i>i. In addition to the forty-nine cents of such tax under subsection (2) of section 77-2602, seventeen percent to the General Fund;</i></p> <p><i>ii. One-half of one percent to the Nebraska Outdoor Recreation Development Cash Fund;</i></p> <p><i>iii. One percent to the University of Nebraska Medical Center and the Creighton University Medical Center for cancer research;</i></p> <p><i>iv. Two and one-half percent to the Building Renewal Allocation Fund;</i></p> <p><i>v. Three percent equally distributed to the University of Nebraska Medical Center, Creighton University Medical Center, and Boys Town Center for Neurobehavioral Research in Children for children's behavioral research;</i></p> <p><i>vi. Twenty-five percent for Medicaid expansion;</i></p> <p><i>vii. Four percent to Nebraska public health departments;</i></p> <p><i>viii. Two percent to the University of Nebraska Medical Center College of Public Health;</i></p> <p><i>ix. Two percent for federally qualified health centers;</i></p> <p><i>x. Five percent for smoking cessation and addiction services;</i></p> <p><i>xi. One percent for area health education centers;</i></p> <p><i>xii. Four percent for cancer and smoking-related disease research;</i></p> <p><i>xiii. One percent to the Behavioral Health Education Center of Nebraska at the University of Nebraska Medical Center;</i></p> <p><i>xiv. One percent for emergency protective custody services and resources;</i></p> <p><i>xv. Two percent to the Behavioral Health Provider Rate Stabilization Fund for behavioral health rate basing;</i></p> <p><i>xvi. Six percent to the State Children's Health Insurance Program to increase eligibility by thirty-seven percent;</i></p> <p><i>xvii. Two percent to improve health care delivery systems under the Patient Safety Improvement Act;</i></p> <p><i>xviii. One percent on emergency medical services workforce training and recruitment;</i></p> <p><i>xix. One percent on other emergency medical services sustainability initiatives;</i></p> <p><i>xx. Two and one-half percent for paid family and medical leave start-up costs;</i></p> <p><i>xxi. Two percent to the Nebraska Early Childhood Professional Record System;</i></p> <p><i>xxii. Five percent for grades kindergarten through twelve education;</i></p> <p><i>xxiii. Two percent for health services in county corrections;</i></p> <p><i>xxiv. One-half percent to the Human Trafficking Victim Assistance Fund;</i></p> <p><i>xxv. Two and one-half percent for all telehealth services;</i></p> <p><i>xxvi. Four percent for beds in county hospitals and county-owned health centers for mental health treatment in counties containing a city of the metropolitan class and a county-owned health center; AND</i></p> <p><i>xxvii. One-half percent to the Health and Human Services Cash Fund for traumatic brain injury research.</i></p>
LB712	Friesen		Judiciary 03/14/2019	In Committee 01/25/2019	<p>Prohibit joint entities and joint public agencies from taking action against representative for their speech</p> <p><i>LB712 proposes the two following additions:</i></p> <p><i>First, under the Interlocal Cooperation Act, Sections 13-801 to 13-827, a joint entity shall not prohibit a representative of its members or of any joint board from, or censure such representative for, expressing his or her opinion or speaking on any matter related to the joint entity or joint board if such speech is otherwise lawful. And under the Joint Public Agency Act, Sections 13-2501 to 13-2550, a joint public agency shall not prohibit a representative of its member public agencies or of any board from, or censure such representative for, expressing his or her opinion or speaking on any matter related to the joint public agency or board if such speech is otherwise lawful.</i></p>

**Kissel Kohout ES Associates LLC**  
**Lancaster County Board of Commissioners**  
**106th Legislature, 1st Regular Session**

Document	Senator	Position	Committee	Status	Description
LB713	Vargas		Executive Board 02/28/2019	Select File 03/27/2019 Executive Board Priority Bill	Provide for long-term accountability from the Legislative Fiscal Analyst  <i>Here, a mandate would be added to the Legislative Fiscal Analyst duties, such that, in addition to the already legislated duties, the analyst shall provide the following cycle of analyses of long-term fiscal sustainability, beginning, in FY2020-21: i. In even-numbered years, the joint revenue volatility report required under section 50-419.02; ii. In odd-numbered years, a budget stress test comparing estimated future revenue to and expenditure from major funds and tax types under various potential economic conditions; AND iii. Every four years, a long-term budget for programs appropriated for major funds and tax types. Also under LB713, the Legislative Fiscal Analyst's revenue-forecasting information shall include, in addition to the already legislated duties, the estimated revenue receipts for each year of the following biennium, including comparisons of current estimates for: i. Each major tax type to long-term trends for that tax type, ii. Federal fund receipts to long-term federal fund trends; AND iii. Tax collections and federal fund receipts to long-term trends.</i>
LB718	Hunt	Support	Government, Military and Veterans Affairs 03/14/2019	In Committee 01/25/2019	Require additional polling places prior to elections in certain counties  <i>This bill is an addition to the Election Act: The election commissioner in a county with a population of more than one hundred thousand inhabitants shall provide additional office hours during which ballots for early voting may be picked up or returned pursuant to section 32-941 or registered voters of the county may vote or pick up or return a ballot for early voting pursuant to section 32-942. The additional hours shall be provided for any primary or general election, but not for special elections, beginning at least two weeks prior to the day of the election and shall include at least four hours on each of the two Saturdays preceding the day of the election and at least five hours during each week of such two-week period in addition to normal business hours on business days.</i>
LB720	Kolterman		Revenue 03/06/2019	In Committee 01/25/2019 Kolterman Priority Bill	Adopt the ImagiNE Nebraska Act and provide tax incentives  <i>Under LB720, the Legislature finds that it is the policy of this state to modernize its economic development platform in order to (1) encourage new businesses to relocate to Nebraska, (2) encourage existing businesses to remain and grow in Nebraska, (3) encourage the creation and retention of new, high-paying jobs in Nebraska, (4) attract and retain investment capital in Nebraska, (5) develop the Nebraska workforce, (6) simplify the administration of the tax incentive program created in the ImagiNE Nebraska Act for both businesses and the state, and (7) improve the transparency and accountability of such program. SECTION 28 of the Act describes the application process for a taxpayer to request an agreement. If the director fails to make his or her determination within the prescribed ninety-day period, the application is deemed approved. Within ninety days after approval of the application, the director shall prepare and deliver a written agreement to the taxpayer for the taxpayer's signature. The taxpayer and the director shall enter into a written agreement. The taxpayer shall agree to increase employment or investment at the qualified location or locations, report wage and hours data at the qualified location or locations to the Department of Labor annually, and report all qualified property at the qualified location or locations to the Property Tax Administrator. The director, on behalf of the State of Nebraska, shall agree to allow the taxpayer to use the incentives contained in the ImagiNE Nebraska Act. The application, and all supporting documentation, to the extent approved, shall be considered a part of the agreement. There shall be no new applications for incentives filed by a taxpayer after December 31, 2029.</i>
LB726	Walz	Support	Health and Human Services 02/20/2019	General File 02/28/2019	Require a protocol for individuals eligible for medical parole to apply for medical assistance  <i>Specifically, the Division of Medicaid and Long-Term Care of the Department of Health and Human Services shall, in consultation with the Department of Correctional Services, develop a protocol to assist an individual who is eligible for medical parole pursuant to section 83-1,110.02 to apply for and receive benefits under the Medical Assistance Act.</i>
LB733	Kolowski		Government, Military and Veterans Affairs 03/14/2019	General File 03/19/2019	Provide and change requirements for polling places  <i>Summary: All polling places shall comply with the federal Help America Vote Act of 2002, as amended, including, among many, many, other requirements, at least one voting booth so constructed as to provide easy access for people with limitations, accommodate a wheelchair, and have a cover to provide privacy.</i>

