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Appropriations Committee February 7, 2024
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CLEMENTS: Good afternoon. Welcome to the Appropriations Committee. My name is Rob Clements. I'm from Elmwood, and I represent Legislative District 2. I serve as Chair of this committee. We will start off by having the members do self-introductions, starting with my far right.

ERDMAN: Steve Erdman, District 47.

LIPPINCOTT: Loren Lippincott, District 34.

VARGAS: Tony Vargas, District 7.

WISHART: Anna Wishart, District 27.

DOVER: Robert Dover, District 19.

DORN: I'm Myron Dorn, District 30.

ARMENDARIZ: Christy Armendariz, District 18.

CLEMENTS: Assisting the committee today is Cori Bierbaum, our committee clerk. To my left is our fiscal analyst, Nikki Swope. And our page today is Ella Schmidt, a UNL student in-- studying criminal justice and political science from Lincoln. If you're planning on testifying today, please fill out a green testifier sheet located on the side of the room and hand it to the page when you come up to testify. If you will not be testifying but want to go on the record as having a position on a bill being heard today, there are yellow sign-in sheets on the side of the room where you may leave your name and other pertinent information. These sign-in sheets will become exhibits in the permanent record after today's hearing. To better facilitate today's hearing, I ask that you abide by the following procedures. Please silence your cell phones. When hearing bills, the order of testimony will be introducer, proponents, opponents, neutral, and closing. When we hear testimony regarding agencies, you will first hear from a representative of the agency. Then we will, we will hear testimony from anyone who wishes to speak on the agency's budget request. When you come to testify, please spell your first and last name for the record before you testify. Be concise. We request that you limit your testimony to 5 minutes or less. Written material may be distributed to the committee members as exhibits only while testimony is being offered. Hand them to the page for distribution when you come up to testify. If you have written testimony but do not have 12 copies now, please raise your hands so that the page can make copies for you. With that, we're going to bin-- begin today's hearing. We're

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rearranging the schedule slightly. Senator Sanders is needing to be in another committee, and so we're going to start with LB1407, Senator Sanders. And Senator Sanders, if you have testifiers that need to come in, bring them in. After that, we'll go back to the agencies. So welcome, Senator Sanders.

SANDERS: Good afternoon, Chairman Clements and members of the Appropriations Committee. My name is Rita Sanders, R-i-t-a S-a-n-d-e-r-s, and I represent District 45, which encompasses much of the Bellevue and Offutt Air Force Base community. LB1407 changes the term "on base" to include projects that are related to the base, but are not necessarily physically on Offutt Air Force Base. Previously, that term limited crucial projects that were crucial military missions due to where the projects were logistically. The new language allows for more opportunities to complete projects and grow missions relevant to Offutt Air Force Base without limitations of logistic constraints. After working with the Department of Military and Veterans Affairs, it is apparent there was a need for greater space for potential projects and current missions within the military, specifically, Offutt Air Force Base. In addition, this bill is a cleanup bill, as it seeks to update certain terminology and define language thoroughly in statute. Behind me, experts on this matter who will be able to answer any questions you may have. Thank you for your time and consideration. Do you have any questions for me?

CLEMENTS: Are there questions from the committee? Senator Dorn.

DORN: Thank, thank you, Senator Clements. Thank you for being here. What, what is the reason for doing this, I guess? Is it so more federal funds can be acquired or used in different places, or is it state-- some of the state funding?

SANDERS: It's mainly to be used-- and to make sure we're legally, we are using the right language when we have contracts. But Tim Burke, behind me, is the one that puts that project together, and so he'll explain.

DORN: Thank you.

SANDERS: Thank you.

CLEMENTS: Other questions? Thank you, Senator.

SANDERS: Thank you.

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CLEMENTS: Now we would invite proponents. Welcome.

TIM BURKE: Hello there. My name is Tim Burke. T-i-m B-u-r-k-e. Thank you very much for having me here today. Senator Clements and members of the Appropriation Committee, my name is Timothy Burke, and I'm currently the president of the Offutt Community Development Corporation. It's a 501(c)(3), funded by some private funding over the last couple of years. Other members of our board include Gail DeBoer, who's our treasurer. She's a retired CEO at Cobalt Credit Union, retired General Rick Evans, who's executive director of the national-- excuse me, Nebraska Strategic Research Institute, and Mike Pallesen, who is our general counsel. And both Rick and, and Mike Pallesen are here today to support this bill, as well. I also serve in a variety of different capacities to support Offutt Air Force Base, the United States Strat-- Strategic Command and the Department of the Air Force. I currently serve as a civic leader with the chief of staff of the Air Force, General David Allvin, and previously served as a civic leader with Air Force Global Strike program. I'm a member of the STRATCOM Consultation Committee, on the executive committee of the Offutt Advisory Council, and I'm an honorary wingman of the 55th Wing, stationed at Offutt Air Force Base. I'm here today in support of LB1407. This bill is intended to really simplify, simplify the language in 55-901 and clarify some confusing terms contained therein. Over the last couple of years, we've had people kind of be concerned about some of the terms and whether it would limit some of the projects that we might get involved in. This bill does primarily 3 things. It changes the term "base" to "installation," which is really the technically correct term within the Department of Defense. It also defines the term installations to make it clear what projects may qualify in the state. It eliminates the use of "projects on military bases" language, and makes it more generically focused on "any project that directly supports any military installation" within the state. You will see the specific language also allows the use of the Military Base Development Fund for projects directly supporting military installations located in Nebraska. This is important because there are some projects that may be better suited to be constructed off of current base property, and then deeded or gifted back to the Department of the Air Force. These projects may be executed quicker, faster, cheaper if we could do that off the base, adjacent to the base, and then deed them back to the base after the project is complete. This bill also eliminates the specific list of projects at Offutt Air Force Base that were as identified in the bill, because it's been interpreted as being restrictive by some that have reviewed

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the legislation, and which may also-- our future funding partners may think it's very restrictive. And it's not intended to be that way. Those were just examples in the original bill. This amendment does not make changes to the original intent in Section 1, other than the changing term and descriptions of "projects on military bases" to "projects that directly support the military installation." Maintaining the original intent language is really important to the Offutt Community Development Corporation, and I believe it will be welcomed by the Nebraska Legislature. We also believe that this amendment has really no incremental impact on appropriations or cost, so the fiscal note should have no impact or costs noted. The OCDC is also supportive of changing, potentially, some language very similar to LB1232. Because in this bill today, it really talks about private funding. But what we're finding in some of these projects is that it may be other governmental funding, it may be other quasi-governmental funding or nongovernment funding, as well. So we want to make that flexibility of the funding match to be as broad as we can possibly make that, to help serve the base, quicker, faster, more expedient, and the families at Offutt Air Force base or any of the military installations that it may impact. Now, to date, we have made great progress in our work. We've engaged a number of public, private, community organizations and developed some concepts that we're currently working with Offutt Air Force Base leaders to really review a path forward to make these projects successful. Some of these projects were really-- as I worked on the SpaceCom project at the chamber, at that time, when I was the chair of the Greater Omaha Chamber, it was really one of the bottleneck projects that we worked with SpaceCom, as well. So these are very important projects that will help for future missions, specifically at Offutt Air Force Base. But we have a path forward. We have projects that we're working on, and we look forward to having projects be presented to the Nebraska Military and Veterans Affairs group, in the, in the near future. So I would ask you to support LB1407, and I'd be happy to answer any questions that you may have. And if they include specific legal or military questions, I do have my experts with me, Mr. Mike Pallesen, who's with Cline Williams, and retired General Rick Evans, who was last stationed at STRATCOM, but certainly was with the Air National Guard here in, in, in Nebraska. So, thank you. Thank you in advance for your consideration.

