

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
107th Legislature, 2nd Regular Session

Document	Senator	Position	Committee	Status	Description
LB310	Clements	Oppose Testimony	Revenue 02/18/2021	Approved by Governor 02/17/2022 Clements Priority Bill	Change inheritance tax rates, inheritance tax exemption amounts, and individuals who are considered relatives of a decedent

Relating to inheritance tax rates and exemption amount, in the case of a father, mother, grandparent, sibling, child, or child legally adopted, the rate of tax would be: for (a) decedents dying prior to 1/1/2022, 1% of the clear market value of the property received by each person in excess of \$40,000; (b) for decedents dying during calendar year 2022, 1% of the clear market value of the property received by each person in excess of \$150,000; (c) for decedents dying during calendar year 2023, 0.75% of the clear market value of the property received by each person in excess of \$150,000; (d) for decedents dying during calendar year 2023 or thereafter, 0.5% of the clear market value of the property received by each person in excess of the applicable exempt amount for the year. For calendar year 2024, the exempt amount would be \$160,000. For each subsequent calendar year, the exempt amount would increase by \$5,000.

In the case of an uncle, aunt, niece, or nephew related to the deceased by blood or legal adoption, the rate of tax would be: for (a) decedents dying prior to 1/1/2022, 13% of the clear market value of the property received by each person in excess of \$15,000; (b) for decedents dying during calendar year 2022, 11% of the clear market value of the property received by each person in excess of \$60,000; (c) for decedents dying during calendar year 2023, 9% of the clear market value of the property received by each person in excess of \$62,500; (d) for decedents dying during calendar year 2023 or thereafter, 6% of the clear market value of the property received by each person in excess of the applicable exempt amount for the year. For calendar year 2024, the exempt amount would be \$65,000. For each subsequent calendar year, the exempt amount would increase by \$2,500.

In all other cases, the rate of tax would be: for (a) decedents dying prior to 1/1/2022, 18% of the clear market value of the property received by each person in excess of \$10,000; (b) for decedents dying during calendar year 2022, 15% of the clear market value of the property received by each person in excess of \$40,000; (c) for decedents dying during calendar year 2023, 12% of the clear market value of the property received by each person in excess of \$42,500; (d) for decedents dying during calendar year 2023 or thereafter, 9% of the clear market value of the property received by each person in excess of the applicable exempt amount for the year. For calendar year 2024, the exempt amount would be \$45,000. For each subsequent calendar year, the exempt amount would increase by \$2,500.

Douglas County Board of Commissioners position: Bill of High Concern
Nebraska Association of County Officials position: Oppose

LB353	Lathrop		Appropriations 02/18/2021	In Committee 01/15/2021 Lathrop Priority Bill	Appropriate funds to the Department of Correctional Services for a community corrections facility
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This bill would appropriate \$52 million from the General Fund for FY 2021-22 to the Department of Correctional Services for the construction or expansion of a community corrections facility with 300 new beds in the Omaha metropolitan area. The new or expanded facility would be consistent with the increase of community corrections capacity in the Omaha area recommended in Phase 1 of the Department of Correctional Services 2014 Master Plan Report.

Nebraska County Attorneys Association Position: Support

LB450	McKinney		Business and Labor 02/01/2021	Approved by Governor 04/20/2022 McKinney Priority Bill	Adopt the Nebraska Innovation Hub Act and the Small Business Assistance Act
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LB450 would adopt the Nebraska Innovation Hub Act. An innovation hub or iHub means a partnership between interrelated firms, local governments, economic development organizations, educational entities, and industries that collectively drive economic growth within a defined geographic area. The Department of Economic Development is charged with designating innovation hubs to stimulate partnerships, economic development, and job creation by leveraging assets to provide an innovation platform for startup businesses, economic development organizations, business groups, and venture capitalists. The assets may include, but are not limited to, research parks, technology incubators, universities, and federal laboratories.

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					<p>The Business and Labor Committee advanced the bill with AM739 attached. AM739 defines an Economic redevelopment area in reference to the Nebraska Innovation Hub Act. Sec 3. (4) Economic redevelopment area means an area in the State of Nebraska in which: (a) The average rate of unemployment in the area during the period covered by the most recent federal decennial census or American Community Survey 5-Year Estimate by the United States Bureau of the Census is at least one hundred fifty percent of the average rate of unemployment in the state during the same period; and (b) The average poverty rate in the area is twenty percent or more for the federal census tract in the area</p> <p>Nebraska State Chamber position: Monitor Nebraska Economic Developers Association position: Monitor</p>
LB512	Brewer		Business and Labor 03/01/2021	General File 02/15/2022 Business and Labor Priority Bill	Adopt the Critical Infrastructure Utility Worker Protection Act
					<p>This bill would adopt the Critical Infrastructure Utility Worker Protection Act. Utilities would maintain a list of critical infrastructure utility workers by position description without listing individual names and would be made available to the Nebraska Emergency Management Agency upon request. In the event of any civil defense emergency, disaster, or emergency involving a severe threat to human health, the Governor would take all necessary measures to provide available federal funds for the adequate protection and care of critical infrastructure utility workers.</p> <p>The Business and Labor Committee advanced LB512 with AM1620 that strikes the emergency clause in section 6. It also redefines Critical infrastructure utility worker in section 2 to mean an essential critical infrastructure worker as identified in the Guidance on the Essential Critical Infrastructure Workforce, Version 4.0, as released on 7 August 18, 2020, by the United States Department of Homeland Security Cybersecurity and Infrastructure Security Agency. Finally AM1620 adds the words in accordance with federal law and regulations regarding eligibility in section 5 when referring to applying available federal funds to workers. Effectively ending the state funding of the act.</p>
LB661	McDonnell		Judiciary 02/24/2021	General File 03/16/2021 Speaker Priority Bill	Prohibit assault on a public transportation driver and clarify provisions relating to assault on officers, emergency responders, certain employees, and health care professionals
					<p>Under this bill, a person would commit the offense of assault on a public safety officer, health care professional, or public transportation driver in the first degree if such person intentionally or knowingly causes serious bodily injury to such listed worker while the worker is engaged in the performance of their official duties. It would be assault in the second degree if such person intentionally, knowingly, or recklessly causes bodily injury to the worker with a dangerous instrument and such offense is committed while the worker is engaged in the performance of their official duties. It would be assault in the third degree if such person intentionally, knowingly, or recklessly causes bodily injury to such worker while the worker is engaged in the performance of their official duties.</p> <p>Nebraska Hospital Association position: Support</p>
LB717	Morfeld	Monitor	Business and Labor 01/24/2022	Approved by Governor 04/20/2022 Pansing Brooks Priority Bill	Change the amount of compensation under the In the Line of Duty Compensation Act
					<p>Relating to the In the Line of Duty Compensation Act, this bill would increase the amount of compensation for deaths occurring during the calendar year 2022 to two hundred fifty thousand dollars.</p> <p>Nebraska Association Of County Officials: Recommend Watching</p>

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LB723	Briese		Revenue 01/19/2022	General File 01/20/2022 Murman Priority Bill	Change provisions relating to the calculation of tax credits under the Nebraska Property Tax Incentive Act

Relating to the Nebraska Property Tax Incentives Act, for the calendar year 2024 and each year after, the department would set the credit percentage so that the total amount of credits for such taxable years would be the maximum amount of credits allowed in the prior year increased by the allowable growth percentage. This is changed from what the original statute says having the credit percentage so that the total amount of credits for 2024 would be three hundred seventy million dollars.

Nebraska Chamber Taxation Council: Support
Nebraska Association of School Boards: Follow

LB729	Lindstrom		Revenue 02/09/2022	Select File 04/11/2022 Speaker Priority Bill	Adopt the Quick Action Closing Fund Act
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This bill would adopt the Quick Action Closing Fund Act. Money that is transferred to the fund by the Legislature or by donations would be used for the purpose of economic development and related infrastructure development. Business establishments wanting to qualify for any money from this fund must be engaged in qualified business activity. The Governor would not be able to approve payments from the Quick Action Closing Fund unless the Department of Economic Development has first conducted a complete analysis of the potential in place of the applicant's business activity. The Director of Economic Development can recommend expenditures to the Governor if the director determines that such expenditures are expected to result in a net economic benefit to the state through, but not limited to, creation of new jobs, maintenance of existing jobs, investment in new property, or additional revenue in property or sale taxes. Upon approval by the Governor, the department would enter into an agreement that would set forth the conditions for the payment of money from the Quick Action Closing Fund. It is also described in detail what would happen if any of the amount awarded is used to build a capital investment or if the recipient does not use the funds for its intended purpose.

Nebraska Chamber Economic Development Council: Support
Nebraska Economic Developers Association: Support

LB750	Friesen	Support	Transportation and Telecommunications 01/18/2022	Approved by Governor (E- Clause) 04/20/2022 Transportation and Telecommunicati ons Priority Bill	Change provisions relating to transportation
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This bill would allow a person who owns a vehicle or motorboat for which a certificate of title may be issued pursuant to the Motor Vehicle Certificate of Title Act or the State Boat Act may use a transfer-on-death certificate for said vehicle or motorboat. The registration period for apportioned vehicles would need to be renewed monthly, quarterly, or annually at the discretion of the director. Such registration period expires on the last day of the registration period and renewal is delinquent on the first day of the second full month following such expiration date. The department may adopt and promulgate rules and regulations to establish a staggered registration system for apportioned vehicles. Also, when the department receives an application for historical license plates, Choose Life License Plates, or license plates for a fleet of apportionable commercial vehicles, they would deliver the plates and registration certificate by US mail and this postage and handling fee may be charged to the registrant. The department would remit the fee to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

Former military vehicles would be able to tow farm trailers, deal-plated trailer, cabin trailer or a utility trailer. The Nebraska Safety Center would also not be required to offer a department-approved driver safety course once a year in counties where no approved course is offered.