Kissel Kohout ES Associates LLC  
Lancaster County Board of Commissioners  
106th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB736	Murman	Oppose	Government, Military and Veterans Affairs 02/28/2019	In Committee 01/25/2019	Provide restrictions on occupation taxes, license fees, and regulation by counties and municipalities  <i>Under current law, counties and cities of the metropolitan, primary, first, second and villages shall have power to tax for revenue, license, and regulate any person within the limits of the city by ordinance except as otherwise provided in this section. Such tax may include both a tax for revenue and license. Under LB726, beginning January 1, 2020, (i) no occupation tax or license fee imposed under the above paragraph shall be greater than \$25 annually; (ii) No occupation tax or license fee shall be imposed by a city or county on a profession or business that provides goods or services unless the profession or business was subject to an occupation tax or license fee under this subsection on January 1, 2020; and (iii) No licensing requirements shall be imposed by a city of the metropolitan class on any profession or business which is subject to state licensing requirements.</i>
LB739	Vargas		Judiciary 02/27/2019	In Committee 01/25/2019	Change procedures and requirements for use of restrictive housing of inmates  <i>This act shall be known and may be cited as the Adult Institutions Disciplinary Procedures Act. All adult disciplinary action within the system of the Department of Correctional Services shall be pursuant to the Adult Institutions Disciplinary Procedures Act. Inmates shall be informed of rules of behavior and discipline. Such rules shall be posted or otherwise made available to the inmates. Restrictive housing means conditions of confinement that provide limited contact with other inmates, strictly controlled movement while out of cell, and out-of-cell time of less than twenty-four hours per week. Member of a vulnerable population means an inmate who is eighteen years of age or younger, pregnant, or diagnosed with a serious mental illness, a developmental disability, or a traumatic brain injury. On and after July 1, 2019, no inmate who is a member of a vulnerable population shall be placed in restrictive housing. In line with the least restrictive framework, an inmate who is a member of a vulnerable population may be assigned to immediate segregation to protect himself or herself, staff, other inmates, or inmates who are members of vulnerable populations pending classification. The department shall adopt and promulgate rules and regulations regarding restrictive housing to address risks for inmates who are members of vulnerable populations. The department shall not place or retain an inmate in restrictive housing for more than ninety days in any calendar year, whether consecutive or not, due to a security threat posed by the inmate unless there is an individualized determination made by a specialized inmate classification committee. Such committee has extensive procedural requirements for prompt and thorough review of the specialized inmate issue. Many due process type requirements are mandated, such as, timely notice, the right to be heard in person, the right to confront/cross witnesses, and an established appeal process. Beware: many other requirements and duties stem from this act. For example: inmates shall be informed of rules of behavior and discipline. Such rules shall be posted or otherwise made available to the inmates. (And more.)</i>
LR3CA	Erdman		Revenue 02/07/2019	In Committee 01/14/2019	Constitutional amendment to provide income tax credits for property taxes paid  <i>New VIII-14 (1) Notwithstanding any other provision of this Constitution, the Legislature shall provide by law for a refundable credit against the income tax imposed by the State of Nebraska in an amount equal to thirty-five percent of the property taxes that were: (a) Levied on real property located in this state; and (b) Paid by the taxpayer during the taxable year. (2) The Legislature shall make the credit available for taxable years beginning on or after January 1, 2021. Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language: A constitutional amendment to require the Legislature to provide a refundable state income tax credit in an amount equal to thirty-five percent of the property taxes that were levied on real property located in this state and paid by the taxpayer during the taxable year. For OR Against.</i>
LR8CA	Linehan	Oppose	Revenue 02/27/2019	In Committee 01/17/2019	Constitutional amendment to limit the total amount of property tax revenue that may be raised by political subdivisions  <i>LR8CA proposes to add a new section 14 to Article VIII: VIII-14 (1) Notwithstanding Article VIII, section 1 or 5, of this Constitution or any other provision of this Constitution to the contrary, the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except as provided in subsections (2) and (3) of this section. (2) The total amount of property tax revenue raised by a political subdivision in a fiscal year may exceed the limitation in subsection (1) of this section by an amount approved by a majority of legal voters voting on the issue at an election called for such purpose upon the recommendation of a majority of the governing body of the political subdivision. Such recommendation shall include the amount by which the property tax revenue would exceed the limitation in subsection (1) of this section for the fiscal year. All costs of the election shall be paid by the political subdivision seeking to exceed such limitation. (3) The limitation in subsection (1) of this section shall not apply to the amount of property tax revenue needed to pay the principal and interest on bonded indebtedness that has been approved according to law. (4) For purposes of this section, property tax revenue means revenue raised from a tax that is assessed annually upon the value of real and personal property. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language: A constitutional amendment to provide that the total amount of property tax revenue raised by a political subdivision in any fiscal year shall not be more than three percent greater than the amount raised in the prior fiscal year, except for amounts approved by voters and amounts needed to pay bonded indebtedness.</i>

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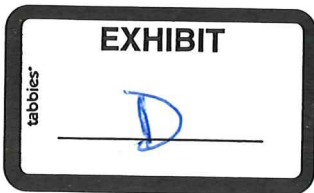
**Kissel Kohout ES Associates LLC**  
**Lancaster County Board of Commissioners**  
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<b>Document</b>	<b>Senator</b>	<b>Position</b>	<b>Committee</b>	<b>Status</b>	<b>Description</b>
LR14CA	Wayne		Urban Affairs 03/05/2019	General File 03/07/2019 Urban Affairs Priority Bill	Constitutional amendment to authorize municipalities to pledge property taxes for up to twenty years if more than one-half of the property in a redevelopment project is extremely blighted

*Extends the constitutional provision regarding tax increment financing from fifteen years to not exceed twenty years if more than one-half of the property in the project area is designated as extremely blighted.*





BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING THE \_\_\_\_\_ )  
POLICY FOR THE VACATIONG OF \_\_\_\_\_ ) Resolution No. \_\_\_\_\_  
PUBLIC ROADS \_\_\_\_\_ )

