

Sports

Lady Eagles defeat Sutton

The Bruning Davenport Shickley Lady Eagles topped Sutton, but lost to Sandy Creek in a triangular Oct. 25 at Sutton.

Sutton was defeated in three sets, 25-22 and 25-17. The Eagles lost one set, 25-22.

The ladies stepped onto the court a little tense. They didn't pick their rhythm up until the second and third sets.

Megan Grote led the serving with 12 points. Carley Elznic kicked in another 10 points and Courtney Kamler, nine.

Jadyn Kleinschmidt was on the attack for 16 assists.

Kamler had eight. For the kills, Elznic slapped 17 and Regan Alfs, seven.

The Eagles led Sandy Creek in two sets, but kept letting them back in the game. They were up as much as 12-5, and missed crucial serves.

"We did a nicer job of splitting up our sets, but we were unable to take advantage of the momentum when we missed our serves at the line," Coach Kari Jo Alfs said.

Kamler had eight points to her credit while Elznic made five. Kleinschmidt had four assists and Alfs, three. Klein-

schmidt led the kill column with five. Elznic and Alfs had three kills each, and Elznic defended Sandy Creek's attack with five ace blocks. Kleinschmidt helped out with three more. Kim Ardissono stepped in with two ace blocks.

Alyssa Nolt did a nice job of back row defense, picking up 13 out of 19 digs, Alfs said.

The Eagle record for the regular season finishes 18-11. Post season play was scheduled to begin Monday.

Alfs said sub-district play will be tough as BDS prepared to face the Friend bulldogs.



JR Photo/Greg Scellin

Eagle Carley Elznic hits around the Meridian block during the Crossroads Conference volleyball tournament earlier in October.

Lady Titans wrap up season

The Thayer Central Lady Titans' volleyball season came to an end Monday evening at the C-2 subdistrict held at Tri County as the Titans fell to Diller-Odell—ranked No. 1 in Class C-2. Scores were 25-17; 25-14; and 25-14.

The Titans ended their season with an 18-14 record, while the Griffins moved to 30-3.

In the match just prior to the championship, the Titans defeated a solid Humboldt-Table Rock-Steinauer (11-16) team in four sets.

The teams traded points in the first set before HTRS pulled out to a 23-19 lead; but the Titans rallied behind the hitting of senior Kenidee Miller, who had five kills in the set, as well as the serving of sophomore Emily Welch, who served nine for 10 with two aces and eight points in the first set, pulling within one point before succumbing, 25-22.

The teams traded points again in the second set until HTRS led 18-14; this time it was junior co-captain Jena Cottam who stepped up to the serving line, gaining four straight points and serving 7-7 in the set.

Some confusion at the score table didn't derail the Titans, as they sped forward from a 20-20 tie to capture a 25-20 win behind two aces from Welch as she served the final five points of the set.

Welch also came alive at the net, as she garnered three kills, followed by Miller with two.

The third and fourth sets of the match belonged to the Titans, as seniors Jessica Huhman and Bailee Reemers and sophomores Grace Souerdyke and Welch were able to send solid passes to Cottam and freshman Sydney Havel to set a balanced offense.

In these sets, Welch led with eight kills and two blocks, and sophomore Maggie Harris added seven kills and a block.

Miller added two kills, and senior Grace Brinegar got one kill. The Titans cruised to 25-17 and 25-18 wins behind Miller's serving, as she went 15 for 15 with two aces and 11 points.

Against Diller-Odell, the Titans struggled to find a rhythm against the Griffins



Courtesy photo Collin Fink

Titan Bailee Remmers prepares to pass the ball while Grace Souerdyke stands by.

balanced serving and hitting attack, led by their five seniors, including Creighton recruit Madison Jurgens.

Complete statistics were unavailable, but Thayer Central servers were again led by Miller, who served 11-11 with two aces and five points.

As usual, the team was encouraged by a raucous Titan crowd, including cheerleaders and a supportive student body that made the trek to Tri County Halloween night.

In other Titan volleyball news, the Southern Nebraska Conference coaches honored 21 all-conference and 11 honorable mention volleyball players with post-season honors.

Included from Thayer Central were sophomore Emily Welch, a unanimous First-Team selection; junior Jena Cottam, a Third-Team selection; and senior Kenidee Miller, honorable mention.

News and advertising deadline is Monday noon for The Hebron Journal-Register

Eagles advance in playoffs

The Bruning Davenport Shickley Eagles scored 42 points in the first quarter against Allen, their foe in the first round of football playoffs. The game was played on Bruning's field Oct. 27.

Allen scored two touchdowns in the second quarter and one extra point, and it would be the only quarter they made it to the end zone as the Eagle defense remained on point.

"Caden Norder and Garrett Schardt made big plays defensively, scoring on an interception and a fumble recovery," Coach Kole Ficken said. Norder had three touchdowns and an extra point to his credit for the game. Schardt scored two touchdowns.

The final score was 54-13 with Eagle Thomas Mick finding the end zone three different ways, Coach Chris Ardissono said.

"He's very versatile and will do anything to help out the team," Ardissono said. Mick caught a touchdown pass, rushed for another and threw the ball to assist with a third touchdown.

Key plays included John Alfs catching a touchdown pass and Holden Stengel



Thomas Mick caught a touchdown pass, rushed for one and threw for another.

snatching an extra point and kicking for two more.

In rushing, it was Mick for 59; Jacob Swartzendruber, 25; Norder, 24; and Logan Schroeder for 21.

Kale Kleinschmidt passed for 99 yards and Mick had 17.

Mick led in receiving with 44; Norder was next at 26; and Alfs had 17.

Karson Dickson came in

with 10 tackles; Mick, nine; Isaac Else, six; Alfs, six; Gines, six; and Glenn Meyer, four.

"We really had an inexperienced team to start the season," Coach Mark Rotter said.

"One thing that has happened is that I think we have gotten better every week. We are still improving," Rotter added.



JR Photos/Nancy McGill

The Eagle defense hopped on Allen for much of the first round playoff game at Bruning, holding Allen to 13 points for a 54-13 final.



Noel Gines searches for a path to carry the ball while keeping an eye out for the Allen defense.



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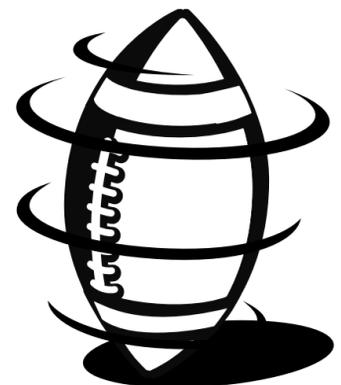
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Football Contest Rules



1. Anyone age 18 and over is eligible to enter except the employees of this newspaper and their immediate families. One entry per person.
2. Locate the football game listed in each sponsor's ad. Pick the winner and then write your team pick on the corresponding line of the entry form. Winners must be matched with the proper sponsor's name in order to count.
3. Write the winner and point spread of the tie breaker game listed on the entry form, no half points. It will be used to determine the winner only when several contestants pick the same number of wins.
4. Clip out the entry form on this page. No entries will be accepted unless on the official entry form available in this week's issue of the Hebron Journal-Register, no photocopies.
5. Bring entries to the Journal-Register office, 318 Lincoln Ave., by Noon each Friday, or mail to PO Box 210, Hebron, NE 68370. Mailed entries must be postmarked by Friday.
6. All decisions are final: Prizes of \$15 - first place, \$10 - second place and \$5 - third place will be given to the persons picking the most winners each week.
7. A one time prize of \$150 will be given to the first person to correctly pick the winners of all the games of any given week.



Public Notices

LEGAL NOTICE OF MEASURES TO BE VOTED UPON AT THE GENERAL ELECTION OCCURRING ON NOVEMBER 8, 2016

BALLOT TITLE AND TEXT OF A REFERENDUM ORDERED BY PETITION OF THE PEOPLE

Also included are Statements of Explanation in Italics Prepared by the Attorney General

REFERENDUM ORDERED BY PETITION OF THE PEOPLE

REFERENDUM NO. 426

A vote to *"Retain"* will eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment by retaining Legislative Bill 268, passed in 2015 by the First Session of the 104th Nebraska Legislature.

A vote to *"Repeal"* will keep the death penalty as a possible penalty for the crime of murder in the first degree by repealing Legislative Bill 268, passed in 2015 by the First Session of the 104th Nebraska Legislature.

The purpose of Legislative Bill 268, passed by the First Session of the 104th Nebraska Legislature in 2015, is to eliminate the death penalty and change the maximum penalty for the crime of murder in the first degree to life imprisonment. Shall Legislative Bill 268 be repealed?

Retain

Repeal

TEXT OF REFERENDUM NO. 426

Proposed Referendum to Repeal LB 268 (2015)

Title and text of LB 268 (underscoring indicates language added by LB 268 and strike through indicates language that was removed by LB 268):

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 23-3406, 23-3408, 24-1106, 25-1140.09, 28-104, 28-202, 28-303, 29-1602, 29-1822, 29-2004, 29-2005, 29-2006, 29-2020, 29-2027, 29-2407, 29-2801, 29-3205, 29-3920, 29-3928, 29-3929, 29-3930, 55-480, 83-1,110.02, and 83-4,143, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-201, 28-1356, 29-1603, 29-2204, 29-2261, and 29-3922, Revised Statutes Cumulative Supplement, 2014; to eliminate the death penalty; to change and eliminate provisions relating to murder in the first degree, presentence reports, indeterminate sentences, the Commission on Public Advocacy, and the authority of courts and the Department of Correctional Services; to state intent; to eliminate a homicide case report, provisions on capital punishment, proportionality review provisions, and obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 24-1105, 29-2519, 29-2521, 29-2521.01, 29-2521.03, 29-2521.04, 29-2521.05, 29-2523, 29-2524.01, 29-2524.02, 29-2525, 29-2527, 29-2528, 29-2811, 83-1,105.01, 83-1,132, 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Reissue Revised Statutes of Nebraska, and sections 28-105.01, 29-2520, 29-2521.02, 29-2522, 29-2524, 29-2537, 29-2538, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, and 29-2546, Revised Statutes Cumulative Supplement, 2014.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 23-3406, Reissue Revised Statutes of Nebraska, is amended to read: 23-3406 (1) The contract negotiated between the county board and the contracting attorney shall specify the categories of cases in which the contracting attorney is to provide services. (2) The contract negotiated between the county board and the contracting attorney shall be awarded for at least a two-year term. Removal of the contracting attorney short of the agreed term may be for good cause only. (3) The contract between the county board and the contracting attorney may specify a maximum allowable caseload for each full-time or part-time attorney who handles cases under the contract. Caseloads shall allow each lawyer to give every client the time and effort necessary to provide effective representation. (4) The contract between the county board and the contracting attorney shall provide that the contracting attorney be compensated at a minimum rate which reflects the following factors: (a) The customary compensation in the community for similar services rendered by a privately retained counsel to a paying client or by government or other publicly paid attorneys to a public client; (b) The time and labor required to be spent by the attorney; and (c) The degree of professional ability, skill, and experience called for and exercised in the performance of the services. (5) The contract between the county board and the contracting attorney shall provide that the contracting attorney may decline to represent clients with no reduction in compensation if the contracting attorney is assigned more cases which require an extraordinary amount of time and preparation than the contracting attorney can competently handle. (6) The contract between the contracting attorney and the county board shall provide that the contracting attorney shall receive at least ten hours of continuing legal education annually in the area of criminal law. The contract between the county board and the contracting attorney shall provide funds for the continuing legal education of the contracting attorney in the area of criminal law. (7) The contract between the county board and the contracting attorney shall require that the contracting attorney provide legal counsel to all clients in a professional, skilled manner consistent with minimum standards set forth by the American Bar Association and the Canons of Ethics for Attorneys in the State of Nebraska. The contract between the county board and the contracting attorney shall provide that the contracting attorney shall be available to eligible defendants upon their request, or the request of someone acting on their behalf, at any time the Constitution of the United States or the Constitution of Nebraska requires the appointment of counsel. (8) The contract between the county board and the contracting attorney shall provide for reasonable compensation over and above the normal contract price for cases which require an extraordinary amount of time and preparation, including capital cases.

