

Sports

Titans cap season at state

The Thayer Central Titan cross country state qualifiers ran the Kearney Country Club course Oct. 21 and improved their times from previous races, with the boys capitalizing on their times from the University of Nebraska-Kearney Invite in late September.

"Our top three runners were within 28 seconds of each other," Coach Andy Long said.

The six teams that placed

ahead of Thayer Central each had at least one medalist and two runners in the top 25. Norfolk Catholic won the race, followed by Malcolm, Stanton, Ainsworth, Dundy County and Crofton.

Individual times and places for the boys are as follows:

Dylan Fischer, 18:25.59 for 38th place; Aubrey Fangmeier, 18:26.41, 40th; Damian Stewart, 18:45.89, 60th; Keegan Casey, 18:53.86, 67th; Evan

Fuglestad, 19:56.20, 111th; and Collin Fink, 20:29.45, 127th.

Kylie Pachta was the sole Titan to represent the girls. Out of 148 runners, Pachta placed 64th in 22:32.7. Her time from the UNK contest improved 1:46, which moved her into the fourth spot for Thayer Central's all time, top 10 running times at the state meets.



Kylie Pachta



Collin Fink



Aubrey Fangmeier and Dylan Fischer



Evan Fuglestad



Keegan Casey



Damian Stewart

Deshler completes regular season, 5-3

The Deshler football team competed in its last regular season football game on Thursday, falling to 5-3 Wilcox by a score of 32-26.

The loss brings the Dragons to finish at 5-3. The season has been a successful one in terms of improvement over the last couple of seasons.

Led by the senior duo, Jon Banks and Heath Finke, the Dragons competed in each game they played.

Two of the three losses came to playoff teams.

Deshler was tied with Wilcox 6-6 at the end of the first quarter and trailed 12-6 at half. A last second score proved to be the difference in the game, as the Falcons and Dragons traded scores the rest of the game.

Some notable season stats include Jon Banks, leading the team with tackles. Peyton Dubbert was 90/135 for a 67 percent completion rate to lead the district.

He was good for 1,256 yards and 25 touchdowns. The two leading receivers were Brady Fangmeyer, who hauled in 15 of those touchdowns for a team leading 604 yards receiving, and Hutch Finke who had four receiving touchdowns and 530 yards receiving.

The two leading rushers were Ryan Brandt, who had 896 yards rushing and Hutch Finke, with 253 yards rushing.

Coach Carson Klute extended a thank you to Dragon fans and those who supported the team with time, food, drinks and other donations.

Dragons top Silver Lake in tourney

The Deshler Dragon Volleyball team had a tournament Oct. 20 against Silver Lake, Axtell and Heartland Lutheran at Roseland.

The Dragons played Axtell first and loss in two sets with the scores of: 25-10 and 25-11.

Leading the Dragons in kills was Kayla Oakman with two of them. Sydney Roth contributed by having seven assists and one serving ace.

Amanda Schultz helped defensively by having two solo blocks.

The Lady Dragons ended up playing for third place against Silver Lake.

Deshler won in three sets with the scores of: 25-16; 23-25; and 17-25.

Leading the team in kills was Oakman with 10 and Jaden Siegel, seven. Roth contributed 18 assists, while Tori Schoof had three serving aces.

Defensively, Siegel led the team in solo blocks by having four and Amanda Schultz helped with her two.

The Dragons were scheduled to play their last regular season game at Meridian Oct. 25.

Sub-districts for the Lady Dragons begin at Wilber-Clatonia Oct. 31.

Titans fall short in Superior contest

By Jereme Jones
Thayer Central Football

All programs face a maturation process as they try to become championship teams.

First you must learn how to compete, then you must learn how to win, then you must learn how to win close games and finally you have to learn how to stay on top.

This season we accomplished steps one and two. Friday night gave us our first opportunity to test ourselves on step three.

The Titans began the game with the ball and were able to quickly go down the field and score, as Max Madsen hit Connor Mumm on an 11-yard touchdown pass.

The Thayer Central defense then took their first turn on the field and forced an early punt by the Wildcats. One play later, Madsen again hit Mumm on a touchdown pass, this time a 52-yard throw to put the Titans up 12-0.

Superior put together a long drive on their next possession but the Thayer Central defense came up big and stopped the Wildcats on a fourth down play at the 2-yard line.

The second quarter began with the Titans getting a first down, but then had to punt the ball away. Superior again put together a nice drive but was stopped again on a fourth down play.

Thayer Central's offense again gained a first down but then bogged down and had to punt the ball back to the Wildcats. This time Superior would find the endzone on a 17-yard touchdown run to cut the lead to 12-6.