WHEREAS, Neb. Rev. Stat. §§ 39-1722 through 39-1727, authorizes a county board by resolution to vacate or abandon a public road of the county when deemed in the public interest. If all or a portion of a public road is within the zoning jurisdiction of a city of the metropolitan, primary, or first class, a county board must first obtain approval of the vacation or abandonment by the governing body of such city; and

WHEREAS, on February 17, 1976, the Lancaster County Board of County Commissioners (the "Board") the County Board of Lancaster County, Nebraska wishes to establish a uniform adopted its policy for the vacationing of public roads in Lancaster County, Nebraska ("County") initiated by private parties by County Resolution R-3049; and

WHEREAS, the Board desires to revise the policy to update and clarify the statutory requirements and the additional steps required by the Board regarding the procedural process that must be followed to accurately vacate or abandon a public road of the County; and ~~WHEREAS, a uniform policy has been agreed upon which is outlined in the documents attached hereto consisting of an instruction sheet for the vacation of public roads initiated by petition of private parties, a combination petition and quit claim deed and instruction sheet, and a form for signatures requesting vacation; and~~

WHEREAS, the County Board deems it in the public interest that a current version of this Resolution e above named documents should be on file at all times in the County Clerk's Ooffice available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the County Board, that it hereby adopts the following

~~NOW, THEREFORE, BE IT RESOLVED that the County Board of Lancaster County,~~

~~Nebraska, adopt the guidelines and procedures set out in the attached documents as the process for vacating roads by initiation of private parties all or a portion of a public road of the County; . That amendments to the attached documents may be made by motion and not resolution, provided, however, that an up to date version of said documents shall remain on file at the County Clerk's office and be available to the public for the public's information and inspection.~~

AND BE IT FURTHER RESOLVED, that the policy shall be effective upon the date of execution of this Resolution, and that this Resolution shall supersede County Resolution No. 3049, and any previously existing County resolutions on the same subject matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019, at the County-City Building, Lincoln, Lancaster County Nebraska.

\_\_\_\_\_  
BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
For PATRICK CONDON  
Lancaster County Attorney

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

Dated this 17<sup>th</sup> day of February, 1976 in the County City Building, Lincoln, Nebraska.

/s/Jan Gauger

/s/Robert E Colin, Sr.

BY THE BOARD OF COUNTY  
COMMISSIONERS  
LANCASTER COUNTY,  
NEBRASKA

INSTRUCTION SHEET - - VACATION OF PUBLIC ROADS  
INITIATION BY PETITION OF PRIVATE PARTIES

Updated: April XX, 2019

**IMPORTANT: PLEASE READ THIS INSTRUCTION SHEET FULLY. THE PROCEDURE FOR PROCESSING REQUESTS TO VACATE STREETS, ALLEYS OR OTHER PUBLIC ROADS IS LONG AND INVOLVED AND IMPROPERLY COMPLETED PETITIONS OR FORMS WILL CAUSE ADDITIONAL DELAY.**

The power to vacate a street, alley or a public road within Lancaster County (the "County") outside the zoning jurisdiction of a city of the metropolitan, primary, or first class the City of Lincoln or other county municipalities, is vested in the Lancaster County Board of County Commissioners (the "Board"). The Board may vacate a public road if it deems that such a vacation would be in the "public interest". The statutes of the State of Nebraska prescribe a procedural process for determining whether or not a road should be vacated. ~~In and in addition to this~~ In and in addition to the statutory requirements, Lancaster the County requires ~~certain other~~ certain additional steps to be taken before a vacation petition can be acted upon.

If the County Board should decide to vacate the public road, it may either sell the property, allow it to revert to private ownership or have it remain in the public ownership. The Board's choice of alternatives will depend on the facts of each particular vacation.

The Board may also condition any vacation as it sees fit. It can be expected that the preservation of all existing easements, right-of-ways or similar encumbrances for public utilities or other beneficial or necessary uses will be a condition of most vacations. In any vacation where the land is to be sold, vacation will necessarily be conditioned upon the payment to the County of the entire purchase price of the property together with any fees or expenses charged from or for all parties purchasing right-of-way or to whom expenses have been assessed in the vacation process.

**Step 1:** ~~The Nebraska Revised Statutes §§ {39-1723}~~ requires that:

Any person desiring the vacation or abandonment of any public road of the county shall file in the office of the county clerk of the proper county, a petition signed by ten or more electors residing within ten miles of the road proposed to be vacated or abandoned, which petition shall contain (1) the names and addresses of said electors, (2) a clear and unambiguous description of the road proposed to be vacated or abandoned, (3) the reason or reasons why said road should be vacated or abandoned, and (4) a request that a time and date be set for public hearing before the county board. ~~Any person desiring the relocation, vacation or abandonment of any public road of the County, shall file in the office of the County Clerk of the proper county, a petition signed by ten or more electors (registered voters) residing within ten miles of the road proposed to be relocated, vacated or abandoned, which petition shall contain: 1) the names and addresses of said~~

electors, 2) a clear and unambiguous description of the road proposed to be relocated, vacated or abandoned, 3) the reason or reasons why said road should be relocated, vacated or abandoned, and 4) a request that a time and date be set for public hearing before the County Board . . . .

A form for this petition is available either in the office of the County Clerk or the County Attorney.

**Step 2:** At the same time, or as soon thereafter as possible, as the petition with the names of ten (10) registered voters is filed with the County Clerk, Lancaster County also requires that the primary petitioner file with the County Clerk an Information Sheet and ~~separate the~~ Petition to Vacate a Public Road with Release and Waiver of Rights and Title and Quit Claim to the County of Lancaster from each owner of property abutting the road to be vacated.

Both the Information Sheet and Petition to Vacate a Public Road with Release and Waiver of Rights and Title and Quit Claim to the County of Lancaster are available in the office of the County Clerk and attached herein. A separate sheet of information instruction sheet regarding filling out these forms is ~~is~~ petition is provided below.

**Step 3:** Upon the County Clerk's receipt of the documents mentioned in Step 2, the County Clerk will contact:

1. The County Engineer to verify the petitioners are residing within ten (10) miles of the road proposed to be vacated or abandoned;
2. The Planning Department to verify if the road to be vacated is within three (3) miles of a city of the metropolitan, primary, or first class; and
3. The Election Commissioner to verify the petitioners are registered voters in Lancaster County.

Each Department shall provide the County Clerk such information within three (3) days receipt of the County Clerk's request.

**Step 43:** Within two (2) weeks of the receipt of the ~~a valid petition, with ten registered voters' signatures thereon as described in paragraph Step 1, one and the Information Sheet and Petition to Vacate a Public Road with Release and Waiver of Rights and Title and Quit Claim to the County of Lancaster, as described in Step 2,~~ the County Board, by resolution, will:

1. Directs the County Engineer, by resolution, to study the use being made of such public road and to submit, in writing, to the County Board within thirty (30) days, unless a longer period is granted by the Board, a report upon the study made and his or her recommendations as to the relocation, vacation or abandonment thereof.
2. At the same time, the County Board will refer the matter to Direct the Planning Department to, which shall report in writing within thirty (30) days, unless a longer period is granted by the County Board, as to the character and degree of conformity or nonconformity of the proposed vacation to the Comprehensive Plan. The Planning Department must

also determine and note in its report And, if the road to be vacated is within three (3) miles of the a city of the metropolitan, primary, or first class City of Lincoln, If so, City Council approval by the governing body of such a city must also be obtained. The Clerk of that city will forward such approval or disapproval to the County Clerk and the Board.