Sec. 2. Section 23-3408, Reissue Revised Statutes of Nebraska, is amended to read: 23-3408 In the event that the contracting attorney is appointed to represent an individual charged with a Class I or Class IA felony, the contracting attorney shall immediately apply to the district court for appointment of a second attorney to assist in the case. Upon application from the contracting attorney, the district court shall appoint another attorney with substantial felony trial experience to assist the contracting attorney in the case. Application for fees for the attorney appointed by the district

court shall be made to the district court judge who shall allow reasonable fees. Once approved by the court, such fees shall be paid by the county board.

Sec. 3. Section 24-1106, Reissue Revised Statutes of Nebraska, is amended to read: 24-1106 (1) In cases which were appealable to the Supreme Court before September 6, 1991, the appeal, if taken, shall be to the Court of Appeals except in capital cases, cases in which life imprisonment has been imposed, and cases involving the constitutionality of a statute. (2) Any party to a case appealable to the Court of Appeals may file a petition in the Supreme Court to bypass the review by the Court of Appeals and for direct review by the Supreme Court. The procedure and time for filing the petition shall be as provided by rules of the Supreme Court. In deciding whether to grant the petition, the Supreme Court may consider one or more of the following factors: (a) Whether the case involves a question of first impression or presents a novel legal question; (b) Whether the case involves a question of state or federal constitutional interpretation; (c) Whether the case raises a question of law regarding the validity of a statute; (d) Whether the case involves issues upon which there is an inconsistency in the decisions of the Court of Appeals or of the Supreme Court; and (e) Whether the case is one of significant public interest. When a petition for direct review is granted, the case shall be docketed for hearing before the Supreme Court. (3) The Supreme Court shall by rule provide for the removal of a case from the Court of Appeals to the Supreme Court for decision by the Supreme Court at any time before a final decision has been made on the case by the Court of Appeals. The removal may be on the recommendation of the Court of Appeals or on motion of the Supreme Court. Cases may be removed from the Court of Appeals for decision by the Supreme Court for any one or more of the reasons set forth in subsection (2) of this section or in order to regulate the caseload existing in either the Court of Appeals or the Supreme Court. The Chief Judge of the Court of Appeals and the Chief Justice of the Supreme Court shall regularly inform each other of the number and nature of cases docketed in the respective court.

Sec. 4. Section 25-1140.09, Reissue Revised Statutes of Nebraska, is amended to read: 25-1140.09 On the application of the county attorney or any party to a suit in which a record of the proceedings has been made, upon receipt of the notice provided in section 29-2525, or upon the filing of a praecipe for a bill of exceptions by an appealing party in the office of the clerk of the district court as provided in section 25-1140, the court reporter shall prepare a transcribed copy of the proceedings so recorded or any part thereof. The reporter shall be entitled to receive, in addition to his or her salary, a perpage fee as prescribed by the Supreme Court for the original copy and each additional copy, to be paid by the party requesting the same except as otherwise provided in this section. When the transcribed copy of the proceedings is required by the county attorney, the fee therefor shall be paid by the county in the same manner as other claims are paid. When the defendant in a criminal case, after conviction, makes an affidavit that he or she is unable by reason of his or her poverty to pay for such copy, the court or judge thereof may, by order endorsed on such affidavit, direct delivery of such transcribed copy to such defendant, and the fee shall be paid by the county in the same manner as other claims are allowed

and paid. When such copy is prepared in any criminal case in which the sentence adjudged is capital, the fees therefor shall be paid by the county in the same manner as other claims are allowed or paid. The fee for preparation of a bill of exceptions and the procedure for preparation, settlement, signature, allowance, certification, filing, and amendment of a bill of exceptions shall be regulated and governed by rules of practice prescribed by the Supreme Court. The fee paid shall be taxed, by the clerk of the district court, to the party against whom the judgment or decree is rendered except as otherwise ordered by the presiding district judge.

Sec. 5. Section 28-104, Reissue Revised Statutes of Nebraska, is amended to read: 28-104 The terms offense and crime are synonymous as used in this code and mean a violation of, or conduct defined by, any statute for which a fine, or imprisonment, or death may be imposed.

Sec. 6. Section 28-105, Revised Statutes Cumulative Supplement, 2014, is amended to read: 28-105 (1) For purposes of the Nebraska Criminal Code and any statute passed by the Legislature after the date of passage of the code, felonies are divided into eight classes which are distinguished from one another by the following penalties which are authorized upon conviction: Class I felony Life imprisonment Class IB felony Maximum — life imprisonment Minimum — twenty years imprisonment Class IC felony Maximum — fifty years imprisonment Minimum — five years imprisonment Class ID felony Maximum — fifty years imprisonment Minimum — three years imprisonment Class II felony Maximum — twenty years imprisonment Minimum — five years imprisonment, or ten thousand dollars fine, or both Minimum — one year imprisonment Class IIIA felony Maximum — five years imprisonment, or ten thousand dollars fine, or both Minimum — none Class IV felony Maximum — five years imprisonment, or ten thousand dollars fine, or both Minimum — none (2) (a) All sentences of imprisonment for Class IA, IB, IC, ID, II, and III felonies and sentences of one year or more for Class IIIA and IV felonies shall be served in institutions under the jurisdiction of the Department of Correctional Services. (b) Sentences of less than one year shall be served in the county jail except as provided in this subsection. If the department certifies that it has programs and facilities available for persons sentenced to terms of less than one year, the court may order that any sentence of six months or more be served in any institution under the jurisdiction of the department. Any such certification shall be given by the department to the State Court Administrator, who shall forward copies thereof to each judge having jurisdiction to sentence in felony cases. (3) Nothing in this section shall limit the authority granted in sections 29-2221 and 29-2222 to increase sentences for habitual criminals. (4) A person convicted of a felony for which a mandatory minimum sentence is prescribed shall not be eligible for probation.

Sec. 7. Section 28-201, Revised Statutes Cumulative Supplement, 2014, is amended to read: 28-201 (1) A person shall be guilty of an attempt to commit a crime if he or she: (a) Intentionally engages in conduct which would constitute the crime if the attendant circumstances were as he or she believes them to be; or (b) Intentionally engages in conduct which, under the circumstances

as he or she believes them to be, constitutes a substantial step in a course of conduct intended to culminate in his or her commission of the crime. (2) When causing a particular result is an element of the crime, a person shall be guilty of an attempt to commit the crime if, acting with the state of mind required to establish liability with respect to the attendant circumstances specified in the definition of the crime, he or she intentionally engages in conduct which is a substantial step in a course of conduct intended or known to cause such a result. (3) Conduct shall not be considered a substantial step under this section unless it is strongly corroborative of the defendant's criminal intent. (4) Criminal attempt is: (a) A Class II felony when the crime attempted is a Class I, IA, IB, IC, or ID felony; (b) A Class III felony when the crime attempted is a Class II felony; (c) A Class IIIA felony when the crime attempted is sexual assault in the second degree under section 28-320, a violation of subdivision (2)(b) of section 28-416, incest under section 28-703, or assault by a confined person with a deadly or dangerous weapon under section 28-932; (d) A Class IV felony when the crime attempted is a Class III felony not listed in subdivision (4) (c) of this section; (e) A Class I misdemeanor when the crime attempted is a Class IIIA or Class IV felony; (f) A Class II misdemeanor when the crime attempted is a Class I misdemeanor; and (g) A Class III misdemeanor when the crime attempted is a Class II misdemeanor.

Sec. 8. Section 28-202, Reissue Revised Statutes of Nebraska, is amended to read: 28-202 (1) A person shall be guilty of criminal conspiracy if, with intent to promote or facilitate the commission of a felony: (a) He or she agrees with one or more persons that they or one or more of them shall engage in or solicit the conduct or shall cause or solicit the result specified by the definition of the offense; and (b) He or she or another person with whom he or she conspired commits an overt act in pursuance of the conspiracy. (2) If a person knows that one with whom he or she conspires to commit a crime has conspired with another person or persons to commit the same crime, he or she is guilty of conspiring to commit such crime with such other person or persons whether or not he or she knows their identity. (3) If a person conspires to commit a number of crimes, he or she is guilty of only one conspiracy so long as such multiple crimes are the object of the same agreement or continuous conspiratorial relationship. (4) Conspiracy is a crime of the same class as the most serious offense which is an object of the conspiracy, except that conspiracy to commit a Class I felony is a Class H felony. A person prosecuted for a criminal conspiracy shall be acquitted if such person proves by a preponderance of the evidence that his or her conduct occurred in response to an entrapment.

Sec. 9. Section 28-303, Reissue Revised Statutes of Nebraska, is amended to read: 28-303 (1) A person commits murder in the first degree if he or she kills another person (a) purposely and with deliberate and premeditated malice, (b) or (2) in the perpetration of or attempt to perpetrate any sexual assault in the first degree, arson, robbery, kidnapping, hijacking of any public or private means of transportation, or burglary, or (c) (3) by administering poison or causing the same to be done; or if by willful and corrupt perjury or subornation of the same he or she purposely procures the conviction and execution of any innocent person. The determination of whether murder

in the first degree shall be punished as a Class I or Class IA felony shall be made pursuant to sections 29-2519 to 29-2524. (2) Murder in the first degree is a Class IA felony.

Sec. 10. Section 28-1356, Revised Statutes Cumulative Supplement, 2014, is amended to read: 28-1356 (1) A person who violates section 28-1355 shall be guilty of a Class III felony; however, such person shall be guilty of a Class IB felony if the violation is based upon racketeering activity which is punishable as a Class I, IA, or IB felony. (2) In lieu of the fine authorized by section 28-105, any person convicted of engaging in conduct in violation of section 28-1355, through which pecuniary value was derived, or by which personal injury or property damage or other loss was caused, may be sentenced to pay a fine that does not exceed three times the gross value gained or three times the gross loss caused, whichever is greater, plus court costs and the costs of investigation and prosecution reasonably incurred. Any fine collected under this subsection shall be remitted to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska.