If a nonresident who applies for an initial operator's license or a commercial driver's license in this state would present a physical or mobile license for which they are applying from another state, the department can choose to not require the person to take the examination normally needed. If this would happen, the license from the other state would be surrendered to the department and they would notify the other state to invalidate such license.

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This bill would also be removing all the provisions that originally were set to expire January 1, 2021 and replacing them with the provisions that were said to begin on January 1st, 2021. All taxes, interest, and penalties collected pursuant to the International Fuel Tax Agreement Act would be remitted to the State Treasurer for credit to the Highway Trust Fund, except as otherwise provided under the act or an agreement entered pursuant to the act.

The Committee advanced LB750 with the provisions of several bills in AM1966. These bills include:

LB 913 seeks to amends section 39-1320 to provide that the construction, reconstruction, relocation, improvement, and maintenance of highway approaches are deemed to be a state highway purpose. Section 39-1337 is amended to provide that the construction and maintenance of a highway approach damaged due to an extreme weather event or faulty engineering shall be the responsibility of the Department of Transportation. Any construction or repair of a highway approach shall be subject to the department's sufficiency rating system. "Extreme weather event" is defined as a weather event that generates extraordinary costs caused by such an event. LB 913 was amended by the Committee to define the term "faulty engineering" and to provide authority to the Department of Transportation that in the event of faulty engineering of a highway approach on the part of another entity the department may seek reimbursement from the responsible party.

LB 1022 seeks to modify the distribution of fees for the 24/7 sobriety program permit established in 2021. The bill provides that the portion of the permit fee distributed to the county shall be distributed to the county which issued the permit, not the county of residence of the individual receiving the permit.

LB 1145 seeks to mmends motor vehicle accident report requirements. Current law provides that motor vehicle accident reports when filed shall not disclose to the public the date of birth or operator's license number included on the report. As introduced the bill provides that for any accident report filed, the year of birth of the vehicle operator shall not be confidential and shall be considered a public record. The Committee amended the bill to provide that nothing shall prohibit a law enforcement agency from disclosing the age of an operator included in any motor vehicle accident report.

LB 1259 provides that commencing January 1, 2023 new motor vehicle license plate issuance shall occur every 10 years rather than every 6 years. The bill also increases the issuance fee for new license plates and renewal tabs from not more than \$3.50 to not more than \$5.00 per plate. The Committee amended the bill to retain the current 6-year replacement cycle for license plates and to increase the per plate issuance fee from \$3.50 to not more than \$5.25.

LB 1266 amends section 75-126. The section prescribes a number of actions that regulated common carriers may not engage in. The section also sets forth an exception when a regulated common carrier may offer free or reduced rates. An additional exception is created. Individuals 65 years or older may receive free or reduced rates.

LB773	Brewer	Judiciary 01/20/2022	Select File 03/14/2022 Brewer Priority Bill	Provide for carrying of concealed handguns without a permit and prohibit regulation of such carrying by cities, villages, and counties
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This bill would allow for the carrying of a concealed weapon without a permit unless they are prohibited from doing so or they are under the influence of alcohol or a controlled substance. The only requirement for carrying a concealed weapon would be carrying a form of personal identification. A person who is transporting or storing a concealed weapon in a motor vehicle for a lawful purpose does not violate this bill if the weapon is unloaded, kept separate from ammunition, and enclosed in a case. It also would be prohibited to regulate the carrying of concealed weapons by cities, villages, and counties.

Nebraska Association Of County Officials: Neutral

LB792	Lowe	Appropriations 01/28/2022	Approved by Governor 04/20/2022 Legislature's Planning Committee Priority Bill	Appropriate funds to the University of Nebraska for the University of Nebraska Medical Center Rural Health Complex
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There is \$15,046,000 from the General Fund for FY2022-23 appropriated to the Department of Health and Human Services, for Program 900, Office of Juvenile Services, for new construction, renovation, and equipment replacement at the Youth Rehabilitation and Treatment Center-Kearney. The fund would be used to build two new housing unit at the Youth Rehabilitation and Treatment Center-Kearney, design and renovate the treatment and program center, and replace the pump and elevator.

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					<p>The Appropriations Committee advanced the bill with AM2430 which strikes the original provisions and becomes the bill. The amendment appropriates funds from the General Fund to the University of Nebraska for the operating expenses of the Rural Health Complex. Funds appropriated are as follows: \$3,000,000 for FY22-23; \$9,000,000 for FY23-24; and \$15,000,000 for FY24-25. Start up costs and constructions costs for this project are appropriated to the University in LB1014 from funds received by the State of Nebraska pursuant to the federal Coronavirus State Fiscal Recovery Funds in the American Rescue Plan Act of 2021.</p> <p>Nebraska Association of Behavioral Health Organization: Monitor</p>
LB800			Urban Affairs 01/18/2022	Approved by Governor (E-Clause) 04/20/2022 Urban Affairs Priority Bill	<p>Change provisions relating to cities of the metropolitan class, sanitary and improvement districts, sanitary drainage districts, the Affordable Housing Tax Credit Act, the Civic and Community Center Financing Act, the Local Option Municipal Economic Development Act, and the Municipal Density and Missing Middle Housing Act</p> <p>This bill would remove the heading of each category that a city of the metropolitan class would have power by ordinance to do and incorporates that category into what the statute says they have the power to do. Some changes regarding the specific authority of these cities include:</p> <ol style="list-style-type: none">1. Regarding weeds, the three-mile zoning district will be changed to a city's extraterritorial zoning jurisdiction2. These cities would not regulate the tire width of vehicles3. Punishments for people who are abusive towards their families and suspicious people who can't reasonably account for themselves would no longer be regulated by cities of this size4. Horseracing or other racing of animals would not be regulated by these classified cities <p>The other changes to the bill are mainly rewording sentencing and restructuring sections to say the same thing but in an easier to understand or overall better way. Sections 14-1701 to 14-175 would also be named the Parking Authority Law.</p> <p>AM 2035 makes several additional clean-up changes to the underlying bill and incorporates the provisions of six other municipal-related bills into the bill: LB 555, LB 724, LB 727, LB 799, LB 842 (as amended by AM 2033), and LB 1189 (as amended by AM 1953).</p> <p>The Urban Affairs Committee advanced LB800 with AM 2035 that makes several additional clean-up changes and restores references to daily legal newspapers which were inadvertently struck from the bill.</p> <p>LB 555 would require that reports filed under the Municipal Density and Missing Middle Housing Act include the percentage of residential areas in the city which have been declared substandard and blighted or extremely blighted under the Community Development Law.</p> <p>LB 724 would amend the Local Option Municipal Economic Development Act, commonly referred to as LB 840, to authorize the use of funds under the Act for the development and implementation of an affordable housing action plan. LB 724 would also authorize cities of the first class, cities of the second class, and villages to include grants, loans, and funds for the construction of housing as part of an affordable housing action plan under the Act.</p> <p>LB 727 would eliminate unnecessary and redundant language related to sanitary and improvement district (SID) elections.</p> <p>LB 799 would update and clarify reporting requirements under the Municipal Density and Missing Middle Housing Act.</p> <p>LB 842 (as amended by AM 2033) would authorize tribal governments to apply for and receive grants under the Civic and Community Center Financing Act (CCCFA).</p> <p>LB 1189 (as amended by AM 1953) would provide that if a sanitary drainage district which lies solely within the zoning jurisdiction of a city is discontinued, all funds, property, property rights, legal obligations, taxes, or assessments owned by or owed to the district shall revert to the city or a riverfront development authority created by the city. Under the bill, a riverfront development authority shall only take title to and ownership of property or property rights of the discontinued sanitary drainage district contained within the boundaries of the riverfront development district managed by the authority. AM 2035 adds the emergency clause, but only for the provisions of LB 1189 (as amended by AM 1953).</p>

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LB805	Hughes	Support Letter	Agriculture 01/18/2022	Approved by Governor 04/20/2022 Agriculture Priority Bill	Change provisions of the Black-Tailed Prairie Dog Management Act, the Nebraska Wheat Resources Act, and the Noxious Weed Control Act

This bill would change the prioritization of applications for assistance under the Noxious Weed Control Act to include looking at if the project would reduce or prevent the total population of a noxious weed or invasive plant. It also states that the Legislature has the intent to appropriate three million dollars (an increase from one million) annually for the management of vegetation within the banks or flood plain of a natural stream starting in the fiscal year 2022-23.

The Agriculture Committee advanced LB905 with AM1976 which strikes the original sections and becomes the bill. The effect of the amendment is to add the provisions of LB 712 and LB 802 as introduced. The original substantive provision of LB 805 is retained as Section 1 of the amendment. Section 14 of the amendment is a revised repealer section to incorporate new sections added by the amendment. The new provisions of LB 805 added by the amendment are summarized below.