**Note:** As of the date of this Resolution, the City of Lincoln and the City of Crete are the only two jurisdictions that would require such approval. If in the City of Lincoln, the petitioner must contact the Planning Department to fill out the required application and pay the \$206 fee. If in the City of Crete, the petitioner must contact the Crete Building Inspector to initiate their approval process.

~~This process will be initiated by the Planning Department. The City Clerk will forward such approval or disapproval to the County Clerk and the Board of Commissioners.~~

~~While preparing his report, the County Engineer prepares his or her report, the County Engineer may choose to will have an independent appraisal made of the property based on Federal Highway Administration (FHWA) standards if necessary if a deposit is made with the County Clerk to cover the cost of such an appraisal. The Board may also require an appraisal at its own discretion. If an appraisal is required, the County may use its own certified appraiser or a third party. The deposit may vary according to the project involved, but \$200 shall be the minimum deposit. If the deposit is not made, no appraisal will be performed and it cannot be anticipated that the County Board will vacate the road in question. The appraisal shall consider the costs of making the land usable and whether or not a similar dedication is being made to replace the road proposed to be vacated. An appraisal may not be required when the vacation is part of a platting process. Although it can be expected that the appraisal will be acceptable to the County Board in most cases, the Board shall not be absolutely bound by the appraisal.~~

~~If the appraisal costs are more than the \$200 deposit, the primary petitioner shall be liable for the remainder of such costs before the vacation is finalized. If the appraisal costs are less than the \$200 deposit and any additional expenses owing the county by the primary petitioner, including the purchase price of any vacated real estate, such excess money shall be refunded after finalization of the vacation.~~

~~If, at the time the Board directs the County Engineer by resolution to study the use being made of such public road and before an appraisal is made, it is clear that the public interest will not be served by such a vacation, the primary petitioner will be so informed and shall have the opportunity to withdraw the request. This step does not, however, guarantee the petitioner that, if an appraisal is made, the vacation will be granted. Likewise, if it is clear that the road requested to be vacated is a road the County intends to vacate on its own initiative, the primary petitioner shall be so informed and no appraisal or quit claim deed shall be required.~~

**Step 54:** ~~When the County Board has received the reports from the County Engineer and's report the Planning Department, and has received City Council approval, if required as described in Step 4, the Board they will set a time, date and place for a public hearing upon the vacation by resolution. The resolution fixing the time, date and place for a public hearing must be published in a legal newspaper of the County once a week for three (3) consecutive weeks (publication during each week must be on the same day of the week as the first publication).~~

~~The Board County Clerk, not less than two (2) weeks in advance of the public hearing will, by registered or certified mail, send copies of the resolution setting that date to the owners of land abutting on or adjacent to the road to be vacated. If the public road or any part thereof is within the area of the zoning jurisdiction of a city of the metropolitan, primary, or first class, copies of the resolution must also be sent to that city's Planning Director, Public Works Director, or that city's equivalent position not less than two (2) weeks in advance of the public hearing.~~

**Note:** ~~All of the requirements set forth in the Steps 1 through 5 above should must be completed by the time of the public hearing.~~

**Step 65:** ~~After the public hearing, the County Board, by resolution, at its next meeting or as soon thereafter as practical, either vacates, abandons, or refuses to vacate or abandon the road in question, subject to any of the conditions outlined above.~~

~~Vacation and abandonment shall not be ordered except upon vote of two-thirds of all members of the Board and the prior approval of the governing body of a city of the metropolitan, primary, or first class has been obtained when any public road or any part thereof is within the area of the zoning jurisdiction of such city.~~

~~In the event that the Board decides to vacate or abandon, its resolution shall state upon what conditions, if any, the vacation or abandonment shall be qualified and particularly whether or not the title or right-of-way to any~~



vacated or abandoned fragment or section of road shall be sold, revert to private ownership, or remain in the public.

When the Board vacates all or any portion of a road, the County shall, within thirty (30) days after the effective date of the vacation, file a certified copy of the vacating resolution with the register of deeds for the county to be indexed against all affected lots.

A quit claim deed will be given to those persons purchasing property in this process only after all fees from all parties have been received and all the other conditions of the vacation have been met.

## HOW TO COMPLETE THE INFORMATION SHEET AND PETITION FOR VACATION OF PUBLIC WAY

The Primary Petitioner(s), as stated on the Petition, must complete an Information Sheet. Every abutting property owner must complete an Information Sheet and a Petition to Vacate Public Way with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska. The Information Sheet is self-explanatoryself-explanatory and must be filled out completely.

On the "Petition to Vacate Public Road with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska" form, please note the blank lines on the top half of the first page following the words, ". . . petition you to vacate the following described street/alley/public road . . ." On these lines **PLEASE TYPE** or **CLEARLY PRINT** the public way or portion thereof sought to be vacated, such as "Mountain Lane between the east line of 9<sup>th</sup> Avenue and the west line of 10<sup>th</sup> Street" or "All of the north/south alley in Block 500, Original Plat".

Next, please note the blank lines near the top of the second page of the petition form immediately following the body of the petition. On these lines please insert the legal description (**NOT ADDRESS**) of the land abutting the aforesaid public way sought to be vacated, which land is owned by the persons or organization signing the petition. Example: Lot 10, Block 500, Original Plat.

The Petition to Vacate Public Road with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska will accomplish a quitclaim of the abutting landowner's reversionary interest in such public way to the County; hence the requirements for signing the petition are the same as for a deed. All signatures must be acknowledged before a notary public. If title to the land is in the name of "John James Doe", Mr. Doe should sign the petition the same way. If he is married, even though title may be in his name alone, his wife must also sign the petition. If her name is "Mary L. Doe", she should sign the petition in that manner (**NOT "Mrs. John James Doe"**). Marital status must be shown in the notary public's acknowledgment, such as "John James Doe and Mary L. Doe, husband and wife" or "John James Doe, single".

If a petitioner is a corporation, the name of the corporation should appear **EXACTLY** as it is shown on the title to the land. The petition must be signed by the president or the presiding officer of the board of directors of the corporation. ~~The corporate notarial acknowledgment form is on Page 9.~~

An example of both an individual notarial acknowledgment form and a corporate notarial acknowledgment form are provided herein.