CLEMENTS: Thank you, Are there questions? Senator Dover.

DOVER: I kind of glanced over this and just-- there's [INAUDIBLE] sources of-- different sources of funds. But could you just briefly

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tell me when the fund was created and what was it created for? What do you see the major-- where are the major funds coming from that fund this, and some [INAUDIBLE] what it would be used, but also what's the current balance of the fund, and then if interest is generated, what happens to the interest?

TIM BURKE: So that fund is really held with the Department of Military and Veterans Affairs today. And that fund has not changed. We have not accessed any dollars on that fund yet. We have not brought a project to them. We have worked with the base through all the ethical and legal and conflict of interest issues that you just need to work through. And so, we've resolved that. We have a path forward. I believe we'll be bringing projects to the Department of Military and Veterans Affairs very shortly, for potential funding. And again, the bill specifically talks about a match. So part of that funding would come from the state. The other funding could come from private, private funders. And as I articulated earlier, we would like to include that, because some of the adjacent projects that we may be looking at to the base may include county, in this example, a Papio, NRD, it could be the county, the city of Bellevue, it could be some other governmental funds, as well. So we didn't want to limit it to just private funding, although we've had conversations with a variety, a variety of the philanthropic organizations that help support these projects.

CLEMENTS: But do you know the dollar amount? That's what you were asked.

TIM BURKE: I don't have-- I-- I'm sorry. I don't have the donor amount because we don't have a project that we're asking for this funding, but the donor amount would be a minimum of 50% of the overall project.

CLEMENTS: The dollar amount in the fund.

TIM BURKE: \$25 million, plus whatever interest has been accrued. I'm sorry.

CLEMENTS: \$25 million.

TIM BURKE: Yeah.

CLEMENTS: Thank you. Senator Vargas.

VARGAS: So I was going to answer the question, too. But yes. So \$25-- I think we appropriated \$30 million last year for this. It's-- well,

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thank you for being here, and appreciate the background on this. So this is a question. It's sort of a question for the Senator, as well. You described that there's a need for more flexibility for the projects, this states in statute that the match would require private funding.

TIM BURKE: Correct.

VARGAS: Will we have to change that language to say, require a match of state, local, federal or private matching? Because technically, if you were to get \$5 million, let's say from Bellevue, that wouldn't qualify under--

TIM BURKE: Correct.

VARGAS: --this grant language right now.

TIM BURKE: Correct.

VARGAS: So, so do we need to do another amendment language?

TIM BURKE: So one of the conversations we've had with Senator Sanders' staff, is to maybe reflect similar language in LB1232, which was private or other funding, something very simple that would allow that flexibility to get other funds to help support these projects and initiatives.

VARGAS: Great. I just wanted to make sure we did that-- something like that.

CLEMENTS: Are there other questions? Seeing none, thank you for your testimony.

TIM BURKE: Great. Thank you very much. Appreciate it.

CLEMENTS: Are there other proponents for LB1407? Is there anyone here in opposition? Seeing none, is there anyone wanting to testify in the neutral position? Seeing none, Senator, would you care to close? Senator waives closing. Do we have any position comments? We have position comments for the record: Proponents, 1; opponents, 0; neutral, 0. That concludes the hearing for LB1407. And thank you for accommodating that adjustment. We're going to switch now to-- back to Agency 24, Department of Motor Vehicles, is Rhonda-- Department of Motor Vehicles. We will open the hearing for Agency 24. Welcome.

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[AGENCY HEARINGS]

CLEMENTS: Thank you for coming. We'll now open the hearing for LB1233. Welcome, Senator Wayne.

WAYNE: Thank you. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha in north Douglas County. We are on LB1233?

CLEMENTS: Yes.

WAYNE: OK. This was kind of just a placeholder. We've already had a bill to allocating dollars. It was going to Game and Parks. This actually changed it to the Ponca Tribe. And the reason I say a placeholder is because the actual allocation of dollars are in the next fiscal year. Obviously, I won't, I won't be here. So if we can move it up to this year, it'd be really helpful, so I can close that chapter in the book. The Ponca Tribe has done due-- tons of due diligence. When they come up and talk, they'll probably share with you some maps, some drawings, things that they are-- have already moved this along. I won't go into the whole idea behind Standing Bear. I think I've shared with this committee plenty, the reasons of why the state should honor him. From a economic standpoint, I think the tourism draw alone is, is, is a significant reason. But obviously, the historical context of that and, and what he stood for as, as a, as, as a Nebraska history is really important to our state. So that's kind of where this is, and I'll let them tell their, their story and why it's important to share with you the progress that they've already made. So I'm here to answer any questions.

CLEMENTS: Are there-- Senator Erdman.

ERDMAN: Thank you, Senator Clements. Thank you, Senator Wayne, for coming. \$750 wasn't the amount we were transferring to Game and Parks, was it?

WAYNE: No. The actual bill amount is in the following years, 2025 and 2026, is \$15 million out of interest from LB1024 economic recovery funds?

ERDMAN: So you're taking it out of interest from the canal. How much interest is in there, that you can continue to suck the wa-- the water out of the money?

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WAYNE: Well, it's each year for 3 years. And it's only for 3 years. And so, 2025 and 2026, it's up to \$15 million for that. And again, the reason why I introduced this bill, is wasn't sure of the economic-- what we were facing as a Legislature. And it's kind of more of a shell bill, but I also wanted to introduce the concept of it going to Ponca Tribe, not to Game and Parks, directly on park land. It's, it's a couple miles difference from where the park is from where Ponca would like to do it. So.

ERDMAN: Bad news is that they drained your lake, where you caught that big trout.

WAYNE: No, I didn't catch it up-- I didn't catch it up on the top one. I caught it on the bottom-- yeah, on the bottom 3.

ERDMAN: [INAUDIBLE]. Well, the good news is it's still there.

WAYNE: OK, so I still got some good news for trout fishing, I appreciate it.

CLEMENTS: I see, I see the language here said, the Game and Parks Commission shall consult with the Ponca Tribe of Nebraska. So it-- still going to be a joint operation, apparently.

WAYNE: So-- yeah. That's-- again, this is kind of some shell language. And again, the biggest deal was moving it from '25 to '26 to '23 to '24. We are still in conversations and having conversations with the Governor, Game and Parks, and the Ponca Tribe to figure out exactly. Before, obviously, this hit the floor, I'd have that worked out ahead of time, with the Governor's approval.

CLEMENTS: All right. Are there questions? Seeing none, are there proponents for LB1233? Good afternoon.