In AM1976, the amendment adds provisions of LB 802 which revises powers and duties of the Wheat Board to expressly authorize additional avenues for commercializing new wheat varieties developed with checkoff funds and clarifies points in commerce when the checkoff is assessed and collected. Also, the amendment includes provisions of LB 712 that makes a series of revisions to the Black-Tailed Prairie Dog Management Act to address or remove constitutionally questionable provisions of the current law.

Nebraska Association Of County Officials: Support

LB820	Hansen, M.		Urban Affairs 01/18/2022	Approved by Governor 04/20/2022 Speaker Priority Bill	Change population thresholds for cities of the metropolitan class and cities of the primary class
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This bill would categorize a city having a population of more than one hundred thousand and less than three hundred thousand inhabitants as a city of the primary class in a statute discussing watercourse within a sanitary drainage district.

LB833	Pahls		Judiciary 01/21/2022	General File 03/14/2022 Pahls Priority Bill	Change the statute of limitations on certain civil actions for sexual assault of a child
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This bill would provide that there would not be any time limitations for bringing an action against any person other than the individual that directly caused the injuries suffered by the plaintiff when the plaintiff was a victim of sexual assault of a minor if this violation occurred before the effective date of this act and if such action was not previously time-barred. This would not extend the SOL applicable to a claim subject to the State Torts Claims Act or the Political Subdivisions Tort Claims Act.

The Judiciary Committee advanced LB833 with AM2335. The amendment rewrites section 1 of the bill by striking a new subsection (2) and replacing it with language that clarifies that the provisions do not apply to the State or Political Subdivisions Tort Claims Act.

Nebraska Chamber Labor Relations Council: Oppose

LB840	Brewer		General Affairs 02/14/2022	Approved by Governor 04/20/2022 Speaker Priority Bill	Change provisions relating to publication and rates for legal notices
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Beginning October 1, 2022, all legal publications and notices of whatever kind that by law are required to be published a certain number of days or a certain number of weeks would also be posted by the newspaper publishing such legal publications or notices on a statewide website established and maintained as a repository for such notices by a majority of Nebraska newspapers.

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					<p>From October 1, 2022 until October 1, 2023, the legal rate for the publication of all legal notices other than those exceptional legal notices described in section 33-142 will be increased. The calculation of fees for such publication are given in an official conversion table. Starting October 1, 2023, the legal rate will increase again and the calculation of fees for publications after this date are given in an official conversion table as well.</p> <p>General Affairs Committee advanced LB840 with AM1915 attached. AM1915 clarifies that a website posting, or a failure to make the website posting does not affect the legal validity of the publication of the notice as required.</p> <p>Nebraska Association Of County Officials: Neutral Nebraska Association of School Boards: Follow</p>

LB843	Brewer	Monitor	Government, Military and Veterans Affairs 01/26/2022	Approved by Governor 04/20/2022 Government, Military and Veterans Affairs Priority Bill	Change provisions relating to elections
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In the case where a person is disabled and cannot write their name or symbol on an election ballot, they may substitute either a mark if someone writes their own name and the mark is near their name, or an impression made using a signature stamp. If a person renders assistance in writing one's name, next to the mark or impression, they should also write their name and address. Regarding the appointment of election workers, if authorized by the Secretary of State, the election commissioner, or the county clerk, may appoint an elector residing outside the county as a precinct inspector, district inspector, judge of election, or clerk of election unless the elector resides in a county which conducts all elections by mail the no authorization would be needed. Any person, other than the Secretary of State, an election commissioner, a county clerk, the State Department of Education, the Department of Health and Human Services, or the Department of Motor Vehicles, distributing voter registration application should use the form prescribed by the Secretary of State that contains the identity of who is distributing the forms in bold type at the top of the front page and some statements that are described.

A registered voter's name should be removed from the register and their registration should be canceled if the election commissioner or county clerk has received information from the Department of Motor Vehicles that the registrant has changed the registrant's state of residence by surrendering the registrant's Nebraska motor vehicle operator's license or state identification card to another state. The Secretary of State will make available to each jury commissioner a list of registered voters with the authorized information and the registrant's motor vehicle operator's license number or state identification card number.

Any issue to be submitted to the registered voters at a special election by a political subdivision must be certified by the clerk of the political subdivision to the election commissioner or county clerk on or before the eighth Friday prior to the election. A political subdivision that has submitted such issue for a special election may cancel the election or withdraw the issue from ballot if the Secretary of State, election commissioner, or county clerk receives a resolution adopted by the political subdivision regarding such matter for cancelation on or before the fourth Thursday prior to the election or for withdrawal no later than March 1 prior to a statewide primary election or September 1 prior to a statewide general election. No cancelation or withdrawal will be effective after their respective date.

In regards to an early voter ballot being destroyed or not received, if the voter may mail or use electronic mail for the submission of a statement stating so, the election commissioner or county clerk should not mail a replacement ballot to such voter unless the statement is received by 6 pm on the second Friday preceding the election. They should also verify the signature on the statement with the signature appearing on the voter registration records.

It would also be added that no person will do any electioneering or circulate a petition within two hundred feet of any secure ballot drop-box and no person will conduct an exit poll, a public opinion poll, or any other interview with a voter seeking to determine voter preference within twenty feet of any secure ballot drop-box.

The Government, Military & Veterans Affairs Committee voted to advance LB843 with AM 2075 that amends some provisions from LB 843 and adds material from six other bills relating to elections and election campaigns:

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LB 849 with AM 1972. Election officials who (1) willfully engage in conduct prohibited by the Election Act or who (2) neglect or omit their duties under the Election Act are subject to conviction of a Class I misdemeanor. This bill would apply that same penalty to any member of a political subdivision governing body relating to their recall election duties under Neb. Rev. Stat. Section 32-1306(2). The provisions of LB 849 incorporated in the committee amendment include procedural changes recommended by the Secretary of State.

LB 861 with AM 1835. The original version of LB 861 would require that candidate filing forms include an email address for the candidate. With the changes proposed by AM 1835, the form would provide "email address" as an optional field but would not require that candidates have an email address as a qualification for office.

LB 858. This bill would prohibit the funding of elections from any source other than appropriations from the federal government, the State of Nebraska, and Nebraska political subdivisions. It includes exceptions for (1) "in-kind" contributions of food or beverages for election workers and (2) the use of buildings as polling places or election worker training sites.

LB 928 with AM 1863. LB 928 would require that candidates for certain elective offices make their campaign advertisements more accessible to persons with disabilities. This bill would forbid the dissemination of campaign advertisements (1) on television, unless the advertisement includes closed captioning or a transcript of the advertisement appears on the candidate's or campaign committee's website, and (2) on radio, unless a transcript of the advertisement is posted on the candidate's or campaign committee's website. These requirements would apply to persons seeking election to any of the following offices: Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, Auditor of Public Accounts, University of Nebraska Board of Regents, Public Service Commission, and Legislature. Changes proposed in AM 1863 clarify that this new duty is specifically imposed on candidates and campaign committees rather than on broadcasters or other third parties.

LB 1263 with AM 1718. This bill would amend the Election Act to provide requirements for secure ballot drop boxes. These include a requirement that dropboxes be securely anchored, locked, and in compliance with accessibility requirements under the Americans with Disabilities Act. The bill would require that dropboxes be opened to receive ballots no later than the sixth Friday preceding a primary or general election, and no later than the fourth Friday preceding a special election. The bill also mandates daily collection of ballots by election workers. The Secretary of State would be granted permissive authority to promulgate rules and regulations related to these requirements. The changes proposed in AM 1718 clarify that the requirement to keep the dropboxes open and available to voters during an election only extends to the deadline for the receipt of ballots.

LB 841. This bill would allow emergency response providers who are responding to an emergency declaration by the President or Governor, including National Guard members, to simultaneously register to vote and to request ballots for all elections in a calendar year. Such voters would be able to make such a request via "facsimile transmission or electronic mail" on a form designated by the Secretary of State. The provisions of LB 841 included in the committee amendment to LB 843 would be modified to also include utility workers and others participating in a mutual aid agreement relating to emergency response.

LB 843. Section 35 of the original version of LB 843 would have required that the Secretary of State reject certain revisions of initiative or referendum language where such revisions differ from changes suggested by the Revisor of Statutes and from the initial filing. The committee amendment would authorize the Secretary's approval of such changes so long as they do not address "a subject that is substantially different in form or substance" from the initial filing.

On General File, Senator J. Cavanaugh offered, and the Legislature adopted, AM2139 which contained the provisions of LB733.

Nebraska Association Of County Officials: Support
Nebraska Association of School Boards: Follow

LB853	Day	Revenue 01/21/2022	Select File 03/29/2022 Day Priority Bill	Provide a homestead exemption for certain disabled veterans
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Beginning January 1, 2023, a homestead for veterans who are discharged or otherwise separated with a characterization of honorable or general and who are fifty percent or more disabled (but less than totally disabled) due to a non-service-connected accident or illness would receive an exemption from taxation. The claimant would need to get certification from the Department of Veteran Affairs affirming that they are disabled and what their disability percentage is. The taxation exempt amount would be multiplied by the applicable percentage found in subsection (2) that is based on the household income of the claimant and then that amount would be multiplied again by a percent from subsection (3) that is based on the disability percentage of the claimant. This bill would also create a subsection (3) that has two columns, one with the disability percentage of the claimant and the other with a percentage to apply to the amount found from subsection (2).

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The Revenue Committee advanced LB853 with AM1601. The amendment moves the language to the correct section of statute that proposes the partial homestead exemption for military veterans. Therefore the proposed partial exemption applies to service-related disability injuries.