**PETITION FOR VACATION OF PUBLIC ROAD**

The undersigned registered voters of Lancaster County, Nebraska reside within ten (10) miles of a segment of public road right-of-way described as:

a map of which is attached hereto, hereby petition the Lancaster County Board of Lancaster County County Commissioners to vacate said segment of public road for the reason that:

And further request that a time and date be set for a public hearing before the County Board on this matter. The Primary Petitioner(s) of the undersigned registered voters is

\_\_\_\_\_.

**NAME**

**ADDRESS**

- |     |       |       |
|-----|-------|-------|
| 1.  | _____ | _____ |
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| 15. | _____ | _____ |

**INFORMATION SHEET**

This information sheet should be completed by each ~~the~~ Primary Ppetitioner(s) as stated on the Petition. The attached ~~"Petition to Vacate with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska"~~ should must also be completed according to the instructions contained in the Instruction Sheet.

- 1. Primary Petitioner's Name \_\_\_\_\_
- 2. Primary Petitioner's Address \_\_\_\_\_
- 3. Primary Petitioner's Telephone Number \_\_\_\_\_
- 4. Street/Alley/Public Way sought to be vacated \_\_\_\_\_

5. Why are you seeking to have this street/alley/public way vacated?  
 \_\_\_\_\_  
 \_\_\_\_\_

6. What use(s) do you propose to make of the public way if vacated?  
 \_\_\_\_\_  
 \_\_\_\_\_

I (WE) DO INTEND TO PURCHASE (describe area intended to be purchased)

OF THE VACATED PUBLIC WAY WHICH ABUTS THE PROPERTY OWNED BY ME (US) AS DESCRIBED IN THE PETITION TO VACATE PUBLIC ROAD.

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

Prior to the public hearing the property ~~will~~ may be appraised. ~~If the Board votes to sell the property,~~ the purchase price ~~of the portion you intend to buy~~ must be deposited with the County Clerk before receiving a deed to said property or the property ~~will~~ may be sold to ~~any~~ another party willing to pay the purchase price. The vacation resolution will not become final until the full price of the ~~entire public road~~ proposed property to be vacated has been paid.

**BE SURE THAT "PETITIONS TO VACATE WITH RELEASE AND WAIVER OF RIGHTS AND TITLE AND QUIT CLAIM TO COUNTY OF LANCASTER, NEBRASKA" THE PETITION TO VACATE PUBLIC WAY HAS BEEN COMPLETED AND ARE IS**

**ATTACHED TO THE INFORMATION SHEET.**





CORPORATE ACKNOWLEDGMENT:

STATE OF \_\_\_\_\_ )  
 )ss  
\_\_\_\_\_ COUNTY )

Before me, a notary public qualified for said county, personally came \_\_\_\_\_  
\_\_\_\_\_, President of a corporation, known to me to be the President and identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the corporate seal of said corporation was affixed thereto be its authority, for the purposes therein set forth, and acknowledged that he signed the foregoing instrument with the view of having said County of Lancaster vacate said street, alley or other public road and the County of Lancaster reserving and retaining in said street, alley or other public road such title, rights and privileges as it may deem necessary, together with a waiver and release of any and all claims, causes of action, title, rights, demands and quit claims.

WITNESS my hand and notarial seal on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING THE )  
POLICY FOR THE VACATION OF ) Resolution No. \_\_\_\_\_  
PUBLIC ROADS )

WHEREAS, Neb. Rev. Stat. §§ 39-1722 through 39-1727, authorizes a county board by resolution to vacate or abandon a public road of the county when deemed in the public interest. If all or a portion of a public road is within the zoning jurisdiction of a city of the metropolitan, primary, or first class, a county board must first obtain approval of the vacation or abandonment by the governing body of such city; and

WHEREAS, on February 17, 1976, the Lancaster County Board of County Commissioners (the "Board") adopted its policy for the vacation of public roads in Lancaster County, Nebraska ("County") by County Resolution R-3049; and

WHEREAS, the Board desires to revise the policy to update and clarify the statutory requirements and the additional steps required by the Board regarding the procedural process that must be followed to accurately vacate or abandon a public road of the County; and

WHEREAS, the Board deems it in the public interest that a current version of this Resolution should be on file at all times in the County Clerk's Office available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the County Board, that it hereby adopts the following guidelines and procedures set out in the attached documents as the process for vacating all or a portion of a public road of the County;

AND BE IT FURTHER RESOLVED, that the policy shall be effective upon the date of execution of this Resolution, and that this Resolution shall supersede County Resolution No. 3049, and any previously existing County resolutions on the same subject matter.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2019, at the County-City Building, Lincoln,  
Lancaster County Nebraska.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
For PATRICK CONDON  
Lancaster County Attorney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INSTRUCTION SHEET - - VACATION OF PUBLIC ROADS  
INITIATION BY PETITION OF PRIVATE PARTIES

Updated: April XX, 2019

**IMPORTANT: PLEASE READ THIS INSTRUCTION SHEET FULLY. THE PROCEDURE FOR PROCESSING REQUESTS TO VACATE STREETS, ALLEYS OR OTHER PUBLIC ROADS IS LONG AND INVOLVED AND IMPROPERLY COMPLETED PETITIONS OR FORMS WILL CAUSE ADDITIONAL DELAY.**

The power to vacate a street, alley or a public road within Lancaster County (the "County") outside the zoning jurisdiction of a city of the metropolitan, primary, or first class, is vested in the Lancaster County Board of County Commissioners (the "Board"). The Board may vacate a public road if it deems that such a vacation would be in the "public interest". The statutes of the State of Nebraska prescribe a procedural process for determining whether or not a road should be vacated. In addition to the statutory requirements, the County requires additional steps to be taken before a vacation petition can be acted upon.

If the Board should decide to vacate the public road, it may either sell the property, allow it to revert to private ownership or have it remain in the public ownership. The Board's choice of alternatives will depend on the facts of each particular vacation.

The Board may also condition any vacation as it sees fit. It can be expected that the preservation of all existing easements, right-of-ways or similar encumbrances for public utilities or other beneficial or necessary uses will be a condition of most vacations. In any vacation where the land is to be sold, vacation will necessarily be conditioned upon the payment to the County of the entire purchase price of the property together with any fees or expenses charged from or for all parties purchasing right-of-way or to whom expenses have been assessed in the vacation process.

**Step 1:** Nebraska Revised Statute §§ 39-1723 requires that:

Any person desiring the vacation or abandonment of any public road of the county shall file in the office of the county clerk of the proper county, a petition signed by ten or more electors residing within ten miles of the road proposed to be vacated or abandoned, which petition shall contain (1) the names and addresses of said electors, (2) a clear and unambiguous description of the road proposed to be vacated or abandoned, (3) the reason or reasons why said road should be vacated or abandoned, and (4) a request that a time and date be set for public hearing before the county board.

A form for this petition is available in the office of the County Clerk.

**Step 2:** At the same time, or as soon thereafter as possible, as the petition with the names of ten (10) registered voters is filed with the County Clerk, County also requires that the primary petitioner file with the County Clerk an Information Sheet and the Petition to Vacate a Public Road with Release and Waiver of Rights and Title and Quit Claim to the County of Lancaster from each owner of property abutting the road to be vacated.

