

**LANCASTER COUNTY LEGISLATIVE PROPOSALS  
2020 SESSION**

**INTRODUCTION  
Summary of 2019 Session**

Lancaster County enjoyed a successful legislative session in 2019. The County achieved most of its priorities and made substantial progress on others. Priority Bills passed include:

- LB 200 clarifies the licensure requirements for facilities that provide civil protective services (CPC). The passage of LB200 allows The Bridge to continue using locked rooms to provide CPC services without jeopardizing its status as a licensed mental health substance use treatment facility.
- LB 240 (Amended into LB 686 by AM 1737) allows for treatment to restore competency to stand trial to be provided in community-based facilities, rather than exclusively at a State hospital for the mentally ill. The effective date of LB 686 is July 1, 2021.
- LB 726 requires the HHS Department of Medicaid and Long-Term Care to work with the Department of Correctional Services to develop a protocol to assist inmates eligible for medical parole pursuant to Neb. Rev. Stat. §83-1,110.02 to apply for and receive benefits under the Medical Assistance Act. This Bill could result in a significant savings of General Assistance costs.
- LB 525 amends Neb. Rev. Stat. §23-174.03 to provide that property dedicated to a public use in a plat is acquired by Lancaster County in fee simple. LB 525 also amends Neb. Rev. Stat. §23-107.01 to provide that a county can sell surplus real property directly to another governmental entity without going through the surplus property sale procedures set forth under §23-107.01.
- LB 609 amends Neb. Rev. Stat. §§13-2203(1)(a)(ii) and 23-1112 to give local government governing bodies more flexibility in controlling travel expenses by limiting the cost of mileage reimbursement for the use of a private automobile to the actual cost of an available rental car or other available commercial or charter means.
- Under the County's standing priority of property tax relief: (1) full funding was restored for the management of aquatic invasive species (See 2016 Neb. Laws LB 1038), with \$456,000 appropriated for FY 2019-2020 and for FY 2020-2021; (2) additional funding has been added to the LB 605 County Justice Reinvestment Grant Program; and (3) as recommended under LB 327, additional funding was appropriated to increase the rates for payments to behavioral health providers,

including rates for Adult and Juvenile probation. An additional \$1.5 million was appropriated for FY 2019-2020 and \$3.6 million for FY 2020-2021.

A legislative priority not enacted during the 2019 session is LB 267, which authorizes financing of county bridges under Neb. Rev. Stat. §23-120(3)(b). LB 267 is on general file, and the County will push for early consideration during the 2020 session. Another priority is the implementation of a state-wide 24/7 program under LB 335. This Bill remains in the Judiciary Committee. Senator Hansen has introduced LR 189 to study the effectiveness of 24/7 sobriety programs and to examine potential standards for statewide implementation. Additionally, 24/7 will be included under LR 235, introduced by Senator Lathrop to examine the efficacy of testing and monitoring programs to reduce recidivism for driving under the influence and controlled substance violations.

Lancaster County will also benefit from the following Bills enacted during the 2019 session:

- LB 237 increases the motor vehicle sales tax collection fee for county treasurers by an additional  $\frac{1}{2}$  of 1% for all amounts over \$6,000 remitted each month, with 50% going to the general fund and 50% going to the road fund. Starting January 1, 2023 75% goes to the general fund and 25% goes to the road fund.
- LB 11 authorizes any city or village to enter into agreements under the Interlocal Agreement Act with the county in which they are located for joint and cooperative action to abate, remove, or prevent nuisances within their extraterritorial zoning jurisdiction.

The County may also benefit from the passage of LB 90, which was amended into LB 686 by AM 1737. This Bill may help lower the jail population by amending Neb. Rev. Stat. §28-105(1) to make the nine-month post-release supervision period for Class IV felonies discretionary with the trial court. However, the benefit of LB 90 may be negated by LB 684, also amended into LB 686 by AM 1737, which gives the trial court discretion to sentence a probationer who violates a condition of post-release supervision for imprisonment up to the original period of post-release supervision, rather than the remaining period. County Corrections will carefully monitor the combined effects these two provisions of LB 686 on the jail population.