On General File, Senator Sanders offered AM2371 which was the provisions of LB1080 as amended by the Revenue Committee. The amendment states that if a 100% service-related permanently disabled veteran dies during the five-year homestead period the surviving spouse does not need to refile until the five-year period is up. The notice sent by the county assessor to a homestead claimant shall only be for those taxpayers that are required to refile in the current year. The amendment strengthens the penalty provision for failure to comply with the homestead law.

Nebraska Association Of County Officials: Neutral

LB876	Briese		General Affairs 01/24/2022	Approved by Governor (E- Clause) 04/20/2022 General Affairs Priority Bill	Change provisions relating to the State Racing and Gaming Commission, wagering on and conduct of horseraces, the Nebraska Racetrack Gaming Act, taxation of gaming activities, and public records
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As introduced, LB876 would apply to racing or race meetings. Under the bill, a license would be able to be issued for a period of up to five years. Beginning January 1, 2026, any racetrack that is issued a license to conduct races or race meetings or a racetrack enclosure that has an authorized gaming operator, that is in existence and operational as of the effective day of this act, would be required to hold a minimum of five live racing meet days annually. If they are in existence and operational after the effective date, they would be required to hold at least one live racing meet day annually for their first three years and then at least five live racing meet days every year after. At the time of the application and licensure, no racetrack should be issued a license to conduct a race or race meeting if they are located within a fifty-mile radius of another racetrack operating games of chance under the Nebraska Racetrack Gaming Act unless they are located in Lancaster, Adams, Hall, Douglas, Platte, or Dakota county.

The Racing and Gaming Commission will establish a list of people self-excluded from licensed racetrack enclosures in Nebraska. People on this list agree that during any period of voluntary exclusion, they are not eligible to collect any winnings or recover any losses resulting from gaming at a licensed racetrack enclosure. This winning instead will go to the commission to be used for problem gambling treatment. The process related to this application is given in detail.

All crimes regarding cheating, intent to cheat, use of unlawful currency, possession or usage of paraphernalia for manufacturing slugs for cheating, usage or modification or possession of any gaming device in violation of the Nebraska Racetrack Gaming Act, participating in a game of chance when under 21 years of age, or violation or attempt to violate any provision of the Nebraska Racetrack Gaming Act where no punishment is given will be guilty of a Class IV felony (originally was a Class I misdemeanor).

The security standards, procedures, policies, plans, access lists, and other security-related records of the State Racing and Gaming Commission and those people or entities with which the gaming commission has entered into a contract with along with the people on the self-excluded list may be withheld from the public by the lawful custodian of the records.

The General Affairs Committee advanced LB876 to General File with AM 2188 which replaces the original bill. What follows is a summary of AM2188:

Section 1 of the amendment amends section 2-1201 by adding new language that makes a violation of section 2-1219 by a member of the commission cause for removal. It also changes the requirement set in the initiative for one member of the commission to be a member of the organization representing the majority of licensed owners and trainers of horses at racetracks in Nebraska to a person who has experience in the Nebraska Horseracing Industry.

Section 2 amends section 2-1202 to require the commission to meet at least eight times per year.

Section 3 amends section 2-1203 by increasing a fine from fifteen hundred dollars to five thousand dollars when the commission finds that a rule or regulation has been violated.

Section 4 amends section 2-1203.02 by adding language to indicate that only persons between the ages of 16 and 75 need to be fingerprinted for purposes of the Commission.

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					<p>Section 5 amends section 2-1205 to change the horseracing license to a 5 year term from its current 1 year term. New language is added to require a minimum of 5 live racing days and fifty live horseraces annually by January 1, 2026 and increase to a minimum of fifteen live racing days and one hundred twenty live horseraces annually by January 1, 2031. This section also contains new language which establishes a schedule for racetracks built and operational after the effective date of this act that requires them to hold a minimum of one live racing day annually for the first three years of operation, a minimum of five live racing days with fifty live horseraces annually for the fourth year through the seventh year of operation, and beginning in the eighth year of operation they must hold a minimum of fifteen live racing days and one hundred twenty live horseraces annually.</p> <p>Any racetrack that fails to meet the minimum requirements set forth in this subsection is subject to discipline by the commission, up to and including a revocation of their racing license. Subsection (3) gives permission for a racetrack in existence as of the date of this act to apply to the Commission to move their racetrack location to another county in Nebraska that does not have a racetrack. They may only do this one time, and cannot be applied for until after the initial issuance of the market analysis and socioeconomic-impact studies conducted by the Commission pursuant to section 9-1106 found in section 4 of the bill.</p> <p>Section 6 of the amendment amends section 2-1208 by increasing the amount paid to the commission by the licensed racetracks, but to increase it over time. Beginning on the effective date of the act through June 30, 2023, the amount of one half of one percent of the gross sum wagered on parimutuel wagers at the licensed racetrack during the previous calendar year. From July 1, 2023 to June 30, 2024, it increases to one percent, and beginning on July 1, 2024, it increases the final time to two percent of the gross sum wagered by the parimutuel method at the licensed racetrack during the previous calendar year and remains at two percent thereafter. It also increases the amount paid by the licensee to the Commission from fifty dollars to one hundred dollars for each live racing day that the licensee serves as the host for intrastate simulcasting and fifty dollars instead of twenty-five dollars for any other live racing day.</p> <p>Section 7 of the amendment changes the requirements in section 2-1211 of records that must be kept and submitted to the commission by the licensed racetracks. It first removes the requirement that tracks include the number of admissions upon free passes or complimentary tickets in their reporting. This section also changes the date the reports must be submitted from the end of each race meeting day to annually by March 30 of the previous calendar year.</p> <p>Section 8 amends section 2-1213 by removing current section (1)(a) which will remove the restrictions for racing on a Sunday in Nebraska.</p> <p>Section 9 makes it a felony IV to conduct any horserace in connection with the parimutuel system of wagering without a license. Currently the penalty is a class I misdemeanor.</p> <p>Section 10 increases the penalty for drugging horses from a class I misdemeanor to a class IV felony as found in section 2-1218.</p> <p>Section 11 amends section 2-1219 to address conflicts of interest for both members of the commission and employees of the commission. This is the section that is addressed in section 1 of the bill (above). Any violation of this section by a member of the commission shall be considered cause for removal by the Governor in accordance with section 2-1201.</p> <p>Section 12 amends section 2-1220 by increasing the penalty for fraud regarding the prior racing record, pedigree, identity, or ownership of a registered animal in any matter related to breeding, buying, selling, or racing of such animal to a class III felony from the current fine and possible imprisonment listed in this section.</p> <p>Section 13 amends section 2-1222 by clarifying the cash fund in this section is the Racing and Gaming Commissions racing cash fund.</p> <p>Section 14 of the amendment adds sections 17 and 18 of this act to the Nebraska Racetrack Gaming Act.</p> <p>Section 15 of the amendment adds a new subsection to 9-1104 which requires the authorized gaming operator to cease operating games of chance if the racetrack where they are located does not hold the minimum number of live racing days and races required each year. They may not resume operations until the Commission determines the deficiency has been corrected.</p> <p>Section 16 of the amendment increases the one-time gaming operator license fee from one million dollars to five million dollars, and allows the fee to be paid over a period of five years, with one million dollars required at the issuance of the license in subsection (6) of section 9-1106. In subsection (8) of section 9-1106, the amendment returns the term of the gaming license to twenty years and makes it subject to an annual review by the commission and an annual review fee of fifty thousand dollars. Subsection (14) changes administrative fines and penalties that may be imposed by the Commission for violations of the act or rules and regulations by licensed gaming operators. For any licensed facility operating games of chance for one year or less, the fine is set at fifty thousand dollars per violation. For any licensed facility operating games of chance for more than one year, the fine is set at three times the highest daily amount of gross receipts derived from wagering on games of chance during the twelve months preceding the violation at the licensed facility per violation. New language creates subsection (24) to section 9-1106. This subsection requires the Commission to have a statewide horseracing market analysis study conducted in the state as the market currently exists across the state and within the six counties that currently have licensed racetracks. New subsection (25) requires the Commission to have a statewide comprehensive assessment and analysis of the potential casino gaming market across the state and in the six counties that currently have licensed racetracks. New subsection (26) requires the Commission to have a statewide socio-economic impact study of horseracing and casino gaming across the state and at each county that currently has a licensed racetrack. All three studies are to be completed as soon as practicable but no later than January 1, 2025. New subsection (27) has language proscribing under what conditions the Commission must approve or deny an application for any new licensed racetrack enclosure based on the most recent issuance of the three market studies discussed above.</p> <p>Section 17 of the amendment contains new language requiring the Commission to create a self-exclusion list for individuals to use to exclude themselves from gambling, and gives the Commission permission to adopt and promulgate rules and regulations to regulate this program.</p>

