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Government, Military and Veterans Affairs Committee  
February 11, 2016

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[LB754 LB877 LB878 LB1073]

The Committee on Government, Military and Veterans Affairs met at 1:30 p.m. on Thursday, February 11, 2016, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB754, LB1073, LB878, and LB877. Senators present: John Murante, Chairperson; Tommy Garrett, Vice Chairperson; Dave Bloomfield; Mike Groene; Matt Hansen. Senators absent: Joni Craighead; Tyson Larson; and Beau McCoy.

SENATOR MURANTE: Welcome to the Government, Military and Veterans Affairs Committee. My name is John Murante; I'm the state senator for District 49 which includes Gretna and northwest Sarpy County, and I'm also the Chairperson of this committee. We are here today for the purposes of conducting four public hearings. We'll be hearing...conducting those public hearings on the order in which they appear on the agenda on the outside of this room. If you wish to testify on any matters before us, we ask that you fill out one of these green sheets which are located on the table either side of the room. If you're here and wish to register your support or opposition for any matter before us but do not wish to testify, we ask that you fill out this sign-in sheet which is also located on either side of the room. We can assure you that if you fill out the sign-in sheet your opinion will be regarded just as if you had testified. If you do testify, we ask that you begin by stating and spelling your name for the record which is very important for our Transcribers Office. Our order of business is that the introducer will make opening remarks. We'll then proceed to proponent testimony, followed by opponent testimony, then neutral testimony, and then the introducer will have an opportunity to close. We ask that you listen very carefully and try not to be repetitive. We do use the light system here in the Government Committee. Each testifier is afforded four minutes. When the yellow light comes on, you have one minute remaining and we ask that you begin concluding your remarks. When the red light comes on, we ask that you conclude your remarks and we'll open up the committee to any questions they may have of you. At this time I'd like to remind everyone to turn off or silence any cell phones or other electronic devices, anything that makes noise. If you have a prepared statement, an exhibit, anything you'd like distributed to the committee, we ask that you provide 12 copies to the page and the pages will distribute them to us. If you do not have 12 copies, just, again, give them to the pages and they will make copies for you. So with that we'll proceed to the introduction of members which should be a pretty short process, it would appear at the moment. To my far left, Sherry Shaffer is our committee clerk. Senator Matt Hansen represents Lincoln, here in northeast side of Lincoln. To my immediate right is Andrew La Grone who is our research analyst. State senator Dave Bloomfield from Hoskins, Nebraska. I anticipate Senator Tommy Garrett from Bellevue, Nebraska, who is the Vice Chair of this committee to be here at some point; as well as state Senator Mike Groene from North Platte. Unfortunately, Senators McCoy, Craighead, and Larson will not be with us today. So with that we will welcome Senator Crawford back to the Government, Military and Veterans Affairs Committee.

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SENATOR CRAWFORD: (Exhibit 1) Thank you. Thank you, Chairman Murante, and welcome, members. Good afternoon, my name is Sue Crawford, S-u-e C-r-a-w-f-o-r-d, and I represent the 45th Legislative District of Bellevue, Offutt and eastern Sarpy County. I'm happy to bring LB754 before you today. LB754 establishes the Commission on Military and Veterans Affairs with a point person, a military affairs liaison to work with the Governor to assist the state in attracting and retaining missions at our military installations. The commission and this point person will also work to support and serve Nebraska's military and veteran families. Offutt Air Force Base is a key economic partner of the state of Nebraska with an annual economic impact of more than \$1.3 billion annually, employing more than 10,000 people directly and 4,700 people through secondary jobs. The Adjunct General of Nebraska National Guard recently announced a transformation of the 67th Battlefield Surveillance Brigade which will allow Nebraska National Guard members to complete entire careers in the Nebraska National Guard across multiple MOSs. Currently, some guardsmen transfer to other states' guards to complete a career in their specialty. This three-year project will allow Nebraska National Guard to retain more skilled and dedicated members throughout their careers. The greater Omaha Chamber and Governor Ricketts have been actively engaged with local, state, and federal officials to secure funding for Offutt's runway repair project. Partially due to their efforts, the Air Force has already allocated \$7.5 million in design money for the project and 55th Wing leaders plan to begin construction on the runway immediately following the 2017 air show. Clearly, there are exciting things happening at our military installations and there are important assets to protect in the future, particularly as the Armed Forces look at base closings and realignments, whether or not this is part of a formal base realignment and closure round or not. The commission created by LB754 ensures Nebraska is in the best position to respond to these opportunities and threats when these discussions occur. Most importantly, the bill also creates a military affairs liaison for all military matters in the state. As part of our preparation for this hearing, we met with PRO to discuss the bill. The page is now distributing an amendment to LB754 that represents several changes proposed at the suggestion of the Governor. With the amendment he fully supports the bill. The changes largely revolve around two areas. One, shrinking the size of the committee, and, two, moving where the commission is housed from the Department of Economic Development to the Department of Veterans Affairs. The purpose and focus of the commission remains the same. The Director of Economic Development will still play a vital role in the commission as he or she is retained as a voting member of the commission. Some of you may ask about the need for a commission. I know that we see many bills for commissions and we have some commissions that have positions that have been difficult to fill. However, in this area a commission model has been very effective in other states. A review of the Association of Defense Communities found that ten years after the creation of a military commission in Kentucky, annual defense spending in the state had more than tripled to \$8.3 billion a year. Other states with active commissions report similar gains to their state economies. Commissions are particularly important in policy areas like this that overlap multiple agencies, multiple level of governments, and require public/private partnerships. There are a variety of groups throughout Nebraska who support veterans,

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military members and their families ranging from VFWs to National Guard Association and others. The commission will not replace or duplicate the important role these groups play. In fact, they will continue to serve a vital role in our communities and I expect the commission will interact and interface with them on a regular and ongoing basis. The military and veterans' commission will streamline our efforts to both protect and grow military assets and missions by having a point of contact in place and active participation from relevant government agencies, elected officials, county officials, local business leaders, and active duty, or retired military officials we can be more proactive with out state's military interests. The military and veterans' commission would also enhance the military-friendly environment for veterans, service members and their families, and strengthen the environment for businesses that bring military and base-related jobs to the state and continue our efforts to improve the transition from military careers to the civilian careers in our state and community. It would also serve as a liaison to elected officials. With that I will close. I have others behind me to talk about their views on the commission and what it involves. The amendment replaces the bill, so the amendment is really the key piece to examine if you're looking at what the bill does. [LB754]

SENATOR MURANTE: Senator Bloomfield. [LB754]

SENATOR BLOOMFIELD: Thank you. I'm looking at the amendment and it's describing who shall serve on this board. And it says one of them shall have business background. Do you have any idea what's meant by business experience? [LB754]

SENATOR CRAWFORD: Just private sector experience. So... [LB754]

SENATOR BLOOMFIELD: What's considered a business experience? Is farming a business? [LB754]

SENATOR CRAWFORD: That would be the Governor...I mean, the...will be involved, I suspect. And I'm really trying to recruit people that the Governor feels has important experience. One of the issues is, is making sure we're being attentive to the intersection of military opportunities and other business...economic opportunities in the state. So, for example we have... [LB754]

SENATOR BLOOMFIELD: I don't disagree with the concept of the bill, I just wondered if we need to address that out a little bit so we have some idea, because everybody can consider themself a businessman. [LB754]