In preparation for the next legislative session, Lancaster County is interested in several interim legislative studies involving behavioral health issues. LR 187 was introduced by Senator Geist to examine whether the continuity of care and safety of individuals and the public can be enhanced by allowing mental health providers more flexibility to communicate with law enforcement. Also, LR 245 will examine advance planning for mental health care. LR 245 follows up on the Advance Mental Health Care Directives Act proposed under LB 247. Both LR 245 and LB 247 were introduced by Senator Bolz.



## **NEW PROPOSALS**

### **1. Restrict Appeals from Decisions on Special/Conditional Permits to the Petition in Error Process Under Neb. Rev. Stat. §25-1901**

The Nebraska Supreme Court has ruled there are two procedures under which an appeal can be made to the district court from a decision rendered by a county board on a zoning request for a special or conditional permit: 1) a petition in error under §25-1901; or 2) an appeal pursuant to §25-1937. See Olmer v. Madison County Bd. of Comm'rs, 275 Neb. 852, 752 N.W. 2d 124. When reviewing a decision under a petition in error the district court determines whether the county board acted within its jurisdiction and whether the decision rendered is supported by sufficient relevant evidence. Under §25-1937, the district court decides the appeal de novo, which requires the district court to conduct a trial to produce a new record on the appeal, and then rule independently based on that record. Under this procedure the district court may be required to conduct a new public hearing to create a record. The Supreme Court noted the potential burden that could be placed on the district court for appeals conducted under §25-1937. The simple solution is to amend §23-114.01(5) to provide that all appeals are made pursuant to the petition in error process under §25-1901.

### **2. Provide County Engineer with Statutory Authority to Tow Vehicles Stranded on County Roads During Snow Storms**

During snow storms motor vehicles can get stuck and abandoned by the owners, which interferes with the County Engineer's snow removal operations. Under existing law, only the Sheriff's Office has authority to ticket an abandoned vehicle and have it towed. Providing legislative authority to the Engineer to tow such abandoned vehicles would expedite the snow removal process on County roads.

### **3. Amend the Open Meetings Act to Allow Director Evaluations to Be Performed in Closed Session**

The Lancaster County Board conducts annual evaluations of its appointed directors at the Board's Thursday Staff Meetings. Neb. Rev. Stat. §84-1410(1)(d) should be amended to allow the Board to conduct director evaluations in closed session, regardless of whether a closed session is necessary to prevent needless injury to the reputation of the person being evaluated.

**4. Authorize a Reasonable Fee for the Filing of a Petition to Vacate or Abandon a County Public Road under Neb. Rev. Stat. §39-1723**

Counties are not authorized to charge a fee for a petition filed under §39-1723 requesting the vacation or abandonment of a county road. When a petition is filed the county is obligated to perform a study as defined under §39-1722. The vacation study required to be conducted can be costly, and counties should be allowed to charge a reasonable filing fee for the petition to help cover the cost of the study.

**5. Clarify the Meaning of Public Purpose under Neb. Rev. Stat. §77-202(1)(a)**

§77-202(1)(a) provides that property of the state and its subdivisions is exempt from property taxes to the extent it is used for a public purpose. Although an extensive definition of public purpose is provided under §77-202(1)(a)(ii), recent cases decided by the Lancaster County Board of Equalization have shown that the definition public purpose is vague and should be further clarified.

**6. Amend the Mental Health Commitment Act to Allow Sharing of Mental Health Information Among Providers and Law Enforcement Agencies**

The Nebraska Mental Health Commitment Act places strict limitations on the release of a person's mental health records. See Neb. Rev. Stat. §71-961. These confidentiality requirements restrict the ability of providers and law enforcement to share mental health information. The inability to share information can interfere with the continuity of care for the subject and the ability of law enforcement to protect the public safety. §71-961 should be broadened to allow providers to share mental health records when it will assist in providing better continuity of care to the individual or when the safety of the individual or the public can be enhanced by allowing law enforcement agencies to have such information.

**7. Enforcement of Noxious Weed Violations on Out-Lots with 0 Value**

As a by-product of the subdivision process, out-lots are sometimes created which have little or no independent value. Maintenance of the out-lots usually falls to a home owner association created in conjunction with the subdivision. If noxious weed assessments are levied against a 0-value out-lot, the only remedy for collection is through foreclosure or a treasurer's

deed. Like property taxes, special assessments are not personal obligations of the property owner. Since the property has no value, it is unlikely a buyer will bid on the property, and the certificate for the weed assessment will go unpaid. A potential solution to this problem is to make the special assessment for weed violations applicable to every individual lot subject to the authority of the home owner association, with joint and several liability for the weed assessment.