Sec. 11. Section 29-1602, Reissue Revised Statutes of Nebraska, is amended to read: 29-1602 All information shall be filed in the court having jurisdiction of the offense specified in the information therein, by the prosecuting attorney of the proper county as informant. The prosecuting attorney shall subscribe his or her name thereto and endorse thereon the names of the witnesses known to him or her at the time of filing. After the information has been filed, the prosecuting attorney shall endorse on the information the names of such other witnesses as shall then be known to him or her as the court in its discretion may prescribe, except that if a notice of aggravation is contained in the information as provided in section 29-1603, the prosecuting attorney may endorse additional witnesses at any time up to and including the thirtieth day prior to the trial of guilt.

Sec. 12. Section 29-1603, Revised Statutes Cumulative Supplement, 2014, is amended to read: 29-1603 (1) All informations shall be in writing and signed by the county attorney, complainant, or some other person, and the offenses charged in the information shall be stated with the same fullness and precision in matters of substance as is required in indictments in like cases. (2)(a) Any information charging a violation of section 28-303 and in which the death penalty is sought shall contain a notice of aggravation which alleges one or more aggravating circumstances, as such aggravating circumstances are provided in section 29-2523. The notice of aggravation shall be filed as provided in section 29-1602. It shall constitute sufficient notice to describe the alleged aggravating circumstances in the language provided in section 29-2523. (b) The state shall be permitted to add to or amend a notice of aggravation at any time up to and including the thirtieth day prior to the trial of guilt. (c) The existence or contents of a notice of aggravation shall not be disclosed to the jury until after the verdict is rendered in the trial of guilt. (2) (3) Different offenses and different degrees of the same offense may be joined in one information, in all cases in which the same might by different counts be joined in one indictment; and in all cases a defendant or defendants shall have the same right, as to proceedings therein, as the defendant or defendants would have if prosecuted for the same

Remember to Vote November 8th

Public Notices

offense upon indictment.

Sec. 13. Section 29-1822, Reissue Revised Statutes of Nebraska, is amended to read: 29-1822 A person who becomes mentally incompetent after the commission of a crime or misdemeanor shall not be tried for the offense during the continuance of the incompetency. If, after the verdict of guilty and before judgment is pronounced, such person becomes mentally incompetent, then no judgment shall be given while such incompetency continues shall continue; and if, after judgment and before execution of the sentence, such person shall become mentally incompetent, then in case the punishment be capital, the execution thereof shall be stayed until the recovery of such person from the incompetency.

Sec. 14. Section 29-2004, Reissue Revised Statutes of Nebraska, is amended to read: 29-2004 (1) All parties may stipulate that the jury may be selected up to thirty-one days prior to the date of trial. The stipulation must be unanimous among all parties and evidenced by a joint stipulation to the county court. (2) In all cases, except as may be otherwise expressly provided, the accused shall be tried by a jury drawn, summoned, and impaneled according to provisions of the code of civil procedure, except that whenever in the opinion of the court the trial is likely to be a protracted one, the court may, immediately after the jury is impaneled and sworn, direct the calling of one or two additional jurors, to be known as alternate jurors. Such jurors shall be drawn from the same source and in the same manner, and have the same qualifications as regular jurors, and be subject to examination and challenge as such jurors, except that each party shall be allowed one peremptory challenge to each alternate juror. The alternate jurors shall take the proper oath or affirmation, and shall be seated near the regular jurors with equal facilities for seeing and hearing the proceedings in the cause, and shall attend at all times upon the trial of the cause in company with the regular jurors. They shall obey all orders and admonitions of the court, and if the regular jurors are ordered to be kept in the custody of an officer during the trial of the cause, the alternate jurors shall also be kept with the other jurors and, except as herein after provided, shall be discharged upon the final submission of the cause to the jury. ~~If an information charging a violation of section 28-303 and in which the death penalty is sought contains a notice of aggravation, the alternate jurors shall be retained as provided in section 29-2520.~~ If, before the final submission of the cause a regular juror dies or is discharged, the court shall order the alternate juror, if there is but one, to take his or her place in the jury box. If there are two alternate jurors the court shall select one by lot, who shall then take his or her place in the jury box. After an alternate juror is in the jury box he or she shall be subject to the same rules as a regular juror.

Sec. 15. Section 29-2005, Reissue Revised Statutes of Nebraska, is amended to read: 29-2005 Every person arraigned for any crime punishable by with death, or imprisonment for life, shall be admitted on his or her trial to a peremptory challenge of twelve jurors. ~~Every, and no more, every~~ person arraigned for any offense that may be punishable by imprisonment for a term exceeding eighteen months and less than life, shall be admitted to a peremptory challenge of six jurors. ~~In, and in all~~ other criminal trials, the defendant shall be allowed a peremptory challenge of three jurors. The attorney prosecuting on behalf of the state shall be admitted to a

peremptory challenge of twelve jurors in all cases when the offense is punishable ~~by with death or~~ imprisonment for life, six jurors when the offense is punishable by imprisonment for a term exceeding eighteen months and less than life, and three jurors in all other cases. ~~In each case for which; Provided, that in all cases where~~ alternate jurors are called, as provided in section 29-2004, ~~then in that case both the defendant and the attorney prosecuting for the state shall each be allowed one added peremptory challenge to each alternate juror.~~

Sec. 16. Section 29-2006, Reissue Revised Statutes of Nebraska, is amended to read: 29-2006 (1) The following shall be good causes for challenge to any person called as a juror or alternate juror, on the trial of any indictment: (a) ~~1~~ That he or she was a member of the grand jury which found the indictment; (b) ~~That he or she~~ (2) that he has formed or expressed an opinion as to the guilt or innocence of the accused. ~~However; Provided, if a juror or alternate juror states shall state that he or she has formed or expressed an opinion as to the guilt or innocence of the accused, the court shall thereupon proceed to examine, on oath, such juror or alternate juror as to the ground of such opinion; and if it appears shall appear to have been founded upon reading newspaper statements, communications, comments or reports, or upon rumor or hearsay, and not upon conversations with witnesses of the transactions or reading reports of their testimony or hearing them testify, and the juror or alternate juror says shall say on oath that he or she feels able, notwithstanding such opinion, to render an impartial verdict upon the law and the evidence, the court, if satisfied that such juror or alternate juror is impartial and will render such verdict, may, in its discretion, admit such juror or alternate juror as competent to serve in such case;~~ (3) ~~in indictments for an offense the punishment whereof is capital, that his opinions are such as to preclude him from finding the accused guilty of an offense punishable with death;~~ (4) ~~that he~~ (c) That he or she is a relation within the fifth degree to the person alleged to be injured or attempted to be injured, or to the person on whose complaint the prosecution was instituted, or to the defendant; (d) ~~That he or she~~ (5) that he has served on the petit jury which was sworn in the same cause against the same defendant and which jury either rendered a verdict which was set aside or was discharged, after hearing the evidence; (e) ~~That he or she~~ (6) that he has served as a juror in a civil case brought against the defendant for the same act; (f) ~~That he or she~~ (7) that he has been in good faith subpoenaed as a witness in the case; or (g) ~~That he or she~~ (8) that he is a habitual drunkard. ~~(9) (2) In addition, the same challenges as are shall be allowed in criminal prosecutions that are allowed to parties in civil cases shall be allowed in criminal prosecutions.~~

Sec. 17. Section 29-2020, Reissue Revised Statutes of Nebraska, is amended to read: 29-2020 ~~In Except as provided in section 29-2525 for cases when the punishment is capital, in all criminal cases when a defendant feels aggrieved by any opinion or decision of the court, he or she may order a bill of exceptions. The ordering, preparing, signing, filing, correcting, and amending of the bill of exceptions shall be governed by the rules established in such matters in civil cases.~~

Sec. 18. Section 29-2027, Reissue Revised Statutes of Nebraska, is amended to read: 29-2027 In all trials for murder the jury before whom such trial is had, if they find the prisoner guilty thereof, shall

ascertain in their verdict whether it is murder in the first or second degree or manslaughter. ~~If, and if such person is convicted by confession in open court, the court shall proceed by examination of witnesses in open court, to determine the degree of the crime, and shall pronounce sentence accordingly or as provided in sections 29-2519 to 29-2524 for murder in the first degree.~~

Sec. 19. Section 29-2204, Revised Statutes Cumulative Supplement, 2014, is amended to read: 29-2204 (1) Except when the defendant is found guilty of a Class IA felony a term of life imprisonment is required by law, in imposing an indeterminate sentence upon an offender the court shall: (a)(i) ~~Until July 1, 1998, fix the minimum and maximum limits of the sentence to be served within the limits provided by law, except that when a maximum limit of life is imposed by the court for a Class IB felony, the minimum limit may be any term of years not less than the statutory mandatory minimum; and (ii) Beginning July 1, 1998:~~ (a)(i) (A) Fix the minimum and maximum limits of the sentence to be served within the limits provided by law for any class of felony other than a Class IV felony, except that when a maximum limit of life is imposed by the court for a Class IB felony, the minimum limit may be any term of years not less than the statutory mandatory minimum. If the criminal offense is a Class IV felony, the court shall fix the minimum and maximum limits of the sentence, but the minimum limit fixed by the court shall not be less than the minimum provided by law nor more than one-third of the maximum term and the maximum limit shall not be greater than the maximum provided by law; or (ii) (B) Impose a definite term of years, in which event the maximum term of the sentence shall be the term imposed by the court and the minimum term shall be the minimum sentence provided by law; (b) Advise the offender on the record the time the offender will serve on his or her minimum term before attaining parole eligibility assuming that no good time for which the offender will be eligible is lost; and (c) Advise the offender on the record the time the offender will serve on his or her maximum term before attaining mandatory release assuming that no good time for which the offender will be eligible is lost. If any discrepancy exists between the statement of the minimum limit of the sentence and the statement of parole eligibility or between the statement of the maximum limit of the sentence and the statement of mandatory release, the statements of the minimum limit and the maximum limit shall control the calculation of the offender's term. If the court imposes more than one sentence upon an offender or imposes a sentence upon an offender who is at that time serving another sentence, the court shall state whether the sentences are to be concurrent or consecutive. (2)(a) When the court is of the opinion that imprisonment may be appropriate but desires more detailed information as a basis for determining the sentence to be imposed than has been provided by the presentence report required by section 29-2261, the court shall commit an offender to the Department of Correctional Services for a period not exceeding ninety days. The department shall conduct a complete study of the offender during that time, inquiring into such matters as his or her previous delinquency or criminal experience, social background, capabilities, and mental, emotional, and physical health and the rehabilitative resources or programs which may be available to suit his or her needs. By the expiration of the period of

commitment or by the expiration of such additional time as the court shall grant, not exceeding a further period of ninety days, the offender shall be returned to the court for sentencing and the court shall be provided with a written report of the results of the study, including whatever recommendations the department believes will be helpful to a proper resolution of the case. After receiving the report and the recommendations, the court shall proceed to sentence the offender in accordance with subsection (1) of this section. The term of the sentence shall run from the date of original commitment under this subsection. (b) In order to encourage the use of this procedure in appropriate cases, all costs incurred during the period the defendant is held in a state institution under this subsection shall be a responsibility of the state and the county shall be liable only for the cost of delivering the defendant to the institution and the cost of returning him or her to the appropriate court for sentencing or such other disposition as the court may then deem appropriate. (3) Except when the defendant is found guilty of a Class IA felony a term of life is required by law, whenever the defendant was under eighteen years of age at the time he or she committed the crime for which he or she was convicted, the court may, in its discretion, instead of imposing the penalty provided for the crime, make such disposition of the defendant as the court deems proper under the Nebraska Juvenile Code. Until October 1, 2013, prior to making a disposition which commits the juvenile to the Office of Juvenile Services, the court shall order the juvenile to be evaluated by the office if the juvenile has not had an evaluation within the past twelve months.