SENATOR CRAWFORD: Right, so one example is the Greater Omaha Chamber has a...as a group that connects business leaders and military leaders and I would suspect...again, it's

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really...leaves it for the person recruiting the people for this position in terms of what business experience they think is most relevant. Thank you for the question. [LB754]

SENATOR BLOOMFIELD: Thank you. [LB754]

SENATOR MURANTE: Thank you. Additional questions? Seeing none, thank you very much for your opening. [LB754]

SENATOR CRAWFORD: Thank you. [LB754]

SENATOR MURANTE: We'll proceed to proponent testimony to LB754. Proponents. [LB754]

JOHN HILGERT: Good afternoon, Chairman Murante, members of the Government, Military and Veterans Affairs Committee. My name is John Hilgert, Director of the Nebraska Department of Veteran Affairs. J-o-h-n H-i-l-g-e-r-t. And I'm here to support LB754 with the amendment, AM2086 (sic-AM2103), that Senator Crawford has submitted and referenced. This administration is deeply committed to those who have served, as well as those that are currently serving. At the same time, one of our prime goals, central to this administration, is to grow Nebraska. Our commitment to our military and our effort to grow our state are not mutually exclusive. There are opportunities to not only support and maintain the current missions within in our state, but to expand those missions and to enhance the quality of life for our service members. That's why I'm testifying in support of LB754 and the accompanying amendment. We want to make sure that as we are as prepared as possible to meet the challenge of what a future BRAC might present. In doing so, working together in a coordinated way we believe we can position our state for consideration for additional future missions, both at Offutt Air Force Base, but also with our own National Guard. While supporting the mission is important, it is also important that we support the men and women who support that mission while they are in the service and when they return home to civilian life. That is why coordination is important. The military community, the business community, government, and veterans coming together to coordinate their efforts to determine shared goals and objectives. I would like to reference on page 1, line 12, just offer for consideration that federal employees, in this case the military officers and commanders, cannot easily be compelled to be members of a state-established commission, but they should most certainly be invited. This concept has great promise and working together to serve and to grow Nebraska. Again, thank you, Senator Crawford. And I would be happy to answer any questions that you might have. [LB754]

SENATOR MURANTE: Thank you very much. Are there questions? Seeing Senator Groene raise his hand, I will recognize him. [LB754]

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SENATOR GROENE: Section 5, would hire a military affairs liaison. Do you have a lot of contact yourself, sir, with the...whoever is running Offutt and whoever is running the National Guard? [LB754]

JOHN HILGERT: Well, I think this is exactly why we need this commission and this individual. The individual that will be hired will be the first order of business, should this bill be passed and signed into law, would be to coordinate the criteria of the individual that we're looking for to get that right person that cannot only work with our military that's present in the state, our economic development officers within our state, as well as our veterans' community and government. So we're looking for a unique person. I, myself, and, frankly, we have a lot to do. I do not do that. [LB754]

SENATOR GROENE: I'm not going to insult you by saying you got time on your hands, but you're very capable. [LB754]

JOHN HILGERT: I don't have time. [LB754]

SENATOR GROENE: (Inaudible) I mean if we gave you the purvey (sic) that you could visit with these people and keep in touch and you actually do it? [LB754]

JOHN HILGERT: You know, Senator, it would be an honor to do it. I could not do it justice. I could not do it justice. [LB754]

SENATOR GROENE: Wouldn't have enough time. [LB754]

JOHN HILGERT: One of the questions was about a business representative. I mean, the private sector support to support the military mission in Nebraska, whether it be telecommunications, the myriad number of local government subdivisions, be they the cities, city of Bellevue, Mayor Sanders is here, our natural resource districts, etcetera, the school districts, the different impacts that the institution has within our state. It does take a full-time person, I think, to properly coordinate and position the state and to have, not only the coordination, but the simple communication to let everyone know what the different groups that have been mentioned what are their priorities? What are we all working towards and can we compliment each other? Can the resources of Nebraska be that force multiplier to achieve the objective to preserve our current military mission within our state and hopefully expand it in the future? That's why you need this one person and this commission. It would be an honor to do it. I don't think I have time. [LB754]

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SENATOR GROENE: But are you looking at this as a liaison where this person is familiar with...can't think of the term, but the person running Offutt, running the National Guard, that the Offutt guy says, well, we've got problems with school abilities for our kids or things or for the city not fixing that street, I can't get my tanks around the...past the fire plug, (laughter) you know, that type of stuff? [LB754]

JOHN HILGERT: I think that they would be the person to call to say when that...when a, let's say, a major piece of equipment is being moved and they don't know who to call. This person's full-time job would be to know who to call, to have those contacts to coordinate that. Something as simple as one of the...one of the stories I heard from some of the airmen at Offutt Air Force Base that the cell phone reception is "iffy." It's almost like the first floor of the State Office Building, if you've ever tried...any way, that's another hearing. But, you know, and to say, okay, and then...because we had some individuals that were studying Offutt and they came and they spoke to me about that. And do our cell phone providers know that? I mean, who can...is there a person that exists to pick up the phone to say--you know, are you aware that your service doesn't penetrate to where the barracks are? That would be just one little example of why one person with the knowledge of who's the players and the coordinators. It would be an awesome job. And I think there's a lot to do, there's a lot to do, from the small things to the cell phones to the coordination to be the liaison between the different groups that are currently helping. There's a lot being done right now. But to have one person to say, okay, if I don't know who to call, I'm going to call this person and if they don't know, they're going to find it out. Many of the people that advocate for our military in Nebraska have other jobs, that's not their full-time deal. And this could do a lot...this person could do a lot of that legwork. [LB754]

SENATOR GROENE: Similar to an Ombudsman. [LB754]

JOHN HILGERT: That would be a way Ombudsman of freedom, of veterans and military expansion. I'll go with that definition, Senator. [LB754]

SENATOR GROENE: Thank you. [LB754]

SENATOR MURANTE: Thank you very much. Additional questions? Seeing none, thank you very much for your testimony. [LB754]

JOHN HILGERT: Thank you. [LB754]

SENATOR MURANTE: Much appreciate it. Additional proponent testimony of LB754, additional proponents. Welcome. [LB754]