**8. Broaden Enforcement Remedies for Special Permit Violations to Include Financial Sanctions to Cover Damages Caused by the Violation**

Neb. Rev. Stat. §23-114.05 sets forth a county's enforcement authority when the terms, conditions and requirements of a special permit have been violated by the permit holder. Sanctions may include criminal charges, injunctive relief, or termination of the special permit. Special permit violations could be enforced more effectively and economically if counties are given the authority to impose financial sanctions for damages caused by the violation and to help cover the cost of enforcement.

**9. Automatic expungement of Criminal Records**

A criminal conviction for even a minor offense can have a devastating impact on person's life by affecting opportunities for education, employment, housing, etc. For this reason most states have procedures for the expungement or sealing of criminal records, including convictions for most misdemeanors. However, petitioning for a clean record can be confusing and expensive. Research shows that most people who could expunge their criminal record never do so. Two states, Pennsylvania and Utah, have addressed this issue by adopting legislation for the automatic expungement of criminal records. In Nebraska expungement is available on a limited basis under Neb. Rev. Stat. §29-3523. Automatic expungement could be an important component of criminal justice reform in Nebraska.

**10. House Arrest for Work Release and Child Support Inmates**

Administering work release for inmates is time consuming and costly. If these inmates qualify for work release then perhaps they are trust worthy enough for house arrest rather than serving their time at the jail.



Also, inmates serving time for nonsupport of their children should also be placed on house arrest to give them the opportunity to maintain or find employment in order to support their children.

## **11. County Attorney Topics**

Ideas for the LR 149 Interim study to examine the burden of unfunded mandates on county budgets, and for the County Board to consider more generally as the Legislative session approaches.

Lancaster County – criminal and juvenile practice areas

1. Jail costs associated with post-release supervision sanctions and sentences (29-2266; 29-2266.02; 29-2268) (LB 686 FIV optional PRS)
  - a. Cost of jail/detention of any individual whose status is State supervised
2. Competency evaluations (29-1823)
3. Mental Health Board funding to incorporate changes to or expansion of MHB jurisdiction to include firearm prohibition proceedings (71-915) See, LB 58 “Red Flag” law
4. Expansion of Set Aside (29-2264) and Sealing (29-3523) criteria has led to more filings and more attorney court time, particularly given that Domestic Violence and Drug convicted individuals are getting set asides and then making application for handguns in greater numbers now.
5. Juvenile transportation costs when juvenile on probation (43-1005).

I also want the Board to know that I will be appearing at the hearing for LR 144 on Friday September 13. I had previously testified in a neutral capacity on LB 282 on behalf of the Nebraska County Attorney Association. The Lancaster County Attorney’s Office and the Nebraska County Attorney’s Association is opposed to “No Cash Bonds Legislation”. Aside from the risk to the community, there would be several costs to the county regarding these programs. Monitoring and cost of hardware such as gps ankle monitors. We may get more individuals out of jail, but we would need to add more full-time employees to monitor these individuals. The County would likely be responsible for these costs. There is added liability to the county, should someone who is being monitored assault another individual. The New Jersey program was one of the first of these types of “No Cash Bond” programs and they are quickly running out of money to operate the program after only two years. There would be other costs that I can discuss with the Board members if they would like.

## **12. Unfunded Mandates (See Attachment A for a list of services provided to the State)**

## **13. County Treasurer Topics (See Attachment B)**

## EXISTING PROPOSALS

### 1. **Make Texting/Emailing a Primary Criminal Offense**

Under Neb. Rev. Stat. §60-6,179.01(4) the criminal offense of reading, writing or sending a written communication while operating a motor vehicle which is motion can only be enforced "...as a secondary action when a driver of a motor vehicle has been cited or charged with a traffic violation or some other offense." Nebraska is one of only a few states which don't enforce this conduct as a primary offense. Texting or emailing while operating a moving motor vehicle is a serious problem which jeopardizes the safety of the traveling public, and should be enforceable as a primary offense.