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					<p>Section 18 of the amendment contains requirements that must be included in any application for an authorized gaming operator license. They must include a market assessment that includes the feasibility and sustainability of the proposed licensed racetrack enclosure for operating games of chance in that proposed location as part of the market in Nebraska at the time of the application. This study must include the impact of the proposed facility on both horseracing and the operation of games of chance in the state, an analysis of the anticipated impact on infrastructure including water, electricity, natural gas, roads, and public safety, including police and fire departments, zoning and initial planning approval from the city nearest the site of the proposed racetrack location, a full disclosure of the applicants record as a racetrack and game of chance operator, including all multi-jurisdictional experience, evidence of how the proposed racetrack will improve and give back in a meaningful and sustained way to the community in which the applicant is proposing to build their facility, and any other information required by the commission. This section also specifically states the commission may reject an application that does not meet the requirements of this section.</p> <p>Section 19 of the amendment has small administrative changes to harmonize the Racing and Gaming Commission's racetrack gaming fund with the Commission's racing fund.</p> <p>Section 20 of the amendment adds new language to section 9-1110 to allow a parimutuel wager to be placed in the designated sports wagering area within the licensed racetrack enclosure.</p> <p>Section 21 of the amendment increases the penalty in section 9-1114 for any person who submits an application, book, or record required to be maintained or submitted to the commission, from a class I misdemeanor to a class IV felony for knowingly making a false or misleading statement or entry, or fails to maintain or make an entry that is required by the act or the commission.</p> <p>Section 22 amends section 9-1205 to make administrative changes for the commission to better enable them in their collection of taxes.</p> <p>Section 23 amends section 9-1206 to also assist the commission in their administrative capacity.</p> <p>Section 24 amends section 9-1207 by increasing the penalty for any authorized gaming operator that willfully fails, neglects, or refuses to make any report required by the act or by rules and regulations to the commission a class IV felony instead of a class I misdemeanor.</p> <p>Section 25 amends section 84-712.05 to create a new section in the exceptions to the public records act to exempt the security standards, procedures, policies, plans, specifications, diagrams, and access list and other security-related records of the commission, persons or entities holding a contractual relationship with the commission, and the names of any individuals on the self-exclusion list to be exempt from a public records act request.</p> <p>Sections 26 and 27 are the repealer sections.</p> <p>Section 28 contains an emergency clause.</p>

Nebraska Association Of County Officials: Recommend Watching

LB896	Lathrop		Judiciary 01/27/2022	Approved by Governor 04/20/2022 Speaker Priority Bill	Change and provide requirements for program evaluation under the Nebraska Treatment and Corrections Act
					<p>Relating to the Nebraska Treatment and Corrections Act, each evaluation of the quality of programs funded by the department should include a rating of effectiveness of the program and feedback to the department and the Office of Inspector General of the Nebraska Correctional System. The evaluation should also make recommendations regarding the availability of programs throughout the correctional system, the ability to deliver the programs in a timely manner, the therapeutic environment in which such programs are delivered at each facility and include a cost benefit analysis of each program, if applicable.</p> <p>The Division of Parole Supervision should evaluate the quality of programs funded by the division and they should also contract with an independent contractor or academic institution for program evaluations. These evals should include a site visit, interviews with key staff and offenders, adherence to concepts linked with program effectiveness, recommendations regarding the therapeutic environment, cost-benefit analysis, rating of the level of effectiveness, and feedback to the division and the Office of Inspector General of the Nebraska Correctional System regarding program strengths and weaknesses and recommendations for better adherence to evidence-based programming, if applicable.</p> <p>The Judiciary Committee advanced LB896 with AM1930 which is a white copy amendment that makes three changes to the original version of LB 896. The first change is striking sections 2 and 3 of the original bill. Section 2 required the Division of Parole Supervision to evaluate various programs within the Division and Section 3 eliminates a cross reference to section 2. The second change is striking independent contractor in section 1 of the original bill (page 3 In 15). The last change is adding "treatment " in the nonclinical program description to harmonize with another subsection (p. 4, line 10 of the original bill).</p>

Nebraska Association of Behavioral Health Organization: Letter of Support

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LB897	Lathrop		Executive Board 02/01/2022	In Committee 01/10/2022 Executive Board Priority Bill	Provide, change, eliminate, and transfer provisions regarding the offices of Inspector General of Child Welfare and Inspector General of the Nebraska Correctional System
LB906	Hansen, B.	Monitor	Health and Human Services 01/27/2022	Approved by Governor (E-Clause) 02/28/2022 Hansen, B. Priority Bill	Require employers to provide for vaccine exemptions and provide duties for the Department of Health and Human Services

This bill would provide that the Department of Health and Human Services develop a vaccine exemption form for an individual that refuses to receive the vaccine because of their strong moral, ethical, or philosophical belief or conviction. This form would be available online. An employer that requires applicants or employees to be vaccinated would allow for an exemption to such a requirement based on their strong moral, ethical, or philosophical belief or conviction. The employer may require an employee granted exemption to be periodically tested (at the employer's expense) and wear personal protective equipment provided by the employer.

Nebraska Association Of County Officials: Recommend Watching
Nebraska Hospital Association: Neutral
Nebraska Chamber Labor Relations Council: Conditionally Oppose
Nebraska Association of School Boards: Follow

LB917	Wayne		Revenue 02/17/2022	Approved by Governor 04/20/2022 Wayne Priority Bill	Provide an income tax credit for certain wages paid to individuals convicted of a felony
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For taxable years beginning or deemed to begin on or after 30 January 1, 2023, under the Internal Revenue Code of 1986, federal adjusted gross income or federal taxable income will be reduced by sixty-five percent of the wages paid by the taxpayer to an individual who has been convicted of a felony in this or any other state. Such deduction will only be allowed with respect to wages paid during the first twelve months of such an individual's employment with the taxpayer, and the total deduction taken with respect to any one individual shall not exceed twenty thousand dollars.

LB920	Lathrop	Support Letter	Judiciary 01/26/2022	General File 03/16/2022 Judiciary Priority Bill	Change criminal justice provisions including offenses, sentencing, set asides, restitution, pretrial diversion, and parole; provide for benefits under the Rural Health Systems and Professional Incentive Act; create criminal justice pilot programs; terminate an oversight committee; and create a task force
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This bill would change provisions regarding problem-solving court. District court may establish a problem-solving court that will function within the existing structure of the court system. The Legislature intends to appropriate funds separately to the Supreme Court so that each district court may operate at least one problem-solving court and should ensure that each district has at least one of these courts by January 1, 2023. An individual may participate in a problem-solving court through a pretrial diversion program, as a condition of probation, as a response to a technical violation of parole, as a sentence imposed by a court, or as otherwise provided by the Supreme Court's rules.

The State Court Administrator will create a pilot program to utilize physical space and information technology resources within Nebraska courts to serve as points of access for virtual behavioral health for court-involved individuals. The pilot program will be limited to a single probation district chosen by the State Court Administrator. A report should be electronically submitted to the Judiciary Committee of the Legislature regarding the program. The Legislature would also intend to appropriate XXX dollars from General Funds for FY2022-23 in order to carry out this pilot program.

Regarding crimes involving possession of a controlled substance, if the total weight of the substance or mixture is one-half of one gram or less, one will be guilty of a Class I misdemeanor or if the total weight of the substance or mixture is more than one-half of one gram, they would be guilty of a Class IV felony. Burglary would be separated into three degrees determined by the nature of the crime.

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					<p>When determining whether to impose a consecutive or concurrent sentence, a court will impose a concurrent sentence unless the court, on the record, identifies one or more aggravating factors that necessitate a consecutive sentence unless a consecutive sentence is required by statute. Possible aggravating factors that would apply would be if the offenses occurred on different days, they involved the use of force or threat of serious bodily harm against separate victims, one of the offenses was especially heinous, atrocious, or cruel or manifested exceptional depravity by ordinary standards of morality and intelligence, or one of the offenses was a violation of section 28-316.01, 28-319, 28-319.01, 28-320, 28-320.01, 28-320.02, 28-322.01, 28-322.02, 28-322.03, 28-322.04, or 28-322.05 or otherwise involved a sexual assault. "Covered felony" is also defined.</p>
					<p>Relating to the Nebraska Probation Administration Act, two pilot programs would be created, One would be a program to hire additional assistant probation officers, and the other would be a program to establish a probationer incentive program. This bill would also create a Justice Reinvestment Oversight Task Force to monitor and guide analysis and policy development in all aspects of the criminal justice system in Nebraska within the scope of the justice reinvestment initiative. The task force will prepare and submit an annual report of its activities and findings and may make recommendations to improve any aspect of the criminal justice system. The Committee on Justice Reinvestment Oversight would be also be terminated on September 30, 2022.</p>
					<p>In regard to the Rural Health Systems and Professional Incentive Act, financial aid provided through student loans for a doctorate-level mental health student or master's level mental health student, through the medical resident incentive program for a psychiatrist, through loan repayments pursuant to the act for psychiatrists, psychologists, and mental health practitioners should be the full amount of such loan or qualified education debts if such person practices psychiatry, psychology, or mental health practice for at least five years in a designated health profession shortage area and if all or a majority of such practice consists of the treatment of members of the community supervision population.</p>
					<p>The requirements for determining when a committed offender or committed offenders sentenced to consecutive terms are eligible for parole are changed and described. The bill would also have different requirements regarding parole eligibility for a committed offender serving a sentence with one or more mandatory minimum terms imposed on or after the effective date of this act. The board will conduct a parole review not later than sixty days prior to the date a committed offender becomes eligible for parole. A section is also added regarding what the parole review might involve depending on whether they are a qualified offender or not. A qualified offender is defined as a committed offender who is serving an indeterminate sentence under which the committed offender may become eligible for parole and who is not serving a sentence for a violent felony. The bill also describes when a committed offender might be eligible for geriatric parole.</p>
					<p>Lastly, this bill would allow the Division of Parole Supervision and the department shall create a pilot program to establish a technical parole violation residential housing program to provide accountability and intensive support for individuals on parole who commit technical violations, without revoking them fully back to prison.</p>
					<p>The Judiciary Committee advanced LB920 with AM2286 which replaces the original bill. The amended version of Section 1 adds additional detail to the information required in the annual report. The amended version of Section 2 removes the appropriations intent language. The amended version of Section 7 excludes fentanyl and synthetic fentanyl from the misdemeanor level offense for possession of a controlled substance. The amended version of Section 18 would allow probation to choose the probation district for the assistant probation officer pilot project. The amended version would also provide additional detail to the information required in the annual report. The amended version of Section 23 would assign the Crime Commission to provide staff support to the Justice Reinvestment Oversight Task Force. Section 33 would be amended to correct a drafting error and replace a reference to "maximum" with "total minimum." Section 36 is amended to increase requirements for geriatric parole eligibility up to age seventy-five and serving at least fifteen years of a sentence. The amended version of Section 38 would remove appropriations intent language and remove a requirement that the Director of the Department of Correctional Services to designate a facility for Parole's housing program.</p>
					<p>Nebraska Association Of County Officials: Conditional Opposition Nebraska Hospital Association: Monitor Nebraska Association of Behavioral Health Organization: In Person Testimony (Support)</p>