Both the Information Sheet and Petition to Vacate a Public Road with Release and Waiver of Rights and Title and Quit Claim to the County of Lancaster are available in the office of the County Clerk and attached herein. A separate instruction sheet regarding filling out these forms is provided below.

**Step 3:** Upon the County Clerk's receipt of the documents mentioned in Step 2, the County Clerk will contact:

1. The County Engineer to verify the petitioners are residing within ten (10) miles of the road proposed to be vacated or abandoned;
2. The Planning Department to verify if the road to be vacated is within three (3) miles of a city of the metropolitan, primary, or first class; and
3. The Election Commissioner to verify the petitioners are registered voters in Lancaster County.

Each Department shall provide the County Clerk such information within three (3) days receipt of the County Clerk's request.

**Step 4:** Within two (2) weeks of the receipt of a valid petition, as described in Step 1, and the Information Sheet and Petition to Vacate a Public Road with Release and Waiver of Rights and Title and Quit Claim to the County of Lancaster, as described in Step 2, the Board, by resolution, will:

1. Direct the County Engineer to study the use being made of such public road and to submit, in writing, to the Board within thirty (30) days, unless a longer period is granted by the Board, a report upon the study made and his or her recommendations as to the relocation, vacation or abandonment thereof.
2. Direct the Planning Department to report in writing within thirty (30) days, unless a longer period is granted by the Board, as to the character and degree of conformity or nonconformity of the proposed vacation to the Comprehensive Plan. The Planning Department must also determine and note in its report if the road to be vacated is within three (3) miles of a city of the metropolitan, primary, or first class. If so, approval by the governing body of such a city must also be obtained. The Clerk of that

city will forward such approval or disapproval to the County Clerk and the Board.

**Note:** As of the date of this Resolution, the City of Lincoln and the City of Crete are the only two jurisdictions that would require such approval. If in the City of Lincoln, the petitioner must contact the Planning Department to fill out the required application and pay the \$206 fee. If in the City of Crete, the petitioner must contact the Crete Building Inspector to initiate their approval process.

While the County Engineer prepares his or her report, the County Engineer may choose to have an independent appraisal made of the property based on Federal Highway Administration (FHWA) standards if necessary. The Board may also require an appraisal at its own discretion. If an appraisal is required, the County may use its own certified appraiser or a third party. The appraisal shall consider the costs of making the land usable and whether or not a similar dedication is being made to replace the road proposed to be vacated. Although it can be expected that the appraisal will be acceptable to the Board in most cases, the Board shall not be absolutely bound by the appraisal.

**Step 5:** When the Board has received the reports from the County Engineer and the Planning Department, and has received City Council approval, if required as described in Step 4, the Board will set a time, date and place for a public hearing upon the vacation by resolution. The resolution fixing the time, date and place for a public hearing must be published in a legal newspaper of the County once a week for three (3) consecutive weeks (publication during each week must be on the same day of the week as the first publication).

The County Clerk, not less than two (2) weeks in advance of the public hearing will, by registered or certified mail, send copies of the resolution setting that date to the owners of land abutting on or adjacent to the road to be vacated. If the public road or any part thereof is within the area of the zoning jurisdiction of a city of the metropolitan, primary, or first class, copies of the resolution must also be sent to that city's Planning Director, Public Works Director, or that city's equivalent position not less than two (2) weeks in advance of the public hearing.

**Note:** All of the requirements set forth in the Steps 1 through 5 must be completed by the time of the public hearing.

**Step 6:** After the public hearing, the Board, by resolution at its next meeting or as soon thereafter as practical, either vacates, abandons, or refuses to vacate or abandon the road in question, subject to any of the conditions outlined above.

Vacation and abandonment shall not be ordered except upon vote of two-thirds of all members of the Board and the prior approval of the governing body of a city of the metropolitan, primary, or first class has been obtained when any public road or any part thereof is within the area of the zoning jurisdiction of such city.

In the event that the Board decides to vacate or abandon, its resolution shall state upon what conditions, if any, the vacation or abandonment shall be qualified and particularly whether or not the title or right-of-way to any vacated or abandoned fragment or section of road shall be sold, revert to private ownership, or remain in the public.

When the Board vacates all or any portion of a road, the County shall, within thirty (30) days after the effective date of the vacation, file a certified copy of the vacating resolution with the register of deeds for the county to be indexed against all affected lots.

A quit claim deed will be given to those persons purchasing property in this process only after all the other conditions of the vacation have been met.

## **HOW TO COMPLETE THE INFORMATION SHEET AND PETITION FOR VACATION OF PUBLIC WAY**

The Primary Petitioner(s), as stated on the Petition, must complete an Information Sheet. Every abutting property owner must complete a Petition to Vacate Public Way with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska. The Information Sheet is self-explanatory and must be filled out completely.

On the "Petition to Vacate Public Road with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska" form, please note the blank lines on the top half of the first page following the words, ". . . petition you to vacate the following described street/alley/public road . . . ." On these lines **PLEASE TYPE** or **CLEARLY PRINT** the public way or portion thereof sought to be vacated, such as "Mountain Lane between the east line of 9<sup>th</sup> Avenue and the west line of 10<sup>th</sup> Street" or "All of the north/south alley in Block 500, Original Plat".

Next, please note the blank lines near the top of the second page of the petition form immediately following the body of the petition. On these lines please insert the legal description (**NOT ADDRESS**) of the land abutting the aforesaid public way sought to be vacated, which land is owned by the persons or organization signing the petition. Example: Lot 10, Block 500, Original Plat.

The Petition to Vacate Public Road with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska will accomplish a quitclaim of the abutting landowner's reversionary interest in such public way to the County; hence the requirements for signing the petition are the same as for a deed. All signatures must be acknowledged before a notary public. If title to the land is in the name of "John James Doe", Mr. Doe should sign the petition the same way. If he is married, even though title may be in his name alone, his wife must also sign the petition. If her name is "Mary L. Doe", she should sign the petition in that manner (**NOT "Mrs. John James Doe"**). Marital status must be shown in the notary public's acknowledgment, such as "John James Doe and Mary L. Doe, husband and wife" or "John James Doe, single".

If a petitioner is a corporation, the name of the corporation should appear **EXACTLY** as it is shown on the title to the land. The petition must be signed by the president or the presiding officer of the board of directors of the corporation.

An example of both an individual notarial acknowledgment form and a corporate notarial acknowledgment form are provided herein.

**PETITION FOR VACATION OF PUBLIC ROAD**

The undersigned registered voters of Lancaster County, Nebraska reside within ten (10) miles of a segment of public road right-of-way described as:

a map of which is attached hereto, hereby petition the Lancaster County Board of County Commissioners to vacate said segment of public road for the reason that:

And further request that a time and date be set for a public hearing before the Board on this matter. The Primary Petitioner(s) of the undersigned registered voters is

\_\_\_\_\_.