COURTNEY CHAVEZ: Good afternoon, Senator Clements and Appropriation Committee. My name is Courtney Chavez, C-o-u-r-t-n-e-y C-h-a-v-e-z. I am the deputy director for the Ponca Tribe of Nebraska, and I'm also a proud member of the Ponca Tribe, and I'm honored to be in front of you today. On June 16, 1962, Congress decided that the Ponca Tribe would be terminated. And in an instant, my grandma's identity was stolen away from her, along with the identity of her children. Their identity was taken away for over 25 years. When I was born, the Ponca Tribe actually did not exist. However, my grandma reminded me every day who I was and made sure that I understand-- understood what it meant to be Ponca. She told me stories of our tribe, stories of her mother, and

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stories of her grandmother. She told me that being Ponca meant to be proud of who you are, meant to never forget who you are and where you came from, and it meant that you never allow someone else to define you or steal your identity the way they did to her. In 1990, when the Ponca Tribe of Nebraska Restoration Act was signed, my grandmother sat in our living room and cried tears of joy because she had her identity back, an identity that meant so much to her. That day in our history was one of many when the Ponca people persevered. I open with this story because the Chief Standing Bear Museum and Cultural Center is a way for the Ponca Tribe to ensure that our identity lives on and is celebrated for the next 7 generations to come. Many people across the country know the story of Chief Standing Bear. They know it because his actions will live on forever in history as one of the first civil rights cases. They know it because Chief Standing Bear stood in a courtroom, held out his hand, and made a statement that moved the people in that room to reconsider how they viewed the man in front of them. That statement will forever be known, and that story will be taught to youth across our nation. That story started with a family, which was Chief Standing Bear's family. That is a story that has been passed down generation through generation, through the family of Chief Standing Bear. That is a family story and it is an origin story. It is a story of the dedication and the commitment the Ponca people had to their families more than it is history. That is a story of somebody's grandfather, and a story of the great great grandfather of some of the people in this room today. It is our story. It is the story of the Ponca Tribe of Nebraska. The Ponca Tribe is currently working to make those stories come to life, so they are never forgotten. They are working on creating a place where my children and my future grandchildren can come to learn about who they are and how they have-- and how we have persevered, time and time again, to reach this moment. I thank you for coming here today to listen to the testimony of myself and my fellow tribal members. I hope you will walk away from today understanding the significance that Chief Standing Bear has to the Ponca people and what the Chief Standing Bear Museum and Cultural Center will mean for our people, our ancestors, and our future generations. Thank you for your time today.

CLEMENTS: Are there questions from the committee? I see these maps here. The, the museum intended to be where the Powwow grounds are?

COURTNEY CHAVEZ: Yes, it will be just south of the Powwow-- the current Powwow grounds.

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CLEMENTS: And I've been there. There is a full-sized statue of Standing Bear there now, isn't there?

COURTNEY CHAVEZ: Yes.

CLEMENTS: Yeah. I, I saw that.

COURTNEY CHAVEZ: And there will be a viewing area from the museum where you can look directly towards the statue.

CLEMENTS: And so the-- in the last pages, the building layout?

COURTNEY CHAVEZ: And this is a initial draft. And so, it is, it is subject to change. And you know, if the state does determine that there are additional needs for that facility to help meet the needs of the state, then we would be willing to go back and see if we can expand or add on in any area.

CLEMENTS: Has there been a cost estimate prepared for these drawings?

COURTNEY CHAVEZ: In the packet, there is a cost opinion, that outlines what our projected cost is. And this a initial estimate. This is looking at roughly \$16 million.

CLEMENTS: \$15 million?

COURTNEY CHAVEZ: \$16.

CLEMENTS: \$16? Which page is that?

COURTNEY CHAVEZ: That is the second page, right after the timeline.

CLEMENTS: Oh, I see. Thank you. Any other questions? Seeing none, thank you for your testimony.

COURTNEY CHAVEZ: Thank you.

CLEMENTS: Welcome.

SHANNA CARPENTER: Good afternoon, Senator Clements and the members of the Appropriations Committee. My name is Shanna Carpenter, S-h-a-n-n-a C-a-r-p-e-n-t-e-r. I'm a member of the Ponca Tribe of Nebraska, and I serve as the District 3 representative on our tribal council, which is the Lincoln area. Today, I'd like to share with you the progress and the steps that our tribal nation has taken to establish our very own Chief Standing Bear Museum and Cultural Center. In September of 2022,

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the Ponca Tribe began its journey towards preserving our identity, to take-- in making it take shape, and is now on the verge of becoming a reality. It was in September of 2022, when the Ponca tribe was awarded a grant from the Shakopee Nation to aid our tribe with architecture and engineering services for this important project: a museum honoring the legacy of Chief Standing Bear. Since then, we have been working diligently to ensure our vision takes shape. The progress we have undertaken thus far includes requesting proposals from A&E firms, highlighting their qualifications, A&E firm selection, contract negotiations, site selection, site tours, architectural programming, spatial relationships, and we are currently working through the schematic design portion now. While we have made significant progress, we are aware that the road ahead is still a long one. Over the next 6 months, we anticipate finishing up schematic designs and obtaining design drawings, recruiting a construction manager at risk, and finalizing our construction documents. In the fall of this year, we are hopeful that we will be able to go out to bid for subcontractors and have construction work begin in our homelands in Niobrara, Nebraska. Our tentative grand opening is slated for May 12, 2026, which is a significant date to the Ponca people, and it honors the memory and courage of our Chief Standing Bear and marks the anniversary of that victory. I share all of this with you to demonstrate the progress that we have made in achieving our shared goal of having a place designated to honor Chief Standing Bear. And certainly this body can agree that duplicate efforts in which the state also builds a museum does not make sense, and working with the tribe and the progress that we have already made would be more appropriate. Thank you so much.

CLEMENTS: Are there questions? Seeing none, thank you for coming. Thank you for--

SHANNA CARPENTER: Thank you for your time.

CLEMENTS: --your testimony. Are there other testifiers regarding LB1233?

SUSAN BAKER: Good afternoon, Chairman and Appropriation Committee. I want to read for a member-- he's an elder and a former chairman [INAUDIBLE]. My name is Susan Baker and I am the vice chair-- not vice chair-- secretary of Ponca Tribe of Nebraska. And--

CLEMENTS: Would you spell your name, please?

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SUSAN BAKER: Oh, I'm sorry. S-u-s-a-n B-a-k-e-r.

CLEMENTS: Thank you.

SUSAN BAKER: Good afternoon. And thank you for your time today. As foreman chairman, you've heard from my fellow tribal members and the history of our tribe, our progress towards building a museum honoring Chief Standing Bear, and our belief that it makes the most sense for our tribe and to build a museum. I'd like to share with you why we believe that it is our best equipment equipped to build a museum. There are ancestral qualities that are in the possession of the tribe that hold these stories, stories that we want to share with our community and our, our communities as well. There are items that are currently not in the possession of the Ponca Tribe that should be. A goal [INAUDIBLE] is to bring-- not only just to tell our story, but also to get the stories back in deed. This includes tracking down our stories that have been lost, sold, traded, and stolen, and bring them home where they belong, to bring them to a place where the Ponca, Ponca people once called home, bring them back to the families they belong to, and allow them to be shared with families that long to see them and hear them. The Chiefs Standing Bear Museum and Culture Center that the Ponca Tribe is in progress of creating will meet so many of the needs for the tribe. Not only will it be a place where these items can be protected and honored, but it will be a place where families can come together, where lessons can be taught, and where our culture and our traditions can be restored and preserved. I want to thank you for your time and consideration.

CLEMENTS: Thank you. Are there any questions from the committee? Seeing none, thank you for coming.

SUSAN BAKER: Thank you.

CLEMENTS: Thank you for your testimony. Additional testifiers on LB1233, please, for proponents. Good afternoon.