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Document	Senator	Position	Committee	Status	Description
LB921	Lathrop	Oppose Testimony	Judiciary 01/27/2022	Approved by Governor 04/20/2022 Cavanaugh, J. Priority Bill	Provide for reimbursement for lodging of certain defendants, require medicaid enrollment assistance for inmates, change priority for admission to state hospitals for the mentally ill and require minimum numbers of beds at the Lincoln Regional Center, and create the Legislative Mental Health Care Capacity Strategic Planning Committee

As originally introduced, the bill would change where certain sentences of imprisonment are served. All sentences for maximum terms of imprisonment for one year or more for Class I, IA, IB, IC, ID, II, or IIA felonies will be served in institutions under the jurisdiction of the Department of Correctional Services. All sentences for Class III, IIIA, or IV felonies, regardless of the length of the terms of imprisonment, and all sentences for maximum terms of imprisonment of less than one year will be served in the county jail. If a person is sentenced as described in both categories, the sentence will be served in an institution under the jurisdiction of the department. Sentences of imprisonment in misdemeanor cases will be served in the county jail unless it is served concurrently or consecutively with a term for conviction of a Class I, IA, IB, IC, ID, II, or IIA felony and the combined sentences total a term of one year or more. In that case, such sentences will be served in institutions under the jurisdiction of the Department of Correctional Services.

The Judiciary Committee advanced LB921 with AM2503 which replaces the original bill. Sections 1, 3, and 4 contain an amended version of provisions originally included in LB1223. Section 2 contains an amended version of provisions originally included in LB952. Section 1 would amend Sec. 29-1823 to require the Department of Health and Human Services ("DHHS") to reimburse a county jail if a person is ordered to be committed to DHHS to restore competency but remains housed in the county jail. The rate of reimbursement is \$100/day and will be adjusted for inflation annually starting July 1, 2023. Section 2 would amend Sec. 47-706 to require DHHS to provide medical assistance program enrollment assistance for people prior to leaving incarceration. For people with more than 60 days notice of their release date, DHHS would be required to provide enrollment assistance at least sixty days prior to release. For people with less than 60 days notice of their release date, DHHS would be required to provide enrollment assistance as soon as practicable. The enrollment assistance can be provided in person or via telephone or video and DHHS can contract with a third-party provider. Section 3 would amend Sec. 83-338 to add people that have been found incompetent to stand trial and remain in county jail as a priority group for admission to state hospitals. This section would also be amended to require a minimum percentage of available capacity for the priority groups identified in the subsection (1). Fifteen percent of capacity would be reserved for people that have been found incompetent to stand trial and remain in county jail.

Section 4 is a new section that would create the Legislative Mental Health Care Capacity Strategic Planning Committee. The committee would be required to contract with an independent consultant to determining the necessary capacity of inpatient mental health care in Nebraska.

Nebraska Association Of County Officials: Oppose

LB922	Lathrop		Judiciary 02/17/2022	Approved by Governor 04/20/2022 Judiciary Priority Bill	Change provisions relating to judges, jury commissioners, child support, and the Risk Management Program, prohibit criminal trespass by electronic device and criminal impersonation by stolen valor, and exempt the Judicial Resources Commission from the Open Meetings Act
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In the fourth district, there will be eighteen judges of the district court.

The Judiciary Committee advanced LB922 with AM2332 adds five bills to LB 922:

LB 1059, which would add the Judicial Resources Commission to the list of entities excluded from the definition of public bodies under the Open Meetings Act. The bill would also remove the Commission from the list of public bodies that may conduct virtual hearings with certain limitations

LB 1171 establishes the clerk of district court as the jury commissioner in all counties, replacing language for other offices acting as jury commissioner based on population and providing for additional compensation as determined by district court judges

LB 870 amends two state revolving funds to allow payment of attorneys' fees, by allowing fees associated with agency legal counsel or hired outside legal counsel to be paid from the revolving funds. The revolving funds involved are the State Self-Insured Indemnification Fund and the State Self-Insured Liability Fund.

LB903 as amended by AM2285 replaces the original bill and creates a new type of second-degree trespass that criminalizes flying a drone over the property of another with the intent to observe the person without their consent in a place of solitude of seclusion.

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					<p>LB 990 creates the offense of stolen valor and provides a penalty. LB 990 would create a new section that creates a new Class I misdemeanor for fraudulently obtaining money, property, or other tangible benefit through falsely representing that a person is a member or veteran of the U.S. armed forces or a recipient of a military decoration. AM1654 to LB 990 replaces the original bill. The amendment reorganizes the new offense as a type of criminal impersonation. The amendment also requires the intent to deceive or harm.</p> <p>Nebraska Association Of County Officials: Recommend Watching</p>
LB981	Hilkemann		Natural Resources 01/26/2022	General File 02/23/2022 Hilkemann Priority Bill	<p>Revive the Trail Development Assistance Act and state intent to transfer funds</p> <p>This bill would revive the Trail Development Assistance Act and would appropriate fifteen million dollars to be transferred from the General Fund to the Trail Development Assistance Fund for FY2022-23. The Game and Parks Commission would use seven hundred fifty thousand dollars annually beginning in FY2022-23 for ongoing maintenance of designated rail-trails.</p> <p>The Natural Resources Committee advanced LB981 with AM1983 that amends LB981 to conform to the primary purpose of the bill, which is to provide funding for the ongoing maintenance of the Cowboy Trail. The amendment appropriates \$750,000 from the General Fund for the program in fiscal years 2022-23 and 2023-24 and limits permanent and temporary salaries and per diems from funds appropriated to not exceed \$91,140 for each fiscal year.</p>
LB984	Moser		Revenue 02/23/2022	Approved by Governor 04/20/2022 Moser Priority Bill	<p>Change sales and use tax collection fees, provide a sales and use tax exemption for net wrap and feminine hygiene products, and require detention facilities to provide feminine hygiene products to female prisoners free of charge</p> <p>The purpose of LB 984 is to raise the amount businesses receive for collecting and remitting Nebraska sales taxes. The present amount retained per business location is 2.5 % of the first \$3,000 in sales tax collected. This equates to a maximum of \$75 per month (\$900 per year). LB 984 raises the maximum to 2.5% of the first \$6,000. This equates to a maximum of \$150 per month (\$1,800 per year).</p> <p>The Revenue Committee advanced LB984 with AM2130 attached that included the following bills were amended into LB984 as amended: LB881, LB941 & LB1209. The amendment to LB984 sets the vendor discount fee at 3% of the first \$5,000 in sales tax collected and remitted. This equals \$150 per month per location in Nebraska.</p> <p>LB881 will exempt feminine hygiene products from sales and use tax. Feminine hygiene products are defined as: Tampons, panty liners, menstrual cups, sanitary napkins, and other similar tangible personal property designed for feminine hygiene in connection with the human menstrual cycle but does not include grooming and hygiene products. Grooming and hygiene products are defined as soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, regardless of whether the items meet the definition of over-the-counter drug in section 77-2704.09. This definition is consistent with the Streamlined Sales Tax Agreement definition of the term. LB881 will provide that any female prisoner in a detention facility that needs a feminine hygiene product will receive the feminine hygiene product free of charge. Detention facility means any facility operated by the Department of Correctional Services, a city or county jail, juvenile detention facility or staff secure juvenile facility as such terms are defined in section 83-4,125, or any other entity or institution operated by the state, a political subdivision, or a combination of political subdivisions for the careful keeping or rehabilitative needs of prisoners or detainees. Prisoner means any adult or juvenile incarcerated or detained in any detention facility and includes, but is not limited to, any adult or juvenile who is accused of, convicted of, sentenced for, or adjudicated for violations of criminal law or the terms and conditions of parole, probation, pretrial release, post-release supervision, or a diversionary program. The bill has an operative date of October 1, 2022.</p> <p>LB941 exempts net wrap purchased for use in commercial agriculture from sales tax. Net wrap is defined to mean plastic wrap used in the baling of hay. The bill has an operative date of October 1, 2022.</p>

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					<p>LB1209 addresses an unintended consequence of Nebraska's contractor laws. Contractors must select an option -- 1, 2 or 3 -- for sales and use tax purposes: Option 1 -- Treated like other retailers; makes purchases tax free as a sales for resale and then collects sales tax from customers; Option 2 -- Treated as the consumer of all materials therefore must pay sales tax at time of purchase; Option 3 -- Treated as the consumer of all materials; makes purchases tax free and then remits use tax as materials are pulled from inventory and used for a project. The unintended consequence is when a manufacturer purchases new machinery or equipment from an Option 2 contractor. The contractor must pay sales tax on the machinery or equipment when purchased and there is no method for the manufacturer to obtain a refund, even though the manufacturing machinery and equipment is exempt from sales tax. This problem does not exist if the contractor is registered under Option1 or Option 3 because they may purchase the equipment tax free. LB1209 creates a Purchasing Agent Authorization for manufacturers. They may issue a PAA to the contractor so that the equipment may be purchased tax free. Nebraska has a similar program for nonprofit organizations and for taxpayers who qualify under the tax incentive programs. In both cases, the ultimate consumer may appoint a contractor to stand in their shoes and utilize the exemption as if the exempt entity were making the purchase directly.</p> <p>Nebraska Association Of County Officials: Recommend Watching Nebraska Chamber Small Business Council: Support</p>
LB986	Briese	Revenue 01/20/2022		General File 01/28/2022 Briese Priority Bill	Adopt the School District Property Tax Limitation Act
					<p>This bill would adopt the School District Property Tax Limitation Act. The State Department of Education would calculate each school district's property tax request authority on an annual basis as follows:</p> <p>The school district's property tax request from the prior year would be increased by which of the following is the highest percentage:</p> <p>The base growth percentage;</p> <p>The annual percentage increase in the student enrollment of the school district multiplied by four-tenths;</p> <p>The percentage found by dividing the annual increase in the number of English proficient students in the school district divided by the total number of students within the school district and then multiplying that by twenty-five hundredths; or</p> <p>The percentage found by dividing the annual increase in the number of poverty students within the school district by the total number of students within the school district and then multiplying that by twenty-five hundredths.</p> <p>The amount calculated from (a) would then be:</p> <p>Decreased by an amount equal to the amount by which the school district's total non-property-tax revenue for the current year exceeds the total non-property tax revenue for the prior year; or</p> <p>Increased by vice versa (prior year exceeds current year).</p> <p>This final calculated amount, once certified by the department, would be the school district's property tax return authority. A school district's property tax request may exceed its property tax request authority by an amount approved by a sixty percent majority of legal voters voting on the issue at a special election called upon the recommendation of the school board of such school district 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 school district. A school district's property tax request may exceed its property tax request authority by a percentage approved by an affirmative vote of at least seventy-five percent of the school board of such school district with the percentage not exceeding:</p> <p>Seven percent for school districts with an average number of no more than 471 students</p> <p>Six percent for school districts with an average number of more than 471 but less than 3,044 students.</p> <p>Five percent for school districts with an average of more than 3,044 but less than 10,000 students.</p> <p>Four percent for school districts with an average of more than 10,000 students daily.</p> <p>A school district may choose to not increase its property tax request by the full amount and have it carried forward to future years as an unused property tax request authority. School districts would be required to submit a document prepared by the department to aid in calculating their property tax request authority and unused property tax request authority by September 20th of each year. This act would become operative on January 1, 2023.</p> <p>Nebraska Association Of County Officials: Oppose Nebraska Chamber Taxation Council: Conditional Support Nebraska Association of School Boards: Oppose</p>

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Document	Senator	Position	Committee	Status	Description
LB998	Wayne		Urban Affairs 02/15/2022	Approved by Governor (E-Clause) 04/20/2022 Speaker Priority Bill	Change provisions of the Municipal Inland Port Authority Act

Relating to the Municipal Inland Port Authority Act, this bill would provide for prioritization of inland port authority proposals by the Department of Economic Development and would provide for creation of an inland port authority upon application by a nonprofit economic development corporation.

Not more than twenty-five percent of the area within an inland port district may be noncontiguous with the remaining portions of such an inland port district. Such a noncontiguous area will be no more than one-quarter mile from the remaining portions of such an inland port district. Nothing in the Municipal Inland Port Authority Act would require that any real property located within the boundaries of an inland port district be owned by an inland port authority or the city or county or counties in which such real property is located.

The Urbain Affairs Committee advanced LB998 with AM1939 attached. The amendment strikes the provisions authorizing a port authority to grant funds to any business located within the boundaries of the inland port district.

Nebraska Association Of County Officials: Recommend Watching

LB1010	Geist		Judiciary 01/28/2022	General File 03/24/2022 Geist Priority Bill	Require information to be included in the Nebraska Criminal Justice Information System and accessible to law enforcement
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The following information should be available to law enforcement and entered into the Nebraska Criminal Justice Information System for each adult on probation and each juvenile on probation or parole: (a) the name of the offender; (b) the name of the probation officer; and (c) the conditions of probation. If a juvenile court orders or a probation officer determines that electronic monitoring is an alternative to detention, the data from the electronic monitoring device should be made available to any law enforcement officer immediately upon request.

The Judiciary Committee advanced LB1010 with AM2435 which replaces the original bill. Section 1 would amend Sec. 29-2252 to add a duty for the state probation administrator to provide access to information to the Crime Commission for access for law enforcement through NCJIS in a readily accessible manner. Section 2 would amend Sec. 29-2262 to require any court that sentences a person to probation to enter an order to provide the offender's name, probation officer, and conditions of probation through NCJIS. Section 3 would amend Sec. 43-2,108 to require any court order that places a juvenile on electronic monitoring to also state whether the data from electronic monitoring be made available to law enforcement immediately upon request. This section would also require a juvenile's name, probation officer, and conditions of probation included in a publicly available order to be provided through NCJIS. Section 4 would amend Sec. 83-1,125.01 to require the Board of Parole to provide the name, parole officer, and conditions of parole for each parolee through NCJIS.

LB1014	Hilgers		Appropriations 01/25/2022	Approved by Governor (E-Clause) 04/13/2022 Appropriations Priority Bill	Appropriate Federal Funds allocated to the State of Nebraska pursuant to the federal American Rescue Plan Act of 2021
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This bill describes in detail where the funds that were allocated to Nebraska from the federal Coronavirus State Fiscal Recovery Fund are being appropriated for FY2021-22 and FY2022-23.

Nebraska Association Of County Officials: Support
Nebraska Hospital Association: Support
Nebraska Chamber Economic Development Council: Support
Nebraska Association of School Boards: Follow
Nebraska Economic Developers Association: Support
Nebraska Association of Behavioral Health Organization: Monitor

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Document	Senator	Position	Committee	Status	Description
LB1016	Walz		Transportation and Telecommunications 01/31/2022	Approved by Governor 04/20/2022 Speaker Priority Bill	Provide for public-private partnerships and progressive design-build under the Transportation Innovation Act

A public-private partnership delivery method may be used for projects under the Transportation Innovation Act. State contracts using this method shall be awarded by competitive negotiation. A contracting agency utilizing a public-private partnership will continue to be responsible for oversight of any function that is delegated to or otherwise performed by a private partner. The contents of what a request for proposals for a project utilizing a public-private partnership would include is described and the approval process.

The Transportation & Telecommunications Committee adcaaed LB1016 with AM2128. The amendment substitutes for and replaces the bill. The introduced copy of LB 1016 is retained with the following changes: The term "Progressive Design-Build" is added and is defined as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications based selection process at the earliest feasible stage of a project. Provides that for purposes of the Transportation Innovation Act the Department of Transportation may utilize the progressive design-build contracting process in addition to the design-build or construction manager-general contractor methods for contracting public projects pursuant to the Transportation Innovation Act.

The following provisions of LB 1016, as introduced, are stricken from the bill: 1) Removes the requirement that when a request for proposal for a public-private partnership is issued for a capital project a copy shall be transmitted to the State Highway Commission. (Page 6, Lines 8-12 of the introduced copy); 2) Removes, in the case of a public-private partnership for a capital project having a value over \$100,000,000, the project shall be authorized by the Legislature. (Page 6, Lines 17-24 of the introduced copy); 3) Removes the requirement that the State Highway Commission shall review and approve a public-private partnership agreement entered into by the Department of Transportation. (Page 6, Lines 26 through Page 7, Line 2 of the introduced copy); and 4) Removes the requirement that a completed public- private partnership agreement be submitted to the Legislature for authorization. (Page 7, Lines 11-12 of the introduced copy).

Nebraska Chamber of Commerce Transportation, Telecommunications, and Infrastructure: Watch

LB1023	Hilgers		Natural Resources 02/10/2022	Approved by Governor (E- Clause) 04/20/2022 McDonnell Priority Bill	Adopt the Jobs and Economic Development Initiative Act and the Water Recreation Enhancement Act and change provisions relating to the Statewide Tourism And Recreational Water Access and Resource Sustainability Special Committee of the Legislature
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This bill would adopt the Lake Development Act which has a purpose of constructing a lake at or near the floodway of the Platte River in Sarpy County. The state should manage the construction and development of the lake in a manner that encourages private donations and investments, including through the use of public-private partnerships, while also maintaining sufficient oversight to protect the state's investment in the lake. The Department of Natural Resources is granted all power necessary to carry out the purposes of the Lake Development Act. The department is also granted authority to select the land upon which the lake will be built in accordance with the listed requirements. The Lake Development Fund would also be created and would be the intent of the Legislature that the State Treasurer will transfer to such fund an amount not to exceed XX million dollars. The Department of Natural Resources will, no later than November 1 of each year, provide an annual report to the Governor and the Legislature regarding the use of the Lake Development Fund.

This bill would also create the Water Recreation Enhancement Act which has a purpose to expand water access and recreational opportunities at the Lake McConaughy State Recreation Area and the Lewis and Clark State Recreation Area through the construction of new marinas and to increase access to and the enjoyment of Niobrara State Park through the construction of an event center and lodge. The Game and Parks Commission is granted all the power necessary to carry out these purposes. The Water Recreation Enhancement Fund and would be the intent of the Legislature that the State Treasurer will transfer to such fund an amount not to exceed XX million dollars. The Game and Parks Commission will, no later than November 1 of each year, provide an annual report to the Governor and the Legislature regarding the use of the Water Recreation Enhancement Fund.

The Natural Resources Committee advanced the bill with AM1914 which contains several provisions that change the original LB1023. These include: Adds language to clarify lake project will not be built by damming the Platte River; Adds conflict of interest provisions to public-private partnerships; Adds provision encouraging engagement of local stakeholders; Remove references to "Lake McConaughy State Recreation Area" and replace with "Lake McConaughy"; Extends STARWARS committee for oversight to 2026; Removes appropriations provisions.

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Nebraska Economic Developers Association: Support

LB1065	Wayne		Urban Affairs 02/08/2022	Approved by Governor 04/20/2022 Speaker Priority Bill	Change provisions of the Community Development Law relating to declarations of substandard and blighted areas and redevelopment plans receiving an expedited review
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SENATOR WAYNE ADOPTED THIS BILL FOLLOWING SENATOR GROENE'S RESIGNATION.

Redevelopment plans that involve the redevelopment of vacant buildings with the same characteristics as an existing structure plan requires would now be eligible for expedited review relating to the Community Development Law. Redevelopment plans where the assessed value of the property within the redevelopment project area when the project is complete is estimated to be no more than three hundred fifty thousand dollars for a single-family residential structure, five million dollars for a multi-family residential structure or commercial structure, or fifteen million dollars for the revitalization of a structure included in the National Register of Historic Places would also be eligible for expedited review.

The Urban Affairs Committee advanced LB1065 with AM 1964 which makes several changes to the bill, including: Striking the increase in the maximum assessed value of property within a redevelopment project involving the revitalization of a structure included in the National Register of Historic Places that receives an expedited review; Reducing the increase in the maximum assessed value of property within a redevelopment project involving a multi-family residential structure or commercial structure; and Clarifying that a municipality may declare a portion of an area as substandard and blighted following a substandard and blighted study or analysis.

Nebraska Association Of County Officials: Recommend Watching

LB1173			Health and Human Services 02/09/2022	Approved by Governor (E- Clause) 04/20/2022 Health and Human Services Priority Bill	Create a work group and strategic leadership group for child welfare system reform, provide duties for the Department of Health and Human Services, require reports of child abuse or neglect, and change and eliminate provisions regarding lead agencies and a pilot project for child welfare system reform
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This bill would establish an intersectoral child welfare practice model workgroup, establish appropriate strategic leadership and guidance for practice and finance model development across the three branches of government, and appropriate funds for contractual support to build the practice and finance model for Nebraska. On or before December 1, 2023, the workgroup will electronically submit the written practice and finance model framework to the Health and Human Services Committee of the Legislature. The workgroup and strategic leadership group would then terminate on December 31, 2023.

The Health and Human Services Committee advanced LB1173 with AM 1959 as a white copy amendment which incorporates LB 491, LB 541, and LB 854 into LB 1173. The provisions are as follows:

The provisions LB 491 would terminate the Department of Health and Human Services' authority to contract with another entity for child welfare case management. Currently under Nebraska law, child welfare case managers must be employees of DHHS, with the exception that the department can contract with a "lead agency" for a "case management lead agency model pilot project" in the Eastern Service Area. LB 491 would strike the statutory authority for such a contract. (Sec. 17.) Additionally, LB 491 strikes references to the lead agency model pilot project in sections of statute related to the family finding services pilot project, DHHS's electronic data collection system, child welfare reporting requirements, caseload requirements, and case manager training. (Secs. 8, 10-15, 18.) Finally, LB 491 outright repeals sections which relate specifically to the lead agency model pilot project or are obsolete, including the sections of statute related to DHHS monitoring and reporting requirements with respect to the pilot project, an evaluation of the child welfare system commissioned by DHHS, and an evaluation of the lead agency model pilot project commissioned by the Legislature. (Sec. 22.)

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LB 541 provides for reimbursement for certain foster care services. The amended provisions of LB 541 are found in sections 9 and 16 of AM 1959. LB 541 would require the Division of Children and Family Services, in collaboration with the Foster Care Reimbursement Rate Committee, to implement additional statewide tiers of foster care reimbursement for specialized care giving with standardized rates by October 1, 2022. (Sec. 9.) Additionally, LB 541 would require the Division of Medicaid and Long-Term Care and the Division of Children and Family Services to develop a plan to implement treatment family care services by October 1, 2022 and submit the plan to the Health and Human Services Commission and the Nebraska Children's Commission. (Sec. 16.) Finally, LB 541 would require that the Division of Medicaid and Long-Term Care implement treatment family care services by October 1, 2023. The Department of Health and Human Services must seek to maximize federal funding for the program, prior to utilizing state Medicaid funds. (Sec. 16.)

LB 854 requires notice to the Department of Health and Human Services in certain cases of alleged out-of-home child abuse or neglect. The provision of LB 854 are found in section 7 of AM 1959. LB 854 would require that when the Department of Health and Human Services receives a report of alleged out-of-home child abuse or neglect where the subject of the report is a child care provider or a child care staff member, the Division of Children and Family Services must immediately notify the Division of Public Health of receipt of the report, including whether or not an investigation is being undertaken by a law enforcement agency or the department.

On Select File, Senator Megan Hunt offered AM2200 which was an amended version of LB932. The amended version is the same as the version advanced by the Health and Human Services Committee as AM2241 to LB932. The amendment strikes the original sections and becomes the bill. Like the green copy, the amendment provides for notice and accounting when DHHS serves as the representative payee for social security benefits. The amendment does not include the provisions requiring DHHS to conserve the funds. The amendment provides that when DHHS serves as the representative payee for a child beneficiary of social security benefits, it must provide: Immediate notice to the child beneficiary, in an age-appropriate manner, and the child's guardian ad litem, of (i) the department's receipt of the child's first payment of social security benefits, including the amount received, and (ii) where the payment was deposited; Notice and accounting to the juvenile court on a biannual basis beginning January 1, 2023, regarding the department's receipt, use, and conservation of the child's social security benefits. Additionally, upon request from the child, their guardian ad litem or attorney, or parent-and upon termination of the department's role as the child beneficiary's representative payee-DHHS must provide all accounting records regarding its receipt, use, and conservation of the child's social security benefits.

Nebraska Association of Behavioral Health Organization: In Person Testimony (Support)

LB1246	Pansing Brooks	Support Testimony	Judiciary 02/03/2022	Approved by Governor 04/20/2022 Speaker Priority Bill	Require confidentiality for victims of sexual assault and sex trafficking in criminal proceedings prior to the filing of charges and change provisions of the Sex Offender Registration Act
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A criminal justice agency and any attorney involved in the investigation or prosecution of an alleged sexual assault or sex trafficking violation will maintain the confidentiality of the identity and personal identifying information of the alleged victim. Such information may be shared between such criminal justice agencies and attorneys as necessary to carry out their duties.

Unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, the identity and personal identifying information of an alleged victim of sexual assault or sex trafficking may be withheld from the public by the lawful custodian of the records.

The Judiciary Committee advanced LB1246 with AM1842. The amendment would provide an additional exception to the confidentiality requirement to allow criminal justice agencies to share information about an alleged victim with an educational entity.

LR263CA	Blood	Support Testimony	Government, Military and Veterans Affairs 01/28/2022	Select File 03/29/2022 Blood Priority Bill	Constitutional amendment to require the Legislature to reimburse political subdivisions as prescribed
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This constitutional amendment would require the state to reimburse political subdivisions for responsibilities imposed or increased levels of service required after the year 2022.

Nebraska Association Of County Officials: Support
 Nebraska Association of School Boards: Support

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Document	Senator	Position	Committee	Status	Description
LR264CA	Erdman	Oppose	Revenue 02/03/2022	Failed to Advance 04/05/2022 Erdman Priority Bill	Constitutional amendment to prohibit the imposition of taxes other than retail consumption taxes and excise taxes

This constitutional amendment would provide that, beginning January 1st, 2024, no taxes other than retail consumption taxes and exercise taxes shall be imposed upon the people of Nebraska.

Nebraska Association Of County Officials: Recommend Watching
Nebraska Hospital Association: Oppose
Nebraska Chamber Taxation Council: Oppose
Nebraska Association of School Boards: Follow

LR283CA	Bostar	Support Letter	Revenue 02/03/2022	President/Speak er Signed 04/12/2022 Speaker Priority Bill	Constitutional amendment to authorize any city, county, or other political subdivision that operates an airport to expend revenue for developing regularly scheduled commercial passenger air service at the airport
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This constitutional amendment would authorize any city, county, or other political subdivision owning or operating an airport to expend its = revenues for the public purpose of developing or encouraging the development of new or expanded regularly scheduled commercial passenger air service at such airport.