Sec. 20. Section 29-2261, Revised Statutes Cumulative Supplement, 2014, is amended to read: 29-2261 (1) Unless it is impractical to do so, when an offender has been convicted of a felony ~~other than murder in the first degree, the court shall not impose sentence without first ordering a presentence investigation of the offender and according due consideration to a written report of such investigation. When an offender has been convicted of murder in the first degree and (a) a jury renders a verdict finding the existence of one or more aggravating circumstances as provided in section 29-2520 or (b)(i) the information contains a notice of aggravation as provided in section 29-1603 and (ii) the offender waives his or her right to a jury determination of the alleged aggravating circumstances, the court shall not commence the sentencing determination proceeding as provided in section 29-2521 without first ordering a presentence investigation of the offender and according due consideration to a written report of such investigation.~~ (2) A court may order a presentence investigation in any case, except in cases in which an offender has been convicted of a Class IIIA misdemeanor, a Class IV misdemeanor, a Class V misdemeanor, a traffic infraction, or any corresponding city or village ordinance. (3) The presentence investigation and report shall include, when available, an analysis of the circumstances attending the commission of the crime, the offender's history of delinquency or criminality, physical and mental condition, family situation and background, economic status, education, occupation, and personal habits, and any other matters that the probation officer deems relevant or the court directs to be included. All local and state police agencies and Department of Correctional Services adult correctional facilities shall furnish to the probation

officer copies of such criminal records, in any such case referred to the probation officer by the court of proper jurisdiction, as the probation officer shall require without cost to the court or the probation officer. Such investigation shall also include: (a) Any written statements submitted to the county attorney by a victim; and (b) Any written statements submitted to the probation officer by a victim. (4) If there are no written statements submitted to the probation officer, he or she shall certify to the court that: (a) He or she has attempted to contact the victim; and (b) If he or she has contacted the victim, such officer offered to accept the written statements of the victim or to reduce such victim's oral statements to writing. For purposes of subsections (3) and (4) of this section, the term victim shall be as defined in section 29-119. (5) Before imposing sentence, the court may order the offender to submit to psychiatric observation and examination for a period of not exceeding sixty days or such longer period as the court determines to be necessary for that purpose. The offender may be remanded for this purpose to any available clinic or mental hospital, or the court may appoint a qualified psychiatrist to make the examination. The report of the examination shall be submitted to the court. (6) Any presentence report or psychiatric examination shall be privileged and shall not be disclosed directly or indirectly to anyone other than a judge, probation officers to whom an offender's file is duly transferred, the probation administrator or his or her designee, or others entitled by law to receive such information, including personnel and mental health professionals for the Nebraska State Patrol specifically assigned to sex offender registration and community notification for the sole purpose of using such report or examination for assessing risk and for community notification of registered sex offenders. For purposes of this subsection, mental health professional means (a) a practicing physician licensed to practice medicine in this state under the Medicine and Surgery Practice Act, (b) a practicing psychologist licensed to engage in the practice of psychology in this state as provided in section 38-3111, or (c) a practicing mental health professional licensed or certified in this state as provided in the Mental Health Practice Act. The court may permit inspection of the report or examination of parts thereof by the offender or his or her attorney, or other person having a proper interest therein, whenever the court finds it is in the best interest of a particular offender. The court may allow fair opportunity for an offender to provide additional information for the court's consideration. (7) If an offender is sentenced to imprisonment, a copy of the report of any presentence investigation or psychiatric examination shall be transmitted immediately to the Department of Correctional Services. Upon request, the Board of Parole or the Office of Parole Administration may receive a copy of the report from the department. (8) Notwithstanding subsection (6) of this section, the Supreme Court or an agent of the Supreme Court acting under the direction and supervision of the Chief Justice shall have access to psychiatric examinations and presentence investigations and reports for research purposes. The Supreme Court and its agent shall treat such information as confidential, and nothing identifying any individual shall be released.

Sec. 21. Section 29-2407, Reissue Revised Statutes of Nebraska, is amended to read: 29-2407 Judgments for fines and costs in criminal cases shall be a lien upon all the property of the defendant

within the county from the time of docketing the case by the clerk of the proper court, and judgments upon forfeited recognizance shall be a like lien from the time of forfeiture. No property of any convict shall be exempt from execution issued upon any such judgment as set out in this section against such convict except in cases when the convict is sentenced to a Department of Correctional Services adult correctional facility for a period of more than two years or to suffer death, in which cases there shall be the same exemptions as at the time may be provided by law for civil cases. The lien on real estate of any such judgment for costs shall terminate as provided in section 25-1716.

Sec. 22. The changes made by this legislative bill shall not (1) limit the discretionary authority of the sentencing court to order restitution as part of any sentence or (2) alter the discretion and authority of the Department of Correctional Services to determine the appropriate security measures and conditions during the confinement of any committed offender.

Sec. 23. It is the intent of the Legislature that in any criminal proceeding in which the death penalty has been imposed but not carried out prior to the effective date of this act, such penalty shall be changed to life imprisonment.

Sec. 24. Section 29-2801, Reissue Revised Statutes of Nebraska, is amended to read: 29-2801 If any person, except persons convicted of some crime or offense for which they stand committed, ~~or persons committed for treason or felony, the punishment whereof is capital, plainly and specially expressed in the warrant of commitment, now or in the future, is or shall be confined in any jail of this state, or is shall be unlawfully deprived of his or her liberty, and makes shall make application, either by himself him or herself or by any person on his or her behalf, to any one of the judges of the district court, or to any county judge, and does at the same time produce to such judge a copy of the commitment or cause of detention of such person, or if the person so imprisoned or detained is imprisoned or detained without any legal authority, upon making the same appear to such judge, by oath or affirmation, it is the duty of the judge shall be his duty forthwith to allow a writ of habeas corpus, which writ shall be issued forthwith by the clerk of the district court, or by the county judge, as the case may require, under the seal of the court whereof the person allowing such writ is a judge, directed to the proper officer, person, or persons who detain detains such prisoner.~~

Sec. 25. Section 29-3205, Reissue Revised Statutes of Nebraska, is amended to read: 29-3205 The Uniform Rendition of Prisoners as Witnesses in Criminal Proceedings Act shall Sections 29-3201 to 29-3210 do not apply to any person in this state confined as mentally ill or under sentence of death.

Remember to Vote November 8th

Public Notices

increase accountability because the state, which is the governmental entity responsible for passing criminal statutes, will likewise be responsible for paying some of the costs; (4) Property tax relief in the form of state assistance to the counties of Nebraska in providing for indigent defense services will also improve inconsistent and inadequate funding of indigent defense services by the counties; (5) Property tax relief in the form of state assistance to the counties of Nebraska in providing for indigent defense services will also lessen the impact on county property taxpayers of the cost of a high profile first-degree murder death penalty case which can significantly affect the finances of the counties; and (6) To accomplish property tax relief in the form of the state assisting the counties of Nebraska in providing for indigent defense services, the Commission on Public Advocacy Operations Cash Fund should be established to fund the operation of the Commission on Public Advocacy and to fund reimbursement requests as determined by section 29-3933.

Sec. 27. Section 29-3922, Revised Statutes Cumulative Supplement, 2014, is amended to read: 29-3922 For purposes of the County Revenue Assistance Act: (1) Chief counsel means an attorney appointed to be the primary administrative officer of the commission pursuant to section 29-3928; (2) Commission means the Commission on Public Advocacy; (3) Commission staff means attorneys, investigators, and support staff who are performing work for the first-degree murder capital litigation division, appellate division, DNA testing division, and major case resource center; (4) Contracting attorney means an attorney appointed to be the primary administrative officer of the commission pursuant to sections 23-3404 to 23-3408; (5) Court-appointed attorney means an attorney other than a contracting attorney or a public defender appointed by the court to represent an indigent person; (6) Indigent defense services means legal services provided to indigent persons by an indigent defense system in first-degree murder capital cases, felony cases, misdemeanor cases, juvenile cases, mental health commitment cases, child support enforcement cases, and paternity establishment cases; (7) Indigent defense system means a system of providing services, including any services necessary for litigating a case, by a contracting attorney, court-appointed attorney, or public defender; (8) Indigent person means a person who is indigent and unable to obtain legal counsel as determined pursuant to subdivision (3) of section 29-3901; and (9) Public defender means an attorney appointed or elected pursuant to sections 23-3401 to 23-3403.

Sec. 28. Section 29-3928, Reissue Revised Statutes of Nebraska, is amended to read: 29-3928 The commission shall appoint a chief counsel. The responsibilities and duties of the chief counsel shall be defined by the commission and shall include the overall supervision of the workings of the various divisions of the commission. The chief counsel shall be qualified for his or her position, shall have been licensed to practice law in the State of Nebraska for at least five years prior to the effective date of the appointment, and shall be experienced in the practice of criminal defense, including the defense of first-degree murder capital cases. The chief counsel shall serve at the pleasure of the commission. The salary of the chief counsel shall be set by the commission.

Sec. 29. Section 29-3929, Reissue Revised Statutes

of Nebraska, is amended to read: 29-3929 The primary duties of the chief counsel shall be to provide direct legal services to indigent defendants, and the chief counsel shall: (1) Supervise the operations of the appellate division, the first-degree murder capital litigation division, the DNA testing division, and the major case resource center; (2) Prepare a budget and disburse funds for the operations of the commission; (3) Present to the commission an annual report on the operations of the commission, including an accounting of all funds received and disbursed, an evaluation of the cost-effectiveness of the commission, and recommendations for improvement; (4) Convene or contract for conferences and training seminars related to criminal defense; (5) Perform other duties as directed by the commission; (6) Establish and administer projects and programs for the operation of the commission; (7) Appoint and remove employees of the commission and delegate appropriate powers and duties to them; (8) Adopt and promulgate rules and regulations for the management and administration of policies of the commission and the conduct of employees of the commission; (9) Transmit monthly to the commission a report of the operations of the commission for the preceding calendar month; (10) Execute and carry out all contracts, leases, and agreements authorized by the commission with agencies of federal, state, or local government, corporations, or persons; and (11) Exercise all powers and perform all duties necessary and proper in carrying out his or her responsibilities.