Thayer Central moved the ball down to the Wildcats' 20 yard-line, but then was

stopped on fourth down. Unfortunately, the Wildcats were able to get a big play just before the half, a 60-yard touchdown pass with less than 30 seconds left in the half. At the break, the game was tied 12-12.

Superior started the second half with the ball and were driving, but Seth Mumford came up with a big sack on third down and then the defense stopped them short on fourth down.

The Titans offense could not get anything done offensively, however, and were forced to punt. This time the Wildcats moved down to the Titans' 21-yard line, where Thayer Central again stopped Superior on 4th down. On the very next play, the Titans fumbled and Superior recovered it deep in Titans' territory.

The Wildcats used the turnover to get on the board and take their first lead of the game, 18-12.

Thayer Central answered right back, showing great resolve, as they drove down the field and then Madsen found Mumm again on a 15-yard touchdown pass. Madsen then hit Dietric Kenning on the conversion pass to put the Titans back on top 20-18. Superior was held to a three and out on their next possession, but were able to punt it deep and pin the Titans on their own 2-yard line to end the third quarter.

Thayer Central was held to a three and out on their next possession and, after the punt, gave the ball back to Superior on the Titans' 24-yard line. The Wildcats used the great field position to take the lead with a 4-yard touchdown run, making it 26-20.

Thayer Central had a big play on their next drive, but it was called back due to a penalty and the Titans were forced to punt it back to Superior. The Wildcats got the ball all the way down to the Thayer Central 9-yard line on the next drive, but the Titans defense got a huge stop.

Thayer Central, on their final drive, moved the ball from their own nine-yard line all the way to Superior 21-yard line, but the drive stalled out there and Superior was able to hold on for a 26-20 win.

The Titans were led offensively by Mumm, who caught six passes for 162 yards and three touchdowns. Madsen was 12/31 passing with 208 yards and three touchdowns. Kenning had 10 carries for 54 yards rushing. Preston Reece ran four times for 17 yards and also caught two passes for 12 yards.

Seth Mumford caught one pass for nine yards, Koss caught two passes for 18 yards and sophomore Jarod Hergott caught one pass for seven yards.

Defensively, Reece led the way with 18 tackles. Mumford had 17 tackles and a sack, while freshman Jackson Feulner had 15 tackles and senior Hank Harris had 13 tackles. Other defensive contributors included senior Ryan Koch, eight tackles; Hergott, eight; Brenden Fangmeier, eight; Mumm, seven; Kenning, three; Tim Schulte, three; and Zach Koss, one.

This was a great football game and exactly what high school football is supposed to be with two teams giving everything they had until the final whistle.

I think this game showed

how much we have grown as a team and how our culture has really taken root this season. This was a physical game and certainly faced adversity many times; from the touchdown right before half to the fumble and touchdown we gave up in the third quarter.

Every time, however, we responded. We never gave up and we never hung our heads; we always fought back. That is exactly what we have been trying to instill in these players all season. As a coach, I couldn't be more proud of our effort.

I also couldn't be more proud of this senior class. They have done everything I asked of them this season and they have been great leaders and players all season.

They helped me establish our culture and they are the reason we will be successful in the future. I can't say enough positive things about them; they will all be greatly missed next season. I would also like to thank all of our fans this season for the support you've given this team and me. We appreciate you all.

I am already excited for next season; we bring back a lot of experienced players and have an exciting eighth grade class that will be joining us.

Now that our culture has been established, we need to continue to improve our best and work hard in the off-season and continue to grow this program until it becomes a championship program.

We should be eligible for the playoffs and that will certainly be a goal for next season.

BDS advances to state playoffs

Bruning Davenport Shickley is the No. 2 seed for the Class D-2 football playoffs Oct. 27.

The contest will be on the Eagle gridiron against Allen.

The Eagles finished their regular season play with an 8-0 record, defeating Lawrence Nelson 36-0 in the final game.

Kale Kleinschmidt rushed for two touchdowns and two extra points while Caden Norder rushed for one of each. Garrett Schardt and John Christensen each caught one touchdown pass.

Defensive ends, Holden Stengel and Noel Gines led in tackles with 12 and nine, respectively.

"These two guys made it difficult for their offense to run either side," Coach Chris Ardisson said.

Kleinschmidt picked up 134 yards in rushing, 135 yards in passing and six tackles.

Schardt had 25 yards in rushing to his credit, 47 receiving yards and seven tackles.

Norder went 16 on rushing and five on tackles.



JR Photo/Greg Scellin

Kale Kleinschmidt carries the ball while Josh Hinrichs looks for the action. The first playoff for the Eagles will be Oct. 27 on the home field.

Thomas Mick was six for rushing and 42 for receiving.

John Christensen nailed

34 receiving yards and six tackles.