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PAUL COHEN: (Exhibit 2) Thank you, Senator, and good afternoon. Chairman Murante, members of the Government, Military and Veterans Affairs Committee, my name is Paul, P-a-u-l, Cohen, C-o-h-e-n. I'm a resident of Omaha and I'm here today as a past second vice chairman of the board of the 390,000-member Military Officers Association of America; over 2,700 of whom claim Nebraska as their home state. And as a past president and current board member of MOAA's chapter in Nebraska, I'm required to say that I do not represent any federal organization or agency of which I may currently be a member. I am a former assistant adjutant general for air for the Nebraska Air National Guard Retired Brigadier General, United States Air Force and I appreciate the opportunity to speak with you today in support of LB754 and the amendment presented by Senator Crawford. We thank Senator Crawford for sponsoring this bill, and Senators Craighead, Garrett, Hansen, Krist, and Morfeld for cosponsoring it. We applaud the effort to focus Nebraska's effort to retain and expand the presence of military installations and missions. Often, we have missed opportunities to add or keep important and economically impactful defense organizations here in our state. In recent memory, the Defense Accounting and Finance Office at Offutt was relocated to another state. And the Global Strike Command stood up elsewhere resulting in the loss of several thousand billets at the base at the time. The most recent base realignment and closure, or BRAC, we did gain some reserve and guard units and narrowly...narrowly missed large reductions at Offutt Air Force Base. But in retrospect, the result was largely by chance and not through a concerted effort or organization that represented the state of Nebraska. We've heard, and it's widely quoted, that Offutt Air Force Base is a \$1.3 billion annual business enterprise in our midst. As a state, we sometimes take that for granted and assume that it will always be there. In addition, our National Guard and Reserve units, with their armories, training centers, and bases are a fixture in our midst and are often overlooked for their economic contributions, as well as their importance to our national defense and safety. Other states, including several of our neighbors, have identified military installations and missions as an extremely important part of their economy and are making it a priority to attract a larger percentage of what is now a shrinking market. These states have made it part of their economic development strategy to proactively improve their standing as places where Department of Defense agencies should locate. We, in Nebraska, cannot afford to do less. As a state, there is a perception that military issues are important to, and the province of communities immediately surrounding Offutt, and perhaps those that host armories or training centers. Efforts to support or enhance those facilities and units appear to be fragmented and lacking in statewide interest. While localities in close proximity certainly have a significant interest, the economic benefits of these activities and missions extend far beyond the gates and doorways of the locale in which they operate. The Department of Defense agencies present here are as much a statewide economic engine as any similarly sized private company. We should, as a state, work as hard to attract, expand, and keep them as we do our corporate community. It's just good business. LB754, the amendment proposed, provides, in our opinion, an opportunity to engage in the competition in an organized and effective way. In addition to basing and missions, keeping highly trained, educated, and motivated individuals in our state after their assignment or first

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career here should also be a high priority as we work to expand the breadth and depth of our workforce. This bill provides for the input and consideration of all the factors that identify a state as not only military friendly, but veteran and military retiree friendly as well. A single point of contact with a consistent focused message, working in concert with local agencies and organizations to achieve preeminence in this endeavor is the right thing to do and the right way to compete. We urge your favorable consideration of this proposed legislation and I'd be happy to answer any questions you may have. [LB754]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much for coming down, much appreciate it. [LB754]

PAUL COHEN: Thank you. Thank you. [LB754]

SENATOR MURANTE: Is there additional proponent testimony to LB754? Mayor Sanders, welcome to the Government Committee. [LB754]

RITA SANDERS: Good afternoon. Thank you. I want to thank you for being here and listening to my support today. And thank you to Senator Crawford for introducing. I support LB754. I am...did I already do...Rita Sanders, S-a-n-d-e-r-s. [LB754]

SENATOR MURANTE: You got to take care of that one. (Laughter) [LB754]

RITA SANDERS: Make sure. I was a little too comfortable suddenly. [LB754]

SENATOR MURANTE: This is a warm, friendly committee, what can I...(laughter)... [LB754]

RITA SANDERS: I've been the mayor for the city of Bellevue for approximately...I'm on my second term and my sixth year. And I have been a member of the Offutt Advisory Council for approximately 20 years. Offutt Air Force Base is a number one economic development driver for the state of Nebraska. And I want to begin with a little story. About five years ago when we had the 2011 flood, the discussion of the levees came up. And what do we do about it; where do I start? So I started with the State of Nebraska in a discussion with the current Governor at that time. Basically was told not our problem, go seek funding, go seek support elsewhere. So with the help of NRD and discussions with our state senator and the local chambers I went to visit FEMA. FEMA said it must be done. FEMA said that we had to do that or the levees would be decertified, the number one levee that surrounds Offutt Air Force Base. I knew this was important to do so I took the charge to continue to find that funding for the levees. I've been to FEMA; I've been to the U.S. senators' office; I've been to the Pentagon; visited with our

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Congressman; state Legislatures; NRD; Sarpy County; and the city of Omaha. So we've been working on this issue for over four years now. With our new Governor in place, and with the support of our state senators, the Governor has said we need to take the lead on this. The base needs a new runway. We need to find the support on the levees. So I've been carrying that torch for the last couple of years on the funding for the levee. And we think we're almost there. And we need to do this because Offutt Air Force Base is the number one driver in economic development in the state for Nebraska. But they also have a bigger presence globally with STRATCOM and the STRATCOM building. And I'm proud to say that billion-dollar industry is in my city, even though it's on Offutt Air Force Base. But it is a very competitive process. Once we get the levees done, once we get the runway, we hope, we also need to bring new missions to the state of Nebraska to Offutt, to STRATCOM. That has become, suddenly, a very competitive process. So I ask that this commission or the liaison has business experience and I support the senator on that business terminology because it is a business and because the competition to bring new missions here is very, very competitive. So we need someone strong with both business and military experience. It is vital. When I was in Washington, D.C., I just returned late last night, I heard from Congressman Ashford that said--we have dropped the ball on many issues. And I don't know how we dropped the ball on many issues, but all I can say as an elected official...as a new elected official comes in, who carries that ball? Who carries that torch? They have known for over 20 years that they needed a new runway. But that voice was dropped. So we need one voice to carry that load; to carry the mission. The military have protocols and policies in place. They cannot make the ask, but we can. We should...we all should carry that ball and the ball must not be dropped. Thank you. [LB754]

SENATOR MURANTE: Thank you for your testimony. Are there any questions? Seeing none, thank you for coming down today, much appreciate it. [LB754]

RITA SANDERS: Thank you. [LB754]

SENATOR MURANTE: Additional proponent testimony. Welcome. [LB754]

JENNIFER CREAGER: (Exhibit 3) Good afternoon. Chairman Murante, members of the committee, for the record my name is Jennifer Creager, J-e-n-n-i-f-e-r C-r-e-a-g-e-r, the director of public policy for the Greater Omaha Chamber here in support of LB754. I'd like to thank Senator Crawford for introducing the legislation. I am having a letter passed out from our CEO and President, David Brown. And I will be brief, but I wanted to let you know that Greater Omaha has a long history of supporting the base. Many other states have some sort of military officer at the state level to coordinate efforts similar to what Director Hilgert described. At the chamber we have an active military tag and we actively participate in the Nebraska Military Support Coalition so we always look for ways to advance our goals of the facility support and

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enhancement. I have only just seen the amendment, but at first glance it looks okay to me, but we will, of course, look at that further. And I do have our senior military liaison, Jeff Mikesell, here with us so if you have any military questions, he can answer those. But I'd like to thank you for your consideration of the bill. [LB754]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much for coming in today, appreciate it. [LB754]

JENNIFER CREAGER: Thank you. [LB754]

SENATOR MURANTE: Additional proponent testimony? Mr. Bohrer, welcome back to the Government Committee. [LB754]