CANDACE SCHMIDT: Good afternoon, Chairman Clements and committee members. My name is Candace Schmidt, C-a-n-d-a-c-e S-c-h-m-i-d-t. I have the honor and privilege, privilege of serving as the chairwoman of the Ponca Tribe of Nebraska. I first wanted to take a moment to thank each and every one of you for the work that you do as a Nebraska senator. I know firsthand how the hours are long and the work is never finished, and that you don't hear often enough just the simple words of thank you, or in our language, "Wibthaha." We are appreciative,

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appreciative of the state's interest in honoring Chief Standing Bear. But as you've heard, multiple parties believe the tribe is best suited to build and operate the museum. That said, given the state's clear interest, we come before you today to ask that you amend this bill to offer an appropriation by way of grants or aid distribution process to the Ponca Tribe of Nebraska through the Game and Parks Commission. As the keepers of the stories in our history, we ask you to support our mission to protect, preserve, and restore our culture, our traditions, and our identity. Supporting the Ponca Tribe in building the Chiefs Standing Bear Museum and Cultural Center to honor him and his work will also honor all our relatives and ancestors that helped get us here today, to a time in history that will forever be a part of Nebraska's history. It will be a moment when Nebraska took the time to listen to the needs, to the goals, and to the mission of the Ponca Tribe, a time in history where Nebraska chose to acknowledge its land and the sacred stories that started here. It'll be a time when Nebraska has chosen the right path. It'll be a time when Nebraska demonstrated their trust, respect, and acknowledgment of the Ponca Tribe and the Ponca people. You have an opportunity today to build and strengthen the relationship between the state of Nebraska and the Ponca Tribe. We are not here to demand. We are here to ask humbly if you will do what is right. We ask for you to hear what we are saying, to learn about the Ponca tribe and our culture. We ask you to take away from today the importance to be able to tell our own story. We ask that you help us preserve these stories so that they are never lost. The Ponca Tribe will continue to move forward with the Chief Standing Bear Museum and Cultural Center, regardless of the decision that is made here today. However, without the support of the state, we'll have to go back to the drawing board and consider a much smaller and less impactful project. We will do that not to compete with the state of Nebraska or the Game and Parks Commission, but to ensure that we have a place, a place that is ours, a place that we can ensure our ancestral items are cared for, honored, and displayed in a manner that is-- that-- excuse me, that is representative of who we are as a tribal nation. I appreciate your time today, and will be happy to address any questions that the committee members have.

CLEMENTS: Are there questions? I see this handout about the Standing Bear's tomahawk. Do you have possession of that?

CANDACE SCHMIDT: We do. We just got repossession of it last year, from the Harvard Museum.

CLEMENTS: I see it involved the Oklahoma Ponca Tribe, as well.

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CANDACE SCHMIDT: Correct.

CLEMENTS: Are you able to have it displayed in Nebraska?

CANDACE SCHMIDT: Yeah. We have it, in Nebraska. So we're actually-- at one time, we were 2 tribes, but we are both federally recognized. And the Ponca Tribe of Nebraska has the-- has, has the tomahawk--

CLEMENTS: Very good.

CANDACE SCHMIDT: --in our possession.

CLEMENTS: All right. That's, that's all I had. Thank you for coming.

CANDACE SCHMIDT: OK. Thank you very much.

CLEMENTS: Are there other proponents for LB1233. Welcome.

STEVE LARAVIE: Thank you for having me. Good afternoon, Senator Clements, and my relatives on the board. So, my relatives asked me to come today to ensure that the generations are thought of in this endeavor.

CLEMENTS: Would you start with your name and spelling it?

STEVE LARAVIE: Oh, yeah. My name is Steve Laravie, S-t-e-v-e L-a-r-a-v-i-e. I'm the grandson of Monchu Nonzhin, and he is the son of the drum. And so-- and also, one thing that is important to make mention, is that our people live by a code of brotherhood. So there was many leaders involved. And so, I come here today to ensure that there is a place for our generations, a place where our cultural identity can be safe and can be lived. As my relatives have stated, because of the policies implemented upon my people, we were terminated and removed and unidentified. And so it took time, and it took the work of many of our grandmas and grandpas to ensure that there was a status, so that our people could have a place and a recognition. And so this land that was given in dream to my people, it is known a-- what you know as Niobrara, but it is a holy land. It is the land where the names of my grandmothers and grandfathers were birthed from. It is the land that ensured that we had life. And so, it is important that whatever lodge is built, that it includes the consultation of the Ponca people. Whether it be in the lands of the state park, the lands of what is recognized for the Ponca, it was all originally [INAUDIBLE]. And so, think of these things as we think generationally.

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And again, I thank you for your time and for all the work that you do with my people. It is important. So thank you.

CLEMENTS: Thank you. Are there any questions? Seeing none, thank you for coming to us.

DOVER: Thank you for coming.

STEVE LARAVIE: Yeah. Thank you.

CLEMENTS: Next proponent for LB1233. Welcome.

JUDI GAIASHKIBOS: Good afternoon. I know the hour is getting late and sometimes I can talk a long time, but I'm going to be brief. I just wanted a-- state for the record, my name is Judi Gaiashkibos, J-u-d-i G-a-i-a-s-h-k-i-b-o-s. I'm the executive director of the Nebraska Commission on Indian Affairs, and I am a proud member of the Ponca Tribe. So today, I rise in support, on behalf of the Commission on Indian Affairs and all our tribal nations, to support the Ponca's opportunity to have a museum at their homelands. And working together with Games and Parks administering the fiscal funds, I think that that's a win-win opportunity. And as I heard all of my relatives testify, I'm so proud of our young leaders today. And I think it's really commendable, what has happened in the last years, that the tribe has found funding from our relatives up in Minneapolis, the Mdewakanton Sha-- Shakopee Sioux, have funded some of the initial work for the tribe. So with what you would fund here, that would help the tribe to have the museum on our tribal lands, near where Senator Clements, you said our Standing Bear, like the one on Centennial Mall and like the one in the U.S. Capitol is. And you were there with us when that was unveiled. So, 2 years ago, the Legislature gave funding to support a movie for Standing Bear. That movie is going to start being filmed this next fall, and we hope that it will be done, perhaps to coincide with the opening of the museum. And I heard on the television that the World Channel, this week, was doing a story on the sleeping giant in Nebraska, and that sleeping giant is tourism. And tourism is what this can be a part of, for Games and Park, for the Ponca people. And yes, we are the keepers of our stories, but you all share those stories. Nebraska, this is where you live and we have to live together on Mother Earth in harmony. So these stories aren't just for our children, but they're for all children to learn in the schools, to learn the truth of the history of our country, the stories of the boarding schools, and stories that celebrate leaders that were proud to be Nebraskans. As dual citizens in our state, we are proud to

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celebrate all the same things you do. We love "Go Big Red." We, we love, we love the same things and we want the same opportunities. So I really think the focus should be that we can make this a good thing for Nebraska, for tourism throughout the state. This next week, there will be 18 countries coming to visit Nebraska, as part of the Lincoln Visitors Tour funded through the State Department. And they'll be here in the Capitol next Friday. And I will speak to those 18 countries. They reached out to us and asked for 2 things they wanted to do while they were in Nebraska: Visit STRATCOM, to learn about the safety and protection of our country; secondly, they wanted to know about indigenous peoples in America. So I was able to work with our tribal nations. They don't have a lot of time. It'll be a 1-day visit. They're going to go to Ho-Chunk, to Winnebago, and visit there, as well as also spend a little bit of time at the Omaha Nation. It's the closest 2 reservations to our city, but that demonstrates that people from all over the world want to come here to learn about our first peoples. This museum will be a part of that celebration, and I-- therefore, I think that it's really a smart thing for us to do. And it's not a lot of money. I serve on the board of the Joslyn Museum; first native person to do so. And they are doubling the size of the Joslyn. And the budget to do that was 10 times almost of what this little museum is costing, to double the Joslyn. People come to the Joslyn, partly because of the Bodmer Collection. The Bodmer Collection was-- Maximilian coming over here, and one of those people that he painted was my relative, Smoke Maker. So if you see the book, The Faces of [SIC] the Interior, you see our people. And again, why do people want to come to our beautiful state? Because they want to see the Games and Parks. They want to see all the beautiful things that we love about Nebraska. So thank you so much and I'd be happy to answer any questions, but I do hope that you will support this funding for the Ponca and for Nebraska, and for the whole world.

