

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY, JANUARY 19, 2023 AT 8:30 A.M.
COUNTY CITY BUILDING, 555 S. 10TH STREET
ROOM 112 – CITY-COUNTY CHAMBERS**

Commissioners Present: Christa Yoakum, Chair; Sean Flowerday, Vice Chair; Roma Amundson, Matt Schulte and Rick Vest

Others Present: David Derbin, Chief Administrative Officer; Kristy Bauer, Deputy Chief Administrative Officer; and Leslie Brestel, County Clerk's Office

Advanced public notice of the meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, website and emailed to the media on January 18, 2023. Notice was also published in the Lincoln Journal Star print and digital editions on January 16, 2023.

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

AGENDA ITEM

1. MINUTES

A. APPROVAL OF STAFF MEETING MINUTES FROM JANUARY 12, 2023

MOTION: Vest moved and Amundson seconded approval of the minutes. Flowerday, Schulte, Vest, Amundson and Yoakum voted yes. Motion carried 5-0.

B. CORRECTION OF STAFF MEETING MINUTES FOR NOVEMBER 17, 2022

Derbin stated the November 17, 2022 staff meeting minutes contained a motion concerning the transfer of Keno funds from the East Beltway funds to be used for the broadband project. The motion in the minutes referenced an incorrect amount of \$3,400,000. He requested the Board strike the dollar amount from the motion as the motion did not contain a funding amount.

MOTION: Amundson moved and Vest seconded to correct the meeting minutes from November 17, 2022 by striking the dollar amount from the motion regarding broadband.

Schulte asked what the intended amount of Keno funds is. Derbin said the context of the discussion was an amount of \$280,000; however, the motion did not state a dollar amount.

ROLL CALL: Vest, Amundson and Flowerday voted yes. Schulte and Yoakum abstained. Motion carried 3-0 with 2 abstentions.

2. LEGISLATIVE UPDATE – Joe Kohout, Brennen Miller and Sarah Wagelie, Kissel, Kohout, ES Associates LLC

Kohout reviewed the weekly legislative update (Exhibit 1). Bill introductions are now complete with over 800 bills introduced. The Rules Committee put forth a slate of rule changes, one of which would

change a rule that allows a motion to kill a bill before the introducer can introduce a bill.

LB721 (Appropriate funds to the Department of Transportation for the East Beltway project in Lancaster County) requests a \$25,000,000 appropriation to begin the process for East Beltway planning.

The following bills have been introduced: LB190 (Authorize scheduled extension of county bridge project payments), LB420 (Require the state to pay counties for the cost of office and service facilities used for the administration of public assistance programs), LB238 (Include virtual school students in the state aid to schools formula), LB332 (Prohibit creation of new joint public agencies with power or authority relating to education), and LB5 (Provide for compensability under Nebraska Workers' Compensation Act for mental injuries resulting from workplace violence).

Kohout noted both LR23CA (Constitutional amendment to prohibit the levying of an inheritance tax) and LB79 (Adopt the Nebraska EPIC Option Consumption Tax Act) address limiting or eliminating inheritance tax.

Kohout stated LB368 (Create a grant program to expand and enhance criminal justice programs in a county with a city of the primary class) has been prepared in consultation with County Corrections and Community Corrections leaders.

LB709 (Create the Convention and Event Center Capital Construction Program) allocates \$60,000,000 in funds for the construction of new convention centers for cities of the primary class, \$7,000,000 for renovation of the Lancaster Event Center, and \$4,000,000 for event space located near recreational areas in the county.

Schulte asked how testifying on bills is determined. Derbin responded that the Board has had meetings regarding their legislative priorities leading into the legislative session, especially as outlined at the Lancaster County 101 meeting on November 30, 2022. Vest and Yoakum added there will be testimony opportunities on bills as the session continues for various County leaders.

Kohout reviewed bills introduced by Douglas County, including LB381 (Adopt the Mental Health Wellness Act and authorize county sales and use taxes), LB551 (State intent to appropriate funds to certain counties for long-term care facility operations and services) and LB570 (Adopt the Overdose Fatality Review Teams Act).

A public hearing for LB124 (Change the termination date for the County Bridge Match Program) has been set for January 23. The Nebraska Association of County Officials (NACO) has introduced a similar bill LB449 (Provide an additional use for the County Bridge Match Program) which provides funding for the County Bridge Match Program.

Hearings have also been set for LB29 (Change provisions relating to the assessment of real property that suffers significant property damage), LB4 (Change homestead exemption provisions relating to qualifications, application requirements, and penalties), LB28 (Change provisions relating to decisions on appeals under the Tax Equalization and Review Commission Act) and LB77 (Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties). Yoakum suggested consulting with Terry Wagner, County Sheriff, on LB77.

Concerning LB29, Miller stated the County has historically opposed this bill. The hearing is scheduled for January 27 and, if testimony were to be provided, in-person testimony would be beneficial.

Schulte inquired as to the reasons that the Board should oppose the bill. Flowerday and Vest answered the County depends on clear rules on how to interpret and apply statutes and this bill does not do that. Kohout added this bill would amend Neb. Rev. Stat § 77-1301 to remove “destroyed property” and insert “damaged property”. Additional changes would broaden the definition of events causing significant property damage. The original purpose of the legislation was to account for acts of God. The last time this bill was before the legislature it was not advanced.

MOTION: Amundson moved and Flowerday seconded to oppose LB29.

Yoakum stated a decision on who will testify at the hearing will be determined at a later date.

ROLL CALL: Vest, Amundson, Flowerday and Yoakum voted yes. Schulte voted no. Motion carried 4-1.

Miller reminded the Board of the Tri-County Breakfast on Friday at the Hruska Law Center.

Additionally, Kohout distributed a comprehensive list of bills (Exhibit 2) and bill hearing schedule (Exhibit 3).

3. INTRODUCTION OF RYAN WIEBER, DIRECTOR, LINCOLN CITY LIBRARIES

Wieber introduced himself and discussed his background. The City has a contract with the County and all residents are able to use the libraries.

4. JUVENILE DETENTION SUPERVISORS COMPENSATION REVIEW – Nicole Gross, Total Rewards Division Leader, Lincoln-Lancaster County Human Resources

Steven Wesley, Youth Services Center (YSC) Director, was available for the discussion.

Gross reviewed the Juvenile Detention Supervisor (JDS) compensation (see agenda packet). A 6% pay increase was granted to Juvenile Detention Officers (JDOs) in August 2022 as well as a pay step increase. This has created a compression issue between the JDOs and the JDSs with a 4.88% pay difference between the maximums in compensation. She reviewed various solutions to the issue with the Board noting larger salary adjustments could cause compression in other positions at the Youth Services Center, including the Juvenile Detention Team Leader, Juvenile Training Coordinator, Correctional Records Manager and Youth Services Center Administrator. Gross added any Board recommendation will be taken to the Personnel Policy Board and then brought back to the Board for a formal decision.

Schulte asked what the impetus for a proposed change is. Gross said there is compression in the JDO and JDS positions which could cause difficulty for JDOs to apply for the JDS position.

Vest inquired if JDSs are hourly employees. Wesley answered JDS positions are hourly. A JDS position will be vacant beginning tomorrow. Flowerday added the compression issue was recently seen in Corrections, the Sheriff’s Office and the Mental Health Crisis Center (MHCC).

When asked if he had a recommendation, Wesley stated he felt Option 2 was fair.

Schulte questioned why Option 3 has multiple financial implications. Gross said the County pay plan and County rules state that employees have a one-step pay increase. Adjustments larger than Option 2 may have additional financial impacts as employees may become eligible for additional step pay increases.

Schulte asked how this decision could affect negotiations. Gross stated the County is in the first year of a three-year contract with JDOs. In August 2023, the JDOs will receive a 3% pay increase and the following August they will also receive a 3% increase. JDSs are not in a union and therefore follow the County's rules for unrepresented positions.

MOTION: Flowerday moved and Amundson seconded to increase the Juvenile Detention Supervisor from a C11 to a C12. Amundson, Schulte, Flowerday, Vest and Yoakum voted yes. Motion carried 5-0.

Gross said she will take the Board's recommendation to the Personnel Policy Board which will then be brought back to the Board. Any pay increases would take effect the pay period following final Board approval.

5. INTRODUCTION OF HUMAN RESOURCES LEADERSHIP TEAM AND COUNTY BUSINESS PARTNER – Barb McIntyre, Director, Lincoln-Lancaster County Human Resources

Cody Parker, Human Resources Information System Division Leader; Joe Farley, Learning and Organizational Development Division Leader; Laura Leppky, Talent Acquisitions Division Leader; Angela Skrivan, Employee Engagement Division Leader; Nicole Gross, Total Rewards Division Leader; and Shannon Anderson, Risk Management Division Leader, introduced themselves and discussed their backgrounds.

6. COVID-19 UPDATE AND RESPONSE

Pat Lopez, Lincoln-Lancaster County Health Department Director, stated the community is seeing improvements in both COVID case numbers and hospitalizations. There has been one COVID-related death this month. The COVID dashboard has updated risk metrics and vaccine rates, which should make the dashboard easier for the public to use. Vaccines and COVID test kits are available to the public at the Health Department.

Schulte inquired why the COVID update is on the agenda when an update is not frequently given. Derbin answered the County has an open disaster declaration and the Board has updates on such items until the declaration is closed by the Board. Lopez added in addition to the County's declaration, there is a federal emergency declaration by which funds are available.

7. ACTION ITEM

A. 2023 WELCOMING AMERICA MEMBERSHIP DUES IN THE AMOUNT OF \$500.00

Yoakum said this membership would cover technical support of the Welcoming America program, and

the Welcoming and Belonging plan of the City and County including MyCity Academy.

MOTION: Flowerday moved and Amundson seconded approval of the membership dues. Amundson, Vest, Flowerday, Schulte and Yoakum voted yes. Motion carried 5-0.

8. CHIEF ADMINISTRATIVE OFFICER REPORT

A. AIR POLLUTION CONTROL ADVISORY BOARD:

- 1. APPOINTMENTS TO A TERM CONCLUDING DECEMBER 12, 2025:**
 - a. Torrey Wilson**
 - b. Ed Hubbs**
- 2. REAPPOINTMENT OF BRIAN WERTZ TO A SECOND TERM CONCLUDING SEPTEMBER 1, 2025**

Scott Holmes, Lincoln-Lancaster County Health Department Environmental Health Manager, and Gary Bergstrom, Lincoln-Lancaster County Health Department Environmental Health Supervisor, discussed the advisory board candidates (see agenda packet). Holmes stated the Air Pollution Advisory Board provides guidance to the Health Department and reviews potential changes on regulatory matters. The board consists of five public members, four industry members, County Commissioner, and City Attorney and County Attorney representatives.

The appointments and reappointment will be brought to the Board on a future Tuesday agenda.

9. DEPUTY CHIEF ADMINISTRATIVE OFFICER REPORT

A. EMPLOYEE RECOGNITION BREAKFAST, TUESDAY, MAY 16, 2023, 7:30 A.M. - 9:00 A.M.

Bauer discussed the breakfast.

10. DISCUSSION OF BOARD MEMBER MEETINGS ATTENDED

A. Realtors Association Government Affairs Committee – Amundson/Schulte

Amundson reported there were discussions on legislative bills, property valuations, the annexation of land between South 70th to South 84th Streets north of Pine Lake, the airport cargo terminal, \$1,000,000 upgrades to phone and rail units, the Lincoln Chamber of Commerce strategic plan, the County's strategic plan, workforce and housing updates and a possible new convention center.

B. Mutual Aid – Amundson/Flowerday

Amundson stated various trainings are being conducted, backup plan updates, dedicated dispatch radio channels, water availability, and a fundraiser for the firefighter injured during the grassfires.

Schulte asked which fire departments are involved in Mutual Aid. Flowerday answered Mutual Aid is open to all Lancaster County and those organizations who respond into the County.

C. Lincoln's Second Water Supply – Flowerday

Flowerday said there is a recommendation to use the Missouri River and develop collector wells which could also be used by the rural communities. The project design has been tentatively developed. Additionally, there is a bill at the legislature for funding for water infrastructure and treatment programs.

D. Other meetings attended since the last staff meeting

LIBA Luncheon

Vest stated legislative updates were given.

Leadership Lincoln

Amundson gave a presentation on County Commissioner roles and responsibilities.

11. SCHEDULE OF BOARD MEMBER MEETINGS

Informational only.

12. EMERGENCY ITEMS

There were no emergency items.

13. ADJOURNMENT

MOTION: Vest moved and Amundson seconded to adjourn at 10:12 a.m. Vest, Flowerday, Schulte, Roma and Yoakum voted yes. Motion carried 5-0.



Matt Hansen
Lancaster County Clerk





Kissel, Kohout,
ES Associates LLC

301 South 13th Street Suite 400
Lincoln, Nebraska 68508
kisselkohoutes.com
Phone: 402-476-1188
Fax: 402-476-6167

LEGISLATIVE MEMORANDUM

TO: Lancaster County Board of Commissioners

FROM: Joseph D. Kohout
Brennen L. Miller
Sarah K. Wagelie

DATE: January 19, 2023

RE: Weekly Report

Good Morning. Please accept this as your weekly report for the 2023 session of the Legislature for the date noted above.

Yesterday was the last day of bill introduction and they introduced 812 bills. We continue to process the bills, review them, and receive comments from Department heads and other elected officials.

LANCASTER COUNTY PRIORITIES

LB721 (Ballard) Appropriate funds to the Department of Transportation for the East Beltway project in Lancaster County. Senator Beau Ballard introduced legislation that asks for a \$25 Million appropriation to begin the process of planning for the East Beltway.

County Bridge Match Program. Two bills were introduced that address this issue.

LB124 (Moser) Change the termination date for the County Bridge Match Program. This bill extends the sunset of the County Bridge Match program on behalf of NACO. The sunset extends until June 30, 2029.

LB449 (Brandt) Provide an additional use for the County Bridge Match Program. This bill adds \$68 Million to the program and re-writes certain provisions. This bill is NACO's bill.

LB190 (Brandt) Authorize scheduled extension of county bridge project payments. This bill was introduced by Senator Tom Brandt, the legislation is limited to allowing for a longer period of time for a county to pay off a bridge project.

LB420 (Raybould) Require the state to pay counties for the cost of office and service facilities used for the administration of public assistance programs. This bill would seek to cover costs of State Public Assistance Programs.

Public Building Commissions, Joint Public Agencies, and Interlocal Cooperation.

LB287 (Brewer) Prohibit creation of joint public agencies under the Joint Public Agency Act. Affixes a date of October 1, 2023 for no more joint public agencies.

LB332 (Linehan) Prohibit creation of new joint public agencies with power or authority relating to education. Prohibits joint public agencies in education.

Repeal of the Inheritance Tax.

LR23CA (Riepe) Constitutional amendment to prohibit the levying of an inheritance tax. This constitutional amendment would bar the county or any other political subdivision of the state from imposing an inheritance tax.

OTHER LEGISLATION IDENTIFIED BY COMMISSIONERS

LB368 (Conrad) Create a grant program to expand and enhance criminal justice programs in a county with a city of the primary class. This legislation provides for State Funding for Community Corrections and County Corrections. Following Lancaster County 101, Senator Danielle Conrad asked for information to introduce legislation to assist Lancaster County Community Corrections. We have prepared legislation in consultation with Mr. Derbin, Kim Etherton and Brad Johnson.

LB5 (Blood) Provide for compensability under Nebraska Workers' Compensation Act for mental injuries resulting from workplace violence. Adds section to include personal injury as mental injuries and illness that are unaccompanied by physical injury when caused by workplace violence (must prove causation). (g)(h)(i) inserts language stating workplace violence means a shooting, hostage situation, act of terrorism or a similar act of violence.

LB709 (Wishart) Create the Convention and Event Center Capital Construction Program. Creates a new convention center fund for cities of the Primary Class and allocates \$60 Million to the construction and allocates \$7 Million for renovation of the Lancaster Event Center and a \$4 Million appropriation for any event space located near recreational area in the county.

LEGISLATION IDENTIFIED BY DEPARTMENT HEADS

Kim Etherton – LB50 (Geist) Change criminal justice provisions including set-asides, restitution, and parole; create criminal justice pilot programs; terminate an oversight committee; and create a task force. Relating to various criminal justice provisions such as problem-solving courts, restitution, and the administration of pilot programs for probation and parole. § 24-1302 is amended to provide district courts the power to establish a problem-solving court. (1) defines a problem-solving court as a drug, veterans, mental health, driving under the influence, reentry, or young adult court. (3) allows an individual to participate in problem solving court through a pretrial diversion program as a condition of probation, violation of parole or as a sentence imposed by the court. (5) declares the legislative intent that each judicial district may operate at least one problem solving court until January 1, 2024, and after January 1, 2024 the court must have at least one problem solving court per district.

Section (2) establishes a pilot program to utilize physical space and information technology resources within Nebraska courts for virtual behavioral health services. (2) limits the program to a single district. § 29-2263 is amended to provide notice to an offender eligible to have conviction set aside under § 29-2264 at sentencing and upon completion of probation. § 29-22246-69 are amended to establish a pilot program in a single district for additional assistant probation officers with the purpose of determining if the additional support results in fewer probation violations. (3) also establishes a gift fund for probationers who succeed at probation.

§ 29-2281 (4) is amended to provide that if a defendant is ordered to pay restitution, and the defendant fails to pay in full, funds shall first be applied to a restitution obligation if other costs are ordered. § 83-100.02 is amended to add “responsivity factors” to the determination of a person on parole, which are the characteristics that affect the parolee’s ability to respond favorably or unfavorably to goals. § 83-1, 111 adds sections allowing for a streamlined parole contract for qualified offenders. Lastly, Section (13) establishes a pilot program for providing structured environments to individuals on parole who have committed technical violations.

Kim Etherton – LB110 (McDonnell) Change potential conditions of pretrial release and provide for a pretrial risk assessment services pilot project. According to Kim, Lancaster County has been administering a Pretrial Release program identical to this since 2004, including the validated risk assessment tool which UNO helped select the tool. The bill seems to be intended for Douglas County to up their pretrial release supervision program. Lancaster and Douglas jails are not administered by a Sheriff; and this bill is suggesting each county sheriff should be consulted with no exception for jurisdictions who’s jails are not administered by the Sheriff.

Brad Johnson – LB19 (Wayne) Change dollar amount thresholds for criminal penalty classifications. Relating to threshold dollar amount for

criminal penalties. Increases the threshold amount to qualify for misdemeanor and criminal charges by raising the maximum amount for each charge. For example, a person committing theft is guilty of a class three misdemeanor where the value of the property is \$500 or less is changed to \$1,000 or less.

Brad Johnson – LB57 (M. Cavanaugh) Adopt the Paid Family and Medical Leave Insurance Act. Relating to employment and the adoption of the Paid Family Medical Leave Insurance Act. Section (3) provides that an individual may take paid family and medical leave to take care of a 1) new child of the covered individual for the first year after birth, adoption or placement through foster care 2) a family member of the covered individual who has a serious health condition 3) to care for a covered servicemember if they are a family member, 4) for qualifying exigency leave or 4) because the individual has a serious health condition including pregnancy.

Section (1) defines a covered individual who is employed by an employer that is subject to the employment security law or a self-employed individual who has elected coverage under the act. (8) defines family members as biological, adopted, or foster children or parents, grandparents, or a covered individual's spouse. (15) defines "qualifying exigency" as 1) any of the purposes in 29 C.F.R. § 825.126 (b)(8)(i) through (iv), 2) and various issues that may arise from a military family member being notified of active duty (15)(a-1). (17) defines "serious health condition" an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or continuing treatment by a health care provider.

Section (4) defines the rates of pay that the benefits cover. (7) states that a covered individual shall not receive assistance under this act and workers compensation or benefits under the Employment Security Law at the same time. Section (5) details the requirements for a covered individual who is applying for benefits. Section (7) allows an individual to obtain benefits on an intermittent basis if specific conditions are met (a-c). Section (8) details the entitlements once returning from leave, such as the restoration of covered employment in the same capacity as when leave commenced, employment benefits and pay.

Section (10)(1) allows for an individual to take leave under the act concurrently with leave taken pursuant to the federal Family and Medical Leave Act. (3) states that leave benefits provided by employers are not prohibited due to the act and are not considered when calculating leave. (4) provides that the act does not diminish an employer under a collective bargaining agreement or employer's policy. Section (17) allows an employer to satisfy the requirements of the act through employer provided benefits by filing a plan with the Commissioner of Labor for approval. If approved, the covered individual retains all rights pursuant to the act such as the ability to report violations and appeal to the commissioner. Section (19) states that benefits under the act are not considered compensation under any retirement plan administered by the Public Employees Retirement Board.

Brad Johnson – LB109 (McDonnell) Require county boards of corrections in certain counties to act with advice of the county sheriff. This bill was withdrawn.

Brad Johnson – LB163 (McKinney) Provide for various reforms to jails and prisons, provide certain protections for prisoners, prohibit construction or expansion of prisons and jails as prescribed, and provide for oversight of the Department of Correctional Services during an overcrowding emergency by the Judiciary Committee.

Brad Johnson – LB205 (von Gillern) Adopt the Government Neutrality in Contracting Act. This bill is part of a movement to eliminate project labor agreements by political subdivisions.

DOUGLAS COUNTY BILLS

LB317 (von Gillern) Change provisions relating to inspection of real property by county assessors. Requires that the inspections be conducted in a manner as directed by the county assessor.

LB337 (Riepe) Change provisions relating to disclosure of patient information under the Mental Health Practice Act. Allows for the disclosure of information by a mental health professional when permitted by HIPAA.

LB381 (M. Cavanaugh) Adopt the Mental Health Wellness Act and authorize county sales and use taxes. This bill would allow a county board to place the issue of a sales tax to provide additional resources for mental health needs on the ballot.

LB551 (J. Cavanaugh) State intent to appropriate funds to certain counties for long-term care facility operations and services.

LB570 (Vargas) Adopt the Overdose Fatality Review Teams Act.

HEARINGS SCHEDULED FOR THE NEXT WEEK

Monday, January 23, 2023
Transportation & Telecommunications

LB124 (Moser) Change the termination date for the County Bridge Match Program. Relating to the County Bridge Match Program. § 39-2805 is amended to remove the requirement that the details of the program are to be presented to the appropriations and transportation and telecommunications committee. The date of termination for the program is extended to June 30, 2029.

Wednesday, January 25, 2023
Revenue

LB28 (Erdman) Change provisions relating to decisions on appeals under the Tax Equalization and Review Commission Act. Relating to the Tax Equalization and Review Commission and the appeals process. § 77-5015 is amended to reset a property's tax value for the previous assessed year if the commission has not reached a decision on appeal by the date when the first half of the following year's property taxes become delinquent.

Judiciary

LB77 (Brewer) Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties. Relating to various firearm provisions. § 18-1703 (1) is amended to insert language stating that counties, cities, and villages shall not have the power to regulate the possession, storage, transportation, sale or transfer of firearms or require registration of firearms. Language is deleted from (1) prohibiting the regulation of concealed handguns. § 14-102 (6) removes language relating to the punishment of carrying concealed weapons. § 15-225 changes the language of what dangerous or disorderly conduct a city of primary class may prohibit from the "use" of firearms to the "discharge of firearms and removes the prohibition on carrying concealed weapons. § 16-227 removes the prohibition on carrying concealed weapons for what a city of first class and second class may do to prevent dangerous or disorderly conduct.

§ 28-101 is amended to add definitions involving concealed handguns. (2) states that if part of a handgun is capable of being seen by another person, it is not a concealed handgun. (10) adds a section defining minors as under twenty-one except if the person is eighteen years of age and a member of the armed forces, National Guard of the state, or Officers training corps or other authorized law enforcement officer. § 28-1202 adds that a minor or prohibited person shall not carry a weapon on his person, including a handgun and removes the penalty offense of "carrying a concealed weapon" and inserts (2), which states a violation of the section is a class I misdemeanor for first offense and Class IV felony for subsequent offenses. Further language is removed describing the exceptions of carrying weapons in the scope of employment, concealed handguns under the Concealed Handgun Permit act, or lawfully transporting a firearm.

Section 9 is amended to provide that anyone other than a minor or prohibited persons can carry a concealed handgun with or without a permit under the Concealed Handgun Permit Act in Nebraska. (2) provides a prohibition that if a place or premise prohibits the carrying of concealed handguns, a person is not allowed to carry on that premise, but a person does not violate the statute if the owner does not post a visible notice. (3) prohibits carrying in any government

building. (9) provides the affirmative defense of a defendant engaged in any lawful business or employment at the time of carrying a concealed handgun and the circumstances justify a prudent person for doing such, but if the defendant refuses to remove the weapon after being requested to by the owner of a premises, the defense is not available. (10) exempts law enforcement and retired law enforcement from violations of (2) and (3).

Section 10 provides that a person not prohibited from carrying a concealed handgun shall not carry if the person is consuming alcohol or has alcohol in their system from previous consumption. (3) provides that a person does not violate this section if lawfully transporting a handgun and the weapon is unloaded and enclosed in a case.

Section 11 is added to require a person carrying a concealed handgun to carry identification and provide it when asked by law enforcement or emergency services. Section does not apply to law enforcement officers, current or retired, persons lawfully transporting a handgun and the weapon is unloaded and enclosed in a case. Section 12 requires a concealed handgun carrier to immediately inform police or emergency services that they are carrying and states the same exceptions as Section 11. § 28-1351, involving unlawful membership and recruitment into an organization, is amended to incorporate sections 9,10,11,12.

Section 14 of the Concealed Handgun Permit Act is amended to change the language involving the concealment of handguns from “totally hidden” to “entirely obscured” and insert language stating that the handgun is not concealed if “seen or observed by another person”.

Thursday, January 26, 2023
Revenue

LB4 (Sanders) Change homestead exemption provisions relating to qualifications, application requirements, and penalties. Amends § 77-3506 to include an honorably discharged veteran who is not considered a paraplegic under § 75-3526-3528 for a temporary service-connected disability to be eligible for the homestead exemption. For this new section application for the exemption is due annually rather than every five years for a permanent disability. Furthermore, the sections allowing surviving spouses are amended to be subject to application every year. 77-3506 (3) A provision is inserted that if a veteran who is granted homestead under permanent disability dies during the 5-year period in which they are approved, the surviving spouse will continue to receive homestead benefits for that period. § 77-3512(e). § 77-3513 requires county assessor to mail notice of homestead exemption in the current year to those required to refile. § 77-3522 (1) inserts a requirement for “knowingly” assisting another in preparation of a false statement for homestead exemption. (2) inserts: failure to notify the county assessor of a change in statutes may result in the claim being

disallowed and if the claim is allowed taxes are owed under exempt period. (3)
County assessor may revoke if they believe exemption is improper.

Friday, January 27, 2023
Revenue

LB29 (Erdman) Change provisions relating to the assessment of real property that suffers significant property damage. § 77-1301 is amended to remove the provision that “destroyed” property shall be adjusted on tax assessment to “damaged” property. § 77-13-7 is amended to add a broader definition of events causing significant property damage to the legislative intent. § 77-1307 deletes the provision defining “calamity” and inserts a provision for “damaged” property, which is defined as real property that suffers significant damage. § 77-1725 is amended to exempt property which is determined as damaged under § 77-1307 from collection of delinquent taxes on unsafe buildings and structures which are determined by the city to be demolished.

This concludes our report for this week.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB2	Sanders		Government, Military and Veterans Affairs	In Committee 01/09/2023	Create the Commission on Asian American Affairs Creates Commission on Asian American Affairs. Purpose of the commission is to join representatives of Asian Americans in Nebraska. The Commission is to determine solutions to enhance Asian American rights and develop solutions to problems common to Asian Americans through the development of programs in housing, education, welfare, medical and dental.
LB3	Sanders		Banking, Commerce and Insurance	In Committee 01/09/2023	Change provisions for tax levies for bonds issued by political subdivisions Relating to Taxes Levied on Bonds § 10-110, 10-402, 10-403, 10-405, 10-507, 10-711, 10-804, § 13509 (4). This bill changes when a tax can be levied for the payment of interest on county and city bonds and provides a deadline for notifying the county assessor of approved bonds in order to correct valuation of property. The time frame for when taxes can be levied for bonds is changed from when the bond becomes due to when bonds are issued or authorized for issue. A provision is added that provides deadlines for the county assessor in assessing property valuations in a political subdivision that has approved a bond since the last time property values were assessed. If the county assessor receives a full legal description of the property subject to the bond before July 1 or August 1 for cities or metropolitan areas, then the bond is included in the valuation for the current year. If this deadline is missed, then the bond is included in the valuation for the next year.
LB4	Sanders		Revenue 01/26/2023	In Committee 01/09/2023	Change homestead exemption provisions relating to qualifications, application requirements, and penalties Homestead Exemptions. Amends § 77-3506 to include an honorably discharged veteran who is not considered a paraplegic under § 75-3526-3528 for a temporary service connected disability to be eligible for the homestead exemption. For this new section application for the exemption is due annually rather than every five years for a permanent disability. Furthermore, the sections allowing surviving spouses are amended to be subject to application every year. 77-3506 (3) A provision is inserted that if a veteran who is granted homestead under permanent disability dies during the 5 year period in which they are approved, the surviving spouse will continue to receive homestead benefits for that period. § 77-3512(e). § 77-3513 requires county assessor to mail notice of homestead exemption in the current year to those required to refile. § 77-3522 (1) inserts a requirement for “knowingly” assisting another in preparation of a false statement for homestead exemption. (2) inserts: failure to notify the county assessor of a change in statutes may result in the claim being disallowed and if the claim is allowed taxes are owed under exempt period. (3) County assessor may revoke if they believe exemption is improper.
LB5	Blood		Business and Labor	In Committee 01/09/2023	Provide for compensability under Nebraska Workers' Compensation Act for mental injuries resulting from workplace violence Relating to Nebraska Workers Compensation Act § 48-101.01. Adds section to include personal injury as mental injuries and illness that are unaccompanied by physical injury when caused by workplace violence (must prove causation). (9)(h)(i) inserts language stating workplace violence means a shooting, hostage situation, act of terrorism or a similar act of violence.
LB6	Blood		Urban Affairs	In Committee 01/09/2023	Prohibit conditional use permits and zoning exceptions for delinquent property taxpayers Relating to Political Subdivisions § 18-2219, 19-929, 23-114.01. Prohibiting the grant of conditional use permit for persons, including redevelopers, more than one hundred and eighty days late in payment of real property taxes for cities of all classes or any city planning commission or city planning director of a primary class city.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB8	Blood		Judiciary	In Committee 01/09/2023	Change provisions of the Mobile Home Landlord and Tenant Act and provide for certificates of title and liens for abandoned mobile homes
<p>Relating to Mobile Homes Title Transfer § 60-149 and sections of the Mobile Home Landlord and Tenant Act. This bill starts by amending the title process of motor vehicles. transfer of title for a motor vehicle by operation of law involving inheritance, bankruptcy, etc. 2(b) is deleted because the provision is covered nearly identically in the same section. 1(b) adds that a title can be issued for a motorhome and 3(a) exempts requiring satisfactory proof of ownership for title under section 18 or 22 of the act. § 60-192 (2) deletes a requirement that requires the owner of a vehicle less than 10 years of age to provide a statement of mileage at time of transfer prior to January 1, 2021. The Mobile Home Landlord Tenant Act is amended in a tenant friendly way. § 76-1453 (1) adds that any person or class damaged by a violation of the Mobile Home Landlord Tenant Act or a breach of a rental agreement may bring civil action. § 76-1457 (7) adds that other lienholder means a person other than the landlord who holds a lien or security interest in a mobile home. § 76-1475 (5) adds that a tenant may terminate a rental agreement by giving the landlord 30 day notice and a landlord may only terminate a rental agreement as authorized by § 76-14, 104 which limits termination methods to very specific only prescribed by the Act. (5) is also strengthened by the language of "landlord shall not" cancel a rental agreement solely for making the space available. Lastly (5) removes an agreement option that requires removal of the tenant at expiration of lease, landlord shall give tenant 30 days notice before exercising option. Further sections go on to insert language that the landlord shall not 1) deny on the basis of disability. 2) the tenant has the right to sell their mobile home and 3) collect a fee from the selling of a mobile home. § 76-14-106 (2-3a-b) inserts requirements for landlord acting in retaliation due to tenant's reasonable actions and the tenants entitlement to remedies. (3 a-b) removes a landlord from being able to bring action in violation of housing code due to tenants lack of reasonable care or tenant is in default of five days past when rent is due. Other landlord friendly sections are deleted, such as t, the tenant having to give notice to landlord of prospective purchaser, landlord's ability to approve or disapprove of prospective purchaser, landlord ability to prescribe requirements concerning physical appearance of mobile home, etc.</p>					
LB14	Dungan		Judiciary	In Committee 01/13/2023	Change provisions under the Young Adult Bridge to Independence Act
<p>Amending various sections relating to Foster Care. (8)(d)(i) is inserted to provide a child adjudicated to be a juvenile who is in a court-ordered out-of-home placement to receive information regarding the Young Adult Bridge to Independence Act. (8)(d)(ii) provides that a juvenile may request a hearing as to whether it is necessary and in the best interest for them to remain in out-of-home placement. (8)(d)(iii) adds that if the court determines returning to the family home is contrary to the juveniles interest, the Department of Health and Human services (the department)is tasked with explaining information to the juvenile to prevent a relapse into the system. Lastly, (8)(d)(iv) limits a juvenile's eligibility for the Young Adult Bridge to Independence Act if they have a current pending motion to revoke probation. The purpose of the Young Adult Bridge to Independence Act § 43-4502 is amended to include youth exiting state care, disconnected from family support and at risk of homelessness. § 2(c) is added to § 43-504 to reach out-of-home placement juveniles described in, who were not previously covered for eligibility under the act. § 43-4505 (3) is added to provide health care assistance under the medical assistance program to eligible juveniles under the act. § 43-4510 (1) inserts language providing that if the juvenile was court appointed defense counsel before the age of eligibility, the appointment may be continued with consent of the adult and under a client-directed model of representation. § 43-4511.01 inserts language stating that if the the young adults guardianship agreement effect pursuant to 42 U.S.C. 673 and the young adult attained sixteen years of age before the agreement, they may choose to participate in extended guardianship assistance if they meet the requirements. Lastly, § 43-4514 allows the department to seek federal funding from Title IVE-E if the youth is adjudicated to be a juvenile under the newly added section 2(c) in § 43-504.</p>					
LB19	Wayne		Judiciary	In Committee 01/09/2023	Change dollar amount thresholds for criminal penalty classifications
<p>Relating to threshold dollar amount for criminal penalties.</p> <p>Increases the threshold amount to qualify for misdemeanor and criminal charges by raising the maximum amount for each charge. For example, a person committing theft is guilty of a class three misdemeanor where the value of the property is \$500 or less is changed to \$1,000 or less. The following statutes raise their maximum amount to qualify for misdemeanor or felony charges: Nebraska Bingo Act § 9-262, The Nebraska Pickle Card Lottery Act § 9-352, The Nebraska Lottery Raffle Act § 9-434, The Nebraska County and City Lottery Act § 9-652, Arson charges §28-504, Theft charges § 28-518, Qualification for Plea agreement for Victim of Theft § 29-119, Criminal Mischief Charges § 28-519, Being a Victim of Theft Under § 28-511-13, 17, Forgery of a written instrument that creates a legal right § 28-603, Possession of a forged instrument § 28-604, Forgery of a check § 28-611, Passing a forged check § 28-611.01, Unauthorized use of a financial traction device if person uses such a device in an automatic banking device §28-620, Fraudulent insurance act § 28-631, Criminal impersonation § 28-638, Identity theft § 28-639, Promoting gambling §28-1102, Accessing unauthorized computer systems or harming unauthorized computer systems § 28- 1345-5, Failing to make accurate and timely filings as a broker § 45-191.03, Knowingly importing, distribute.....motor vehicle fuel without remitting the full amount of tax § 66-727, Fraudulently obtaining services § 68-1017, Fraudulently obtaining and using benefits § 71-2228-9, Issuing a bad check for property or services § 28-611, Pattern racketeering activity § 28-1354.</p>					

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB26	Wayne		Transportation and Telecommunications	In Committee 01/09/2023	Adopt the Rural Municipal Broadband Access Act Introduces the Rural Municipal Broadband Act. This act would give municipalities the ability to provide broadband services within underserved first class, second class and villages. Section 6 defines “underserved” as a geographical area which lacks service providers providing internet of at least one hundred megabits per second for downloading and twenty megabits per second for uploading. Section 2 gives a municipality the ability to initiate the process of developing a broadband network by conducting a feasibility study and subsequently ordering a resolution of intent. A public hearing is required to adopt the resolution and it must be submitted to registered voters.
LB27	Dungan		Judiciary	In Committee 01/09/2023	Change provisions relating to appointment of counsel for defendants Relating to criminal procedure. § 29-2318 is amended to allow a court to appoint practicing attorney who is not a public defender to represent an indigent defendant and recover fees and expenses which are reasonably necessary to permit competent representation.
LB28	Erdman		Revenue 01/25/2023	In Committee 01/09/2023	Change provisions relating to decisions on appeals under the Tax Equalization and Review Commission Act Relating to the Tax Equalization and Review Commission and the appeals process. § 77-5015 is amended to reset a property’s tax value for the previous assessed year if the commission has not reached a decision on appeal by the date when the first half of the following year’s property taxes become delinquent.
LB29	Erdman		Revenue 01/27/2023	In Committee 01/09/2023	Change provisions relating to the assessment of real property that suffers significant property damage Relating to property taxes. § 77-1301 is amended to remove the provision that “destroyed” property shall be adjusted on tax assessment to “damaged” property. § 77-13-7 is amended to add a broader definition of events causing significant property damage to the legislative intent. § 77-1307 deletes the provision defining “calamity” and inserts a provision for “damaged” property, which is defined as real property that suffers significant damage. § 77-1725 is amended to exempt property which is determined as damaged under § 77-1307 from collection of delinquent taxes on unsafe buildings and structures which are determined by the city to be demolished.
LB34	Dungan		Judiciary	In Committee 01/09/2023	Provide for a presumption of disposition under the Nebraska Juvenile Code for crimes committed by defendants under eighteen years of age and change the definition of juvenile under the code Relating to juvenile penalties. § 29-2204-.02 to insert a provision stating that whenever a defendant was under 18 at the time of the crime they were convicted of, a court shall not impose the penalty or probation term for the crime, but rather make such disposition under the Nebraska Juvenile Code. 5(b) provides that this requirement does not apply if term of life is required by law, the defendant is a habitual criminal, or if there are good reasons as to why such disposition cannot be effectively made.
LB40	Blood		Natural Resources	In Committee 01/09/2023	Adopt the Riparian and Water Quality Practices Act Relating to agricultural practices and water quality. Introduces a bill to utilize riparian buffers and water quality practices to help purify the public waters and ground water from nitrates, pesticides and other contaminants. Section 4 (1) provides that a landowners property adjacent to a water body shall have a fifty foot average width, a thirty-foot minimum width, buffer zone between the water and perennially rooted vegetation. (b) provides that public drainage systems require a sixteen and one half foot minimum buffer between rooted perennial vegetation. Section (5) requires the Department of Agriculture to develop a summary of watercourses for inclusion in the local water management authority’s plan. Section (6) provides exemptions to land covered under the act such as enrollment in the federal conservation reserve program, the land is used for public or private water access or recreational use, covered by a road, trail, building or regulated by a national pollutant discharge elimination system. Section (7) requires that local water management authorities to assist in the implementation of requirements under the act. Section (8) establishes penalty provisions for non-compliance with the act.
LB44	Dungan		Transportation and Telecommunications	In Committee 01/09/2023	Adopt the Midwest Interstate Passenger Rail Compact Relating to railroads. Introduces the Midwest Interstate Passenger Rail Compact. The purpose of this bill is to promote the development and implementation of long range plans for high-speed rail passenger service in the midwest. Article 2 of the act establishes a commission for carrying out the duties necessary to the bill's purpose. Article IV defines the powers of the commission, which includes advocating for funding, working with local officials, and making recommendations to member states. Article VII states that the commission may accept donations, gifts, grants and appropriations from the federal government, state, or corporation.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB45	Dorn		Urban Affairs	In Committee 01/09/2023	Create the Revitalize Rural Nebraska Grant Fund Relating to grants for commercial property demolition. Introduces a bill allowing the governing body of a city of the first or second class or village to apply for dilapidated commercial property demotion grants, supplied by the Department of Environment and Energy. Section (3) states that there is no limit on the amount that can be awarded to each applicant within the available funding.
LB49	Dungan		Judiciary	In Committee 01/09/2023	Change provisions relating to solar energy and wind energy, declare certain instruments void and unenforceable, and provide for a civil cause of action Relating to solar energy. § 66-901 is amended to delete “citizens” and add “residents” as those who benefit from solar energy. Section (2) emphasizes the importance of solar energy and wind sources as an alternative to fossil fuels and deletes previous language stating the disadvantages of solar and wind energy such as shading and obstruction of vegetation. § 66-9013 adds a provision allowing municipalities to direct sunlight, which allows the light to be reflected to a specific location. (d) allows a municipality to regulate an impermissible interference with the right to direct sunlight. § 66-914 is amended to deem unenforceable any instrument purporting to prohibit or restrict the installation or use of solar energy. (3) and (4) restrict homeowners association’s, mutual benefit associations, or corporations from issuing restrictive covenants or charging a fee for the installation and use of solar energy. (6) provides a civil right of action for any landlord or homeowners association that violates (3) and (4).
LB50	Geist		Judiciary	In Committee 01/09/2023	Change criminal justice provisions including set-asides, restitution, and parole; create criminal justice pilot programs; terminate an oversight committee; and create a task force Relating to various criminal justice provisions such as problem solving courts, restitution, and the administration of pilot programs for probation and parole. § 24-1302 is amended to provide district courts the power to establish a problem solving court. (1) defines a problem solving court as a drug, veterans, mental health, driving under the influence, reentry, or young adult court. (3) allows an individual to participate in problem solving court through a pretrial diversion program as a condition of probation, violation of parole or as a sentence imposed by the court. (5) declares the legislative intent that each judicial district may operate at least one problem solving court until January 1, 2024, and after January 1, 2024 the court must have at least one problem solving court per district. Section (2) establishes a pilot program to utilize physical space and information technology resources within Nebraska courts for virtual behavioral health services. (2) limits the program to a single district. § 29-2263 is amended to provide notice to an offender eligible to have conviction set aside under § 29-2264 at sentencing and upon completion of probation. § 29-22246-69 are amended to establish a pilot program in a single district for additional assistant probation officers with the purpose of determining if the additional support results in fewer probation violations. (3) also establishes a gift fund for probationers who succeed at probation. § 29-2281 (4) is amended to provide that if a defendant is ordered to pay restitution, and the defendant fails to pay in full, funds shall first be applied to a restitution obligation if other costs are ordered. § 83-100.02 is amended to add “responsivity factors” to the determination of a person on parole, which are the characteristics that affect the parolee’s ability to respond favorably or unfavorably to goals. § 83-1, 111 adds sections allowing for a streamlined parole contract for qualified offenders. Lastly, Section (13) establishes a pilot program for providing structured environments to individuals on parole who have committed technical violations.
LB56	McKinney		Business and Labor	In Committee 01/09/2023	Adopt the Diaper Changing Accommodation Act Relating to public health. Introduces the Diaper Changing Accommodation Act. Section (4) requires any public place of accommodation with restrooms open to the public (which includes hotels, gas stations, movie theaters, auditoriums, retail establishments, etc) to have at least one baby diaper changing station that is available for use in the womens and mens restroom. The requirement does not apply if the building does not have a public restroom, or it is located within another place of public accommodation that meets the requirements of the act, installation is not feasible per local permitting or building inspector.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB57	Cavanaugh, M.		Business and Labor	In Committee 01/09/2023	Adopt the Paid Family and Medical Leave Insurance Act Relating to employment and the adoption of the Paid Family Medical Leave Insurance Act. Section (3) provides that an individual may take paid family and medical leave to take care of a 1) new child of the covered individual for the first year after birth, adoption or placement through foster care 2) a family member of the covered individual who has a serious health condition 3) to care for a covered servicemember if the they are a family member, 4) for qualifying exigency leave or 4) because the individual has a serious health condition including pregnancy. Section (1) defines a covered individual who is employed by an employer that is subject to the employment security law or a self-employed individual who has elected coverage under the act. (8) defines family members as biological, adopted or foster children or parents, grandparents, or a covered individual's spouse. (15) defines "qualifying exigency" as 1) any of the purposes in 29 C.F.R. § 825.126 (b)(8)(i) through (iv), 2) and various issues that may arise from a military family member being notified of active duty (15)(a-l). (17) defines "serious health condition" an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider. Section (4) defines the rates of pay that the benefits cover. (7) states that a covered individual shall not receive assistance under this act and workers compensation or benefits under the Employment Security Law at the same time. Section (5) details the requirements for a covered individual who is applying for benefits. Section (7) allows an individual to obtain benefits on an intermittent basis if specific conditions are met (a-c). Section (8) details the entitlements once returning from leave, such as the restoration of covered employment in the same capacity as when leave commenced, employment benefits and pay. Section (10)(1) allows for an individual to take leave under the act concurrently with leave taken pursuant to the federal Family and Medical Leave Act. (3) states that leave benefits provided by employers are not prohibited due to the act and are not considered when calculating leave. (4) provides that the act does not diminish an employer's under a collective bargaining agreement or employer's policy. Section (17) allows an employer to satisfy the requirements of the fact through employer provided benefits by filing a plan with the Commissioner of Labor for approval. If approved, the covered individual retains all rights pursuant to the act such as the ability to report violations and appeal to the commissioner. Section (19) states that benefits under the act are not considered compensation under any retirement plan administered by the Public Employees Retirement Board.
LB60	Cavanaugh, J.		Judiciary	In Committee 01/09/2023	Change provisions relating to room confinement of juveniles and required reports Relating to juvenile facilities and room confinement. § 83-4. 134.01 is amended to require documentation for room confinement of any duration rather than longer than one hour in a twenty-four hour period. (b) is inserted to require that confinement for more than one hour during a twenty-four hour period shall be approved in writing by a supervisor. (d) requires the documentation to specify the hour and minutes each juvenile was in a confinement room. (e) is inserted to provide an annual summary for juvenile confinement to the legislature.
LB61	Brandt		Transportation and Telecommunications	In Committee 01/09/2023	Authorize leasing of dark fiber and eliminate certain powers of the Public Service Commission Relating to the licencing of fiber optic cable that isn't being used "dark fiber", by agencies or political subdivisions. § 18-419 18-419, 70-704, 70-1409, 75-132.01, 86-416, 86-574, and 86-575 are amended to allow for the licencing of dark fiber by cities or villages, public power districts, corporations, joint authorities, or fire protection district, or political subdivision. § 86-577 is amended to remove requirements of leasing dark fiber or related infrastructure and is replaced with a provision allowing any agency or political subdivision of the state discretion in adopting rules and regulations for lease or license.
LB73	Aguilar		General Affairs	In Committee 01/13/2023	Change provisions relating to authorized uses for a County Visitors Improvement Fund Relating to the Nebraska visitors development act. § 81-3717 (1) is amended to provide that a facility in which pari mutual wagering is conducted can be provided funds from the improvement fund under the Nebraska Visitors Development Act so long as the facility also serves as the site of a state fair or district or county agricultural society fair. The section is also further amended to remove language that exempts proceeds from the improvement fund to be granted to an organization to promote pari mutuel wagering. § 81-3720 is amended to remove language that exempts the County Visitors Improvement Fund from being used for any visitor attraction where pari mutuel wagering is conducted.
LB76	Geist		Judiciary	In Committee 01/09/2023	Provide access to certain information relating to probationers, juveniles, and parolees to law enforcement agencies Relating to the information provided to probationers, juveniles and parolees to law enforcement. § 29-2252 is amended to provide that all information provided to the Nebraska Commission on Law Enforcement regarding probation shall be readily accessible through the main interface system of the law enforcement agency. § 29-2262 is amended to require a court to enter in probation information about an offender into the system in which law enforcement uses. § 43-2,108 is amended to add a provision requiring a court order to state whether the data from an electronic monitoring device used on a juvenile will be made available to law enforcement immediately upon request. (4) provides that the board of parole shall provide information about a parolee to law enforcement through a main interface used by law enforcement.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB77	Brewer		Judiciary 01/26/2023	In Committee 01/09/2023	Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties <p>Relating to various firearm provisions. § 18-1703 (1) is amended to insert language stating that counties, cities and villages shall not have the power to regulate the possession, storage, transportation, sale or transfer of firearms or require registration of firearms. Language is deleted from (1) prohibiting the regulation of concealed handguns. § 14-102 (6) removes language relating to the punishment of carrying concealed weapons. § 15-225 changes the language of what dangerous or disorderly conduct a city of primary class may prohibit from the “use” of firearms to the “discharge of firearms and removes the prohibition on carrying concealed weapons. § 16-227 removes the prohibition on carrying concealed weapons for what a city of first class and second class may do to prevent dangerous or disorderly conduct.</p> <p>§ 28-101 is amended to add definitions involving concealed handguns. (2) states that if part of a handgun is capable of being seen by another person, it is not a concealed handgun. (10) adds a section defining minors as under twenty one except if the person is eighteen years of age and a member of the armed forces, National Guard of the state, or Officers training corps or other authorized law enforcement officer. § 28-1202 adds that a minor or prohibited person shall not carry a weapon on his person, including a handgun and removes the penalty offense of “carrying a concealed weapon” and inserts (2), which states a violation of the section is a class I misdemeanor for first offense and Class IV felony for subsequent offenses. Further language is removed describing the exceptions of carrying weapons in the scope of employment, concealed handguns under the Concealed Handgun Permit act, or lawfully transporting a firearm.</p> <p>Section 9 is amended to provide that anyone other than a minor or prohibited persons can carry a concealed handgun with or without a permit under the Concealed Handgun Permit Act in Nebraska. (2) provides a prohibition that if a place or premise prohibits the carrying of concealed handguns, a person is not allowed to carry on that premise, but a person does not violate the statute if the owner does not post a visible notice. (3) prohibits carrying in any government building. (9) provides the affirmative defense of a defendant engaged in any lawful business or employment at the time of carrying a concealed handgun and the circumstances justify a prudent person for doing such, but if the defendant refuses to remove the weapon after being requested to by the owner of a premises, the defense is not available. (10) exempts law enforcement and retired law enforcement from violations of (2) and (3).</p> <p>Section 10 provides that a person not prohibited from carrying a concealed handgun shall not carry if the person is consuming alcohol or has alcohol in their system from previous consumption. (3) provides that person does not violate this section if lawfully transporting a handgun and the weapon is unloaded and enclosed in a case.</p> <p>Section 11 is added to require a person carrying a concealed handgun to carry identification and provide it when asked by law enforcement or emergency services. Section does not apply to law enforcement officers current or retired, persons lawfully transporting a handgun and the weapon is unloaded and enclosed in a case. Section 12 requires a concealed handgun carrier to immediately inform police or emergency services that they are carrying and states the same exceptions as Section 11. § 28-1351, involving unlawful membership and recruitment into an organization, is amended to incorporate sections 9,10,11,12 .</p> <p>Section 14 of the Concealed Handgun Permit Act is amended to change the language involving the concealment of handguns from “totally hidden” to “entirely obscured” and insert language stating that the handgun is not concealed if “seen or observed by another person” .</p>
LB82	DeBoer		Judiciary	In Committee 01/09/2023	Provide reporting duties for Department of Correctional Services, require development of strategic plan, and eliminate obsolete provisions relating to a working group <p>Relating to correctional punishment. § 83-4-114(4) is amended to remove the requirement that the Director of Correctional Services meet with the long term restrictive housing work group to share contents of the annual report on inmates held in restrictive housing. (h) inserts a requirement that the report contain a description of all inmate housing areas that hold inmates in a setting that is neither general population nor restrictive housing. (5) removes the long term restrictive housing work group altogether. § 83-918 (2) inserts a requirement that the department of corrections shall appear to present the report to the legislature upon request.</p>
LB87	Hunt		Judiciary	In Committee 01/09/2023	Allow persons eighteen years of age to make health care decisions and persons under nineteen years of age in correctional facilities to consent to medical and mental health care <p>Relating to minors consent to healthcare. § 43-2101 is amended to insert (c) and (d) which provides that a person 18 years or older may make health care decisions without the consent of the parents and a person under 19 committed to the department of correctional services may make healthcare decisions without the parents consent during the time of incarceration.</p>
LB97	Clements		Revenue	In Committee 01/10/2023	Change provisions relating to required reports for inheritance tax <p>Relating to revenue and taxation, changing provisions relating to required reports for inheritance tax. § 77-2015 is amended to provide that a petitioner in an independent proceeding with the sole purpose of determining inheritance tax, must submit a report to the county treasurer once the inheritance tax is determined. Inserts a requirement that the county treasurer must submit an annual report on inheritance tax determinations to the Department of Revenue and the Department then must make each report public online.</p>

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB98	Jacobson		Urban Affairs	In Committee 01/10/2023	Change provisions of the Community Development Law relating to substandard and blighted declarations and expedited reviews of redevelopment plans Relating to community development law, changing provisions relating to substandard and blighted declarations and redevelopment plans. § 18-2109 is amended to allow a governing body the ability to declare that a substandard and blighted area “exists” and after having a public hearing, the governing body may declare the area as such without further public hearing. §18-2155 is amended to provide that a governing body electing to do expedited reviews of redevelopment plans may establish a limit on the number of plans. (c) provides that a governing body may deny a plane according to certain criteria. (6)(a) removes the requirement of the government issuing a promissory note of indebtedness to the owner of record. (9) makes the bill retroactive in application, therefore it would apply to redevelopment plans approved prior to the effective date of the bill.
LB104	McDonnell		Nebraska Retirement Systems	In Committee 01/10/2023	Change provisions of the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act Relating to retirement, redefining terms under the County Employees Retirement Act, Judges Retirement Act, School Employees Retirement Act and the Nebraska State Patrol Retirement Act. § 23-2301, § 24-701, § 79-902. § 81-2014 and § 84-1301 are amended to change the definitions for the required beginning date for deferral distributions and commencement of mandatory distributions to provide the present tense for the deleted terms of “terminated” and “attained”. (c) further provides that the individual must be seventy three or seventy five depending on different dates.
LB105	McDonnell		Nebraska Retirement Systems	In Committee 01/10/2023	Change provisions of public employee retirement plans relating to military service Relating to retirement and applicable military service. § 23-2323.01, § 76-926, § 81-2034, § 81-1325 and § 24-710.01 are amended to broaden the definition of military service. § 24-701 is also amended to broaden the definition of military service under the Judges Retirement Act by removing specific criteria for qualification.
LB109	McDonnell		Government, Military and Veterans Affairs	Withdrawn 01/18/2023	Require county boards of corrections in certain counties to act with advice of the county sheriff Changing provisions relating to county boards of corrections in certain counties. § 23-2802 is amended to provide that counties with a population 150,000 or more, a country board of corrections shall deliberate and take action with the professional advice and counsel of the county sheriff.
LB110	McDonnell		Judiciary	In Committee 01/10/2023	Change potential conditions of pretrial release and provide for a pretrial risk assessment services pilot project Relating to criminal procedure. Inserts Section (2) which creates a three year pilot program for pretrial risk assessment and services with the participation of district county courts and the county sheriff. (2) provides the State County Administrator shall reimburse participating counties one hundred and fifty dollars per day for each defendant diverted from pretrial incarceration.
LB124	Moser		Transportation and Telecommunications 01/23/2023	In Committee 01/10/2023	Change the termination date for the County Bridge Match Program Relating to the County Bridge Match Program. § 39-2805 is amended to remove the requirement that the details of the program are to be presented to the appropriations and transportation and telecommunications committee. The date of termination for the program is extended to June 30, 2029.
LB126	Day		Revenue	In Committee 01/10/2023	Change provisions relating to homestead exemptions Relating to revenue and taxation, to change provisions relating to homestead exemptions for certain disabled veterans, surviving spouses. § 77-3506 is amended to allow a tax exemption for a veteran who was honorably discharged or an unmarried surviving spouse or surviving spouse to remarries after attaining the age of fifty-seven, and is drawing compensation from Veterans Affairs because they are at least 10 percent disabled but less than 100 percent disabled.
LB139	Brandt		Judiciary	In Committee 01/10/2023	Change the jurisdictional amount of the Small Claims Court Relating to the jurisdictional amount provided in small claims courts. § 25-2802 is amended to increase the amount of money or damages required for a small claims court to have jurisdiction from \$5,0000 to \$10,000 through June 30, 2025.
LB147	Kauth		Revenue	In Committee 01/11/2023	Change procedures for property tax refunds Relating to property tax refunds. § 77-1736 is amended to allow the county assessor to waive the requirement to notify a political subdivision whose share of a refund is less than one thousand dollars by notifying the county treasurer in writing.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB154	DeBoer		Revenue 01/27/2023	In Committee 01/11/2023	Change notice provisions relating to treasurer's tax deeds Relating to the treasurer's tax deeds and the notice required. Amends § 77-1835 to provide that when a purchaser is required to provide notice to an individual whose property is being sold due to unpaid taxes, after providing such notice the purchaser shall within five days send by US mail a copy of such the notice to the person of title and record. The purchaser must also file an affidavit with the county treasurer that a copy of the published notice was sent to the person of title and record.
LB155	DeBoer		Transportation and Telecommunications	In Committee 01/11/2023	Change provisions regarding the applicability of the Small Wireless Facilities Deployment Act Relating to certain activities of a communications service provider. Amends § 86-1241 to exempt subsection (2) from the activities of communications providers that are outside the scope of the Small Wireless Facilities Deployment Act. Subsection (2) prohibits the an authority from imposing a tax or regulation on communications service providers legally authorized use of a right-of-way for communication facilities.
LB160	McDonnell		Nebraska Retirement Systems	In Committee 01/11/2023	Change contribution rates relating to supplemental retirement plans for certain law enforcement personnel under the County Employees Retirement Act Relating to retirement plans for law enforcement officers in counties with a population less than eighty-five thousand inhabitants that participate in the Retirement System for Nebraska Counties. The rate for contributions from other county employees and county itself is raised to a rate of three percent (previously two percent).
LB161	McDonnell		Business and Labor	In Committee 01/11/2023	Change provisions of the Workplace Privacy Act Relating to the Workplace Privacy Act, to refine a term and prohibit employers from taking certain actions. § 48-2502 is amended to add to the definition of "Employer" a subcontractor and customer of such an employer. § 48-3503 adds provisions stating that no employer shall require an electronic communication device to be worked by an employee to track location or travel patterns or to confirm contacts with other employees unless the Governor proclaims a state of emergency for a pandemic.
LB162	McDonnell		Judiciary	In Committee 01/11/2023	Prohibit tampering with electronic monitoring devices required by court order or as a condition of parole Relating to crimes and offenses, to prohibit tampering with an electronic monitoring device. § 28-101 is amended to insert a new section to prohibit the removal or destruction or soliciting of removal or destruction of an electronic monitoring device required as a condition of parole. Violation is a Class IV felony.
LB163	McKinney		Judiciary	In Committee 01/11/2023	Provide for various reforms to jails and prisons, provide certain protections for prisoners, prohibit construction or expansion of prisons and jails as prescribed, and provide for oversight of the Department of Correctional Services during an overcrowding emergency by the Judiciary Committee
LB166	Bostelman		Transportation and Telecommunications	In Committee 01/11/2023	Change provisions relating to design-build, construction manager-general contractor, and public-private-partnership proposals under the Transportation Innovation Act Relating to the transportation innovation act to change provisions relating to the criteria and weighting of certain design or construction proposals. § 39-2814 is amended to provide that all progressive design build contracts the "historic reasonableness" must be considered in the cost. § 39-2818 is amended to provide new conditions for a contracting agency in evaluating a manager-general contractors proposal. This includes the historic reasonableness of the construction given a weight of at least "fifty percent", the experience and equipment available. § 39-2825, a public private partnership under the Transportation Innovation Act is also amended to add the historic reasonableness of the construction given a weight of at least fifty percent.
LB167	Slama		Judiciary	In Committee 01/11/2023	Provide requirements for depositions of certain children Relating to criminal procedure to provide requirements for depositions of certain children. § 29-1917 is amended to exempt from depositions in criminal trials, children who are 18 or younger who have undergone a video-recorded forensic interview at an accredited child advocacy center. However the court can still order the deposition of a child who has undergone an interview at a child forensic center if the parties agree or the deposition will aid in the disclosure of evidence that is not reasonably available by other means. The court may limit the deposition of a previously interviewed child to protect them from emotional harm or distress.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB169	Hunt		Judiciary	In Committee 01/11/2023	Prohibit discrimination based upon sexual orientation and gender identity Relating to various employment and government benefits sections. Inserts provisions in allowing countries to prohibit discrimination based on sexual orientation and gender identity (“SGD”). Prohibits SGD in the regulation of classified service, personnel administration (including the publishing of hiring materials), compensation plans, promotions, etc. § 48-215 declares the practice of SGD unlawful for any person, firm or corporation in Nebraska. § 48-1101 prevents SGD as one of the general policies in Nebraska for employable persons. § 48-1113 adds SGD to the criteria not to be interpreted as requiring preferential treatment under the Fair Employment Act. Gender identity is defined as an internal sense of one's own gender regardless of sex while sexual orientation means actual or perceived bi, homo, or heterosexuality.
LB183	Cavanaugh, J.		Judiciary	In Committee 01/11/2023	Allow petitioners to proceed in forma pauperis in change of name proceedings Relating to costs of civil cases. Allows for forma pauperis as authorized in § 25-21-270 and § 25-231 in all proceedings for name changes for individuals and municipalities. Forma pauperis is the permission given by the court for a party to proceed without prepayment of fees.
LB184	Cavanaugh, J.		Judiciary	In Committee 01/11/2023	Provide for inadmissibility of statements of juveniles during transfer proceedings Relating to the inadmissibility of statements made by juveniles. Requires the criteria for arraignment and city or county attorneys. Requires that any admission or confession made by the accused at a hearing on a motion to transfer from county or district to juvenile, any statements of a mental health professional and any evidence from the hearing process is inadmissible against the accused in any criminal or civil proceeding other than the motion to transfer.
LB186	Cavanaugh, J.		Judiciary	In Committee 01/11/2023	Adopt the Unlawful Restrictive Covenant Modification Act Relating to real property. To adopt the Unlawful Restrictive Covenant Modification Act which allows an individual or entity to challenge an unlawful restrictive covenant (limiting the transfer, rental or lease because of race, creed, religion, color, national origin, sex, disability, familial status, or ancestry) if the person or entity holds 1) ownership interest or 2) is a common interest community association, or other housing association.
LB187	Cavanaugh, J.		Judiciary	In Committee 01/11/2023	Require appointment of counsel for tenants in eviction proceedings in counties containing a city of the metropolitan class or primary class Relating to civil actions, requiring appointment of counsel at county expense in eviction proceedings and various other changes. Requires courts within a county of a city of metropolitan class or primary class in eviction proceedings to appoint counsel for the tenant unless already represented. An eviction proceeding is an action involving eviction, forcible entry and detainer, and possession or premises. A counsel already appointed shall apply before proceedings for fees and services performed. Requires the Supreme Court, by July 1, 2024, to provide guidelines for attorneys appointed under the section. A statement informing a tenant being sued of their right to representation is required in the delivered complaint and summons.
LB190	Brandt		Government, Military and Veterans Affairs	In Committee 01/11/2023	Authorize scheduled extension of county bridge project payments Relating to county bridges, authorizing a county board to fund a bridge over a period of time beyond the completion date.
LB192	Halloran		Revenue	In Committee 01/11/2023	Change the definition of household income for homestead exemptions Relating to taxation and the definition of “household income” in §77-3504 for homestead exemptions. Removes social security benefits from the definition to the extent they are deducted for federal income tax purposes.
LB199	Brewer		Transportation and Telecommunications	In Committee 01/11/2023	Provide for a driving privilege card for federally authorized aliens Relating to the Motor Vehicle Operator’s License Act provides for driving privilege care to federally authorized aliens. § 60-474 is amended to allow a driver license, described as a “driving privilege card” (pursuant to the federal Real ID Act) to be issued to federally authorized aliens. Federally authorized alien means an alien who is present in the United States with the approval of the government. A federally authorized alien is eligible for a driving privilege card if they can establish proof of 1) federal authorization, 2) identity and 3) such a person is a Nebraska resident and 4) qualification for an operator’s permit.
LB205	Von Gillern		Government, Military and Veterans Affairs	In Committee 01/11/2023	Adopt the Government Neutrality in Contracting Act Relating to public lettings and contracts, to adopt the Government Neutrality in Contracting Act. Purpose of the Act is to provide efficient procurement of goods and services by the government to promote the administration and completion of construction projects. A government construction proposal or bid cannot contain: a term that prohibits or encourages adhering to a collective bargaining agreement, a term that discriminates, scoring criteria based on hiring requirements, labor assignments, political affiliation, etc. Any contract containing the above-mentioned criteria is declared void.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB207	Von Gillern		Banking, Commerce and Insurance 01/23/2023	In Committee 01/12/2023	Change provisions relating to sales under the Nebraska Trust Deeds Act Relating to the Nebraska Trust Deeds Act. Allowing sale for the sale of trust property to be held at a public building wherein county offices are located where the property is to be sold.
LB208	Bostar		Government, Military and Veterans Affairs	In Committee 01/12/2023	Prohibit counties from prohibiting the use of residential property as short-term rentals Relating to counties, to prohibit a county from prohibiting the use of property as a short-term rental by ordinance, resolution or other regulation unless the county demonstrates the purpose is to protect public health and safety. A county may still adopt ordinances or resolutions to impose a sales tax on short-term rentals. A county still may enforce or adopt a measure prohibiting short term rentals only if it is for housing sex offenders, operating a sober living home, selling alcohol or drugs, or a sexually oriented business, etc. Section does not affect regulation of a private entity such as a homeowners association.
LB211	Blood	Revenue		In Committee 01/12/2023	Adopt the Property Tax Circuit Breaker Act Relating to revenue and taxation, to adopt the Property Tax Circuit Breaker Act. The purpose of the bill is to provide tax credits to taxpayers with limited income to pay property taxes. Agricultural taxpayers can qualify for a credit in an amount equal to the property taxes paid on the agricultural land in the most recent tax year minus 7% of the individual's federal adjusted gross income. A residential taxpayer can qualify for a property that they own or rent (rent credit is the amount of rent paid for right to occupy) and the credit shall not exceed 200% of the average taxes paid on single family residential property in the area or property owned. For rental properties, the amount shall not exceed 20% of the total amount of rent paid. Only one tax credit per resident. The department may allow up to 74,000,000 in agricultural credits and 126,000,000 for residential credits.
LB218	Ibach	Agriculture		In Committee 01/12/2023	Change provisions relating to intent to appropriate money for management of vegetation within the banks or flood plain of a natural stream Relating to the Noxious Weed Act, increases the amount of appropriations funded for the management of vegetation with the banks or flood plain of a natural system to 6 million (from 3 million) annually starting starting in 2023-2024.
LB228	Erdman		Government, Military and Veterans Affairs	In Committee 01/12/2023	Create state holidays for statewide primary and general election days, require in-person voting, photographic identification to vote, counting of ballots on election day, and counting of ballots at the precinct level, and allow voting by mail for registered military personnel and residents of nursing homes and assisted-living facilities Relating to voting. § 25-221 is amended to provide a statewide holliday on statewide primary election days and statewide general election days. § 32-101 is amended to insert a provision requiring all voting in statewide elections to be done in person. An ID must be presented to vote and only registered military personnel and only those residing in nursing homes or assisted living facilities may vote by mail.
LB232	Cavanaugh, J.	General Affairs		In Committee 01/12/2023	Change provisions relating to keno and provide for the sale of digital-on-premises tickets Relating to the Nebraska County and City Lottery Act. § 9-601 of the act is amended to provide the purchase of an onsite digital ticket from a device at the present location of the lottery operator. § 9-646.01 adds a provision allowing a lottery operator to create for deposit an account to be used for lottery play, which may only be funded from a deposit account at a financial institution. § 9-651 adds a section detailing to the process for a lottery operator participating in the game of keno (tickets are purchased with chosen numbers, winning numbers are drawn). Keto tickets must be purchased on site and if digital on premises tickets are sold the operator must follow safeguard procedures determined by the Department of Revenue.
LB236	Wayne	Judiciary		In Committee 01/12/2023	Provide for appointment and powers of problem-solving court judicial officers To provide for the appointment and powers of problem solving court officers. The officers are appointed by the state Supreme Court and may perform any act necessary and proper to the administration and operation of the problem solving court with the exception of imposing custodial sanctions or terminating a participant from the program court program. Officers are allowed to make recommendations concerning custodial sanctions and termination of participants and must be admitted to practice law in the State of Nebraska. A pilot program is proposed for 2024 to utilize one or more officers to determine the program would be effective.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB242	Briese		Revenue	In Committee 01/12/2023	Change provisions of the Nebraska Property Tax Incentive Act Relating to property tax. § 77-6702 is amended to remove language setting the maximum allowable growth percentage of 5% in the total assessed value of all real property in the state for one year. § 77-6703 is amended to provide that the total amount of tax refundable tax credits for individual income tax and franchise tax is one billion dollars in 2024 and will be the set maximum for each calendar year thereafter (increased by the allowable growth percentage).
LB243	Briese		Revenue	In Committee 01/12/2023	Change the minimum amount of relief granted under the Property Tax Credit Act Relating to property taxes. Increases the total amount to tax relief granted under the act to \$750,000,000 plus the percentage increase of (if applicable) in the total assessed value of all real property in the state starting in 2024.
LB244	Briese		Revenue	In Committee 01/12/2023	Provide an additional tax credit under the Nebraska Property Tax Incentive Act Relating to the Nebraska Property Tax Incentive Act. Amends § 77-6701 to 77-6706 to provide for a new tax category of “general taxes” imposed on real property and a refundable credit provision with a maximum \$200,000,000 of total credits refunded starting in 2024. “General taxes” are defined as property taxes levied on real property by any political subdivision, excluding taxes meant to pay back bonds or taxes levied as a result of an override of limits on property taxes levied approved by voters. Section (3) adds a provision that if a corporation, partnership, LLC, trust or estate pays general taxes, the refundable credit must be claimed by the corporation.
LB276	Wishart		Health and Human Services	In Committee 01/12/2023	Adopt the Certified Community Behavioral Health Clinic Act Relating to mental health and to adopt the Certified Community Behavioral Health Clinic. Purpose is to increase access to mental health and substance use treatment. The Department of Health and Human Services is tasked with developing a payment system under the medical assistance program to fund certified behavior health clinics. The clinics are defined as a non-profit organization providing mental health and substance use health services that are nationally accredited.
LB284	McKinney		Judiciary	In Committee 01/13/2023	Adopt the Municipal Police Oversight Act, require maintenance of Brady and Giglio lists, restrict usage of no-knock warrants, prohibit collection of data on gang membership, require a bachelor's degree for law enforcement certification, change requirements on law enforcement records, and eliminate the offense of unlawful membership recruitment into an organization Relating to law enforcement. To adopt the Municipalities Police Oversight Act. Purpose of the act is to provide oversight boards to monitor, investigate and evaluate police standards in metropolitan, primary and home charter rule cities. Each board is empowered by ordinance to investigate and report cases of police misconduct to the mayor. The board must investigate a grievance filed with the board unless the complaint is irrelevant to the subject matter, trivial or frivolous, or the board is incapable of investigating the matter. Each city is required to provide adequate funding to the oversight board. an The oversight board may publish any of its written summaries and reports, including by releasing such written summaries and reports to the news media. The Attorney General and each city and county attorney must maintain a list identifying law enforcement officers who have impaired their own credibility due to misconduct and disclose that information to the public. § 29-411 is amended to prove that in executing a warrant for arrest, an officer cannot break into a dwelling without providing notice of his or her purpose (a “no knock” warrant). Introduces Section 19 which details criteria for no knock warrants, generally making it more difficult for an officer to obtain and exercise a no knock warrant. § 29-3517 is amended to provide that a criminal justice agency shall not collect data relating to an individual's gang status and any such information should be deleted. § 29-3517 is amended to provide a bachelor's degree requirement for entry into law enforcement training. § 81-1414 requires that current servicing officers must hold a bachelor's degree or be enrolled in an accredited college to obtain a bachelor's degree.
LB287	Brewer		Government, Military and Veterans Affairs	In Committee 01/13/2023	Prohibit creation of joint public agencies under the Joint Public Agency Act Relating to the Joint Public Agency Act. § 13-2508. Prohibits the creation of joint public agencies on or after October 1, 2023.
LB302	Linehan		Government, Military and Veterans Affairs	In Committee 01/13/2023	Change provisions relating to conflicts of interest by certain officeholders and public employees Relating to the Nebraska Political Accountability and Disclosure Act. Requires that any public employee who would be required to take any action that may cause financial benefit or detriment to him or her, or family, or business, shall disclose a potential conflict of interest to the government body who shall enter the statement onto the public records. Any employee under this section may apply to the commission to see if there is an actual conflict of interest.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB304	Linehan		Government, Military and Veterans Affairs	In Committee 01/13/2023	Require political subdivisions to disclose membership dues and lobbying fees Relating to political subdivisions. Requires that each political subdivision shall publicly disclose membership dues paid annually to any association, fees paid to individual lobbyists. For any political subdivision that does not have a website, the public may request such information at the office of the political subdivision.
LB306	Hunt		Judiciary	In Committee 01/13/2023	Create the Nebraska Youth in Care Bill of Rights Relating to infants and juveniles, to create the Nebraska Youth in Care Bill of Rights. The purpose of the bill is to ensure quality of care provided to children place in foster family homes, child-care institutions or youth rehabilitation and treatment centers. Section (4) provides that each child is permitted to: attend religious services and activities of their choice, be in a placement consistent with their religious beliefs, free from unreasonable search and seizure under the fourth amendment, safe and free from exploitation by staff and contractors, make decisions when they are a parent for their own children, etc. In order to ensure that the rights listed are adhered to, each case worker shall be trained on the rights state in this section. A child is able to file a grievance regarding the infringement of rights stated in the section by filing a grievance with the department.
LB309	Bostar		Revenue	In Committee 01/13/2023	Change an interest rate relating to property tax refunds Relating to revenue and taxation. To change an interest rate relating to property tax refunds. §77-1736.06 is amended to change the interest accrued on an unpaid refund balance at a rate of fourteen percent beginning 30 days after the county assessor certifies the amount.
LB312	Lowe		Government, Military and Veterans Affairs	In Committee 01/13/2023	Change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions Relating to political subdivisions, to withhold money due to noncompliance with budget limits. § 13-522 is amended to provide that if a governmental until fails to comply with the budget limits in § 13-518 to 13-522 within six months after receiving notice for the Auditor of Public Accounts, the funds shall be forfeited and redistributed to other recipients of state aid in the county where the noncomplying government unit is located or returned to the Highway Allocation fund if there is no eligible recipient. If the governmental until fails to comply within 12 months after receiving notice, the until will no longer be eligible for future distributions of state aid.
LB313	Lowe		Government, Military and Veterans Affairs	In Committee 01/13/2023	Change provisions relating to special elections and filling vacancies in the United States Senate and House of Representatives Relating to elections, to change provisions relating to special elections and filling vacancies. § 32-654 is amended to provide that if a vacancy in the legislature occurs, the Governor is to order a special election within not less than 75 days and not more than 90 days after the vacancy occurs. Such an election is to be held on a tuesday. The certificate and filing fee for the candidate for special election must be submitted within 67 days rather than the current standard of 65.
LB316	Fredrickson		Judiciary	In Committee 01/13/2023	Change and eliminate provisions relating to marriage Relating to marriage. § 42-102 is amended to remove gender language from the requirements of marriage. Language is also deleted stating that no person who is afflicted with a venereal disease shall marry.
LB317	Von Gillern		Revenue	In Committee 01/13/2023	Change provisions relating to inspection of real property by county assessors Relating to county assessors. § 77-1311.01 is amended to provide that inspection of real property for the purposes of taxation shall be completed in a manner directed by the county assessor.
LB325	Dungan		Judiciary	In Committee 01/13/2023	Change immunity for intentional torts under the Political Subdivisions Tort Claims Act and the State Tort Claims Act Relating to the Political Subdivisions Torts Claims Act and State Tort Claims Act, which provide the only avenue for a lawsuit against a political subdivision or state agency. Inserts language in both acts stating that the act does not apply to claims arising out of assault, battery, false arrest, etc. except when the harm caused by an intentional tort is a proximate result of the failure of a political subdivision or an employee of the political subdivision to exercise reasonable care to control a person over whom it has taken charge or protect a person who is under care.
LB327	Raybould		Business and Labor	In Committee 01/13/2023	Change provisions relating to the minimum wage under the Wage and Hour Act Relating to minimum wage. § 48-1203 is amended to provide that minimum wage shall be increased each successive year after January 1, 2027 by the lesser of one and one-half percent, rounded to the nearest cent or the increase of the cost of living.

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB332	Linehan		Education	In Committee 01/13/2023	Prohibit creation of new joint public agencies with power or authority relating to education Relating to the Joint Public Agency Act. § 13-2508 is amended to provide that no joint public agency after October 1 2023 shall exercise any power or authority relating to taxation.
LB334	McDonnell		Judiciary	In Committee 01/13/2023	Adopt the Reentry Housing Network Act and provide a duty for the Department of Correctional Services and the Board of Parole Relating to treatment and corrections. Sections (1) to (8) shall be known as the Reentry Housing Network Act. The Reentry Housing Network is established, with the purpose of encouraging development, coordination and standards for reentry housing. Network is able to establish minimum standards for reentry housing facilities, including health and safety, monitor compliance, and report to the legislature the status of reentry housing. An advisory committee and fund is created pursuant to the act.
LB337	Riepe		Health and Human Services	In Committee 01/13/2023	Change provisions relating to disclosure of patient information under the Mental Health Practice Act Relating to Mental Health Practitioners. § 38-2136 is amended to account for disclosures of information permitted by federal law.
LB338	McKinney		Judiciary	In Committee 01/17/2023	Change provisions relating to pretrial release, sentencing, failure to appear, revocation and sanctions under probation and parole, and suspension of licenses under the License Suspension Act
LB339	McKinney		Judiciary	In Committee 01/17/2023	Provide for confidentiality of prosecutions and adjudications of minors, extend jurisdiction under the Nebraska Juvenile Code, provide requirements for custodial interrogations of juveniles and young adults, prohibit use of certain statements, prohibit sending juveniles out of state, provide for use and reimbursement of reporting centers, and establish a family resource and juvenile assessment center pilot program
LB344	Armendariz		Revenue	In Committee 01/17/2023	Exclude certain delinquent taxes from qualifying for tax credit under the Nebraska Property Tax Incentive Act Relating to the Nebraska Tax Incentive Act. § 77-6702 is amended to exclude property taxes that at the time of payment were delinquent for five years or more from community college taxes and school district taxes.
LB348	Wayne		Judiciary	In Committee 01/17/2023	Adopt the Community Work Release and Treatment Centers Act and change provisions relating to the Board of Parole, the Department of Correctional Services, and the Office of Probation Administration Relating to the treatment and corrections. To adopt the Community Work Release and Treatment Centers Act. The purpose of the bill is to increase the number of offenders under work release prior to discharge and to do so in settings that also offer therapy, programming, treatment, vocational training and educational classes. The division of Parole and Supervision is to contract with private providers to establish community work release centers. § 83-901 is amended to provide that prior to the discharge of an individual from a facility of the Department of Corrections, the individual released shall have the opportunity to obtain a drivers license. Funds not used under the Vocational and Life Skills Program are to be used with a preference to programs and grants that result in meaningful employment after release. The Reentry program and Vocational and Life Skills Program under § 83-903-4 and responsibilities for such are transferred to the Board of Parole from the Department of Correctional Services.
LB352	Wayne		Judiciary	In Committee 01/17/2023	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
LB353	Raybould		Health and Human Services	In Committee 01/17/2023	Provide for grants for projects that increase long-term care facility capacity Relating to nursing facilities. A grant is to be provided to a nursing facility who works with a qualifying hospital to accept complex acute transition patients. The grant is to be used on any project to support the transition of residents with specific service needs that are not readily available in the long term care setting. The grant is limited to a maximum of two hundred fifty thousand dollars per facility.
LB363	Dom		Judiciary	In Committee 01/17/2023	Provide for transfer of duties of clerks of the district court to clerk magistrates
LB364	Hunt		Government, Military and Veterans Affairs	In Committee 01/17/2023	Provide for election of election commissioners and eliminate certain deputy positions

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB365	Hunt		Government, Military and Veterans Affairs	In Committee 01/17/2023	Permit counties to conduct elections by mail
LB366	Conrad		Government, Military and Veterans Affairs	In Committee 01/17/2023	Change provisions relating to public records and include body-worn camera recordings in certain circumstances
LB367	Conrad		Business and Labor	In Committee 01/17/2023	Adopt the Fair Chance Hiring Act
LB368	Conrad		Judiciary	In Committee 01/17/2023	Create a grant program to expand and enhance criminal justice programs in a county with a city of the primary class
LB369	Linehan		Revenue	In Committee 01/17/2023	Change property tax provisions relating to net book value
LB370	Linehan		Revenue	In Committee 01/17/2023	Require a notice relating to the availability of certain tax credits
LB374	Murman		Education	In Committee 01/17/2023	Adopt the Parents' Bill of Rights and Academic Transparency Act
LB377	Lowe		General Affairs	In Committee 01/17/2023	Change provisions relating to special designated licenses under the Nebraska Liquor Control Act
LB378	McDonnell		Nebraska Retirement Systems	In Committee 01/17/2023	Change retirement system participation provisions
LB381	Cavanaugh, M.		Revenue	In Committee 01/17/2023	Adopt the Mental Health Wellness Act and authorize county sales and use taxes
LB382	Bostar		Judiciary	In Committee 01/17/2023	Provide powers and duties for University of Nebraska police departments and police officers
LB387	Linehan		Revenue	In Committee 01/17/2023	Change provisions relating to income tax rates
LB388	Linehan		Revenue	Introduced 01/12/2023	Change provisions relating to sales taxes
LB390	Clements		Government, Military and Veterans Affairs	In Committee 01/17/2023	Change provisions relating to ballots for early voting under the Election Act
LB394	Erdman		Judiciary	In Committee 01/17/2023	Change provisions relating to the determination of damages as a result of eminent domain
LB411	Dungan		Appropriations	In Committee 01/17/2023	Appropriate funds for Wyuka Cemetery
LB415	Dorn		Appropriations	In Committee 01/17/2023	State intent regarding appropriations to the Department of Health and Human Services
LB417	McDonnell		Judiciary	In Committee 01/17/2023	Provide for a leadership academy for law enforcement professionals
LB420	Raybould		Government, Military and Veterans Affairs	In Committee 01/17/2023	Require the state to pay counties for the cost of office and service facilities used for the administration of public assistance programs
LB421	Kauth		Health and Human Services	In Committee 01/18/2023	Provide procedures for directed health measures

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session

Document	Senator	Position	Committee	Status	Description
LB428	Walz		Government, Military and Veterans Affairs	In Committee 01/18/2023	Require the Nebraska Emergency Management Agency to provide matching funding for the federal Hazard Mitigation Grant Program
LB433	Jacobson		Health and Human Services	In Committee 01/18/2023	Provide requirements for distribution of funding for behavioral health regions
LB435	Geist		Judiciary	In Committee 01/18/2023	Provide for court appointed parental advisers
LB446	Bostar		Banking, Commerce and Insurance	In Committee 01/18/2023	Adopt the Peer-to-Peer Vehicle Sharing Program Act
LB449	Brandt		Transportation and Telecommunications	In Committee 01/18/2023	Provide an additional use for the County Bridge Match Program
LB453	DeKay		Transportation and Telecommunications	In Committee 01/18/2023	Provide an additional use of the Highway Cash Fund and change provisions relating to bridge replacement and road construction contracts
LB457	Holdcroft		Government, Military and Veterans Affairs	In Committee 01/18/2023	Require video surveillance of voting and provide requirements for paper ballots, vote scanning devices, and vote tabulating equipment
LB462	Conrad		Urban Affairs	In Committee 01/18/2023	Redefine a term under the Middle Income Workforce Housing Investment Act
LB473	Geist			Introduced	Create a grant program to operate a safe and secure treatment center for youth
LB479	Wayne			Introduced	Transfer the Office of Probation Administration to the executive branch, rename the Division of Parole Supervision as the Parole Supervision Agency, and remove such agency from the Board of Parole
LB513	Brewer			Introduced	Change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act
LB557	Vargas			Introduced	Limit use of restrictive housing and solitary confinement
LB569	Bostelman			Introduced	Prohibit financial interests by certain county officers and family members in electric generation facilities
LB580	Holdcroft			Introduced	Change provisions relating to agricultural or horticultural land receiving special valuation
LB594	Hardin			Introduced	Provide for local government investment pools to invest in commercial paper
LR22CA	Dover		Executive Board	In Committee 01/18/2023	Constitutional amendment to change legislative term limits to three consecutive terms
LR23CA	Riepe		Revenue	In Committee 01/18/2023	Constitutional amendment to prohibit the levying of an inheritance tax

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session
Hearing Date 01/23/2023 - 01/27/2023

Document	Senator	Position	Committee	Status	Description
LB207	Von Gillern		Banking, Commerce and Insurance 01/23/2023	In Committee 01/12/2023	Change provisions relating to sales under the Nebraska Trust Deeds Act Relating to the Nebraska Trust Deeds Act. Allowing sale for the sale of trust property to be held at a public building wherein county offices are located where the property is to be sold.
LB124	Moser		Transportation and Telecommunications 01/23/2023	In Committee 01/10/2023	Change the termination date for the County Bridge Match Program Relating to the County Bridge Match Program. § 39-2805 is amended to remove the requirement that the details of the program are to be presented to the appropriations and transportation and telecommunications committee. The date of termination for the program is extended to June 30, 2029.
LB183	Cavanaugh, J.		Judiciary 01/25/2023	In Committee 01/11/2023	Allow petitioners to proceed in forma pauperis in change of name proceedings Relating to costs of civil cases. Allows for forma pauperis as authorized in § 25-21-270 and § 25-231 in all proceedings for name changes for individuals and municipalities. Forma pauperis is the permission given by the court for a party to proceed without prepayment of fees.
LB28	Erdman		Revenue 01/25/2023	In Committee 01/09/2023	Change provisions relating to decisions on appeals under the Tax Equalization and Review Commission Act Relating to the Tax Equalization and Review Commission and the appeals process. § 77-5015 is amended to reset a property's tax value for the previous assessed year if the commission has not reached a decision on appeal by the date when the first half of the following year's property taxes become delinquent.
LB77	Brewer		Judiciary 01/26/2023	In Committee 01/09/2023	Provide for carrying of concealed handguns without a permit, change provisions relating to concealed weapons, and prohibit certain regulation of weapons by cities, villages, and counties Relating to various firearm provisions. § 18-1703 (1) is amended to insert language stating that counties, cities and villages shall not have the power to regulate the possession, storage, transportation, sale or transfer of firearms or require registration of firearms. Language is deleted from (1) prohibiting the regulation of concealed handguns. § 14-102 (6) removes language relating to the punishment of carrying concealed weapons. § 15-225 changes the language of what dangerous or disorderly conduct a city of primary class may prohibit from the "use" of firearms to the "discharge of firearms and removes the prohibition on carrying concealed weapons. § 16-227 removes the prohibition on carrying concealed weapons for what a city of first class and second class may do to prevent dangerous or disorderly conduct. § 28-101 is amended to add definitions involving concealed handguns. (2) states that if part of a handgun is capable of being seen by another person, it is not a concealed handgun. (10) adds a section defining minors as under twenty one except if the person is eighteen years of age and a member of the armed forces, National Guard of the state, or Officers training corps or other authorized law enforcement officer. § 28-1202 adds that a minor or prohibited person shall not carry a weapon on his person, including a handgun and removes the penalty offense of "carrying a concealed weapon" and inserts (2), which states a violation of the section is a class I misdemeanor for first offense and Class IV felony for subsequent offenses. Further language is removed describing the exceptions of carrying weapons in the scope of employment, concealed handguns under the Concealed Handgun Permit act, or lawfully transporting a firearm. Section 9 is amended to provide that anyone other than a minor or prohibited persons can carry a concealed handgun with or without a permit under the Concealed Handgun Permit Act in Nebraska. (2) provides a prohibition that if a place or premise prohibits the carrying of concealed handguns, a person is not allowed to carry on that premise, but a person does not violate the statute if the owner does not post a visible notice. (3) prohibits carrying in any government building. (9) provides the affirmative defense of a defendant engaged in any lawful business or employment at the time of carrying a concealed handgun and the circumstances justify a prudent person for doing such, but if the defendant refuses to remove the weapon after being requested to by the owner of a premises, the defense is not available. (10) exempts law enforcement and retired law enforcement from violations of (2) and (3). Section 10 provides that a person not prohibited from carrying a concealed handgun shall not carry if the person is consuming alcohol or has alcohol in their system from previous consumption. (3) provides that person does not violate this section if lawfully transporting a handgun and the weapon is unloaded and enclosed in a case. Section 11 is added to require a person carrying a concealed handgun to carry identification and provide it when asked by law enforcement or emergency services. Section does not apply to law enforcement officers current or retired, persons lawfully transporting a handgun and the weapon is unloaded and enclosed in a case. Section 12 requires a concealed handgun carrier to immediately inform police or emergency services that they are carrying and states the same exceptions as Section 11. § 28-1351, involving unlawful membership and recruitment into an organization, is amended to incorporate sections 9,10,11,12 . Section 14 of the Concealed Handgun Permit Act is amended to change the language involving the concealment of handguns from "totally hidden" to "entirely obscured" and insert language stating that the handgun is not concealed if "seen or observed by another person" .

Kissel Kohout ES Associates LLC
Lancaster County Board of Commissioners
108th Legislature, 1st Regular Session
Hearing Date 01/23/2023 - 01/27/2023

Document	Senator	Position	Committee	Status	Description
LB4	Sanders		Revenue 01/26/2023	In Committee 01/09/2023	Change homestead exemption provisions relating to qualifications, application requirements, and penalties Homestead Exemptions. Amends § 77-3506 to include an honorably discharged veteran who is not considered a paraplegic under § 75-3526-3528 for a temporary service connected disability to be eligible for the homestead exemption. For this new section application for the exemption is due annually rather than every five years for a permanent disability. Furthermore, the sections allowing surviving spouses are amended to be subject to application every year. 77-3506 (3) A provision is inserted that if a veteran who is granted homestead under permanent disability dies during the 5 year period in which they are approved, the surviving spouse will continue to receive homestead benefits for that period. § 77-3512(e). § 77-3513 requires county assessor to mail notice of homestead exemption in the current year to those required to refile. § 77-3522 (1) inserts a requirement for “knowingly” assisting another in preparation of a false statement for homestead exemption. (2) inserts: failure to notify the county assessor of a change in statutes may result in the claim being disallowed and if the claim is allowed taxes are owed under exempt period. (3) County assessor may revoke if they believe exemption is improper.
LB29	Erdman		Revenue 01/27/2023	In Committee 01/09/2023	Change provisions relating to the assessment of real property that suffers significant property damage Relating to property taxes. § 77-1301 is amended to remove the provision that “destroyed” property shall be adjusted on tax assessment to “damaged” property. § 77-13-7 is amended to add a broader definition of events causing significant property damage to the legislative intent. § 77-1307 deletes the provision defining “calamity” and inserts a provision for “damaged” property, which is defined as real property that suffers significant damage. § 77-1725 is amended to exempt property which is determined as damaged under § 77-1307 from collection of delinquent taxes on unsafe buildings and structures which are determined by the city to be demolished.
LB154	DeBoer		Revenue 01/27/2023	In Committee 01/11/2023	Change notice provisions relating to treasurer's tax deeds Relating to the treasurer’s tax deeds and the notice required. Amends § 77-1835 to provide that when a purchaser is required to provide notice to an individual whose property is being sold due to unpaid taxes, after providing such notice the purchaser shall within five days send by US mail a copy of such the notice to the person of title and record. The purchaser must also file an affidavit with the county treasurer that a copy of the published notice was sent to the person of title and record.