Football Contest

Weekly Prizes 1st - \$15.00 2nd - \$10.00 3rd - \$5.00



The 2016-2017 members of the Deshler Dragons volleyball team are (First row, l to r) Brenna Dubbert, Manager, Ragan Pohlmann, Braelyn Isernhagen, Kimberly Bargaen, Elle Baker and Trinity Schardt, Manager. (Second) Leah Schmidt, Kayla Oakman, Sydney Roth, Tori Schoof, Jaden Siegle and Tyra Schardt. (Third) Amanda Schultz, Hedvig Asp, Cadence Jacobs, Tyra Mohrmann and Jennifer Kowalewski. Not pictured: Head Coach Audrey Parks and Assistant Coach Amber Deepe.

Pick the Winning Team!

Deadline: Friday, Oct. 28 at NOON

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- The Bottle Shop _____
- Deshler Motors _____
- CPS - Deshler _____
- Hebron Journal _____

J-R Tie Breaker:

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Drop off entry form Friday by **NOON** at

318 Lincoln Ave. or mail to:

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One Time Prize To The First Person Who Correctly Picks All The games For Any Given Week!

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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 conspires 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

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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.

Sec. 26. Section 29-3920, Reissue Revised Statutes of Nebraska, is amended to read: 29-3920 The Legislature finds that: (1) County property owners should be given some relief from the obligation of providing mandated indigent defense services which in most instances are required because of state laws establishing crimes and penalties; (2) Property tax relief can be accomplished if the state begins to assist the counties with the obligation of providing indigent defense services required by state laws establishing crimes and penalties; (3) Property tax relief in the form of state assistance to the counties of Nebraska in providing for indigent defense services will also

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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 contracting to act as a public defender 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. The offenders recommended by the board shall be offenders currently housed at other Department of Correctional Services adult correctional facilities and shall complete the incarceration work camp programming prior to release on parole. (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 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 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 1/2 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

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
ZNEZ Wk43-1t

NOTICE OF BOND ELECTION SOUTHEAST COMMUNITY COLLEGE AREA IN THE STATE OF NEBRASKA Tuesday November 8, 2016

PUBLIC NOTICE is hereby given to the qualified electors of Southeast Community College Area (the "College Area") that an election to be held in conjunction with the Statewide General Election has been called and will be held in the College Area on Tuesday, November 8, 2016, at which time there shall be submitted to the qualified electors of the College Area the following proposition:

"Shall the Southeast Community College Area, in the State of Nebraska, issue its general obligation bonds in an aggregate stated principal amount not to exceed Three Hundred Sixty-nine Million Dollars (\$369,000,000), for the purpose of providing funds for the purchase, construction, reconstruction, equipping, demolition, and alteration of various properties, buildings, facilities and other capital assets for the College Area, which may include the following: (1) replacement, renovation, and addition of facilities on the Beatrice Campus; (2) replacement, renovation, and addition of facilities on the Milford Campus; (3) replacement, renovation, and addition of facilities on the 8800 O Street Lincoln Campus; (4) establishment of a campus in or near downtown Lincoln; and (5) construction and acquisition of facilities for use as Learning Centers on various sites within the College Area; with such bonds to be issued from time to time, to bear interest at such rate or rates, to be sold at such prices and to become due at such time or times as may be fixed by, or determined at the direction of, the Board of Governors of Southeast Community College Area; and

"Shall the Southeast Community College Area cause to be levied and collected annually a special levy of taxes against all the taxable property in the College Area sufficient in rate and amount to pay the principal of and interest on such bonds as the same become due?"

The polls will be open continuously from 8:00 a.m. to 8:00 p.m. on such date. The voting places for qualified electors of the College Area will be the same as the voting places designated for the Statewide General Election.

The polling places are accessible to individuals with physical mobility limitations.

Ballots for early voting may be obtained from the County Clerk/Election Commissioner of Thayer County, Nebraska in Hebron, Nebraska.

BY ORDER OF THE BOARD OF GOVERNORS OF SOUTHEAST COMMUNITY COLLEGE AREA
ZNEZ Wk41-4t

PUBLIC MEETING

NOTICE IS HEREBY GIVEN that the Blue Rivers Area Agency on Aging will meet in regular session at 1:00 p.m. on November 14, 2016 at the Beatrice Senior Center, 101 North 25th Street, Beatrice, NE. The meeting will be open to the public. An agenda for such meeting is kept continuously current and is available for public inspection at Blue Rivers Area Agency office located at 1901 Court Street, Beatrice, NE. The agenda may be modified to include items of an emergency nature only.
ZNEZ Wk43-1t

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Board Certified Dermatology
Fellow - American Society for Mohs Surgery
American Society for Dermatologic Surgery

Vote November 8th

Public Notices

VILLAGE OF ALEXANDRIA OCTOBER 12, 2016

The regular meeting of the Chairman and Board of Trustees of the Village of Alexandria, Nebraska, was held at the Tucker Memorial Library on the 12th day of October, 2016, at 7:00 p.m. Present were Chairman VanWesten, Trustees: Schmidt, Erickson, Wassom, and Durlfingler. Donna Rut, Village Clerk, and Alan Krupicka, Water Operator, also attending the meeting.