CLEMENTS: Thank you. Are there any questions? Seeing none, thank you for your testimony. Are there additional proponents for LB1233? Seeing none, is anyone here wishing to testify in opposition? Seeing none, anyone here in the neutral capacity? Seeing none, Senator Wayne, would you like to close?

WAYNE: I'm just here to answer any questions. And remember, this is part of the package to Preserve the Third.

CLEMENTS: Senator Dorn.

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DORN: Thank you, Senator Clements. Thank you for being here, and thank you for coming back and answering questions. Senator Dover and I, we were out making a run or whatever. Explain the funding part of this, again, the \$15 million-- or explain that part [INAUDIBLE].

WAYNE: So the original \$15 million is '25-'26 off the interest-- part of the interest off of ARPA, canal and building of the prison. It's the interest for that year. Up to \$15 million of that interest would go to this. We slash that and put it into this year's budget. The main reason was is if we can get it done earlier, it saves construction costs. It's also my last year, and I would like to get this done, so it was just a placeholder to see if there was funds available this year and then, also, make sure we add the language about working with the Ponca Tribe.

DORN: OK. Thank you.

CLEMENTS: And I see they're asking for this museum to be built on Ponca land, working with Game and Parks. Have you looked into the legality of that? Can we do that?

WAYNE: So, yeah. So that was the issue we ran into 2 years ago, when we first started having this conversation. What I can say is it appears the Game and Parks and the Governor's Office-- this particular Governor is more receptive to allowing a grant to be built outside of there. Last time, it was just political, and we couldn't work out all the details. But now that the tribe has moved farther along with their plans and they're planning on doing it anyway, this will just help it be better. My understanding, the Governor is a lot more receptive to that. Instead of having a competing museum down, down the road 5 miles, it might make sense, as a state, to be more efficient.

CLEMENTS: All right. Thank you. That's all I had. Any other questions? Seeing none, do we have position comments? I have commen-- comments for the record on LB1233: 1 proponent; opponents, zero; neutral, 1. And that concludes the hearing for LB1233. Next, we'll open the hearing for LB1239, Senator Wayne.

WAYNE: Thank you. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha and north Douglas County. This is part 3 of Preserve the Third. If you'll recall, last year, the Preserve the Third Act consisted of Fort Robinson, Chief Standing Bear Ponca area, and then this part in Nebraska City. And the whole purpose behind Preserve the Third was to

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preserve the Nebraska history and to increase tourism. The Mayhew Cabin, there have been a lot of talks with Game and Parks, and I believe somebody from gaming parks who's been involved in those conversations will be here. Now, it's just more about-- because of some of the issues with flooding that happened a long time ago and other things, the state wants to make sure that we have our due diligence done before we acquire the property, to make sure there's no additional liability. I think, in the Governor's budget, there was \$150,000. I'm asking for \$225,000, because I wanted to have it done by the end of August, which is probably not feasible underneath my bill. But, again, it's my last year, so I want to close the loop on as many things as I can, so I'll, I'll give them until September 1.

CLEMENTS: Are there questions? Senator Erdman.

ERDMAN: Thank you, Senator Clements. Preserve the Third. Only about 20% of what we're spending the money on goes to the Third District, right?

WAYNE: Of this? No. Fort Robinson got \$20 million, Ponca got \$15. So that's all Third District. So they got 90-plus percent of the--

ERDMAN: Is Ponca the Third District?

WAYNE: According to-- no. Yeah. No, no, it's in the Second. Nope. It's in the Second. I was thinking of DeKay and all that. Yeah, in the Second.

_____ : Save the Second.

WAYNE: So 20-- well, I think--

DOVER: [INAUDIBLE] Save the Second [INAUDIBLE].

WAYNE: Save, Save the Second didn't have the same, same rhyme, so we will go with Preserve the Third.

ERDMAN: So have you been to this place, this cabin?

WAYNE: Yes, multiple times. In fact, last time I drove by it, when we were in Nebraska City for [INAUDIBLE] council and it was closed, that-- and that's what actually prompted the idea.

ERDMAN: Is it in disarray? Is it [INAUDIBLE]?

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WAYNE: It's pretty well in disarray.

ERDMAN: Would it be better to start over?

WAYNE: Maybe. But there's still some historic artifacts, and even the cabin itself is OK. It's really underneath. There were underground hiding spots that, that have been flooded, so it's just restoring those. But the site due diligence is more about the entire structure around. So, so yeah. It's, it's still preservable the way it is. We just need to-- before we acquire it, we should do our due diligence.

ERDMAN: Is the 20-- is the \$225,000 just to acquire the facility or is that to refurbish it?

WAYNE: No. It's just, just to do our due diligence on it. The-- my understanding, the nonprofit who owns it is willing to grant it to us. So I wouldn't cost the state anything, but I don't want the state to take on a liability.

ERDMAN: So you can rebuild it for \$225?

WAYNE: No, we can just make sure that we're not taking on a liability that can cost us millions.

ERDMAN: It may cost us millions to rebuild it.

WAYNE: It may, and that's what this \$225 is, to make sure. There's no point of us receiving a donation if it's going to create a liability on our end.

ERDMAN: OK. Thank you.

CLEMENTS: So it's truly the feasibility study, what we're doing. All right. Other questions? Seeing none--

WAYNE: And I have 2 bills in Judiciary, so I will not be here for questioning.

CLEMENTS: All right. Are there any questions?

DORN: Save the Third.

WAYNE: Preserve the Third. Save the Second.

DOVER: What about the First?

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ERDMAN: You don't count.

CLEMENTS: [INAUDIBLE].

DOVER: [INAUDIBLE].

VARGAS: Save, Save the Second, Preserve the Third, Defend the First?

CLEMENTS: Thank you, Senator Wayne. We now open-- we now invite proponents for LB1239. Are there proponents? Seeing none, are there opponents on LB1239? Seeing none, is there anyone here in the neutral capacity? I thought so. Welcome.

JIM SWENSON: Good afternoon, Chairman Clements and members of the Appropriations Committee. It's good to be here. My name is Jim Swenson, J-i-m S-w-e-n-s-o-n. I'm fortunate to serve as the deputy director for the Nebraska Game and Parks Commission, 2200 North 33rd Street, Lincoln, Nebraska, 68503. Our agency position on LB1239 is neutral. During the 2023 legislative session, LB531 was adopted and moved forward. That legislation identified Game and Parks with the obligation or requirement to purchase or receive by donation and rehabilitate or manage the Mayhew Cabin site located in Nebraska City. Following that legislation, we toured the site with members of the building division, our fiscal analysts, various staff, and the property owners to do assessment-- early assessment of what we-- would be required there. And what we discovered was that the, the site was in need of much repair and attention, rehabilitation. We concluded that the next best step would probably be to do a full assessment of the property, make determinations on what would be required, so that we could take the next best steps towards the rehabilitation, to reopen that to public occupancy and safe experience and good interpretation and education of the story. We have one concern with the bill, and that is that it stipulates that the evaluation needs to be completed by August of 2024. It's a pretty quick turnaround. I know that there's emergency language in the bill. If that would happen that way, that'd be great. If not, that leaves a pretty tight window for the level of investigation we feel needs to be conducted there. We would ask for a little consideration, maybe a full year to do the assessment. Be happy to answer any questions you may have.

CLEMENTS: All right. Are there questions? Senator Dorn.

DORN: Thank you, Senator Clements. Thank you for being here.

JIM SWENSON: Sure.

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DORN: You know, I was on the tour with you--

JIM SWENSON: Yes, you were.

DORN: --when we went down there this summer and looked at it. And I know, at that time, the I call it the foundation or whatever that group was--

JIM SWENSON: Yep. Mayhew Cabin Foundation.

DORN: --they, they basically don't have any money.

JIM SWENSON: Right.

DORN: Out of money, and they're trying to decide what to do with the property. And one of the options was the bill that Senator Wayne had last year. And then, going to have you look at it--

JIM SWENSON: That's correct. Yeah.

DORN: Give us an update on maybe-- I mean, you don't know until you have the study done, but give us an update on maybe some cost and some timeline or whatever, if it takes 2 years, 3 years or whatever.

JIM SWENSON: Sure. And I've maintained communications with the foundation board down there to, to make sure they're aware that we are trying to progress this forward. You know, the, the first thing, of course, is the assessment. I think it's going to require a thorough assessment given the condition of the not only property, but all the infrastructure there. There's severe drainage issues, some sewer issues that need to be addressed, of course. It's going to involve some work with the city to determine that, that water flow through there. It'll take a year to do the assessment, I, I feel. Once, you know, we have that determination on next steps, I think it's going to be a timely, probably a phased approach to development of that site, rehabilitation of that site. And it may play out over a 3-5 year period of time to carry that out. At what cost has yet to be determined, Senator.

CLEMENTS: Other questions? I think the-- Senator Wayne said that there was \$150,000 allocated to date. How much of that has been spent to date?

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JIM SWENSON: It's actually \$125,000, as part of our def-- midbiennium request, Senator. And we have not spent any of those dollars yet. We, we haven't had them approved yet.

CLEMENTS: OK. That's right. I saw that-- an agency request.

JIM SWENSON: That's correct.

CLEMENTS: And so you don't have ability to even hire a consultant or--

JIM SWENSON: Not at this point in time, we wouldn't. And, and certainly, you know, given the results of, of-- at the end of the session, then we'll, we'll move forward with negotiations on the property owners to gain proper access and approval stuff to move forward. So.

CLEMENTS: So your-- the agency budget request is \$125,000. Senator Wayne just mentioned \$225,000. Do you think \$125,000 would get you enough of an assessment?

JIM SWENSON: You know, I'll reach back to my, my background in major projects I've been involved with. When we put that number forward, it was kind of a-- it was a bare bones dollar amount that we looked at there. And that was prior to visiting the site, actually walking the site, all the buildings that are there, seeing the needs on the landscape, it likely would require a higher dollar amount.

CLEMENTS: OK. Thank you for a-- thank you for that estimate. Give us a-- an-- more of an idea at least, of what there already-- there are several buildings there, then.

JIM SWENSON: There are. That's a good question. And, you know, there's, there's a vis-- visitor center, that has some severe issues with settling in the foundation, severe mold issues. There are also some-- the original cabin is on the site, and it needs some work. I was there yesterday, looking at the site, and it-- apparently, there's some bad leaks in the roof there, because there was a blue tarp stretched over it. So that would need, need, a lot of consideration. The tunnel network that's under there is not safe. It would have to be evaluated and, and certainly addressed. There's also a, a AME Church, a 1-room schoolhouse, a railroad depot on the site. Those all have a, a connection to the story that is interpreted there. There's also a barn for storage on the site, so there's quite a few buildings.

CLEMENTS: Was that the size of a city block or how much--

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JIM SWENSON: Well, you know, it's, it's a little bigger than a city-- it's not an entire city block, but it's pretty deep property. I'd guess acre, acre and a half, probably, all totals or--

CLEMENTS: I know, I remember being in John Brown's Cave when I was a kid, taking tours down there.

JIM SWENSON: I do, I do, as well. I have those same memories.

CLEMENTS: That's the tunnel system you're talking about down below, was part of the Underground Railroad, is that right?

JIM SWENSON: That is correct. Yes.

CLEMENTS: All right. Any other questions? Seeing none, thank you for your testimony.

JIM SWENSON: Thank you very much.

_____ : Did you meet John Brown?

CLEMENTS: He wasn't here. Are there any other testifiers in the neutral capacity on LB1239? Seeing none, we have comments for the record. On LB1239, we have 1 proponent, no opponents, and none in the neutral capacity. That concludes the hearing for LB1239. We will now open the hearing for LB1289, Senator Bostar.

BOSTAR: Good afternoon, Chairman Clements and members of the Appropriations Committee. For the record, my name is Eliot Bostar, that's E-l-i-o-t B-o-s-t-a-r, and I represent Legislative District 29. I'm here today to present LB1289, a bill that would provide funding to assist the Lincoln Airport with critical reconstruction of its primary runway. Runway 1836 was originally constructed in the 1950s as part of the creation of the Lincoln Air Force Base. Following the closure of the base in the mid 60s, care, custody, and control of the airfield and former Air Force property was turned over to Lincoln Airport Authority. While the former Air Force property and Runway 1836 have been managed by the Lincoln Airport for nearly 60 years, the airport also has a longstanding partnership with the Nebraska National Guard that predates the closure of the Air Force base. In fact, the Guard began operations at the Lincoln Airport in 1946, a 78-year relationship between the airport and the Guard. As Runway 1836 nears 70 years of operation, it has become apparent with the uptick in the need for increased maintenance and a recent engineering analysis concluding the runway's pavement has reached the end of its useful

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life, that a complete reconstruction and renovation is necessary to continue operations. This includes the removal of all of the rough--runway pavement and replacement with new concrete, the replacement of the runway lights, and the correction of elevations and grades to modern standards. Because of the unique characteristics of Runway 1836 and the strategic partnership between the airport and the Nat-- and the Nebraska National Guard, the runway is critical infrastructure that underpins not only the commercial service provided to the public by the Lincoln Airport, but also the mission of the, the National Guard and support for federal national defense. The runway is unique in that it spans a length of more than 12,000 feet and sits at 200 feet wide. The extraordinarily length-- the extraordinary length of the runway permits large military aircraft to take off with heavy loads, allowing for the success of important strategic missions. The airport's proximity to Offutt Air Force Base provides an important backup facility for federal missions when needed. Most notably the existence of this runway in Lincoln allowed the Air Force to transition operations to Lincoln during the time when major construction and upgrades were taking place at Offutt in recent years. The large size of the runway and the heavy aircraft it serves mean that a reconstruction like the one needed is pricey. An estimate from fall of 2023 puts the price tag at a total of \$96 million. Considering the scale of the project and the mission it serves, the airport and its partners have been active in seeking external sources of funding to assist in completing the renovation. Notably, the Federal Aviation Administration and the National Guard Bureau have come up with a little more than 80% of the project funding. The FAA's Infrastructure Support Funds can assist to the tune of about \$46 million for the project, and the National Guard has been a proactive partner by helping secure approximately \$38 million. Together, these partner sources combine to about \$84 million of the \$96 million estimated to complete the needed reconstruction. The airport then is faced with an estimated \$12 million gap in funding. There are two ways to close the gap. The first is funding through LB1289. With the state's interest in ensuring that the mission of the National Guard is maintained, I think it appropriate to consider whether the state could aid in completing this work. Indeed, because of the unique length of the runway, failure to complete this project will mean that the mission of the Guard and the support it provides for national defense needs could be jeopardized. Alternatively, if the state is unable or unwilling to assist, the burden will fall on Lincoln taxpayers. The only financing mechanism available to the airport to raise these funds will be to levy a property tax. While the airport has been traditionally

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conservative in its use of its taxing authority, it will be left with no choice. I am hopeful that the committee and the state of Nebraska will contribute to this project, as it will have a far range-- as it will have far-ranging impacts for local commercial service and needed strategic national defense infrastructure. Thank you for your consideration. Happy to answer any questions you may have.