### 2. **Appointed Counsel Costs**

For many years Lancaster County has struggled with the escalating cost of court appointed counsel. In 2011 the Lancaster County Indigent Defense Advisory Committee undertook a complete review of the issue. The Committee made a number of recommendations, including the following legislative proposals:

- a. Restrict the right to appointed counsel in juvenile court cases for non-custodial parents who do not have charges filed against them;
- b. Examine low-level misdemeanors to determine which offenses could be reduced to infractions which do not carry jail time;
- c. Amend Neb. Rev. Stat. §29-3604 to allow diversion for driving under the influence cases;
- d. Expand the State contribution for indigent defense, including more funding for the Commission on Public Advocacy; and
- e. Increase the indigent defense fee under Neb. Rev. Stat. §33-156.

### 3. **Amend Neb. Rev. Stat. §13-906 to Require Strict Compliance with Six-Month Waiting Period**

§13-906 provides that no suit shall be permitted under the Political Subdivisions Tort Claims Act unless the political subdivision has made a final disposition on the claim, or in the alternative, final disposition of the claim has not been made within six months after the claim was filed. The Nebraska Court of Appeals has held that the notice requirements of §13-906 are to be liberally construed, and a claimant does not need to wait six months so long as they substantially comply with the six-month requirement and the lack of compliance has not caused prejudice to the political subdivision. The doctrine of substantial compliance creates uncertainty, and the legislature should amend this section to clarify that strict compliance with the notice requirements under §13-906 is required.



**4. Conduct a Legislative Review to Examine How the Length of Time Post Adjudicated Youth Spend in Secure Detention While Awaiting Placement Can Be Reduced**

Post adjudicated youth held in the County's Youth Services Center should be placed into community treatment as soon as possible. However, placement can be difficult because of a number of issues involving these youth. The Legislature should conduct a legislative review to examine how the length of stay in secure detention can be reduced for post adjudicated youth.

**5. Strengthen Prisoner Litigation Statutes to Discourage Frivolous Lawsuits**

Frivolous litigation filed by state and local prisoners is time consuming, expensive, and a waste of limited judicial resources. The deliberate filing of frivolous lawsuits by prisoners could be discouraged if all prisoners were required to have some financial stake in filing an action. Federal statutes governing civil rights actions of prisoners require that a prisoner seeking to proceed in forma pauperis is still required to pay the full amount of the filing fee. Along with the affidavit seeking to proceed in forma pauperis, a prisoner is also required to submit to the court a certified copy of their institutional trust fund account for the six month period immediately preceding the complaint or notice of appeal. The prisoner may then be allowed to pay the filing fee over time based on a payment formula in the federal statutes. Federal law also gives judges greater discretion in dismissing actions filed by prisoners which the court determines to be frivolous, malicious, or fail to state a claim upon which relief can be granted.

Presently, Neb. Rev. Stat. §25-3401(2)(a) provides, "A prisoner who has filed three or more civil actions, commenced after July 19, 2012, that have been found to be frivolous by a court of this state or a federal court for a case originating in this state shall not be permitted to proceed in forma pauperis for any further civil actions without leave of the court..." This statute should be amended to include the federal law provisions which require the prisoner to pay the filing fee and which provide greater discretion to judges to dismiss frivolous or malicious claims.

**6. Amend Neb. Rev. Stat. §29-2022 to Give Trial Courts Discretion with Regard to Sequestered Juries in Criminal Cases**

Defendants in criminal cases have the right to keep a jury sequestered until a verdict is reached, regardless of the severity of the case or the actual risk the jury members may be influenced by improper contact or communications. See Neb. Rev. Stat. §29-2022. When a jury is sequestered counties are responsible for paying all the costs of housing and feeding the jury members, as well as the costs of providing security. These expenses can be significant. Additionally, sequestration can result in a substantial hardship to the members of the jury. This statute should be amended to give the trial court discretion in deciding whether a jury in a criminal case should be sequestered until a verdict is reached, based on the actual potential of



the jury being improperly influenced. 2016 Neb. Laws LB 976 would have given trial courts discretion on jury sequestration. However, it was withdrawn prior to consideration by the Judiciary Committee.