BRUCE BOHRER: Thank you, Chairman. And good afternoon, Chairman Murante, and members of the committee. For the record my name is Bruce Bohrer spelled B-r-u-c-e, last name, B-o-h-r-e-r, here representing the Lincoln Chamber of Commerce and our military affairs committee. I submitted a letter, but I just wanted to get up, for the record, and, I guess, stand for any questions that you might have. In summary, I think all of the reasons for why this LB754 is a good bill were already covered by the previous testifiers. I would just associate myself with those comments. And also, just to summarize the letter that I think you should have in front of you, or what was handed in earlier, we just think this is an important issue. We've supported this type of bill in the past. We want to thank Senator Crawford as well for introducing this important issue again. Just to provide focus, and I think a previous testifier mentioned, you know, concerted effort and organization. And that's really the gist of our letter of support on this is just the need. And we believe that a commission would do just that, help us have a concerted focus and organization for the state for a lot of opportunities that we might have. And I feel like it really, truly is often overlooked and it's something that we really do need to call attention to. With that I'll close my remarks and ask if you have any questions. [LB754]

SENATOR MURANTE: All right, thank you very much for your testimony. Seeing no questions, thank you much for coming down again, much appreciate it. [LB754]

BRUCE BOHRER: All right, thank you. [LB754]

SENATOR MURANTE: Additional proponent testimony on LB754? Any additional proponents? Any opponents to LB754? Any neutral testimony? Welcome back. [LB754]

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GREGORY HOLLOWAY: Good afternoon, Senator and committee. My name is Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y. Initially, I was here to oppose this bill for several reasons. After a long conversation with Senator Crawford, we have discussed it in length and they come up with this kind of an alternative. One of the reasons we were actually opposing it through the Nebraska Veterans Council, which I represent, I'm the chair for that; and I also represent the Disabled American Veterans, and the Vietnam Veterans of America. It was really big, it was a big committee and we felt that many of the veterans' issues would be lost within that committee and it was more of an economic development issue than actually a veterans' issue. And maybe it might oversee some of the great work our Nebraska Department of Veterans Affairs does, because all of our veterans organizations have 100 percent confidence in our...John Hilgert and our Nebraska Department of Veterans Affairs. So seeing that, we have decided...I have, pretty much decided to talk to some of the members on the Nebraska Veterans Council and they said use my judgement. I will act as a neutral on this right now, take it back to my organizations which I represent which actually total about 60,000 members of our organizations and bring it back to the representatives of those. I'll discuss what we have. I know that John Hilgert's office will update our committee very well on it so we understand a lot more of what is going on now. And then we'll probably end up supporting it fully, but right now we probably should act as a neutral. Just so you understand some of the concerns of the veterans organizations within our state. [LB754]

SENATOR MURANTE: Sounds good. Any questions? Senator Groene. [LB754]

SENATOR GROENE: So basically, from my summarized, you're concerned that veteran affairs department should be about veterans. And this bringing economic development and bringing present military into it might dilute what... [LB754]

GREGORY HOLLOWAY: Not necessarily. [LB754]

SENATOR GROENE: The real mission of the... [LB754]

GREGORY HOLLOWAY: These do...to look after...their main purpose is to take care of the veterans (inaudible). That's their main purpose. [LB754]

SENATOR GROENE: That's the name of their department. [LB754]

GREGORY HOLLOWAY: And that's where that...they were developed to start with. But you have to look at everything that assists veterans. Granted, it is...what I think is more economic development, but there's an issue of--it is the military; military equates to veterans. And so we

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fully support those issues...the veterans community within the state, 100 percent. And we want to work to make the lives better for all veterans in the military within the state of Nebraska. So this is a very...a good place for everybody to live and take care of our veterans and military. So we do support them. We just didn't want us to get lost in there. (Laughter) [LB754]

SENATOR GROENE: That's what I'm saying. It wouldn't dilute their true mission in this. [LB754]

GREGORY HOLLOWAY: Yeah, yeah. Yeah. [LB754]

SENATOR GROENE: Economic development tends to swallow things up in a lot of places. [LB754]

GREGORY HOLLOWAY: If you find somebody that...if John Hilgert has a twin and you can find it, find his twin to put in there that would be great. [LB754]

SENATOR GROENE: All right, thank you. [LB754]

SENATOR MURANTE: We'll start the search right now. (Laughter) Any additional questions? Seeing none, thank you very much for your testimony. [LB754]

GREGORY HOLLOWAY: Thank you very much. [LB754]

SENATOR MURANTE: Is there additional neutral testimony to LB754? Seeing none, Senator Crawford you are recognized to close. [LB754]

SENATOR CRAWFORD: Thank you, committee. Well, in 2013, my first interim here, I worked with your esteemed committee on a legislative resolution interim study where we outlined an agenda of issues that we should work on over the next few years to strengthen our ability to recruit and retain missions; to strengthen our ability to support our military families and to support our veterans as well. And this commission bill is one of the few last pieces that we haven't accomplished in the few years. And so I thank you for your work on all those issues over the past few years to really go down that list and accomplish many of those things that were on that agenda to make sure we're a state that is supportive of our military and that we are a state that the Defense Department knows is being very attentive to the concerns of the military families and veterans in our state. And I appreciate your work on all those issues with me and with other senators in the state. So I want to emphasize that while Offutt Air Force Base is critically important, an economic asset, and is in my district, this bill is broader than that as well.

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And we had one of the testifiers note that as well. We do have Guard facilities and other military assets across the state and those are all economic engines in those communities and for the state as well. And that's part of why the commission has members across the state to make sure we are thinking about economic...thinking about those issues with a statewide focus as well. So that's important and I wanted to make sure to emphasize that. And I also want to emphasize what Mayor Sanders mentioned in that the military cannot make the ask. And that's part of the...one of the reasons it's so important to have a key-point person who is interacting with those military members all the time and hears those briefings and follows up and asks careful questions. Let me just give you one example. While there's this discussion about replacing the runway, so the...when they're fixing the runway, the question is: where do all the operations move during that time? Right? Well, one option would be Lincoln and one option would be in another state. So and they can't come ask us, hey, what we really need you to do for us to stay in Nebraska is fix the doors on the facility in Lincoln, like they aren't allowed to ask. So you have to have someone who is very proactive and engage in discussions--how are things going? Asking good careful questions about what their needs might be and what their concerns might be so that you can be very proactive on your...the state can be very proactive in addressing those concerns and making sure we know what we need to do to be competitive and what the issues and concerns are. And that's...has been a shift in terms of protocol and a very important one for us to recognize. And if as a state, we have learned that lesson and are very proactive. Again, that gives us a competitive advantage in terms of understanding how that works. So that's one reason why it's so important to have a full-time person who understands the military, understands that protocol, understands the issues for veterans, and knows how to be proactive on those issues. And again, it's...we've talked quite a bit about threat, but it's also about opportunities as well, important to be out there and be proactive and recruiting new missions as well. And finally I would say I'm very pleased Director Hilgert is...was able to talk about his vision for how this would look in his area and what he sees as the importance of having a person on board to do this. I know that Director Hilgert will be part of this commission, helping to pick this person and direct the work of this person. And I know and am very confident that he will ensure there is a strong veteran voice and a strong attention to those veterans' issues and a strong connection to those existing veterans' networks to make sure those voices and concerns are heard. I'm very confident in that. And having this full-time person will allow him to continue doing the excellent job, it appears, that he's doing working...keeping his full-time attention on those veterans' issues. So, thank you. [LB754]

SENATOR MURANTE: Thank you very much, Senator Crawford. Senator Garrett. [LB754]