**NAME**

**ADDRESS**

1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____



## INFORMATION SHEET

This information sheet should be completed by the Primary Petitioner(s) as stated on the Petition. The attached "Petition to Vacate with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska" must also be completed according to the instructions contained in the Instruction Sheet.

1. Primary Petitioner's Name \_\_\_\_\_
2. Primary Petitioner's Address \_\_\_\_\_
3. Primary Petitioner's Telephone Number \_\_\_\_\_
4. Street/Alley/Public Way sought to be vacated \_\_\_\_\_

5. Why are you seeking to have this street/alley/public way vacated?

6. What use(s) do you propose to make of the public way if vacated?

I (WE) DO INTEND TO PURCHASE (describe area intended to be purchased)

OF THE VACATED PUBLIC WAY WHICH ABUTS THE PROPERTY OWNED BY ME (US) AS DESCRIBED IN THE PETITION TO VACATE PUBLIC ROAD.

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

Prior to the public hearing the property may be appraised. If the Board votes to sell the property, the purchase price must be deposited with the County Clerk before receiving a deed to said property or the property may be sold to another party willing to pay the purchase price. The vacation resolution will not become final until the full price of the proposed property to be vacated has been paid.

**BE SURE THE "PETITIONS TO VACATE WITH RELEASE AND WAIVER OF RIGHTS AND TITLE AND QUIT CLAIM TO COUNTY OF LANCASTER, NEBRASKA" HAVE BEEN COMPLETED AND ARE ATTACHED TO THE INFORMATION SHEET.**





CORPORATE ACKNOWLEDGMENT:

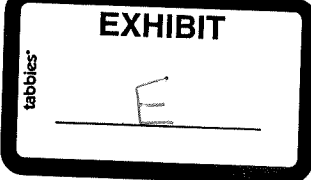
STATE OF \_\_\_\_\_ )  
 )ss  
\_\_\_\_\_ COUNTY )

Before me, a notary public qualified for said county, personally came \_\_\_\_\_  
\_\_\_\_\_, President of a corporation, known to me to be the President and identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation and that the corporate seal of said corporation was affixed thereto be its authority, for the purposes therein set forth, and acknowledged that he signed the foregoing instrument with the view of having said County of Lancaster vacate said street, alley or other public road and the County of Lancaster reserving and retaining in said street, alley or other public road such title, rights and privileges as it may deem necessary, together with a waiver and release of any and all claims, causes of action, title, rights, demands and quit claims.

WITNESS my hand and notarial seal on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_



**LANCASTER COUNTY ENGINEER–CITY OF LINCOLN DEPARTMENT  
OF TRANSPORTATION AND UTILITIES MUTUAL AID AND  
ASSISTANCE**

**INTERLOCAL AGREEMENT**

**THIS AGREEMENT** made and entered on this date, \_\_\_\_\_, 2019, by and between the County of Lancaster County, a county and political subdivision of the State of Nebraska, on behalf of the Lancaster County Engineer’s Office (“County”) and the City of Lincoln, a municipal corporation and political subdivision of the State of Nebraska. The County and the City may be referred to hereinafter collectively as “Parties” or individually as a “Party”.

**WHEREAS**, the Interlocal Cooperation Act, Neb. Rev. Stat. §§ 13-801 *et seq.*, permits public agencies in the State of Nebraska to cooperate with other localities on a basis of mutual advantage and thereby provide services in a manner that will best serve local communities;

**WHEREAS**, pursuant to Neb. Rev. Stat. §§ 22-155 and 23-101 *et seq.*, the County is a public agency duly organized pursuant to the laws of the State of Nebraska;

**WHEREAS**, pursuant to Neb. Rev. Stat. §§ 15-101 *et seq.*, the City is a public agency duly organized pursuant to the laws of the State of Nebraska;

**WHEREAS**, pursuant to Neb. Rev. Stat. §§ 39-1506 and 39-1507, the Lancaster County Engineer (“County Engineer”), in the County Engineer’s capacity as County Highway Superintendent, has control, government, and supervision of all the public roads and bridges in the county under the general supervision and control of the County Board;

**WHEREAS**, [Department of Transportation and Utilities (“Department”) definition and authority];

**WHEREAS**, the services provided by the County Engineer and the Department are critical to the lives and property of the residents of the County and the City;

**WHEREAS**, on occasion the Parties to the Agreement may require aid from other sources in order adequately to protect the lives and property of their citizens and to respond to Emergencies; and

**WHEREAS**, the Parties hereto desire, when requested, to combine their resources and expertise to provide mutual assistance during Emergencies;

**NOW, THEREFORE**, in consideration of the mutual covenants herein, the Parties agree as follows:

1. For purposes of this Agreement, the following definitions shall be used:
  - a. “Agency” shall mean:
    - i. For the County, the County Engineer; and
    - ii. For the City, the Department.

- b. "Agency Head" shall mean:
    - i. For the County, the County Engineer; and
    - ii. For the City, the Director of the Department.
  - c. "Emergency" shall mean any event or occasional combination of circumstances that calls for immediate action or remedy; pressing necessity; exigency; a sudden or unexpected happening; or unforeseen occurrence or condition; that is designated as an Emergency by action of the executive or governing body of a Party to this Agreement.
  - d. "Responding Agency" shall mean the Agency from which aid is requested by the Requesting Agency.
  - e. "Requesting Agency" shall mean the Agency that has requested aid from the Responding Agency.
2. The Parties of this Agreement pledge their mutual assistance to each other in the use of Agency equipment, employees, and any other items under Agency control, required for assistance in protecting the lives and property of the public during an Emergency.
  3. During an Emergency, a request for assistance may be made by the Agency Head of a Requesting Party, or her/his designee(s), to the Agency Head of a Responding Party, or her/his designee(s).
  4. The Responding Party may provide such equipment and personnel as may be necessary for the proper and adequate support of the Requesting Party. The Responding Party shall have sole discretion in the determination of available resources, equipment, and personnel that safely can be provided to the Requesting Party. The Responding Party at any time may recall to its own jurisdiction such resources, equipment, and personnel necessary to meet the needs of its own jurisdiction. The Responding Party shall have sole discretion in the determination of available resources, equipment, and personnel that are needed in its own jurisdiction. Further, the Responding Party may recall to its jurisdiction such resources, equipment, and personnel, if the Responding Party, in its sole discretion, determines it is unsafe or inappropriate to remain in the Requesting Party's jurisdiction.
  5. The Responding Party's determination to provide assistance or recall such assistance shall be final and conclusive. In no event shall any Party to this Agreement be liable to the other Party for failure to provide assistance, for discontinuing assistance, or for interrupting assistance.
  6. The Parties agree that assistance shall be reimbursable up to and including an amount of \$50,000.00. Assistance in an amount greater than \$50,000.00 but less than or equal to \$150,000.00 shall be reimbursable only with the prior written approval of both the City's Mayor and the Chairperson of the County's Board of County Commissioners. Assistance in any amount greater than \$150,000.00 shall be reimbursable only with the prior written approval of both the City's Council and the County's Board of County Commissioners.