**7. Reasonable Fees for Services Provided by the County Engineer for Issuance of Driveway Permits, Right-of-Way Utility Permits, Subdivision Reviews, and Load Permits**

The Lancaster County Engineer's Office spends a significant amount of time issuing driveway permits, right-of-way permits for utilities, vehicle load permits, and reviewing proposed land subdivisions. These services primarily benefit individual companies or persons. Enabling legislation is necessary to give counties the authority to charge a reasonable fee for these services.

**8. Limit Workers' Compensation Awards to Retirement Age**

Rising workers' compensation costs are a concern to the County. Awards for permanent disability are expensive and can extend an indefinite period into the future. Limiting disability awards to the age of retirement would still benefit the injured worker by helping replace lost wages during wage-earning years. At retirement other revenue sources, such as social security and pensions, then become available to support the injured worker. The benefit to the County would be lower costs and a greater ability to manage workers' compensation cases.

**9. Extend Deadline for Issuing Greenbelt Valuation Notice**

When a property owner simultaneously has a pending board of equalization valuation protest and an application for special Greenbelt valuation, it is possible that a landowner will receive conflicting valuation notices. This problem can be solved by amending Neb. Rev. Stat. §77-1345.01(2) to extend the final date for the board of equalization to send a notice of special valuation from July 22nd to August 15<sup>th</sup>.

**10. Modify Strict Liability Provisions of Neb. Rev. Stat. §13-911 When a Vehicular Pursuit Is Terminated by a Law Enforcement Officer**

As interpreted by the Nebraska Supreme Court, a political subdivision can be held strictly liable under §13-911 for damages to an innocent third party caused by a fleeing motorist, even after a pursuing law enforcement officer has stopped the pursuit. §13-911 should be amended to eliminate strict liability when the damages are caused by the fleeing

motorist after the pursuit has been terminated by the officer. This amendment would provide an incentive to law enforcement to stop pursuits which have become dangerous to innocent third parties.

**11. Clarify Funding Source When Courts Assign Non-IV-D Cases to a Child Support Referee**

Under Neb. Rev. Stat. §43-1610 funding for a child support referee shall be provided by the county and state to the district Court, separate juvenile court, and county court. Neb. Rev. Stat. §43-1611 provides these courts may by rule or order assign any matter regarding the establishment and collection of child, spousal, or medical support, paternity matters, and protection orders to a child support referee. However, when a child support referee is assigned non-IV-D cases federal funds may not be used to cover the cost. Since the courts have complete discretion in assigning cases to a child referee, it is possible the county may incur additional costs under the IV-D program over which it has no control. The statutes should be clarified to provide state funding will be used in this situation rather than county funding.

**12. Provide Statutory Guidance on Enforcement of Insurance Subrogation Clauses**

In the case of Blue Cross and Blue Shield of Nebraska, Inc. v. Dailey, 268 Neb. 733 (2004), the Nebraska Supreme Court held a subrogation clause in the insurance contract could not be enforced against the insured under the equitable made whole doctrine. The Dailey case involved an employee covered under an insurance contract between his employer, the Nebraska Association of County Officials, and Blue Cross. The employee was injured as a result of the negligence of a third party, and subsequently recovered a one-time payment of \$1,225,000 and monthly payments of \$10,000 for life against the third party. Even though the contract clearly provided Blue Cross would be entitled to recover approximately \$794,000 it had paid on behalf of the insured for injuries caused by a third party, the Supreme Court held Blue Cross was not entitled to recover these funds because the insured had not yet been made whole for the injuries. A statutory solution is needed to provide for the enforcement of reasonable subrogation clauses to help control health insurance costs.