Sec. 30. Section 29-3930, Reissue Revised Statutes of Nebraska, is amended to read: 29-3930 The following divisions are established within the commission: (1) The first-degree murder capital litigation division shall be available to assist in the defense of first-degree murder capital cases in Nebraska, subject to caseload standards of the commission; (2) The appellate division shall be available to prosecute appeals to the Court of Appeals and the Supreme Court, subject to caseload standards of the commission; (3) The violent crime and drug defense division shall be available to assist in the defense of certain violent and drug crimes as defined by the commission, subject to the caseload standards of the commission; (4) The DNA testing division shall be available to assist in representing persons who are indigent who have filed a motion pursuant to the DNA Testing Act, subject to caseload standards; and (5) The major case resource center shall be available to assist public defenders, contracting attorneys, or court-appointed attorneys with the defense of a felony offense, subject to caseload standards of the commission.

Sec. 31. Section 55-480, Reissue Revised Statutes of Nebraska, is amended to read: 55-480 Though not specifically mentioned in the Nebraska Code of Military Justice this code, all disorders and neglects to the prejudice of good order and discipline in the armed forces, all conduct of a nature to bring discredit upon the armed forces, and all crimes and offenses not capital, of which persons subject to this code may be guilty, shall be taken cognizance of by a court-martial, according to the nature and degree of the offense, and shall be punished at the discretion of that court.

Sec. 32. Section 83-1,110.02, Reissue Revised Statutes of Nebraska, is amended to read: 83-1,110.02 (1) A committed offender who is otherwise eligible for parole, who is not under sentence of death or of life imprisonment, and

who because of an existing medical or physical condition is determined by the department to be terminally ill or permanently incapacitated may be considered for medical parole by the board. A committed offender may be eligible for medical parole in addition to any other parole. The department shall identify committed offenders who may be eligible for medical parole based upon their medical records. (2) The board shall decide to grant medical parole only after a review of the medical, institutional, and criminal records of the committed offender and such additional medical evidence from board-ordered examinations or investigations as the board in its discretion determines to be necessary. The decision to grant medical parole and to establish conditions of release on medical parole in addition to the conditions stated in subsection (3) of this section is within the sole discretion of the board. (3) As conditions of release on medical parole, the board shall require that the committed offender agree to placement for medical treatment and that he or she be placed for a definite or indefinite period of time in a hospital, a hospice, or another housing accommodation suitable to his or her medical condition, including, but not limited to, his or her family's home, as specified by the board. (4) The parole term of a medical parolee shall be for the remainder of his or her sentence as reduced by any adjustment for good conduct pursuant to the Nebraska Treatment and Corrections Act.

Sec. 33. Section 83-4,143, Reissue Revised Statutes of Nebraska, is amended to read: 83-4,143 (1) It is the intent of the Legislature that the court target the felony offender (a) who is eligible and by virtue of his or her criminogenic needs is suitable to be sentenced to intensive supervision probation with placement at the incarceration work camp, (b) for whom the court finds that other conditions of a sentence of intensive supervision probation, in and of themselves, are not suitable, and (c) who, without the existence of an incarceration work camp, would, in all likelihood, be sentenced to prison. (2) When the court is of the opinion that imprisonment is appropriate, but that a brief and intensive period of regimented, structured, and disciplined programming within a secure facility may better serve the interests of society, the court may place an offender in an incarceration work camp for a period not to exceed one hundred eighty days as a condition of a sentence of intensive supervision probation. The court may consider such placement if the offender (a) is a male or female offender convicted of a felony offense in a district court, (b) is medically and mentally fit to participate, with allowances given for reasonable accommodation as determined by medical and mental health professionals, and (c) has not previously been incarcerated for a violent felony crime. Offenders convicted of a crime under section 28-303 or sections 28-319 to 28-322.04 or of any capital crime are not eligible to be placed in an incarceration work camp. (3) It is also the intent of the Legislature that the Board of Parole may recommend placement of felony offenders at the incarceration work camp. (4) When the Board of Parole is of the opinion that a felony offender currently incarcerated in a Department of Correctional Services adult correctional facility may benefit from a brief

and intensive period of regimented, structured, and disciplined programming immediately prior to release on parole, the board may direct placement of such an offender in an incarceration work camp for a period not to exceed one hundred eighty days as a condition of release on parole. The board may consider such placement if the felony offender (a) is medically and mentally fit to participate, with allowances given for reasonable accommodation as determined by medical and mental health professionals, and (b) has not previously been incarcerated for a violent felony crime. Offenders convicted of a crime under section 28-303 or sections 28-319 to 28-322.04 or of any capital crime are not eligible to be placed in an incarceration work camp. (5) The Director of Correctional Services may assign a felony offender to an incarceration work camp if he or she believes it is in the best interests of the felony offender and of society, except that offenders convicted of a crime under section 28-303 or sections 28-319 to 28-322.04 or of any capital crime are not eligible to be assigned to an incarceration work camp pursuant to this subsection.

Sec. 34. Original sections 23-3406, 23-3408, 24-1106, 25-1140.09, 28-104, 28-202, 28-303, 29-1602, 29-1822, 29-2004, 29-2005, 29-2006, 29-2020, 29-2027, 29-2407, 29-2801, 29-3205, 29-3920, 29-3928, 29-3929, 29-3930, 55-480, 83-1,110.02, and 83-4,143, Reissue Revised Statutes of Nebraska, and sections 28-105, 28-201, 28-1356, 29-1603, 29-2204, 29-2261, and 29-3922, Revised Statutes Cumulative Supplement, 2014, are repealed. Sec. 35. The following sections are outright repealed: Sections 24-1105, 29-2519, 29-2521, 29-2521.01, 29-2521.03, 29-2521.04, 29-2521.05, 29-2523, 29-2524.01, 29-2524.02, 29-2525, 29-2527, 29-2528, 29-2811, 83-1,105.01, 83-1,132, 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Reissue Revised Statutes of Nebraska, and sections 28-105.01, 29-2520, 29-2521.02, 29-2522, 29-2524, 29-2537, 29-2538, 29-2539, 29-2540, 29-2541, 29-2542, 29-2543, and 29-2546, Revised Statutes Cumulative Supplement, 2014.

Respectfully submitted,

John Gale

Secretary of State

(Publish three times, weeks of Oct. 17, Oct. 24 and Oct. 31)

NOTICE IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA

Estate of Milton Charles Eickman Deceased, Estate No. PR 16-29

Notice is hereby given that on October 13, 2016, in the County Court of Thayer County, Nebraska, the Registrar issued a written statement of Informal Probate of the Will of said Decedent and that Michael C Eickman at 105 Cardinal Lane, Hebron, Nebraska 68370 and Kristine Miesner at 711 E Elm Street, Deshler, Nebraska 68340 were informally appointed by the Registrar as Co-Personal Representatives of the Estate.

Creditors of this Estate must file their claims with this Court on or before December 27, 2016, or be forever barred.

/s/ Vicki L. Jarchow
Clerk of the County Court
Address of County Court:
County Court of Thayer County
225 North 4th Street,
Room 203
Hebron, Nebraska 68370
Daniel L. Werner
(Bar I.D. # 15880)
Daniel L. Werner, P.C., L.L.O.
429 Lincoln Avenue
Hebron, Nebraska 68370
Tel: (402) 768-6109
Fax: (402) 768-6271
E-mail: dan@wernerlaw.com
ZNEZ Wk43-3t

Commissioner Proceedings

October 26, 2016

The Thayer County Board of Commissioners met in open and public session in the commissioner's room of the courthouse at 9:00 a.m. on October 26, 2016. Present were Commissioners Dave Bruning, Chris Frye, Dean Krueger and County Clerk, Marie Rauner.

Dave Bruning, chairman of the board, called the meeting to order. Public meeting laws are posted and available on the north wall of the meeting room in compliance with Nebraska statutes.

The minutes from the previous meeting were mailed to the commissioners for review. Chris Frye moved and Dave Bruning seconded to approve the minutes from the October 12, 2016 meeting. Result of vote: Frye-yes, Bruning-yes, and Krueger-yes. Motion carried.

George Gerdes, Thayer County Road Superintendent, met with the commissioners to discuss ongoing road projects and give a department update.

Chris Frye made a motion to direct the chairman to sign the SSAR Program for 2016-2017. Dave Bruning seconded the motion. Result of vote: Frye-yes, Bruning-yes, and Krueger-yes. Motion carried.

Michael Burcham, CEO and Doug Wismer, Interim CEO, Thayer County Health Services, met with the commissioners to discuss hospital updates, audit and financial reports.

The commissioners accepted the resignation of Chris Roth as a member of the hospital board effectively immediately due to family commitments. Dean Krueger made a motion to appoint Craig Pope to fill the unexpired term of Mr. Roth. Chris Frye seconded the motion. Result of vote: Krueger-yes, Frye-yes, and Bruning-yes. Motion carried.

The appointment of members and a resolution to create a Joint Airport Zoning Board were tabled until a later date.

Karla Joe, Thayer County Assessor, discussed with the board surveying issues she has had getting corner markers surveyed and entered into GIS workshop. No action was required by the board.

Monthly reports were submitted from the County Clerk, District Court Clerk, Zoning, Sheriff, Treasurer, Extension, Emergency Manager and Veteran Service Officer. Reports were reviewed and signed. They will be on file in the county clerk's office.

Chris Frye made a motion and Dean Krueger seconded to direct the chairman to sign the Certification Statement with Maximus for their Cost Allocation Plan. Result of vote: Frye-yes, Krueger-yes, and Bruning-yes. Motion carried.

Board members reviewed a manager recommendation received in regard to the Hebron Country Club. Dean Krueger made a motion and Chris Frye seconded to approve Dennis A. Johnson as manager for the Hebron Country Club per the application submitted to the Nebraska Liquor Control Commissioners. Result of vote: Krueger-yes, Frye-yes, and Bruning-yes. Motion carried.

Chris Frye made a motion and Dave Bruning seconded to approve the salary claims being processed by the county clerk. Result of vote: Frye-yes, Bruning-yes, and Krueger-yes. Motion carried.