Failure to obtain prior written approval required pursuant to this Agreement shall limit the reimbursement to be paid to Responding Party, irrespective of the amount of assistance provided. Assistance may be provided in the form of equipment, supplies, and labor, and may be invoiced for reimbursement as follows.

- a. Assistance provided in the form of equipment from a Responding Agency to a Requesting Agency shall be reimbursed to the Responding Agency at the scheduled rates for equipment of that Party. Each Party's scheduled rates for equipment are contained in Attachment A to this Agreement, which Attachment is attached hereto and incorporated herein by this reference. Attachment A may be amended from time to time as provided in Paragraph 6.e of this Agreement.
- b. Assistance provided in the form of supplies from a Responding Agency to a Requesting Agency shall be reimbursed to the Responding Agency at the Responding Agency's cost for purchasing replacement supplies using the Party's established purchasing procedure for such supplies. Replacement supplies shall be identical in form and quality to the supplies utilized for assistance, or, if identical supplies are practicably unavailable for purchase within the invoicing deadlines of Paragraph 6.d of this Agreement, then replacement supplies shall be as similar as practicable in form and quality and capable of use in the same manner as the supplies utilized for assistance.
- c. Assistance provided in the form of labor from a Responding Agency to a Requesting Agency shall be reimbursed to the Responding Agency in an amount equal to, for each employee who works pursuant to this Agreement, the sum of:
  - i. that employee's gross hourly rate(s) of pay that is(are) paid by the Responding Agency to the employee for hours worked pursuant to this Agreement multiplied by the number of hours worked by that employee pursuant to this Agreement at each such rate of pay; plus
  - ii. an amount equaling 20.45% multiplied by the amount calculated under Paragraph 6.c.i of this Agreement as reimbursement to Responding Agency for benefits paid by Responding Agency to employee for the hours worked pursuant to this Agreement.
- d. Responding Agency shall submit a detailed invoice to the Requesting Agency indicating the form of assistance provided, the number of units of assistance, the applicable rate of reimbursement for each such unit of assistance, and the names and titles of employees, as the case may be, within ninety (90) days of the provision of such assistance. Requesting Agency shall reimburse the Responding Agency within sixty (60) days from receipt of invoice.
- e. The Agency Head of a Party's Agency may update that Party's scheduled rates and equipment contained in Attachment A once each calendar year after the conclusion of the calendar year during which this Agreement has been executed by submitting a written schedule of updated rates and equipment to the Agency Head of the other Party's Agency. A Party's updated scheduled rates and equipment shall apply to

assistance rendered by that Party pursuant to this Agreement beginning on the day after the day of the other Party's receipt of the updated scheduled rates and equipment and continuing until the scheduled rates and equipment are further updated pursuant to the terms of this Agreement.

7. No separate legal or administrative entity is created by this Agreement and no property shall be jointly owned pursuant to this Agreement.
8. To the fullest extent permitted by law, each Party ("Indemnifying Party") shall indemnify, defend, and hold harmless the other Party ("Indemnified Party"), its elected officials, officers, employees, agents, consultants, and employees of any of them from and against claims, damages, losses and expenses, including but not limited to attorney fees, arising out of or resulting from performance of this Agreement, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible or intangible property, but only to the extent caused by the negligent, wrongful, or intentional acts or omissions of the Indemnifying Party, a subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by the negligence of a party indemnified hereunder. In the event the claim, damage, loss or expense is caused in part by the negligence of the Indemnified Party, the indemnification by the Indemnifying Party shall be prorated based on the extent of the liability of the Indemnified Party. Such obligation shall not be construed to negate, abridge, or reduce obligations of indemnity which would otherwise exist as to a Party or person described in this Paragraph. Nothing herein shall be construed to be a waiver of sovereign immunity by either Party.
9. Each Party shall provide workers compensation coverage and, as required by Neb. Rev. Stat. § 13-1802, liability insurance coverage for its own employees providing services under this Agreement, or shall self-insure such risks. Such coverage shall be in amounts sufficient to satisfy the potential liability of such Party, its agents or employees for injuries, losses or damages reasonably foreseeable for the activities and services contemplated under this Agreement. In no event, however, shall such coverage amounts be less than the potential liability the Party may have to its employees under the Nebraska Worker's Compensation Act or to others under the Nebraska Political Subdivisions Tort Claims Act.
10. No default in performance of any obligation shall constitute a breach of the Agreement to the extent that such failure to perform, delay, or default arises out of a cause that is beyond the reasonable control and without negligence of the Party otherwise responsible for such breach including, but not limited to: acts of God; interruption of power, utilities, transportation, or communications services; action of civil or military authority; sabotage; fires; explosions; earthquakes; nuclear accidents; floods; usually severe weather conditions; work stoppages; national emergencies; or, catastrophes.
11. This Agreement shall be binding upon the Parties and their respective successors and assigns. No third person shall acquire any rights or claims by reason of or under this Agreement.



12. This Agreement may be modified only by written agreement of the Parties dated subsequent to the effective date of this Agreement.
13. If any term of this Agreement shall be held to be invalid, illegal or unenforceable, the validity of all other terms hereof shall in no way be affected thereby.
14. No representations, promises, or warranties have been made by one Party which are not contained in this Agreement. Performance is not related to or dependent upon any obligations, payment, or responsibility of one Party to the other which is not set forth herein.
15. This Agreement shall become effective upon execution by both Parties and shall remain in effect until termination by any of the Parties hereto upon thirty (30) days written notice to the Parties setting forth the date of such termination.
16. It is the express intent of the Parties that this Agreement shall not create an employer-employee relationship. Employees of one Party shall not be deemed to be employees of the other Party. The Parties shall be responsible to their respective employees for all salary and benefits. The employees of one Party shall not be entitled to any salary, wages, or benefits from the other Party, including but not limited to overtime, vacation, retirement benefits, workers' compensation, sick leave or injury leave. The Parties shall also be responsible for maintaining their own workers' compensation insurance and unemployment insurance for their respective employees, and for payment of all federal, state, local and any other payroll taxes with respect to their respective employees' compensation
17. Each undersigned representative certifies that she or he is authorized to enter into this Agreement and to bind the Parties to the terms of the Agreement. The Parties, intending to be bound, do hereby execute this Agreement and commit to its principles and responsibilities.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the County.

By: \_\_\_\_\_  
Chair  
Lancaster County Board of County  
Commissioners

APPROVED AS TO FORM:

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Deputy County Attorney  
for PATRICK F. CONDON  
County Attorney

DR F

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the City.

City of Lincoln

By: \_\_\_\_\_

Mayor  
City of Lincoln

APPROVED AS TO FORM:

This \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City Attorney

DRAFT