# ATTACHMENT A

## Lancaster County, Nebraska Services Provided to the State of Nebraska

Budget Year  
2018-19

### Updated Information

County Treasurer	The Treasurer collects sales tax and remits to the State through the motor vehicles division. Collected \$29,238,776 in FY12 and collections fees kept by the county were \$1,800.	Collected \$41,235,411 in FY18 and collection fees kept by the county were approximately \$2,700	
West O Building	Lancaster County provides 4,075 square feet to the State for Drivers License Examiners. This includes utilities and custodial services. The cost per sq/ft at West O is \$14.88.	The cost per sq/ft at West O is \$18.87 (2018-19)	\$ 76,895
Motor Vehicle Building	Lancaster County provides 1,651 square feet to the State. This includes utilities and custodial services. The cost per sq/ft is \$7.47.	The cost per sq/ft is \$9.91 (2018-19)	\$ 16,361
Register of Deeds	The Register of Deeds does all of the work required to file land records yet is required to send a portion of the documentary stamp tax to the state to fund other programs. County keeps 22.22% and the State receives 77.78%. Based on \$2 million collected - state receives \$1,555,000. (76-903)	Calculated amount is still reasonable	\$ 1,555,000
Election Commissioner	Billable costs for elections are not allowed to be billed to the state. Costs are passed down to other political subdivisions but not to the state. State costs would range from 50% to 60% of billable costs. Last primary billable costs were \$356,000.		
County Court (BU 6280)	Lancaster County is required to remit certain court costs to the State. If those fees cannot be collected from defendants, the County must pay.	Court Costs (All 3 courts have been combined)	\$ 300,000
County Court	All County Court staff are state employees.		\$ 689,933



**Lancaster County, Nebraska**  
**Services Provided to the State of Nebraska**

		<u>Updated Information</u>	<u>Budget Year</u> <u>2018-19</u>
	Lancaster County pays for operating expenses, computers, and office equipment.		
	Lancaster County is required to provide for office space and courtrooms. Cost includes custodial services, utilities, security, and parking. 29,195 sq/ft at a cost of \$14.72 per sq/ft. (New Courtroom is under construction)	31,422 sq/ft @ \$15.95 plus parking	\$ 506,581
Juvenile Court	Juvenile Court Judges are state employees. The County pays for a Court Administrator, 3 Clerk Typists, and 4 bailiffs. (Personnel Costs)		\$ 645,506
	Lancaster County also pays for Court Appointed Attorneys, Boarding contracts, and other operating expenditures.		\$ 1,185,399
	Lancaster County is required to provide for office space and courtrooms. Cost includes custodial services, utilities, security, and parking. 12,632 sq/ft at a cost of \$14.72 per sq/ft.	12,500 sq/ft @ \$15.95 plus parking	\$ 204,055
District Court	District Court Judges are state employees. The County pays for a Court Administrator, 2 Law Clerks, and 8.75 bailiffs. (Personnel Costs)		\$ 1,278,790

**Lancaster County, Nebraska**  
**Services Provided to the State of Nebraska**

**Updated Information**

**Budget Year**  
**2018-19**

Lancaster County has had a District Court Referee for many years. State Statute states the county and state should pay for the costs. IV D pays for 2/3 of the costs but the state pays zero.

Lancaster County also pays for Court Appointed Attorneys, juror fees, and other operating expenditures.

\$ 1,079,424

Lancaster County is required to provide for office space and courtrooms. Cost includes custodial services, utilities, security, and parking. 33,524 sq/ft at a cost of \$14.72 per sq/ft.

33,524 sq/ft @ \$15.95 plus parking

\$ 542,988

**County Sheriff**

Special Services Division provides security for the courtrooms. This cost is incorporated into the cost per sq/ft in rent calculations.

The Civil Division is responsible for the process of writs and documents. Sheriff does receive revenue but it does not offset the cost of performing the service.

Register sex offenders and complete handgun registrations in the Administrative Support Division. 2 employees - does not include supervisor time.

**Corrections**

The Jail has provided 859 DNA tests for the State over the last 2.5 years.

The Jail has completed 7,175 full sets of fingerprints for the State system (NSP) over the last 2 years.



**Lancaster County, Nebraska**  
**Services Provided to the State of Nebraska**

**Updated Information**

**Budget Year**  
**2018-19**

The Jail has completed 22 sex offender registrations over the last 2 years.

The Jail has had to answer 138 Ombudsman's request with time spent researching, interviewing, making repeated phone calls, and email contacts with the Ombudsman's office over the last 2 years.

The Jail has completed approximately 18,000 warrant checks on offenders before releasing over the last 2 years.

Time and staff effort to send inmate medical files to the State of Nebraska over the last 2 years.

Jail Reimbursement - housing of prisoners on behalf of the State. The State's rate was only \$35 per day and funding would run out during the fiscal year. Funding ended after FY11.

Amount billed FY00-FY11	15,696,765
Amount collected	8,626,242

\$ 7,070,523

Amount unable to be billed because funding ended:	
FY12	1,809,255
FY13 - FY18	11,451,160

Amount unable to be billed because funding ended:  
(through June 30, 2018)

\$ 13,260,415

**Lancaster County, Nebraska**  
**Services Provided to the State of Nebraska**

		<u>Updated Information</u>	<b>Budget Year 2018-19</b>
Juvenile Probation	Juvenile Probation staff are state employees. Lancaster County pays for operating expenses, computers, and office equipment. This also includes contracts with the State Probation Office. The Juvenile Drug Court was funded by the State with grants but the County started funding in FY05.	Computer Request (County is no longer funding Drug Court)	\$ 69,997 16,903
	Lancaster County provides space for the department and the juvenile drug court. Cost includes custodial services, utilities, security and parking. 3,736 sq/ft at a cost of \$14.72 per sq/ft.	(14,603 sq/ft @ \$15.95 plus parking)	\$ 258,109
Adult Probation	Adult Probation staff are state employees. Lancaster County pays for operating expenses, computers, and office equipment. This also includes a contract with the State Probation Office.	Computer Request	\$ 187,529 \$ 11,773
	Lancaster County provides space at the Jail and office space at Trabert Hall. Cost includes custodial services, utilities, security and parking. 6,323 sq ft at a cost of \$11.75 per sq/ft at the jail and 17,572 sq ft at a cost of \$10 per sq/ft at Trabert Hall.	605 Building - 19,533 sq/ft @ \$15.95 plus parking Reporting Center - 6,650 sq/ft @ \$10.20	\$ 386,221
Community Corrections	Drug Court - reimbursement for employees. Dollar amount of reimbursement has not changed over 6 years - despite Kim's request. Employee Costs - \$276,156 (salaries only) State Reimb - \$183,839	State Reimbursement - \$246,839 Employee costs - \$350,449	



**Lancaster County, Nebraska**  
**Services Provided to the State of Nebraska**

		<b>Budget Year</b>	
		<b><u>2018-19</u></b>	
Youth Services Center	The state does not reimburse the county for the cost of care for youth detained and/or in an alternative to detention post adjudication and beyond. The requirement is only when the youth is committed to HHS/OJS and should be adjudicated youth in juvenile court. The state should also be responsible for the cost of care for youth who are detained due to a violation of probation pre-adjudication status.	<b><u>Updated Information</u></b>	
		State Probation does not cover actual costs Staff Secure has been eliminated in FY16-17	
General Assistance	Lease agreement with Health & Human Services - 41,267 square feet x 13.60 per sq ft. x 51.62% nonfederal share = \$289,707.55 (Included on legislative list)	\$	285,000
County Fees	A number of county statutory fees have not been raised for many years. Fees are not allowed to be increased to cover costs. A few examples: locksmith license handgun permits motor vehicle inspection fees Treasurer fees		
Other Court Related Costs	Clerk of the District Court	\$	1,899,678
	Jury Commissioner	\$	410,809
	Mental Health Board	\$	148,467

Note: List was started in FY12-13 and updates have been added throughout the years.



**Kerry P. Eagan**

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**From:** Rachel M. Garver  
**Sent:** Wednesday, August 28, 2019 3:55 PM  
**To:** Kerry P. Eagan  
**Subject:** State Treasurers Legislative Committee Proposals

Kerry,

Below are the issues that NACO will likely draft legislation for:

1. **Publishing of County Reports:** In today's electronic world it was felt the State requirement to print reports in the local newspaper was becoming outdated and expensive to counties. This started out as just the Treasurer's 6 month report and discussion was expanded to include all county reports including the delinquent property list. With printed media readership declining, having such reports online was felt would reach a larger audience.
2. **Treasurer Qualifications:** In light of a couple of recent events, both the Legislative and Education Committees discussed at minimum requiring a 2-3 day training for new Treasurer's before taking office. Minimum education and work experience for treasurer candidates may also be included.
3. **Real Estate Property Tax Statements:** Optional allowance for tax payers to sign up for electronic notification in lieu of mailing out a physical statement of real estate property taxes.



**Rachel M. Garver**

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