SENATOR GARRETT: I can't let this go by without commenting on it. I totally agree with this bill. I mean, my company is based out of Bellevue; we do a lot of business out at Offutt. And I've seen a lot of things over the years that...things that happen that impact the local community, the impact aid for Bellevue schools. When the commander of STRATCOM created the joint

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functional component commands and essentially the people still were under STRATCOM books. But people who work for me, we're now based out of Washington, D.C., and Fort Mead, and a lot of other locations, but they're still on STRATCOM books. But those people left here and the impact aid that that had on Bellevue Public Schools and Papillion, the impact it had on the real estate market, and a lot of other things and all the second, third, fourth order economic effects. And for us to be so disjointed in our approach to all things at Offutt, what was...bordered on the criminal. Because if we thought ConAgra was bad losing a thousand employees, you just wait until you lose the 55th Wing and \$1.3 billion. And there's no guarantees out there. The lifeblood of that Air Force base is that runway. And it's in a terrible state of disrepair and it's a \$125 million repair project. And, oh by the way, if we don't get the levees fixed and it's in a flood zone, you're giving the Air Force all the reason they need. They don't need a BRAC to move the 55th Wing. Congress may not let them have a BRAC, but the 55th...the Air Force can decide to move the 55th without so much as a "mother may I." And so we need...we need something like this, this bill, this...to create this organization to get the visibility and to know what's going on. And even with the International Guard, I have friends in the Guard Bureau that told me a couple of years ago, the Guard was looking at going to super tanker wings. Well, guess what, the Lincoln International Guard Base doesn't have enough ramp space for a super tanker wing. And don't think for a minute that the Guard Bureau won't pull that tanker wing out of here and be left with nothing. So across the board, we have to be ever-vigilant. And this is a very highly competitive thing. If you follow at all what the other states are doing, a lot of the other states who have lost missions or fighting for those missions and trying to get them back, we don't want to lose them and then try to fight for things back. So thank you for bringing this bill. And this is by far and away something that's long overdue and needed. [LB754]

SENATOR CRAWFORD: I agree. [LB754]

SENATOR GARRETT: Thank you. [LB754]

SENATOR MURANTE: Thank you very much, Senator Garrett. Seeing no additional questions, thank you very much. [LB754]

SENATOR CRAWFORD: Thank you. [LB754]

SENATOR MURANTE: Senator Crawford, is this the bill that you had mentioned as a potential priority bill for you? [LB754]

SENATOR CRAWFORD: Yes. [LB754]

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SENATOR MURANTE: Okay. Thank you very much. [LB754]

SENATOR CRAWFORD: Thank you. [LB754]

SENATOR MURANTE: (Exhibits 4, 5, 6, and 7) Before we close the hearing on LB754, I have letters of support for LB754 from Martin Dempsey of the office of the Deputy Assistant Secretary of Defense for Military Community and Family Policy; Daniel Esch, the Douglas County Clerk, the Douglas County Board of Commissioners; Bruce Bohrer, who was here earlier. And that closes the hearing on LB754. Excuse me, I've got one more, I'm sorry, I apologize. Before we close it on LB754, I have a letter in neutral from Eric Zeece of the Department of Economic Development. Now we close the hearing on LB754. And we will move to the next item on the agenda. Senator Kolowski, I see, is here for LB1073. Welcome back, Senator Kolowski. [LB754]

SENATOR KOLOWSKI: (Exhibit 1) Thank you, Mr. Chairman; good to be here. Good afternoon, Chairman Murante and members of the Government, Military and Veterans Affairs Committee. My name is Senator Rick Kolowski, R-i-c-k K-o-l-o-w-s-k-i, representing District 31. I'm here today to introduce LB1073 which adopts the Honor and Remember Flag which represents all members of the Armed Forces of the United States who have lost their lives while serving or as a result of their service. Some background on the Honor and Remember Flag: The Honor and Remember Flag was created by George Lutz after his son, Tony, was killed in action on December 29, 2005, in Fallujah, Iraq. George and his family endured the shock, emotional agony, and overcoming loss of Tony's death, just like the many families who have suffered the same tragedy. In the months that followed Tony's funeral, his father, George, visited other families who had lost loved ones in the Iraq war. He began to sense that he had joined the ranks of a unique fellowship going back to the American Revolution when the first soldiers shed their blood for our freedom and gave their lives at that time. George discovered there was a deep commonality among the families of fallen soldiers. They wanted to know two things: their loved one's sacrifice was not in vain, and the nation would never forget. These concerns led George to a quest to discover if there was a universally-recognized symbol that specifically acknowledges the American Servicemen and women who never made it home. To his surprise, he found nothing, thus the Honor and Remember Flag was conceived. The all-volunteer Nebraska Honor and Remember Flag Chapter has existed since 2012. Through funds it raises, the chapter fulfills requests for a flag from families of the fallen from all wars. As of February, 2016, 86 flags have been presented by the Nebraska chapter recognizing those who gave their lives in the war on terror, the Vietnam War, the Korean War, and World War II. There is no cost, I repeat, no cost to the state related to passing LB1073. This bill will make the flag an officially recognized symbol in the state of Nebraska and allowed to fly above government buildings on specific days. This is something we can do to honor and remember those who gave their lives in defense of our country. That concludes my official remarks. With your permission I'd like to add some personal

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and professional experiences I've had as well. And that is as a high school principal in the Millard Public Schools, we had soldiers who served, men and women, overseas in the current challenges in the Middle East. And one of our young men, a sergeant in the Army, was killed in an explosion. And I still remember the young man and his time with us at Millard West High School. And eventually after his services, as they brought his body home, the city named the road in front of our building after Jeremy Jones, in the Millard tradition of honoring our past war heroes in that way. That was a very important issue to the family. It was a very symbolic, yet heartwarming gathering of all those who knew Jeremy. And to lose a...to lose anyone is extremely difficult, but when you have students go through your school and you knew them very actively in all their roles, it was something very important. A second sidebar to this whole thing, I'd like to mention from a personal aspect, my wife's family has been here a long time in our country. And by a long time, she found out last year, because some family members did some digging and researching, that her family roots go back to the Mayflower. Not just one family on the Mayflower, but two families. And as they searched out that entire history and found all the treks of where people had come from and how they moved across the country over time, they also found exact copies from the time that pay stubs from the French and Indian War and the Revolutionary War were paid to some of her ancestors. It really gives you a different feeling about the country as a whole when you see those documents leading back to and up through every war since that time, as my own father served in the Army and the Okinawa Campaign in the Pacific Theater in World War II. So we all have those histories and memories in our families. And I hope as was stated, to keep the memory alive and honor those who have given their very best and the most for our country will be remembered. Thank you very much. [LB1073]

SENATOR MURANTE: Thank you very much, Senator Kolowski. Senator Bloomfield. [LB1073]

SENATOR BLOOMFIELD: Thank you, Mr. Chairman. Senator Kolowski, I signed onto this bill when you introduced it. [LB1073]

SENATOR KOLOWSKI: Yes, sir. [LB1073]

SENATOR BLOOMFIELD: I do have a little question with the language on page 2, line 16, if you happen to have that available. [LB1073]

SENATOR KOLOWSKI: I don't have it all with me, but go ahead, sir. [LB1073]

SENATOR BLOOMFIELD: I will read it. It says: The Honor and Remember Flag may be displayed on any day including the following. Does not "any day" is that including the (inaudible) kind of...I think, maybe, we need to do a little work there. [LB1073]

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SENATOR KOLOWSKI: Easily cleaned up, yes, sir. [LB1073]

SENATOR BLOOMFIELD: Yeah, I just think it's something we need to look at. [LB1073]

SENATOR KOLOWSKI: Absolutely. Thank you. [LB1073]

SENATOR BLOOMFIELD: Thank you. [LB1073]

SENATOR MURANTE: Thank you, Senator Bloomfield. Senator Garrett. [LB1073]

SENATOR GARRETT: Thank you, Senator Murante. Thank you, Senator Kolowski, for bringing the bill. Can you tell me...or tell us how many states have adopted the Honor and Remember Flag? [LB1073]

SENATOR KOLOWSKI: I think it was twenty... [LB1073]

AUDIENCE MEMBER: Twenty-one. [LB1073]

SENATOR KOLOWSKI: 21...22. Yeah, I was going to say 22, just missed it by one. [LB1073]

SENATOR GARRETT: Okay. [LB1073]

SENATOR KOLOWSKI: Twenty-one at this time, sir. [LB1073]

SENATOR GARRETT: Great. Thank you. [LB1073]

SENATOR MURANTE: Thank you, Senator Garrett. Senator Bloomfield. [LB1073]

SENATOR BLOOMFIELD: Thank you. Is anybody making any money off of this? [LB1073]

SENATOR KOLOWSKI: It costs nothing for our state and I don't know...besides the production of the flags, what else would take place as far as anyone...those following me would probably be able to answer that better. [LB1073]

SENATOR BLOOMFIELD: Okay. I've heard grumblings of it being a for-profit flag and I want to make sure that we're not...if we don't have somebody making the profit off of... [LB1073]

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SENATOR KOLOWSKI: I don't think anyone is getting rich off it. [LB1073]

SENATOR BLOOMFIELD: Trying to honor and respect people here. [LB1073]

SENATOR MURANTE: Okay. Senator Groene. [LB1073]

SENATOR GROENE: Does this organization donate the flag to the family? [LB1073]

SENATOR KOLOWSKI: That's my understanding, yes, sir. [LB1073]

SENATOR GROENE: So they contact the family and they say we'd like to offer you this in memory of your loss. [LB1073]

SENATOR KOLOWSKI: Yes, sir. Again, those that will follow will give you full examples of those. [LB1073]

SENATOR GROENE: All right, thank you. [LB1073]

SENATOR KOLOWSKI: Thank you. [LB1073]

SENATOR MURANTE: Thank you, Senator Groene. Seeing no additional questions, thank you very much, Senator Kolowski, for your introduction. [LB1073]

SENATOR KOLOWSKI: Thank you, Chairman Murante. [LB1073]

SENATOR MURANTE: And we'll proceed to proponent testimony to LB1073. Any proponents for LB1073? All those in favor of LB1073. Welcome. [LB1073]

PAT MRACEK: Thank you. Good afternoon and thank you for letting me take this opportunity to speak to you today. I am Pat Mracek, P-a-t M-r-a-c-e-k, from Alliance. I'm co-chair of the Nebraska Honor and Remember Chapter, president of Nebraska Gold Star Moms, Nebraska Chair of American Fallen Warrior Memorial Foundation, president of American Legion Auxiliary Unit 9 in Hemingford, Chair of Gordon Wreaths Across America, and associate member of the Military Order of Purple Heart. The reason I do all these things is because my son, Sergeant Cory Mracek, was killed in action on January 27, 2004, in Iskandariyah, Iraq. Cory was with the 82nd Airborne of Fort Bragg, North Carolina. That was the worst day of my life and my life still continues to hurt all the time. My purpose in life is now to make sure we never

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forget Cory and the over the million men and woman who have given their lives for you and me. This is the same reason Gold Star dad, George Lutz, started the Honor and Remember. He lost his son, Tony, and he knew there were flags for many things, but there was specifically no flag to honor the fallen. He wants all of them to be remembered which is the plea of Gold Star families. Please do not forget them. We do not want to replace American flag, none of us would want that. When I see Old Glory I see a great country that I take pride in. I see a flag that is draped over the caskets of those that are killed in action and also veterans who have served. I see a flag that represents all of us and I love that flag. We're only going to salute and pledge allegiance to the United States flag. My folded flag is in a flag case in my home for all to see. I also fly the U.S. flag every day with the Honor and Remember Flag under it. The American flag is for all citizens, whereas the Honor and Remember Flag would be a symbol of those that have given their all. When people see it, they will remember my son and all the others who have sacrificed so much. I have been with Honor and Remember since 2009. We gave out the first flags in Nebraska right here in the Capitol rotunda with Governor Heineman and George Lutz presenting those flags. I received my flag at that time. A Vietnam sister whose brother, Danny Hudson, from Chadron was killed in 1968 was also there. She cried so hard because finally someone had remembered her brother. All those families that received those flags that day and since that day cherish their flag. But it is a remembrance of their loss, not to replace their folded flag. While in Kansas City this summer for the Gold Star mothers' convention, several more flags were presented at our banquet. My friend, Barb, was crying as she talked to a Vietnam Gold Star mom who received a flag and she asked her--does it get any easier? The mom said no. I cry every day. But it's heartbreaking to think that my son has now been dead longer than he was alive. When asked what that flag meant to her, she said--it's about time someone remembered the Vietnam families as they had been treated so badly during that conflict. Cory served under the American flag. He loved that flag, and he would be very proud of his mom for belonging to an organization that wants to remember and honor him and his comrades. They all deserve to be remembered every day, every where. That's all as families of the fallen we want that our heroes would want. We have given numerous flags to families in this state at no cost to any of them. The price of an embroidered flag with the soldiers name and date on it are \$350. But we have donors who have given generously to this cause. The screen printed flag is \$50, so the price is very reasonable for those who want to fly their flags at their homes or businesses. NASCAR is a sponsor and Honor and Remember Flags fly at all their races. Numerous other organizations are corporate sponsors for this flag. This is a beautiful flag with meaning to each and every aspect of it. From the Honor and Remember Web site it reads: In the more than 200 years of our nation's history, there has never been an officially designated symbol that reminds us specifically of the sacrifice made by the members of our military and their lives lost in service to our country. We propose the Honor and Remember Flag as a national emblem for that purpose. Our purpose is not about replacing, it is about remembering. Thank you. [LB1073]

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SENATOR MURANTE: Thank you very much for your testimony. And let me say on behalf of the entire committee who take these matters very seriously, we offer our condolences for the loss of your son and thank you very much for his service. Thank you. [LB1073]

PAT MRACEK: Thank you. [LB1073]

SENATOR MURANTE: Are there any questions that we have? Senator Groene. [LB1073]

SENATOR GROENE: In the brochure here, is there an active attempt on Memorial Day to put this on each grave of the servicemen who actually died in the line of service? Because we put flags on cemeteries all over the... [LB1073]

PAT MRACEK: I don't know that that's been attempted yet. Usually, the week of Memorial Day, Mr. Lutz does...well, like a phone thing where they put...people can send in their messages of their fallen heroes. And that might be something we could suggest doing to him, because he does have the stick flags. [LB1073]

SENATOR GROENE: Well, I just seen the picture of...and it looked like a national cemetery. [LB1073]

PAT MRACEK: And he could do...some people could do that somewhere, I'm just not aware of it. [LB1073]

SENATOR GROENE: Just curious; you walk through a graveyard on Memorial Day and you see the flags, but you don't know who actually...unless you read the dates and you can pretty much figure it out. Anyway, just thought... [LB1073]

PAT MRACEK: Um-hum. [LB1073]

SENATOR MURANTE: Thank you very much. [LB1073]

PAT MRACEK: Thank you. [LB1073]

SENATOR MURANTE: Seeing no additional questions, thank you very much for coming down, much appreciate it. [LB1073]

PAT MRACEK: Thank you. [LB1073]

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SENATOR MURANTE: Additional proponent testimony to LB1072? Welcome. [LB1073]

JUDY HANEY: Thank you. Good afternoon. My name is Judy Haney, J-u-d-y H-a-n-e-y. I come to you today representing the family of Staff Sergeant Floyd Whittaker and my mother, Mabel Stansbury, who is his sister, to testify in support of LB1073. Floyd grew up on a farm near Blue Springs, Nebraska. He graduated from Beatrice High School in 1937. On February 18, 1941, Floyd was drafted into the U.S. Army, joining many other young men from Gage County in Company C, 134th Infantry. He served stateside until early 1944 when Company C left for Europe. They spent a few months in England and arrived in France on July 8. Floyd was killed one week later fighting alongside his Company C brothers at St. Lo, France. I am one of nine nieces and one nephew who didn't get to know our uncle. Throughout our lives, my mother, Floyd's brother, Leonard, and his sister, Norma, told us about our Uncle Floyd. It was their desire to keep his memory alive and to help all of his nieces and nephew know the sacrifice he made for us and our country. Last May, I read an article in the Lincoln Journal Star about the Honor and Remember Nebraska Chapter. They were seeking Gold Star families of loved ones who lost their lives in World War II. I immediately thought of my mother who is the only surviving member of Floyd's immediate family. I submitted the application for a flag. And on this past Labor Day weekend, the Honor and Remember organization presented the flag to my mother in a very meaningful ceremony held at the Ferguson House. It was her 98th birthday and she was surrounded by Floyd's nieces and nephew and their families. The Honor and Remember Flag with his name embroidered across the bottom is a tangible reminder of his life and death. My mother cherishes her flag. The memory of her brother will live on in all 65 members who were present at that special day. Every May the American Legion Auxiliary in Wymore holds a breakfast to honor Gold Star mothers and sisters. My grandmother, Floyd's mother, attended every year until her passing. My mother and her sister also attended. Now my sisters and I take our mother to Wymore every year to honor her brother at that breakfast. To be able to display our Gold Star flag, especially on Memorial Day and at the Gold Star breakfast, would be a way for our family, other Gold Star families, and the general public to recognize, honor, and remember our loved ones. We ask for your support of LB1073 and hope the committee will advance it to the full Legislature for consideration and passage. Thank you. [LB1073]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you for coming down today, much appreciate it. Additional proponent testimony to LB1073. If there are additional proponents, I'd recommend that you have a couple seats up front, if...after this testifier, just come sit up front and we'll get you heard. Welcome. [LB1073]

YOLANDA ROBLES: Hi. Good afternoon, my name is Yolanda Robles, and it's Y-o-l-a-n-d-a R-o-b-l-e-s. I live in Scottsbluff and I apologize if I stutter or whisper. I don't usually like to speak in front of people or the public. But, however, today I'm here because of the Honor and

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Remember Flag. It is very important to me and my family. You see, my son, a Marine, Corporal Adrian Robles, he was killed October 22. He was killed in Bela Ba Luk, Afghanistan. He was mounted on a patrol. While en route, Adrian's vehicle was hit by a improvised explosive device. He served with 3rd Squad, 2nd Platoon (inaudible) Company, 2nd Battalion, 7th Marines, 1st Marine Division. Operation Enduring Freedom was his second deployment. He served from 2005 to 2008. And I would like to share a couple of stories about Adrian so that you can know a bit about the man he became. At the age of eight, one day Adrian came and he asked me if I could buy some gloves for an elderly man in the alley. This elderly man, he would walk the alleys and pick up aluminum cans about twice a week. And Adrian noticed that he didn't have any gloves on his hands. So he wanted to buy some gloves for this elderly man. And so we did, and we went and bought him some gloves and Adrian gave them to this gentleman. And as he grew older, he was in middle school and we lived by an elderly lady, she was our neighbor. And Adrian and his sister, Beatriz, they could not play in or around her yard. This elderly lady, she would let all the neighborhood kids play in and around her yard except for them. When Adrian, he felt the need to be nice to her. He would go shovel her snow off her sidewalks and driveway. And she would actually get mad at him and tell him to quit it because she wasn't going to pay him. And he would tell her--I'm not doing it for the pay. One summer evening she was sitting out in her porch and Adrian and his dad, Cesar, were sitting out on the porch, our front porch. And Adrian turned to his dad and said--I'm going over there and I'm going to talk...she's going to talk to me. So his dad told him no because she's just going to get mad at you. Adrian was determined. He headed to her house; sat down right next to her and talked to her until she gave in and they became friends. He kept scooping her snow at no charge and she would come out and give him hot chocolate and cookies for appreciation for his kindness. As the years went by and he chose to become a Marine, his personality became much more compassionate. His reputation was one that his fellow Marines admired and had the highest respect for him. He would always treat them with esteem whether they were higher or lower rank than he was. He was referred to as the model Marine. He earned three good conduct medals in his short career, along with many others. I received a letter from a Gold Star mom after I had sent her a package for the Rolling Thunder event. She had read the letter I had sent to her mother and both of them had tears filling their eyes. She said--I told my mother if I shut...if she shut her eyes and didn't know who she was reading about, she would think it was her son Stephen (phonetic). It always makes me think that every time I read about our heroes, they are all so much a like--brothers. Is it that personality type that is drawn to serve...to service of our country or is it God's doing? But he...does he send angels down on this earth for that special purpose and you and I are lucky enough to have them as our babies? There's a reason I'm sharing these stories with you. It's about honor and remembrance. Each of us who have lost wishes our loved ones to be remembered and through this flag we can. George Lutz, as a Gold Star dad, also felt the need to do something for his son and all those who have lost. I'm very thankful for his courage and compassion to create this flag that we can all be so proud as Americans because it represents our sons and daughters, our husbands and wives, and fathers and mothers. It represents our freedom for our country. It

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represents their sacrifice. We must never forget. With this Honor and Remember Flag, it will also help those who don't know and to be educated and acknowledge what our fallen heroes have sacrificed. Adrian is my only son. I'm so very proud of him and I love him so much and it's hard to live every day without him. I also thank God every day for this baby angel who he sent down as my son to serve his calling as a United States Marine. We received our flag in July 1, 2009, and this flag means so much to us because we lost our son to the war in Afghanistan in Operation Enduring Freedom and this flag represents that Adrian is remembered, that he is not forgotten. Why is this Honor and Remember Flag very important to my family? Losing a child is the hardest thing a mother could ever feel and live. My son was taken from us in a very far away land; never got to say good-bye to him; we never got to have a last touch, not even a last look. He answered the call and he served with pride. The hardest thing that I've ever had to hear was that my child died. And the hardest thing I have to live with is every moment after that I have to live without him. But I thank you very much for listening to me. God bless you. [LB1073]

SENATOR MURANTE: Thank you very much for your testimony. And again, we offer our sincerest condolences for the loss of your son. Thank you very much. [LB1073]

YOLANDA ROBLES: Thank you. [LB1073]

SENATOR MURANTE: Are there any questions? Seeing none, thank you very much for coming down today, much appreciate it. [LB1073]

YOLANDA ROBLES: Thank you. [LB1073]

SENATOR MURANTE: Additional proponent testimony to LB1073? Welcome. [LB1073]

ROBBIN KELLEY RASMUSSEN: Thank you. Good afternoon. My name is Robbin Kelley Rasmussen, R-o-b-b-i-n K-e-l-l-e-y R-a-s-m-u-s-s-e-n. My father, Harvey Kelley, served as an adviser in South Vietnam in 1964 and returned to South Vietnam in June of '69 with the First and 18th Infantry Division as the commanding officer for the Alpha Company. On November 20 of '69, he was killed by sniper fire in a rubber tree plantation in the Iron Triangle of Vietnam. I was 16 months old when my father was killed. Every war is controversial. However, the Vietnam War had a particular stigma attached to it. My family learned very quickly not to tell anyone that our loved one was killed in Vietnam. We were not, nor have we ever been ashamed of him. In fact, we were very proud of him, but we chose silence in order to avoid the cruel statements or disapproving looks that we sometimes had to endure with the society that wanted to forget this particular part of our nation's history. My mom and dad were high school sweethearts who married after they graduated. They had three daughters. When dad was killed, my mother was left raising us three girls, one of whom was extremely disabled. We moved in with my maternal

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grandparents as my mother needed financial and emotional support. My mother has never remarried and still mourns the loss of my father every day. In March of 2003, I had the honor to fly half-way across the world and stand at the place where my dad was killed. The emotions that joined me on that journey were fear, excitement, sadness, forgiveness. I arrived in Vietnam not knowing what I would find there, if anything. By the end of the trip, I felt like my dad had been there the whole time and he was just waiting for one of us to come over there and pick him up and bring him home. And I did. For the last 25 years of my life, I've been committed to honor not only my dad but all of our fallen heroes. I'm not only a Gold Star daughter, I'm also a Marine mom. All of my children were raised to honor those who have sacrificed themselves in the name of freedom. And so my oldest son decided to join the Marines as a result of this. He is a squad leader for the firing party for ceremonial funerals in Arlington National Cemetery. My husband and I couldn't be prouder parents knowing what I know about the loss of a loved one due to war breaks my heart for Gold Star parents and I'm constantly worried about my son even though he is not in combat at this time. When I was approached on Memorial Day of 2014 regarding receiving the Honor and Remember Flag, I was taken aback. I'd never heard of this flag before. But when it was explained to me what it all symbolized, I felt honored that they wanted to make sure that my family and I could be recipients of such a symbol that represents our loved ones. On November 23, 2014, what would have been my dad's 77 birthday, my mother and I were presented with the Honor and Remember Flag. It was such a beautiful tribute to my father, and my mother could hardly contain herself with the recognition that she was finally receiving for her loss. The Honor and Remember Flag signifies those that have made the ultimate sacrifice to this country. This flag is an acknowledgement of those sons, daughters, mothers, fathers, husbands, and wives who have been taken away from their loved ones too soon all in the name of the greatest country in the world. We as family members can look at this flag with pride and tell others what it signifies. I never want another Gold Star child to not understand the magnitude of their parent's sacrifice, as well as the contribution that they can make to our state and country by following their parents' morals and beliefs. In closing, I'd like to thank you for your time. [LB1073]

SENATOR MURANTE: Thank you very much for your testimony. Senator Bloomfield has a question. [LB1073]

SENATOR BLOOMFIELD: Thank you. Thank you for coming down. I just want to let you know that I am a Vietnam vet and over the last 50 years it has gotten better. Thank you. [LB1073]

ROBBIN KELLEY RASMUSSEN: Welcome home, sir. [LB1073]

SENATOR BLOOMFIELD: Thank you. [LB1073]

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ROBBIN KELLEY RASMUSSEN: Thank you. [LB1073]

SENATOR MURANTE: Seeing no additional questions, thank you very much for coming down today, much appreciate it. Welcome. [LB1073]

JIM MEIER: Thank you for having me. I would like to thank you for giving us the time to talk about the Honor and Remember Flag. Thank Senator Kolowski for sponsoring the flag. I'm not a Gold Star father. The last war, people who spoke are members of Gold Star families. [LB1073]

SENATOR MURANTE: If I could stop you just for a moment and ask you to say and spell your name. [LB1073]

JIM MEIER: (Exhibit 2) Yes, I'm sorry, yes. My name is Jim Meier, J-i-m M-e-i-e-r, and I'm the director for the Nebraska Chapter of the Honor and Remember Flag. So I really can't add to their testimony per se. I think on the broader aspect of the organization, the Honor and Remember Flag, I've been to two of the national meetings. I studied the organization when Pat Mracek called me and asked me to be a part of the organization, I thought more...I'd get some more study in who are these folks myself? And I've been just wonderfully, I guess, enthralled by how deep and how meaningful this process can be. Perspective, our country has had 240 years; we've had over 1.3 million men and women who have died in service to our country. You do the math, that's 15 per day. When I was in Vietnam, I wasn't in Vietnam, I was in Japan. But I look at Vietnam every day as a photo interpreter. The time I was there, there was 48 per day who had passed away...who died in service to our country. So it makes sense to me. When I fly a flag at my home underneath the U.S. flag, I feel pride about that. When I think about the flag and having served the flag and how important it is, you know, the truth is, unless we've had people who fought for and defended our country, we don't have the flag, we just don't have it. I think about it and when the wind blows like it did the other day and the U.S. flag was like this (hand motion straight out and higher) and the Honor and Remember Flag was like this (hand motion straight out but lower), I thought wow, that's the wind below the sail, because unless we had the service, we don't have the country. We don't have the Chamber here. We really don't, do we? We really don't. So it just makes so much sense to me. It just makes sense that we honor and remember the fallen. And we're honoring and remembering the families, the forgotten as well, who they themselves, how many millions? So in this state, yes, we earn...we raise money. The question was asked about funding. We're all volunteer. There's nobody making any money. The transparency is very easy. The national Honor and Remember Flags administrative overhead costs is 9 percent, very good. They have the highest level of endorsement from charity-watch organizations. They also have the Combined Federal Contribution status as well. It's a good organization. Again, I just am very proud in this state. And I want us to be the 22nd state to endorse it and adopt it. It just means so much more when you can do that and have the state do it. I can fly the flag, but please, I would

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ask you to consider this deeply and sincerely. One other thing is that I have a list here and I can leave with you, that's for the record, but the number of military organizations that have officially endorsed the Honor and Remember Flag, I mean: Vietnam Veterans of America; MOAA; Blue Star Mothers; the Association of the Navy; the Association of the Army; Association of the Air Force; the American Vets. Again, the list, I can leave this with you. [LB1073]

SENATOR MURANTE: We'll have that submitted into the record; if a page would grab that for us. I appreciate it, thank you very much. