

More Than 160 New Laws To Take Effect In Neb.

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Nebraska will loosen its sales-tax limit on cities, allow counties to fight black-tailed prairie dogs, and restore prenatal care coverage to illegal immigrants when a series of new laws take effect Thursday.

Those new laws are among more than 160 measures approved during this year's legislative session that are going into effect Thursday. Others include Gov. Dave Heineman's tax cut plan and measures designed to help local governments.

New laws generally take effect three months after the Legislature adjourns for the year, unless lawmakers specify a different date.

Advocates for Nebraska's cities say a new sales tax law will help them lower property taxes, build swimming pools and meet other needs. Cities will have the power to impose a sales tax as high as 2 percent if they win support from 70 percent of a city council and a simple majority of voters. State law had previously capped the rate at 1.5 percent.

"Clearly, there's a tremendous need because there's a tremendous need," said Lynn Rex, executive director of the League of Nebraska Municipalities. "There's a huge deficit in funding for roads projects and other infrastructure. It's something a lot of cities are looking at."

"But you're not going to see many cities putting this on the ballot quickly. They're going to take their time, be strategic and solicit public input."

Nebraska will also restore taxpayer-funded prenatal care coverage to low-

income women, including illegal immigrants, starting Thursday. The women were disqualified in 2010, when the federal government ordered Nebraska to stop offering prenatal services through Medicaid. The law restores the coverage through the Children's Health Insurance Program, which only applies to the unborn children who would become U.S. citizens if born in America.

Kathie Osterman, a spokeswoman with the Nebraska Department of Health and Human Services, said the state agency is prepared to restore coverage to the women as soon as the law takes effect. Other high-profile measures, including the state's child welfare overhaul, have already become law.

Lawmakers approved a law designed to limit the spread of black-tailed prairie dogs in western Nebraska, which many ranchers view as pests. The law allows counties to adopt management programs to control the populations. Counties that establish a management program could then order landowners to take action to prevent the animals from spreading beyond their property.

Counties in northern and western Nebraska pushed for the prairie dog law as a way to keep the animals from spreading from ranch to ranch.

"Obviously, for the eastern end of the state, it won't have much effect," said Larry Dix, executive director of the Nebraska Association of County Officials. "But when you get out to the Sandhills, and up around Sioux and Dawes County (in the northwest), that's where you'll see it having an impact."

Dix said several counties will likely hold public hearings after the law takes effect to see if residents support a management program.

Other laws that take effect Thursday address:

- Sex abuse lawsuits. Victims of childhood sex abuse in Nebraska will have more time to sue their alleged assailants. The law allows victims to file lawsuits until their 33rd birthday, instead of their 25th.
- Assault on a health care worker. Assaulting an on-duty health care worker will become a felony, with the same possible penalties as assault on a peace officer.
- Occupation taxes. Cities that want to impose or increase special taxes on hotels, car rental companies, restaurants and bars will need voter approval. But the new law only applies if the expected revenue exceeds a set amount: \$6 million in Omaha, \$3 million in Lincoln, \$700,000 for cities with populations between 5,000 and 100,000, and \$300,000 for smaller cities and villages.
- Sunday liquor sales. Cities will have the power to allow liquor sales between 6 a.m. and noon on Sundays.
- Chemotherapy coverage. A new law requires parity for insurance coverage of cancer drugs in Nebraska. Insurance policies have traditionally covered IV chemotherapy as a medical benefit, and oral medications as a prescription drug benefit — at a much higher cost.
- Entertainment districts. A new law lets cities designate specific areas as "entertainment districts," such as beer gardens, where alcohol can be consumed. The law was supported by the cities of Omaha, Lincoln and LaVista, as a way to draw young people to community events.
- Human trafficking. A new law will increase penalties for anyone convicted of pandering. It also requires training for police officers, prosecutors and others who may encounter human trafficking victims.

S.D. State Leaders Announce Corrections Department Study

BY KRISTI EATON
Associated Press

SIOUX FALLS — State leaders from all three branches of government announced Tuesday the creation of a work group to study possible ways to reform the criminal justice system in an effort to control its rising costs in South Dakota.

The state's prison population has grown by more than 500 percent since 1980, to more than 3,600 inmates, and consumes more than \$100 million a year. The work group will study sentencing and Department of Corrections policies to see if there are reforms or alternatives, such as community treatment programs, that could ease the amount of money spent each year on overall public safety, Gov. Dennis Daugaard said.

"This is not about being hard or soft on crime. This is about being smart on crime," Daugaard said.

South Dakota's prison rate is about double the rates of North Dakota and Minnesota. Projections show that if nothing is done, the prison population will increase by about 25 percent to 4,500 by 2022.

That would require more than \$224 million in taxpayer dollars to cover capital costs for building and operating two new prisons, one for men and one for women.

The work group, which includes representatives from the state judiciary, Legislature and governor's office,

will work with the Pew Center on the States to analyze data over the next several months.

"When I was a trial judge you had two choices: either put somebody on probation or send them to the pen. In many of those instances neither option is what I would have liked to have seen," Chief Supreme Court Justice David Gilbertson said. "If you have other alternatives, such as a drug court, alcohol court, intensive probation, that are proven to work better at less tax dollars and gives the judge those sentencing tools in addition to the pen and traditional probation, why wouldn't you go there?"

In addition to the state's more than 3,600 prison inmates, 7,000 people are on probation and 2,400 others are on parole, some of whom end up in prison for the first time or back in prison, Daugaard said.

"We need to understand what drives probationers into prison, what brings parolees back into prison and see if there's a means to reducing that number in prison and getting our costs under control and still keeping public safety foremost and holding offenders accountable," the governor said.

Jim Seward, the governor's general counsel, said the work group will study data through October. Any possible drafting of legislation will take place in late October or November and be introduced during the next legislative session.

Advocates Brace For Health Care Briefing

LINCOLN, Neb. (AP) — Supporters and opponents of the federal health care law are squaring off in Nebraska in advance of a legislative briefing on the state's efforts to comply.

The executive director of Americans for Prosperity-Nebraska cheered Republican Gov. Dave Heineman Wednesday for his promise to fight any effort to expand Medicaid coverage. Meanwhile, Democratic U.S. Sen. Ben Nelson accused Heineman of stalling to delay implementation of the law.

The Legislature's Banking, Commerce and Insurance Committee is scheduled to meet Thursday for an update on the state's progress in following the law's requirements. Committee members are not expected to consider any bills, but Lincoln Sen. Danielle Conrad sent a letter to the panel's two top lawmakers urging them to open the briefing for public testimony.

Utility Talks Voluntary Water Restrictions

OMAHA, Neb. (AP) — Omaha utility officials say increased water usage is putting a strain on the system, and voluntary restrictions could be down the road as the worst drought in 25 years continues.

KETV-TV says Mark Doyle of the Metropolitan Utilities District says the city is using about 184 million gallons of water a day. He says the water supply is not in danger, but voluntary water restrictions would ease the stress on the system.

He says there are no plans currently for voluntary restrictions, but his team is analyzing the situation daily.

Eastern S.D. Town Short On Water

ESTELLINE, S.D. (AP) — Estelline officials say the city is experiencing a water shortage after one of the city's two wells experienced damage.

Finance Officer Mary Saathoff tells the *Watertown Public Opinion* that the city began trying to conserve water Monday after the damaged well was punctured and water was unable to be pumped out of it.

She says the city is going through the process of putting up a new water tower and they're trying to conserve as much water as possible.

Saathoff says it's not known when water usage may return to normal in the eastern South Dakota town of about 770 people.

Oil, Gas Leases In Dakotas Hit \$3.3 M

BISMARCK, N.D. (AP) — The Bureau of Land Management (BLM) says its most recent sale of oil and gas leases in the Dakotas totaled more than \$3.3 million.

BLM says Serka Services LLC of Vienna, Va., had the highest bid in Tuesday's sale: \$880,000 for an 80-acre U.S. Forest Service parcel located in North Dakota's Billings County. Serka Services also had the highest per-acre bid of \$11,000 for the same parcel.

BLM says 112 parcels totaling more than 48,000 acres were offered and all received bids. Nine-teen parcels were located in North Dakota and 93 parcels in South Dakota.

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