Notice of the meeting was given in advance thereof by posting as required by law. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The Open Meeting Laws are posted in the meeting room.

Chairman VanWesten asked for comments from the public. No comments were made.

Chairman VanWesten thanked the board for all their help watching the dumpster over the weekend. He thanked Angie and Ron Erickson for picking up garbage around the village, Jim Wassom for running the tractor, and Alan Krupicka and Donna Rut for cleaning the shop.

The claims, minute and treasurer's report were presented. A motion was made by Erickson and seconded by Durlfingler to approve the minutes, treasurer's report and pay all claims as presented. Motion carried with all members voting aye.

Water Operator Alan Krupicka gave his monthly water report and discussed spraying for thistles and trees at the old lagoon site and the excess property at the new lagoon site.

As there was no further business, a motion was made by Durlfingler and seconded by Schmidt to adjourn. Motion carried with all members present voting aye.

Donna S. Rut
Village Clerk

Claims Paid	
NE Dept of Revenue	293.49
Garbage Co. South	1,026.75
Norris Public Power	1,477.00
Buchli Lawn Service	700.00
Internal Revenue	
Service	1,086.30
NE U.C. Fund	56.50
Beatrice Concrete	845.81
One Call Concepts	18.60
Alan Krupicka	17.70
Donna Rut	23.50
Schmidt's Inc.	373.00
Steven Stairs	124.70
NE Public Health	
Env. Lab.	34.00
Milvus Hardware	21,893.90
Hebron Journal	139.38
Gill Insurance	117.00
Daykin Lumber	4.75
Nebr. Rural Water Assn.	230.00
Alan Krupicka	348.40
Donna S. Rut	403.64
ZNEZ	Wk43-11

VILLAGE OF CHESTER OCTOBER 12, 2016

The Board of Trustees of the Village of Chester, Thayer County, Nebraska, met at 7:30 p.m. at the Village Hall on October 12, 2016, for their regular monthly meeting. Board members present were: Chairman: Carbonneau and Trustees: Wassom, Pachta and Porter.

Chairman Carbonneau called the meeting to order at 7:30 p.m. The minutes of the previous meeting were reviewed. Porter moved and Wassom seconded a motion to approve the minutes of the September meeting. Roll call votes: Ayes: Wassom, Pachta, Porter and Carbonneau. Nays: None. Motion carried.

The Treasurers Report was then given. Wassom moved and Pachta seconded a motion to approve the treasurers report. Roll call votes: Ayes: Wassom, Pachta, Porter and Carbonneau. Nays: None. Motion carried.

Porter moved and Wassom seconded a motion to approve Matthew Murdock for membership onto the Fire Department. Roll call votes: Ayes: Wassom, Pachta, Porter and Carbonneau. Nays: None. Motion carried.

Wassom moved and Porter seconded a motion to approve the building permit, for a carport, for Tom and Patricia Snyder. Roll call votes: Ayes: Wassom, Pachta, Porter and Carbonneau. Nays: None. Motion carried.

Two bids were opened for the demolition of a house that the village owns. Wassom moved and Porter seconded a motion to approve the bid of Nutsch Inc for \$9,750.00. Roll call votes: Ayes: Wassom, Pachta, Porter and Carbonneau. Nays: None. Motion carried.

Nuisances were discussed. The

Board decided to send the owners of 1022 Church St. a letter, with the Board's concerns about the nuisances on that property.

The Board discussed closing a portion of North St between Thayer and Thompson.

The following bills were approved for October 2016:

Computers Plus, computers	2034.68
Riggs Construction, ditch cleaning	320.00
Eitzmann Trucking, rock	4543.35
Solomon Corp., electrical supplies	865.00
Belleville Hometown Lumber, paint, bldg. Supply	908.96
One Call Concepts, locate requests	16.65
Village of Chester, electricity	1963.62
Norris Public Power District, electricity	1055.07
Nebraska Dept. of Revenue, withholding	482.43
Nebraska Public Power Dist., Electricity	15,260.55
Sargent Drilling, inspection	225.00
Petty Cash, postage	6.99
US Cellular, telephone	81.46
Walter Insurance, insurance	491.58
Hebron Journal Register, publishing	69.75
Boettcher Supply, ladder	132.86
Crop Production Services, chemicals	294.88
Dutton Lainson Co, electrical supplies	2768.82
The Garbage Co So., Garbage disposal	1245.00
Post Office, postage	141.00
Hometown Leasing, copier lease	54.96
C & M Supply, gasoline	390.02
Source Gas, natural gas	95.55
salaries	4368.55
Utilities Section, workshop	40.00
Willard Rieke/Susan Moxham, meter refund	13.00
Fairbury Glass, repairs	143.84
Computers Plus, surveillance cameras	1838.00
Lynn Bohling, auditorium painting	1687.05
Kinsey Tietjen, auditorium painting	1145.00
Nebraska Dept. of Revenue, sales tax	1958.67
Great Plains Comm, telephone	195.44
Western National Bank, stop payment fee	20.00
withholding	1281.94
Blue Cross/Blue Shield, insurance	2186.34
Amri Gafri, insurance	58.28
Great American Financial, insurance	36.15

There being no further business to come before the Board, Wassom moved and Porter seconded a motion to adjourn the meeting with all members of the Board present voting aye.

Joseph R. Carbonneau
Chairman of the Board

SEAL
ATTEST
ZNEZ
Judith I. Smith
Village Clerk
Wk43-11

Letter To The Editor Election...

Dear Editor:

I do not support the \$369 million Southeast Community College bond. While I recognize there are significant infrastructure needs at SCC-Beatrice, particularly in the Ag buildings, taxpayers cannot handle this large of a bond in the midst of a property tax crisis.

Farmers and ranchers have seen double-digit increases each year for the past five years, and many homeowners and businesses continue to struggle with rising property taxes. Asking these same taxpayers to now approve \$369 million in new taxes is not appropriate.

I am also troubled by the lack of clarity and detail in a request of this magnitude. SCC's proposal makes no mention of what specific projects the \$369 million will be directed toward on each campus. Further, the bond language contains no prioritization of projects or discussion on how proposed renovations will meet current and future workforce needs, particularly in the Ag sector.

In addition to the \$369 million bond request, SCC still has a two cent levy authority that can be used for renovation, construction and maintenance of buildings. That levy could be imposed annually in addition to the \$369 million if SCC chose to utilize the authority.

If the \$369 million bond is passed, the current property tax crisis in Nebraska will be heightened at least until the year 2047, making it the responsibility of future generations that are already likely to face financial challenges to repay the bond.

Also, with the addition of interest over the 25-year repayment period, the total bond indebtedness will exceed \$508 million for taxpayers in southeast Nebraska.

While I support education and job training at the community college level, I cannot vote to saddle my friends and neighbors with half a billion dollars in new property taxes.

GREGG WIEDEL

"The youth are the most important thing we have in our community. We have a good administration, good students and good parents. I feel very lucky from a school board standpoint with quality staff and support," she said.

Vying for the board are Rob Marsh, Michael Prellwitz, Tyler Tietjen and Curt Mumm. Three seats are open.

Rob Marsh is an alumni and lifelong resident of the area.

He said he is committed to devoting the time and energy needed for the board of education.

"I care a great deal about our school system. I also understand how important our school system is to the area as a whole," Marsh said. "I feel that one of my strengths is the ability to bring people of differing opinions together."

Marsh was instrumental in developing the Titan Beef Booster program in and united local producers, business and the district.

"Our model has now expanded to over 40 schools within the state. I continue to host a farm-to-school program that brings our students to our farm to learn where their food comes from," he said.

For the SCC bond, Marsh, as an SCC alumni, feels technical schools are a key component. He is also aware farm economy is depressed. It is his hope SCC will make its improvements in the most cost-effective way possible.

Marsh's concern is the \$369 million bond may be too much for the local economy to support while taking into account current and future financial obligations of the district.

Incumbent Prellwitz has served the school district for 16 years.

He said his main interest in serving the district was for the schools and the community.

"It's a lot more complicated than what people think. The system is regulated by state and federal policies and laws most people have no clue on," Prellwitz said.

For the future, Prellwitz said it's unfortunate, but school security needs to be increased. He also sees consolidation.

"I don't see how our taxpayers are going to afford three high schools in this county. We're asking taxpayers for more and more, and we're getting less

from the state," he said.

On the SCC bond issue, Prellwitz said he understands what the college is trying to do and he isn't opposed.

Prellwitz himself attended a junior college at very little cost.

Thayer Central has offered duo credit courses, he said.

One of his daughters graduated with nine college credits and the other, with 18.

"I have known other kids that had almost enough credits to graduate from junior college," he said.

He also thinks taxpayers should be involved in the legislative process and especially in the state formula that determines the distribution of state aid.