CLEMENTS: Are there questions? I had a question. Are you on the Airport Authority?

BOSTAR: No, sir.

CLEMENTS: You're not?

BOSTAR: That's, that's an elected position that I believe I would be ineligible to serve on while I'm in this role.

CLEMENTS: Oh, I see. All right. That's really doesn't matter. The-- what is going to happen to the Lincoln airport daily traffic if, if this is being renovated? Is there a second runway?

BOSTAR: There is, there is a crossing runway. It's smaller. So the, the largest consequence would be-- would come to the military, the Guard traffic. They would do the construction in phases. Obviously, the most disruptive time is when they actually have to do construction around the intersection of the runways itself. But even that being said, there's still a significant amount of runway that could be done previously on the other end of the intersection, where a lot of the disruption can be managed. There will be certainly downtimes, but not as much as one might actually think.

CLEMENTS: All right. Senator Erdman.

ERDMAN: Thank you, Senator Clements. So Senator Bostar, would you agree that not only is the useful life of the runway expired, so has the Lincoln city streets?

BOSTAR: I, I come before the Appropriations Committee also requesting full funding for Lincoln city streets to all be replaced.

VARGAS: That may detain it.

CLEMENTS: Is-- Senator Bostar, is this a one-time request?

BOSTAR: Yes, sir.

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CLEMENTS: Is this General Fund or Cash Reserve Fund?

BOSTAR: It's currently written out of Cash Reserve.

CLEMENTS: All right.

BOSTAR: I don't think we, we mind where it comes from.

CLEMENTS: OK. Oh, all right, it's a Cash Reserve transfer to the General Fund. Then it's--

BOSTAR: Yeah.

CLEMENTS: --comes out of there. Senator Dorn.

DORN: Thank you, Senator Clements. Thank you for being here. What's the timeline on this or what years are you requesting this for?

BOSTAR: There's folks from the airport that will testify after me that, that will really be able to articulate the plan they've been-- I want to be clear, this, this runway replacement will happen. It has to happen. It's been made clear to us that the airport cannot continue with the runway in its condition. The, the issue we have is the FAA is willing to pay for the portion of the runway that's required for service by our civilian traffic. The only issue is whether or not the rest of the runway can be replaced in order to accommodate our military mission requirements. And so that's where the Guard has come in, the National Guard Bureau and put in money. And we have a gap. Obviously, keeping the Guard base operational is critical. We can't shut it down. And if we went with the runway length that the FAA will pay for, that would be it. They'd be done. We would close that Guard base. We can't do that. We won't do that. We won't sacrifice the security contributions that the Guard contributes to our state by, by putting that away. So we're going to have to replace the whole thing. It's a given. It's just a matter of whether or not the state is willing to kick in some support to help the National Guard, because that's, that's what we're talking about, or are we raising property taxes in Lincoln? That's the question.

CLEMENTS: All right. Any other questions? Seeing none, thank you.

BOSTAR: Thank you.

CLEMENTS: Will you be staying for closing?

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BOSTAR: Absolutely.

CLEMENTS: Thank you. We welcome proponents for LB1289. Good afternoon.

DAVID HARING: Hello. So, good afternoon, Chair Clements, members of the, members of the committee. I am David Haring, D-a-v-i-d H-a-r-i-n-g, I'm the executive director of the Lincoln Airport Authority. And I appear before you today to testify in support of LB1289. For decades, users of the Lincoln airport have benefited from having access to the longer-- one of the longer runways available for both military and civilian use in the United States. The airport's 12,901 foot runway has all-weather capability, can handle commercial-- all commercial aircraft in operation today and allows based and transient military users the ability to maximize payload capabilities without concern for having to add additional fuel stops. Over the last 70-plus years, the military, followed by the Airport Authority, has diligently worked to maintain a safe and operable pavement condition through selective resurfacing, sealing, and, when necessary, rehabilitation projects. However, that runway has now reached the end of its useful life and must be fully reconstructed to continue to serve the needs of the airport's current and future users. As the senator said, the expected cost of this project is approximately \$96 million. Now, the airport maintains its critical aeronautical infrastructure through significant participation in the Department of Transportation's Airport Improvement Program, or AIP. This program is primarily funded through the Airport and Airway Trust Fund and is allocated to commercial service airports according to passenger traffic. As planning for this project progressed, it became apparent that maintaining the full length and width of the existing runway would be impossible to do through reliance on the AIP program alone, because with LNK serving predominantly regional jets, the most likely scenario would result in a reconstructed surface that was just over half the dimension of the current surface. As a result of this realization, the airport reached out to our military partners to convey the potential impact and ascertain the overall impact of both current and future missions in Lincoln. As could be guessed, the impact would be significant, if not catastrophic. Not only would this impact the ability of the Air National Guard to meet current mission objectives, it would restrict or remove the ability of the Guard to attract future missions, such as the KC-46, and likely eliminate LNK as a viable backup facility for other military units, including office-- Offutt Air Force Base. I think it's also important to note that a study from the Nebraska DOT in 2019 showed that all National Guard activity within the state generated an annual economic impact of

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just under \$300 million. With significant leadership from both Senator Bostar in the state and Senator Fischer federally, we successfully reached a dual-funding agreement in which the military agreed to contribute resources, both now and in the future, to protect the existing length of the current runway. Fortunately, even with this partnership in place, the project still has an estimated shortfall of up to \$12 million, again pending full design and construction bids, which are expected to come in about a year. The military has committed a maximum level necessary to protect the critical length for their operations. And as the senator said, the FAA has indicated that while this project itself does justify a higher dollar value than presently allocated, the resources that they have committed to that represent their historical funding ceiling for similar-sized projects. At this time, the only option left to the airport to fund the shortfall would be to either pause all capital projects at the airport for 4 to 6 years, bond the difference and assess property taxes to pay the debt service or some combination thereof. Passage of this bill would open the possibility of additional source of funding for this critical project. I sincerely appreciate the efforts of Senator Bostar to bring this forward, and I appreciate all of your consideration. And I would be happy to answer any questions.

CLEMENTS: Questions? Senator Lippincott.

LIPPINCOTT: Thank you, sir. Air National Guard will most likely fly out of a different airport, is that correct, during this time?

DAVID HARING: They would certainly be at reduced capacity. We started talking about that a little bit and what that would incur. They can operate perhaps slightly, because the full length of the runway will only be closed during certain times. But it will certainly be at reduced capacity. They could be looking at lighter loads, less fuel, so less, you know, less ability on range. But, but certainly it will be at a reduced capacity. I do not know-- they have not-- we've not gotten into the context yet of what that looks like during the course of construction, which will take approximately two years.

LIPPINCOTT: Eppley Airfield, just not long ago, they also redid their runways, didn't they?

DAVID HARING: This is almost identical to the-- both of those pavements are fairly close in, in age. And so basically what Offutt did that resulted in them having to bed down in Lincoln for that

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period of time is almost identical to what we're going to have to do as far as ripping out the pavement and rebuilding it.

LIPPINCOTT: OK. So the other two cross runways, that should not really impact civilian flights, correct?

DAVID HARING: Only during intersection work. You would have some intersection work perhaps that would impact it. The, the short parallel, it will not impact, but the crosswind, it would.

CLEMENTS: All right. Seeing no other questions, thank you for your testimony.

DAVID HARING: Thank you.

CLEMENTS: Are there additional proponents for LB1289? Welcome.

BRUCE BOHRER: Thank you. Good afternoon, Chairman Clements and members of the Appropriations Committee. Bruce Bohrer, with the Lincoln Chamber of Commerce. For the record, my name is spelled B-r-u-c-e B-o-h-r-e-r, here on behalf of the Lincoln Chamber of Commerce in support of LB1289, obviously, from Senator Bostar. I want to thank the senator for bringing this and also the director that you just heard from, our airport director, for all the work that they've done. I also want to make sure I get on the record our appreciation for U.S. Senator Deb Fischer and all the work she's done on this project for, Gosh, two years or so. And Congressman Mike Flood, and I'm sure also other members of the delegation pitched in. And it's, it's been, I guess, a trying time to try to go through this. I thought Senator Bostar really laid it out for you very well. We see, obviously, our airport as a very important component of our community. It is not only a hub for business, it's also, as we've heard, National Guard base. It's economic development, it's visitor travel. And the future mission issue is very, very important. Not just the current mission. And having this done and done right, we-- we're going to have to find a way to do it. And I would certainly appreciate your support. I would just mention too, I-- I've got a meeting with a few of our staff members with Senator Fischer's staff Friday to talk about this issue. And I know we're going to talk a little bit about future missions as well. I think Senator Lippincott probably knows this better than everybody on the-- around the table. The mission for the refueling wing right now is, is been around for a long time, and that airframe has been around a long time. And it was mentioned, the KC-46 mission. The way that the feds look at this, when you have a community that is

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showing commitment to this, long-term commitment is very important for receiving a future mission. And that's going to be obviously very important to the state, very important to the city of Lincoln. Very important to a national security interest. I won't be able to say this exactly correctly, but this is a unique airstrip in the middle of the country. I, I do know, this isn't classified information, but you can load up a, a very large military plane fully and take off from this airstrip and go to either hemisphere. There are very few airstrips in the country that allow that. And so the folks that are maybe looking to see what direction, military strategy, or thinking about where we're going, this would be a strip where they wouldn't know. They wouldn't know it in advance. So I hope you'll consider that. And I'd be happy to answer any questions you might have.

CLEMENTS: Any questions? Seeing none.

BRUCE BOHRER: Thank you.

CLEMENTS: Thank you for your testimony. Additional proponents, please come forward. Welcome.

RYAN McINTOSH: Good afternoon, Chair Clements, members of the committee. My name is Ryan McIntosh, M-c-I-n-t-o-s-h, appearing before you today on behalf of the National Guard Association of Nebraska. It's not very often that I get in front of this committee in this capacity. We are the organization that represents all of the commissioned officers and warrant officers of the Nebraska National Guard, both Army and Air, and a large number of retirees as well. Our current forces are just shy of 5,000 in Nebraska. I don't have a whole lot to add to, to what's already been said about how critical this is to both the Army and Air National Guard mission in Nebraska. But I do really want to highlight the importance of this also to our Offutt mission. We often talk about how important Offutt is to the Nebraska economy and maintaining Offutt at the current force structure. Having that airstrip and where it is, located in proximity to the Offutt Air Force Base, is absolutely critical to maintaining the size of forces and force structure that we have at Offutt as well. So with that, I'd be happy to answer any questions. Thank you.

CLEMENTS: Senator Lippincott.

LIPPINCOTT: Obviously, Lincoln very close to Omaha. Omaha has Offutt. Offutt has a very important job, but any air base will always have an alternate airport runway to switch to. For instance, when I was flying

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out of Ramstein, Germany, our runway got refinished and we moved down to Incirlik, Turkey for about a month while it was being refinished. So you always have to be prepared for all tour-- kinds of contingencies. So Offutt obviously has an alternate plan in case their runway would go down for whatever reason. And Lincoln would be a backup runway for those operations that they have at Offutt, is that correct?

RYAN McINTOSH: That's correct. It has historically served most recently during the Offutt refinishing. You know, you have to wonder-- I, I can't quantify it, but how critical was to have that partnership and that ongoing partnership for, you know, the Air Force and [INAUDIBLE] that continue to have that mission at the size that it is.

LIPPINCOTT: And, of course, obviously, as you've said and other people have said, not very many runways are 12,000 feet in length. That's very rare.

RYAN McINTOSH: It's a huge runway, yeah. Relative to other, other airports.

LIPPINCOTT: Thank you.

CLEMENTS: Are there other questions?

RYAN McINTOSH: All right, thank you.

CLEMENTS: Seeing none, thank you. Are there other proponents for LB1289? Seeing none, is anyone here in opposition? Seeing none, anyone here in the neutral capacity? Seeing none, we have position-- OK, you're welcome to close.

BOSTAR: Thank you, Chair and members of the committee. But yes, just to highlight a little bit about the alternate. Certainly from your experience, you're aware that, you know, alternates can serve, you know, strategic functions to replace capacity. But they can also serve tactical functions, right? So, you know, let's say we've got a bad storm sitting over Offutt. You've got wind shear, you've got lightning. You have all sorts of stuff happening. You know, the aircraft can hold for a while, but eventually you got to land somewhere. And so having Lincoln right there is really, really valuable because of its proximity. Instead of having to make a decision on diverting aircraft away from Offutt earlier, you can wait because your alternate is so close. So we can ensure that our air operations are being maintained in a tight regional footprint, which

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has a lot of strategic advantages. Which is why this partnership exists, as you can imagine. I'll just close by saying, I understand how it works. You have a lot of good ideas presented to you and you have to make decisions about what gets resources. What I would ask of this committee is we are continuing to seek additional funds federally, particularly from the FAA. What they keep asking in return is, is the state putting in any money? Almost every other state have separate funds for this kind of thing that can get called on in these cases. We do not. So I'm here. Even if all you can do is half, that at least gets us to be able to tell the FAA: the state put skin in the game. We understand the value here. And, and maybe that can help create some more opportunities. I hope you, you see the value in this project and the necessity for it, and I thank you all for your time.

CLEMENTS: Senator Lippincott.

LIPPINCOTT: I think this might have been answered already, but this is a fairly short-term project. It doesn't last that long.

BOSTAR: Correct.

LIPPINCOTT: Yeah, I flew out of Atlanta, Georgia-- flew in and out of Atlanta for 30 years, and all those runways were completely redone, I think twice in those 30 years. Of course, a lot of different variables.

BOSTAR: Yeah.

LIPPINCOTT: It's used a lot more. But, you know, Georgia doesn't have the cold winters that we have here in Nebraska, which is wear and tear on the concrete.

BOSTAR: Yes, it is.

LIPPINCOTT: Yeah. So it's a short project. They move in, get it done, close the runway. Finish up the job fairly quickly.

BOSTAR: And after 70 years, honestly, I think we've gotten good value out of the infrastructure we've had. But it is time to replace it.

CLEMENTS: One other question. The current runway was originally built by the military. Is that correct?

BOSTAR: The Runway 1836 was part of the creation of the Lincoln Air Force Base. Yes.

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CLEMENTS: I thought so. Any other questions? Seeing none, thank you, Senator Bostar.

BOSTAR: Thank you all very much.

CLEMENTS: We have comments for the record. Proponent, 1. Opponent, none. Neutral, none. That concludes the hearing for LB1289. That concludes our agenda for today.