General	\$78,319.61
Road/Bridge	\$39,084.31
Emergency Mgmt	\$1,552.29
Noxious Weed	\$3,875.89
Historical Society	\$605.54
General Fund	
American Family Insurance Bp78	\$527.93
Ameritas- Vision Vision Insurance	\$134.64
Ameritas Group - Dental Dental Insurance	\$1,040.86
BC/BS of Nebraska Health Insurance	\$26,033.28
Mass Mutual Retirement Svc. Deferred Comp	\$1,011.24
Mutual Of Omaha #G000502F Life Insurance	\$137.03
NE Depart Of Rev State Taxes	\$1,450.79
Retirement Plans Div 002812 Retirement	\$5,783.27
Thayer County Bank Federal Taxes	\$11,735.66
Road/Bridge Fund	
American Family Insurance Bp78	\$139.29
Ameritas- Vision Vision Insurance	\$42.16
Ameritas Group - Dental Dental Insurance	\$89.22
BC/BS of Nebraska Health Insurance	\$743.89
Colonial Life Thayer Co 125	\$19.00
Kansas Pay. Center Dg10Dm000243	\$303.69
Mass Mutual Retirement Srv. 621020	\$50.00
Ne Child Support Payment Ctr Empe Ne Child	\$182.31
NE Department Of Revenue State Taxes	\$826.38
Retirement Plans Div 002812 Retirement	\$3,281.73
Thayer County Bank Federal Taxes	\$6,973.62

Emergency Management Fund

Ameritas-Vision Vision Insurance	\$9.56
NE Dept Of Revenue State Taxes	\$36.54
Retirement Plans Div 002812 Retirement	\$152.72
Thayer County Bank Federal Taxes	\$314.27
Noxious Weed Fund	
American Family Insurance Bp78	\$34.71
Ameritas- Vision Vision Insurance	\$4.18
Colonial Life After Tax	\$10.84
NE Dept Of Revenue State Taxes	\$123.42
Retirement Plans Div 002812 Retirement	\$342.88
Thayer County Bank Federal Taxes	\$892.47
Historical Society Fund	
NE Dept Of Revenue State Taxes	\$6.08
Thayer County Bank Empe Fica	\$86.08

There being no other business to come before the board the chairman adjourned the meeting at 11:45. The board will convene on November 4, 2016 at 9:00 am.

I, the undersigned County Clerk in and for the County of Thayer, hereby certify that all the subjects included in the foregoing proceedings were contained on the agenda for the meeting and kept continually current and were contained on said agenda for at least 24 hours prior to said meeting. The agenda is available for the public in the office of the Thayer County Clerk. A notice of said meeting was published in the Hebron Journal Register and the Deshler Rustler.

These proceedings have been written and available for public inspection within 10 working days and prior to the next convened meeting. The complete text of resolutions and agreements is available in the office of the Thayer County Clerk.

Each commissioner signed the agenda stating a copy was received in the mail. Said agenda is on file in the Thayer County Clerk's office.

Equal Opportunity Statement

Thayer County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment, or the provision of services. Commissioner agenda, and minutes are available at www.thayercounty.ne.gov.

/s/Dave Bruning,
Chairman of the Board
/s/Marie E. Rauner,
County Clerk
ZNEZ 1T-44

NOTICE OF PUBLIC MEETING THAYER COUNTY BOARD OF COMMISSIONERS

Notice is hereby given that the meeting of the Thayer County Board of Commissioners will be held on **Friday, November 4, 2016** in the Thayer County Courthouse, 2nd floor, Hebron Nebraska. The meeting of the Board of Commissioners will begin at 9:00 am. The meetings are open to the public. The agenda is kept continually current and is available for public inspection in the Thayer County Clerk's Office, Room 201, Thayer County Courthouse, Hebron, NE.

Marie E. Rauner
Thayer County Clerk
ZNEZ 1t-44

NOTICE OF PUBLIC MEETING THAYER COUNTY BOARD OF COMMISSIONERS

Notice is hereby given that the meeting of the Thayer County Board of Commissioners will be held on **Wednesday, November 9, 2016** in the Thayer County Courthouse, 2nd floor, Hebron Nebraska. The meeting of the Board of Commissioners will begin at 9:00 am. The meetings are open to the public. The agenda is kept continually current and is available for public inspection in the Thayer County Clerk's Office, Room 201, Thayer County Courthouse, Hebron, NE.

Marie E. Rauner
Thayer County Clerk
ZNEZ 11-44

E:mail us
your news
and photos to
hebronjr@
windstream.net

Vote November 8th

Public Notices

NOTICE OF MASTER COMMISSIONER'S SALE

By virtue of an order of sale issued by the District Court of Thayer County, Nebraska, and pursuant to a decree of said Court in an action therein indexed at Case No. CI 16-15, wherein Nationstar Mortgage LLC d/b/a Champion Mortgage Company, is the plaintiff, and the Estate of Dale E. Wilkening, the Heirs, Legatees, Devisees, Personal Representatives, and All Other Persons interested in the Estate of Dale E. Wilkening, Deceased, real names unknown, Spouse of Dale E. Wilkening, real name unknown, Senior Official with Responsibility for Single Family Mortgage Insurance Programs in the Department of Housing and Urban Development Field Office with Jurisdiction over the property described below, or a Designee of the Official, Trustee, the United States of America, by and through the Secretary of Housing and Urban Development, Beneficiary, John Doe and Jane Doe, real names and marital status unknown, were joined as defendants, I will sell at public auction to the highest bidder, for cash, the following property at 10:00 a.m., on the 15th day of November, 2016, inside the east door of the Thayer County Courthouse, 225 North 4th Street, in the City of Hebron, Thayer County, Nebraska, to-wit:

The South 12 of Lot 2, Block 3 of John W. Bowman's Second North Addition to Bruning, Thayer County, Nebraska, to satisfy the liens and encumbrances therein set forth; and to satisfy the accruing court costs, all as provided by said order and decree. The purchaser is responsible for all fees or taxes, including the documentary stamp tax. The purchaser will deposit with the Master Commissioner, at the time of sale, a nonrefundable personal or cashier's check in the amount of \$5,000.00, with the full purchase price, in certified funds, to be received by the plaintiff's attorney immediately upon confirmation of the sale by the Court. This sale is made without any warranties as to title or condition of the property.

Dated this 5th day of October, 2016.

Daniel L. Werner
Master Commissioner
ZNEZ Wk41-4t

VILLAGE OF DAVENPORT OCTOBER 3, 2016

The Board of Trustees of the Village of Davenport, Nebraska, met in regular session on Monday, October 3, 2016, at 7:00 p.m. in the Conference room of the Fire Hall.

Notice of the meeting was given in advance thereof as shown by the certificate of posting notice attached to these minutes. Notice of the meeting was conveyed to all board members, and a copy of their acknowledgment of receipt of notice and the agenda are also attached to the minutes. The agenda was on file in the office of the Village Clerk and available for public inspection. All proceedings hereafter shown were taken while the convened meeting was in regular session and open to public attendance.

The meeting was called to order by Chairman Trustee Trapp noting the Open Meeting Laws on the East Wall. Answering roll call were Crosier, Manes, Seifert, Trapp. Littrel was absent for the entire meeting. Also present were, Robin Crosier, Terry Enghauser, Tom Krueger, Dan Fisher, Craig Vyhnaek, Deputy Perrie and Village employees, Braun, Ficken and Vorce.

Minutes of the September regular and special sessions were declared approved as printed, there being no additions or corrections, and reading aloud being dispensed with, as copies of the minutes were distributed to trustees along with their notices.

The treasurer's report was given. Seifert, seconded by Manes, moved that the report be accepted. Roll call vote: AYES: Crosier, Manes, Seifert, Trapp. Motion carried.

Jay Nelson's e mail was reviewed.

Claims for September expenses were presented and audited. Trapp, seconded by Manes, moved that the claims be paid. Roll call vote: AYES: Crosier, Manes, Seifert, Trapp. The chairman declared the motion carried and ordered payment of the following claims: Wages, less withholdings, \$4689.50; Banyon Data Systems, support, \$795.00; BD USD FCCLA, recycle, \$15.00; Ficken, labor, \$323.00; Burton's, service, \$1003.00; Capital Guardian Trust, 2% employer match, \$66.88, 2% employee match, \$66.88; Cornerstone Bank, FICA, \$1312.83, sales tax, \$2410.39; CPS, fuel, \$418.37; Davenport Public Library, lease, \$900.00; Hebron Journal, publish, \$152.05; Kriz-Davis, supplies, \$189.02; Linton, saws, \$1012.00; Matheson Tri Gas, supplies, \$24.30; MES, supplies, \$179.50; NE Department of Revenue, wh, \$457.84; NE Public Health Lab, testing, \$125.00; Norris Public Power, trans charges, \$1523.61; NPPD, power purchase, \$21474.09; Sargent Dilling, tests, \$675.00; SENDD, dues, \$275.00; Source Gas, service, \$118.32; Traveler's,

prem., \$2427.00; V & M Sales, spray, \$1050.00; Verizon, service, \$133.28; Village, postage, \$82.36; Vyhnaek Ins., prem., \$6637.00; Windstream, service, \$184.98.

Tom Krueger was present to discuss the Street budget and 1 & 6 Year Street Plan.

Dan Fisher presented information on Village insurance renewal.

Craig Vyhnaek presented information on the firemen's insurance policies and asked to prepare a quote for the Village insurance package.

Seifert, seconded by Manes, moved to proceed with the 6th and Elm Street to the lift station section for the sewer relining done by Johnson Service Company. Roll call vote: AYES: Crosier, Manes, Seifert, Trapp. Motion carried. A sewer rate increase will be necessary to pay for these repairs. A resolution (raising rates to \$15.00 for residential and \$20.00 for commercial) will be prepared for next month's meeting.

Trapp, seconded by Seifert, moved to allow up to \$10,000.00 to Applicant 2016-2 for a ten-year two and a half percent interest CDBG loan. Roll call vote: AYES: Crosier, Manes, Seifert, Trapp. Motion carried.

Seifert, seconded by Manes, moved to approve the special designated liquor license to the Davenport Achievement Board for the October 29, 2016 Halloween Party from 8:00 p.m. to 1:00 a.m. Roll call vote: AYES: Crosier, Manes, Seifert, Trapp. Motion carried.

Crosier, seconded by Seifert, moved to approve up to a maximum of \$2500.00 to share with the Lions for the cement they plan to run at the ball field. Roll call vote: AYES: Crosier, Manes, Seifert, Trapp. Motion carried.

Trapp, seconded by Littrel, moved to go into executive session at 7:40 p.m. to discuss employee wages. Seifert, seconded by Trapp, moved to end executive session at 8:00 p.m. --2% increase for employees and a one time \$300.00 bonus for Ficken. Braun will work two hours a day until further information from his doctor. Kate Manes will be contacted regarding learning the Clerk's duties.

Maintenance reported on well tests and getting several electrical issues taken care of.

There being no further business to come before the board, the meeting adjourned at 8:10 p.m.

Justin Trapp
Chairman
Arlene Vorce
Village Clerk
Wk44-1t

ZNEZ

NOTICE IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA

Estate of Shirley JR. Keim, Deceased, Estate No. PR 16-31

Notice is hereby given that on October 28, 2016, in the County Court of Thayer County, Nebraska, the Registrar issued a written statement of Informal Probate of the Will of said Decedent and that BARBARA K. BOHLING, whose address is 2048 Road 4600, Davenport, NE 68335 and LEISA BOHLING, whose address is 2042 Road 4600, Davenport, NE 68335, were informally appointed by the Registrar as Co-Personal Representatives of the Estate to serve jointly and severally without bond.

Creditors of this estate must file their claims with this Court on or before January 3, 2017, or be forever barred.

/s/ Vicki L. Jarchow
Clerk of the County Court
Thayer County Court
225 N. 4th Street, Room 201
(402) 768-6126

Jonathan L. Grob, #23726
Austin Bradley, #25570
Kristopher J. Covi, #21462
McGrath North Mullin & Kratz, PC LLO
Suite 3700 First National Tower
1601 Dodge Street
Omaha, NE 68102-1627
(402) 341-3070
(402) 341-0216 - Fax
ZNEZ Wk44-3t

NOTICE IN THE COUNTY COURT OF THAYER COUNTY, NEBRASKA

Estate of Norma F. Oliver, Deceased, Estate No. PR 16-30

Notice is hereby given that on this 26th day of October, 2016, in the County Court of Thayer County, Nebraska, the Registrar issued a written statement of informal probate of the Will of said Decedent, and that Carol L. Anderson, whose address is P.O. Box 573, Deshler, NE 68340, was informally appointed by the Registrar as Personal Representative of the Estate.

Creditors of this estate must present their claims on or before the 3rd day of January, 2017, or be forever barred.

/s/ Vicki L. Jarchow
Clerk of the County Court
County Court of Thayer

Schwab, Lepant & Kratz
Attorneys at Law
Ronald L. Schwab - #13732
3111 Fifth Street, Box 367
Fairbury, NE 6852-0367
ZNEZ Wk44-3t

NOTICE OF ORGANIZATION

NOTICE IF HEREBY GIVEN that Cacy Enterprises, L.L.C., a Nebraska Limited Liability Company, is organized under the laws of the State of Nebraska, with its initial designated office located at 435 North 5th Street, Hebron, Thayer County, Nebraska 68370. The name, street and mailing address of the initial agent for service of process of the Company is Diana Hawkins, 435 North 5th Street, Hebron, Nebraska 68370.

The general nature of this business is to engage in any and all lawful businesses for which a Limited Liability Company may be organized under the laws of Nebraska and for all other purposes authorized by law. The Limited Liability Company commenced business on October 27, 2016, upon a Certificate of Organization being filed with the Secretary of State of the State of Nebraska and will have perpetual duration. Its affairs shall be conducted by the managing member, pursuant to an Operating Agreement duly adopted by the Company.

MEMBER:
DIANA HAWKINS
4356 North 5th Street
Hebron, Nebraska 68370
Joseph H. Murray, PC LLO,
#12994
Attorney at Law
Germer, Murray and Johnson
147 North 4th Street
P.O. Box 87
Hebron, Nebraska 68370
(402) 768-7400
ZNEZ Wk44-3t

★

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to renew your
subscription
to the Hebron
Journal-Register

Thinking about health: Ballot measure would let California negotiate drug prices

The fight in California over a ballot initiative that would begin to control the price of pharmaceuticals paid by state programs shows how difficult it is to "do something" about the high price of prescription drugs.

According to the Bureau of Labor Statistics, U.S. drug spending rose seven percent this year - the biggest increase in 24 years - and most Americans now think drug prices are unreasonable. So it's not surprising the pharmaceutical industry is running scared and, with its deep pockets, is spending big to convince millions of Californians to vote "No" on Prop 61, a Nov. 8 ballot measure that would "do something."

It's a simple measure, says Roger Salazar, the spokesperson for the group "Yes On Prop 61." It would require the state to pay no more for prescription drugs than the U.S. Department of Veterans Affairs spends for the same medications. The VA negotiates prices with pharmaceutical companies, and federal law requires that the department get a discount of at least 24 percent off the drugs it buys.

That may seem reasonable considering the state spends billions on drugs it buys through such programs as CalPERS, the state employees retirement fund, the fee-for-service recipients in Medi-Cal, the state's version of Medicaid, the state prison system, and an AIDS drug assistance program.

Over time proponents say the measure could save the state billions. For CalPERS alone they argue the measure could save almost \$4 billion over 10 years. The state legislative office says the financial impact is "unknown."

If proponents' estimate of potential savings is correct, that's hardly chump change. CalPERS, one of the country's largest healthcare purchasers, saw its costs for specialty drugs - high-cost medicines for complex, chronic conditions



"Thinking About Health"
By Trudy Lieberman
Rural Health News Service
Funded by a grant from The Commonwealth Fund and distributed through the Nebraska Press Assoc.

- jump 30 percent in 2015.

The pharmaceutical industry, though, worries that if the measure passes in California, it could open the door for other states to follow. Even worse, it might lead to the federal government negotiating prices with drug companies as most other nations do. "It's a fairly straightforward expansion of price controls," is how Stephen Ubl, president of the drug makers trade group, described it last summer in an interview with the New York Times.

The drug industry has fought against such negotiations for decades. Recall that Medicare is prohibited by law from negotiating prices for the prescription drugs it pays for on behalf of 56 million beneficiaries. "We can't negotiate for purchasing in one of the largest insurance systems in the world," says former Medicare administrator Don Berwick.

The fight in California reveals one of the biggest political and powerful obstacles of all - money. Two weeks before the election, the drug industry had poured \$109 million into its campaign to defeat the measure, a sum that makes it the most expensive campaign for or against a single ballot initiative in the state's history, according to Salazar's group.

High on the list of companies giving money to defeat the measure are household names like Johnson & Johnson, Merck, and Pfizer, which each tossed in more than \$9 million.

Their arguments have a familiar ring, similar to ones the drug industry has used before when price controls edged too close to their bottom lines. They argue that government interference with prices could lead to higher drug costs, treat-

ment delays and even denial of coverage. They say the proposal offers little guidance for implementation.

Their tactics are familiar too. They've enlisted the help of several patient advocacy groups to support their position - groups like the California Hepatitis C Task Force and the Lupus Foundation of Southern California, which have received recent drug industry contributions.

When Los Angeles Times business columnist David Lazarus asked Kathy Fairbanks, the spokeswoman for the "No Prop 61" campaign, if she'd characterize high drug prices as a problem for patients, she said no, that's not how she would put it. "It's an issue, how about that?" She added healthcare costs are top of mind for a lot of people, but "Proposition 61 isn't the answer."

It's fair to ask: Then what is it? Two other weaker attempts in California to "do something" about drug prices failed this year. One was a measure to require insurers to give detailed information about drug costs and drug makers to give notice of future price increases. The other would have required more transparency about research and development, production and marketing costs for drugs with a wholesale price of more than \$10,000 a year.

The battle is being fought on the airwaves, and voters are confused.

Money talks! The question remains: When will the needs of the public and the health system in general talk louder?

What do you think should be done to control drug prices? Write to Trudy at trudy.lieberman@gmail.com.

POLICE OFFICER POSITION IN WILBER

Applicants must be a U.S. citizen, at least 21 years of age, have a high school or GED diploma. Must be of good moral character with no felony or Class I misdemeanor convictions. Must have a valid Nebraska driver's license. Applicants must be able to meet the Nebraska Law Enforcement Training Center's qualifications for certification and other testing procedures as deemed necessary.

The City of Wilber has a benefit package. Wages to be determined by the Mayor and City Council based upon experience. Uniforms and necessary equipment are provided. For an application contact Stephen M. Sunday, Chief of Police, Wilber Police Department, 309 S. Main Street, P.O. Box 645, Wilber, NE. 68465. Telephone 402-821-2201. Deadline for applications is 5:00 pm on Nov. 18, 2016. EOE.

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Vivid or Intense Dreams?
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You may qualify for a research study that is evaluating the safety and effectiveness of a new investigational medication that may help to reduce the symptoms of Lewy Body Dementia or Parkinson's Disease Dementia if:

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- Medications you take have been on a consistent dose for at least 4 weeks

For More Information, Please Contact
Premier Psychiatric Research Institute, Dr. Walter Duffy or Kelly Espenschade at (402) 817-2235 or Chaitasi Majumdar at (402) 476-6060 ext. 225

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HELP WANTED

HELP WANTED: Thayer Co Assessor's Office Clerk Position Opening. Applications for a full time Clerk position are now being received at the Assessor's Office. The position offers competitive salary and benefit package. Applicant must have computer knowledge. Application forms are available at the Assessor's Office, 225 N 4th St, Room 202, Hebron, NE. All applications must be received by November 18, 2016. Thayer County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or in provision of service.

44-2

HELP WANTED: FULL TIME HELP NEEDED IMMEDIATELY! The Deshler Rustler is looking for someone to join our team. Job would include but not limited to: Ad & Newspaper Set Up, Bookkeeping and Postal. Call Struve Enterprises at 402-365-7575 and ask to speak with Lois Struve for an interview or to pick up an application

42-TF

Thayer County Health Services

POSITIONS AVAILABLE

- I.T. Computer Analyst – Full Time
- I.T. Systems/Network Administrator – Full Time
- Environmental Services Tech-Full Time
- Nutritional Services Cook – Full Time
- Ward Clerk/CNA – Full Time
- Hospital RN – Full Time, Part Time or PRN

Please visit our website: www.thayercountyhealth.com and click on "Careers" for a detailed description of all career postings and to submit an application.

Equal Opportunity Employer

TCHS provides high quality, compassionate healthcare close to home. We offer excellent benefits including health, dental, vision, life insurance, retirement, paid time off, sick leave and tuition reimbursement.

Parkview Haven Skilled Nursing Home

Meadowlark Heights Assisted Living
Deshler, Nebraska

Currently accepting applications for **Full/part time night shift CNA-Parkview Housekeeping position- Parkview Part time Med Aide-Meadowlark**



** If enough interest, Med Aide classes will be offered in Deshler. Call Miranda for more information.

Add on for experience. Competitive wages, benefit package for full time, shift differential for afternoon/night shift. For further information and an application, call Judy Kujath (402) 365-7237 or Miranda Isernhagen 365-4545

Fillmore County Hospital

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CAREER OPPORTUNITIES

Fillmore County Hospital strives to be the regional choice for valued health services. We are seeking highly motivated individuals, who have the ability to look beyond the day-to-day operations, have a positive attitude, and can bring fresh ideas to our healthcare team. Fillmore County Hospital is seeking a . . .

Ambulance Driver
Position responsible for transporting patients to other healthcare facilities based on level of acuity. Good driving record, but no CDL required. Call for more details.

Certified Nurse's Aide*
Full and part time night positions available on the acute care side of the hospital. Our CNA's assist in the provision of direct or indirect patient care as delegated by a nurse, observe the patient at regular intervals, answer call light promptly, and assist in the admission, dismissal, and transfer of patients.

IT Generalist
Full time position available in the IT department to assist end users, perform preventative, network, and workstation maintenance, and other day to day operational duties.

Environmental Services Supervisor
A full-time position available responsible for supervising a five-person department. This position is responsible for planning, organizing, developing, and managing the overall operation of the environmental services department. Weekend rotation required; experience in a healthcare facility preferred, but not required.

Food Service Worker-Early Cook/Tray
A full time position responsible for the preparation and service of main food items at breakfast and dinner. This position is responsible for coordinating the assigned tasks to ensure accuracy in tray line and sanitation duties. This position is also responsible for the preparation of meal trays for patients, keeping the dining room clean and stocked, and assisting other positions as needed.

LPN*
Full and part time positions available working in our expanding Integrated Health Pavilion. Our LPN's provide a meaningful, therapeutic environment for geriatric patients needing Behavioral Health services under the direction of an RN.

Radiologic Technologist
Position available in our busy and growing radiology department. Our Radiologic Technologists are exposed to a wide variety of diagnostic imaging in addition to an exciting interventional radiology clinic

Registered Nurse-Behavioral Health*
Full and part time positions available working in our new and innovative Integrated Health Pavilion. Our Registered Nurses are dedicated to providing a meaningful, therapeutic environment for geriatric patients needing Behavioral Health services.

*All of our nurses are on an every third holiday and weekend rotation.

Please see Human Resources for more information
Fillmore County Hospital is an Equal Opportunity Provider and Employer.
402-759-3167 Ext. 204

TRUSTED HEARTS TOUCHING LIVES

Help Wanted: Zoltenko Farms Inc., a progressive and family-owned livestock operation located near Hardy, NE, is seeking a full time member for our Operations team. This is a fast-paced and team-oriented environment with constantly evolving work objectives. Wanted: **Gene Transfer Technician**

Qualified Gene Transfer Tech candidates are: •Fast learning and teachable •Motivated •Process oriented •Able to work independently. Duties may include but are not limited to: •Animal Care - feeding, medicating, working with pigs •Sanitation & Maintenance - power washing, basic repairs •Laboratory Processing - microscopy evaluation, processing, packaging, cleaning.

Hours are 30-40/wk M-W-F. Lunch provided. Reliable transportation required. Applications remain active for 6 months from application date. Pre-hire physical and drug screen required. Health Insurance, Paid Time-Off provided.

Zoltenko Farms Inc. is an equal opportunity employer. Excellent wages highly dependent on experience. Well qualified applicants should call (785) 278-5405 or email careers@zfstud.com for an application.



WORK WANTED

WORK WANTED: Hoeting Tree Shearing. Your small tree specialist. I can cut the trees left behind by the competition. Call 402-239-1692.

41-4

WORK WANTED: Hebron Tree Service. Tree sheering and pasture clearing available. FREE ESTIMATES! Call Tim Hartley, 402-768-3486.

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13-tf

FOR LEASE: Cafe adjoining the Shell Station in Hebron will be available for lease at the end of 2016. For information concerning lease arrangements, contact Tim at Lichti Oil at 402-627-2235.

40-tf

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The Good Samaritan Society-Superior is seeking applications for:

Full time MDS Coordinator This person must be an RN currently licensed in the state of Nebraska with experience completing the Nursing portion of the MDS and overseeing the RAI process. Would prefer someone certified through AA-NAC as a Resident Assessment Coordinator (RAC-CT) or have the ability to achieve certification upon employment. Must have basic computer skills and effective communication skills and be able to work with individuals of all ages.

Apply online at www.good-sam.com



Ann Hobson, RN,C,DNS
402-879-4791
1710 N IDAHO, SUPERIOR, NE 68978

All qualified applicants will receive consideration for employment without regard to gender, sexual orientation, race, color, religion, national origin, citizenship, age, disability, veteran status, genetic information, marital status, sexual orientation, gender identity or other protected status."

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44-1

AUCTION

AUCTION CALENDAR

Thur. Nov. 3 - 5:30 PM - ELLA MAE MONROE & BETTY BRACKLE ESTATE AUCTION. Furniture, Antiques, Household, Tools, & Misc. Items. To be held at : 222 W. 14th St. Fairbury, NE.

Thur. Nov. 10 - 5:30 PM - ANN MCCORD ESTATE & OTHERS. Remington Model 700, Mark Twain 18' Boat, Sewing & Craft Items, Household, & Misc. Items. To be held at Fairbury, NE.

Sun. Nov. 13 - 10:00 AM - RAYMOND BANGERT & DARYL & KATHLEEN HOLLE AUCTION. 2007 NH Skid Steer, 2012 Polaris Ranger Special Edition, 1965 Mustang & Other Classic Cars & Parts, Ford 9N Tractor, Machinery, Farm Antiques & Collectibles, Tools, Furniture, Household Items, & Misc. To be held at 115 Adams Street, Harbine, NE.

Tue. Nov. 15 - 2:00 PM - MARVIN J. SCHOEN ESTATE. 101 +/- Acre Jefferson County Land Auction. To be held at: 222 W. 14th St. Fairbury, NE.

Tue. Nov. 22 - 5:30 PM - JOANNE M. ELLIS ESTATE. 3 Bedroom Home at 1800 H Street, Fairbury, NE. To be held at: 1800 H Street, Fairbury, NE.

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Belvidere

By Linda Hudson



Courtesy Photo

Traveled from all directions...

Cars carrying visitors to Belvidere Whistle Stop on Sunday to witness UP #844 steam locomotive lined many streets in Belvidere. Many different county license plates and several out of state vehicles were spotted. Some came an hour early to assure a good parking place. It was a great tourist attraction. They brought all types of photo equipment with them.



Courtesy Photo

Drawing a crowd...

Despite the cloudy day and cool temperatures, the return trip of the steam locomotive Engine #844 drew a large crowd to Belvidere on Sunday morning. Many lined up along the tracks to get a good photo of the train.

Belvidere

By Linda Hudson

Where did the beautiful month of October go? Say it isn't so--days are shorter and Daylight Savings Time is coming this weekend. The last high school football games are being played and harvest is winding down! If only the month of beautiful weather could stick around, everyone would have a little more time to enjoy the beautiful colors and signs of Fall.

Last week the blackbirds were gathering for their picnic and it seemed as the squirrels were getting fatter. Everyone should take time to drive the valley of the Little Blue. It indeed makes the statement that it is the middle of Fall. In some places only the very tops of the deciduous trees still have color. What a treat it is to have three beautiful valleys cross our county. Besides the Little Blue, there is the Big Sandy and to the south there is the beautiful Rose Creek. Something to be said about living in these valleys and experiencing life's messages of birth, growth, life and death.

Donna Vieselmeyer visited the museum last week and brought some artifacts. She was reminiscing about her dad's wagon which sits in one of the sheds. Those were the days when every little town had a parade. One could always expect Clark Apley to be there with his wagon and team. Thank goodness there are still a couple of generations still living that remember. Sooner or later it will not be a memory but only a fact written down in some Thayer County history legend. Be thankful for those special memories!

Thayer County has been a hub of activity attracting

many people from different areas. The Oregon Trail Run had visitors from 13 states. Locals and visitors attended the successful annual banquet on this past Friday. Then this past Sunday a wonderful event was held when the #844 Union Pacific steam locomotive stopped at the Whistle Stop in Belvidere on its return trip to Wyoming. Cars lined the streets in town bringing visitors from Salina, Mankato, Des Moines, Hastings, Ravenna and Seward, just to name a few.

Train lovers could get a close view of the crew and the huge working parts of the engine. Photographers could get that special picture and children stood in awe of this old beast of the prairie. The day was indeed a dream come true for many of the Woman's Club members and train Watch Committee. This has involved years of work and meetings. One shining improvement was the modern bathroom facility and the new dock on the depot. By the time another locomotive comes, perhaps the depot will be completely restored. Lance Johnson, local Train Watch member displayed a model railroad and explained the future goals of the depot.

With each visit, thoughts start dancing in the minds and thoughts about making it better. One suggestion is to

have a loudspeaker to keep the public informed. Each time it will get bigger and better. One event was added this year was a breakfast brunch after the train's departure. This allowed visitors to gather and talk about the excitement of the day. It was also exciting to have the Lincoln Journal Register cover the event. A reporter and photographers were present.

Excited about the next time. The UP's Big Boy is in the mechanic shop in Cheyenne, Wyoming. It is expected to be restored in two to four years. Can you imagine the crowd we will have when it comes? Better start planning now!

Henry Laber, local train advocate, presented the engineer and crew with a box of doughnuts. This is a standing tradition that Belvidere always does. We want them to remember us and stop next time, too.

Many District 4 Woman's Club members and their husbands came for the excitement of it all. Ruth Arnold Bergmeier and her husband from Ravenna came to experience the day. Ruth worked at the elevator in Belvidere for several years. She came to relive some memories.

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Bruning-Davenport Unified School

ACTIVITIES
Thursday, November 3: VB district finals.
Friday, November 4: No school; Teacher in-service; FFA P2C; FCCLA national cluster meeting.
Saturday, November 5: FFA P2C; FCCLA national cluster meeting.
Sunday, November 6: Daylight savings; FCCLA national cluster meeting.
Tuesday, November 8: FB playoffs quarterfinals.
Wednesday, November 9: FFA livestock judging at York.

BRUNING MENU
Thursday, November 3: Tator tot casserole, buttered bread.

Friday, November 4: No school.
Monday, November 7: Sloppy Joes, mozzarella sticks.
Tuesday, November 8: Chinese chicken, rice, cookies; Wisconsin cheese soup.
Wednesday, November 9: Chicken legs, mashed potatoes, dinner roll.
Fruit and vegetable bar and salad bar served every day. Milk served with all meals. Menu subject to change.

DAVENPORT MENU
Thursday, November 3: Hot ham and cheese, tator tots, broccoli.
Friday, November 4: No school.
Monday, November 7: Chicken strips, chips and cheese, mixed vegetables.
Tuesday, November 8: Chicken breast patty, baked beans, pears.
Wednesday, November 9: Flying saucers, peas, roll.
Fruit and vegetable bar served every day. Milk served with all meals. Menu subject to change.

Davenport Senior Diners

Monday, November 7: Goulash, garlic toast, garden lettuce salad, mixed fruit. *Qwirkle.*
Tuesday, November 8: Beef 'n brown gravy, mashed potatoes, buttered beets, cherry jello. *Cards.*
Wednesday, November 9: Seasoned chicken, scalloped potatoes, seasoned carrots, pudding variety. *Scrabble.*
Thursday, November 10: Thanksgiving meal: turkey, dressing, potatoes, gravy, green bean casserole, cranberry sauce, roll, pumpkin dessert. *Rummikub.*
Friday, November 11: Closed.
Meals served with bread, butter and milk. For reservations, call 364-2449 by 1:30 p.m., the day before.
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