"Every year, the legislature wants to change the way it distributes state aid. They're not doing it. If they had a solid plan, it would help schools and taxpayers to understand what is going on from year to year," he said.

Tyler Tietjen has never served and was approached by people to represent the southwest portion of the district.

"I think the board, administration and staff has done a great job. I just want to get on and help make the school the best it can be," Tietjen said. "I'm sure it's quite a commitment."

Tietjen has served on the Byron Community Foundation Board, the Byron Community Building District, Byron Lion's Club and Byron Volunteer Fire Department.

Tietjen sees both sides of the SCC bond. He is a farmer and understands the high valuations, and the need to educate the young.

As far as activities, Tietjen would like to see the FFA and Titan Beef Boosters programs excel.

"I've heard a lot of people comment about the good beef meals and the kids are learning where their food comes from," he said.

Incumbent Curt Mumm has served for 12 years. He is running for another term because he has the knowledge and experience of how school policies and budgets work.

"Early on, I learned that a school board member, like any other elected official, shouldn't seek office as part of a personal agenda or as a vehicle for self-promotion," Mumm said.

Mumm has served on the policy and building committees during his time with the district.

He said when he first took the seat, there hadn't been any building improvements since the 1970's.

"We made great strides in this area and if I were re-elected, I would like to continue to work with the building committee," Mumm said.

Mumm has had four sons attend Thayer Central and he coached junior high basketball from 1994 to 2012.

"I'm thankful for the many relationships and friendships I've been fortunate to develop

while working through the school in my different capacities," he said.

Mumm is unsure about the SCC bond because on one hand, the improvements seem to be for mostly Lincoln and Milford and on the other, kids need a quality education they can use to return to their rural communities and make their towns stronger.

"After looking beyond the original jaw-dropping figures, I've learned that any entity - public schools or private business or community hospital - can get more built and be more cost effective than making improvements in stages," he said. "These projects end up paying far less in interest as well. It's a question that as a taxpayer is a tough decision."

Mumm believes the future is bright for Thayer Central, the staff is excellent and the board's work with the building committee is positive.

One percent local option sales tax - Deshler

Mayor Naomi Grupe said Deshler is one of the few towns in Thayer County that does not have a sales tax option.

She said people do not refuse to pay the tax when they shop elsewhere.

"It will help us with our budget needs," she said. "We were hit twice just within a year and things are coming back along well, but we've had losses," she said about the flooding in May of last year and April of this year.

The Deshler swimming pool would be one project benefiting from the option. The water isn't staying in the pool like it should because of a leak.

The town is financially strapped and improvements include town streets.

"It's one of the hardest things to do is to vote for more taxes, even though you pay it wherever you go," Grupe said. "I'm going to vote for it."

Additional local races

Deshler has three seats open for city council. Candidates are Glenn Bartling, Andy Christianson, Travis Miller, Jeanette Fintel, Arlis Hohl and Alan Holle.

For the Village of Chester, Adam Tipton, Joseph Carbonneau, Loren Pachta and Mark Miller are vying for three seats.

The Davenport School District has four candidates for three seats, Brad Williams, Jeff Hoins, Rod Tegmeier and Ryan Miller.

Death Penalty Referendum Measure 426

Those who do not want the death penalty will vote to retain. "Retain" means to keep the Nebraska Legislature's vote to replace the death penalty with life imprisonment for the crime of murder in the first degree.

Voting to "repeal" the death penalty means voters disagree with the legislature's decision and would like the death penalty in place. Under the repeal vote, the maximum penalty for murder in the first degree is death.

Letter To The Editor

Dear Editor:

Water Sustainability: I would like to encourage your support of Lyle Schroer and Wayne Schultz for Little Blue NRD directors.

Due to a gradual decline in our ground water levels, the NRD is contemplating allocations for irrigation water. A nine inch annual and 27 inch three-year allocation is being considered.

I'm sure Wayne and Lyle have the long-term benefits of our district and state at heart.

Please consider these two candidates for conservation of our natural resources.

JOE HERGOTT, SR.

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Letter to the Editor

Dear Editor:

Don't forget you are now taxed on 85 percent of your Social Security benefit... wow!

Here comes the 2016 tax "surprise"...

New taxes this year: Remember this in November 2016. As a brief reminder for those who forgot or for many that didn't know.

Here is what happened, quietly, on January 1, 2016:

- Medicare tax went from 1.45 percent to 2.35 percent.
- Top income tax bracket went from 35 percent to 39.6 percent.
- Top income payroll tax went from 37.4 percent to 52.2 percent.
- Capital Gains tax went

from 15 percent to 28 percent.

- Dividend tax went from 15 percent to 39.6 percent.
- Estate tax went from zero percent to 55 percent.
- A 3.5 percent real estate transaction tax was added.

Remember these facts: These taxes were all passed solely with Democrat votes. Not a single Republican voted for these new taxes. These taxes were all passed in the Affordable Care Act, aka Obamacare.

If you think that it is important that everyone in the U.S. know this, pass it on!

There are many millions who don't know about it!

CHARLES FANGMEIER

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40-4

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40-4

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42-2

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42-2

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42-TF

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AUCTION

AUCTION CALENDAR

Sun. Oct. 30 - 11:00 AM - MARCELLA DUIS AUCTION. Tractor, Machinery,
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Items. To be held at 6990 W. Walnut Road, Odell, NE.

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.

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,
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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,
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A section of the Journal-Register
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Belvidere

By Linda Hudson

Awesome days of Autumn! Husker volleyball and football were winners, along with the Oregon Trail Run. Everyone responsible for this should feel quite proud of the success of promoting the beauty of the county and for it being a great tourism attraction.

The next attraction will be the return of the steam engine #844 on this coming Sunday morning, Oct. 30, from 9:45 a.m. to 10:15 a.m. It is indeed a chance to view it if you weren't able to come the last

time...or perhaps you loved the excitement of it that you want to take it all in again.

An added bonus this time is that after the steam locomotive pulls out of town there will be a breakfast brunch at the Belvidere Community Center from 10:30 a.m. to 12:30 p.m. It is hoped that the train lovers will show how much the Locomotive Whistle Stop is appreciated in this area, just so they will keep scheduling a stop in tiny Belvidere.

Wilma Bonilla and Carol

Aude attended a bridal shower on Saturday in Lincoln for Amanda Arnold, granddaughter of Carol.

The Belvidere Woman's Club served walking tacos at the elevator for all the farmers bringing in grain on Monday.

Pete Demma and crew traveled to Belvidere from Lincoln to refinish the dance floor in the newly remodeled Toad's Place which is now open for business. Pete is Russ and Bonnie Priefert's son-in-law.

Henry Laber has been constructing parking signs to place in areas so the train watchers know where they can park.

Mother Nature can either make or break you. This year she has been pretty kind supplying the right weather for the crops and harvest. Granted, prices are not good, but we are still blessed!

Apple farmers face a tougher climate than they did a generation ago. In the Shenandoah Valley, Virginia, warmer weather is robbing apples of their tart flavor and crunchy texture. In some places it is derailing production.

Hope the football team doesn't get derailed this Saturday!

Sure that the witches, minions and goblins will be out! One minion has already come up missing! Has anyone seen it??

Belvidere Woman's Club to meet

Belvidere Woman's Club will meet on Tuesday, November 1, at 7 p.m., at the Community Center.

Cheryl Marsh is the program presenter and there will be surprise candidates at the meeting.

Jenn Waldmeier has the thought for the day and Jean Shipley, and whoever she finds, will be the lunch committee.

Roll call will be remembering a kind moment in history.

Davenport Senior Diners

Monday, October 31: Halloween mummy dog, sauerkraut, macaroni and cheese, pumpkin bars. *Qwirkle.*

Tuesday, November 1: Hamburger steak, mashed potatoes, gravy, California blend veggies, peaches. *Cards.*

Wednesday, November 2: Sweet 'n sour chicken, wild rice, green beans, cake. *Scrabble.*

Thursday, November 3: St. Louis rib, parslid potatoes, cheesy cauliflower, nilla banana pudding. *Mexican train.*

Friday, November 4: Sloppy Joe with bun, cream of potato soup, raw veggies, pineapple jello.

Meals served with bread, butter and milk. For reservations, call 364-2449 by 1:30 p.m., the day before.

Exercise Monday, Wednesday and Friday at 9:30 a.m.

Bruning-Davenport Senior Spotlight

Josh Hinrichs is the son of Carm and Bert Hinrichs of Bruning.

He is active in football, basketball, NHS, Letter Club and drama.

He enjoys hunting and fishing in his free time. His favorite food is prime rib, his favorite TV show is Ice Road Truckers and his favorite song is "Middle of a Memory."

He likes to go to the tractor to be alone.

His future plans are to farm.

The most influential people in his life have been his parents because they are always there



Josh Hinrichs

for him and point him in the right direction.

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BRUNING | November 8th -- 9:30-11:30 AM
MILLIGAN | November 8th -- 8:00-10:00 AM

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Publication Copy Commercial and Savings Banks CONSOLIDATED REPORT OF CONDITION (Including domestic and foreign subsidiaries)

Bruning State Bank Legal Title of Bank: 4530 State Bank No. Federal Reserve Dist. No. 10 Close of Business Date September 30, 2016

City	County	State	Zip Code
Bruning	Thayer	NE	68322

Assets:

Cash and balances due from depository institutions:

- Noninterest-bearing balances and currency and coin 2,621
- Interest-bearing balance 16,896

Securities:

- Held-to-maturity securities 455
- Available-for-sale securities 91,775

Federal funds sold and securities purchased under agreements to resell:

- Federal funds sold 0
- Securities purchased under agreement to resell 0

Loans and lease financing receivables:

- Loans and leases held for sale 0
- Loans and leases, net of unearned income 221,090
- LESS: Allowance for loan and leases losses 4,338
- Loans and leases, net of unearned income and allowance 216,752

Trading Assets 0

Premises and fixed assets 4,559

Other real estate owned 0

Investments in unconsolidated subsidiaries and associated companies 763

Intangible assets:

- Goodwill 0
- Other intangible assets 530

Other Assets 12,825

Total assets 347,176

Liabilities:

Deposits:

- In domestic offices 263,285
- Noninterest-bearing 55,126
- Interest-bearing 208,159

Federal funds purchased and securities sold under agreements to repurchase:

- Federal funds purchased 0
- Securities sold under agreements to repurchase 37,447

Trading liabilities 0

Other borrowed money (including mortgages indebtedness and obligations under capitalized leases) 9,201

Subordinated notes and debentures 0

Other liabilities 829

Total liabilities 310,762

Equity Capital:

- Perpetual preferred stock and related surplus (No. of shares outstanding) 0
- Common stock (Authorized) 6,000
- (Outstanding) 6,000

Surplus 23,400

Retained earnings 11,918

Accumulated other comprehensive income 496

Total bank equity capital 36,414

Noncontrolling (minority) interests in consolidated subsidiaries 0

Total equity capital 36,414

Total liabilities, minority interest, and equity capital 347,176

MEMORANDA: Amounts outstanding as of Report of Condition date:

- 1.a. Standby letters of credit. Total 1,376
- 1.b. Amount of Standby letters of credit in memo 1.a. conveyed to others through participations 0

I/We, the undersigned officer(s), do hereby declare that this Report of Condition has been prepared in conformance with official instructions and is true and correct to the best of my (our) knowledge and belief.

Signature of officer(s) authorized to sign report: /s/ Jerry Catlett, CFO Date Signed: 09/30/2016

Name(s) and titles of officers authorized to sign report: Jerry A. Catlett, Chief Financial Officer Area code/Phone Number: 402-353-2555

We, the undersigned directors, attest to the correctness of the Report of Condition and declare that it has been examined by us and to the best of our knowledge and belief has been prepared in conformance with official instructions and is true and correct.

Signature of Director: Fred D. Bruning Signature of Director: Frank L. Bruning Signature of Director: Darrell Raum

RE-ELECT Gary G. Thompson

Director
 Subdivision 8
 Nebraska Public Power District Board

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Barton shoots his way to First Team, All-American

Brock Barton earned a spot on the Amateur Trapshooting Association (ATA) 2017 Junior team.

Brock finished his sophomore year of high school trap the end of April and quickly transitioned into ATA trap. He shot at local competitions, and starting in May, attended seven state shoots. He traveled to Missouri, Kansas, Colorado, Nebraska, Iowa, South Dakota and Wyoming.

He also participated in the Central Zone Shoot, which is a satellite event with competition from eight states and two Canadian provinces. The Grand American World Trap Shoot in August was his final ATA competition for 2016.

While at the Grand, he enjoyed competing with the best in the world and was honored to represent Nebraska Juniors in the Champion of Champions event. Brock made it back home just one week before school started in August.

Throughout the summer he was able to win multiple state championships in his age group and overall to earn All-American points.

To qualify for the All-American team, one must compete in three championship events in qualifying tournaments in at



Brock Barton

least three states or provinces and win or place near the top to earn points.

Brock finished the 2016 ATA season having shot over 12,500 registered targets which includes singles, doubles and handicaps. This does not include his high school targets.

Brock had a stellar summer and came away with eighteen, 100 straights in singles and his first 200 straight at Sedgwick, Kansas. He reached the 27 yard line in handicaps at the Colorado state shoot.

Brock began trap at age 12 when he joined the Fairbury trap team and the following year signed up to shoot ATA registered trap. He is a Junior at Fairbury Jr. Sr. High and his parents are Ryan and Shelly Barton.

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Ron Meyer performs all of his many roles with a smile on his face.

As an MLH customer advocate, Ron's focus is centered on making the experiences of patients, and their families, the best they can possibly be. He has assisted patients with everything from purchasing milkshakes to organizing weddings.

"I love working at Mary Lanning," he said. "I couldn't imagine doing anything else."



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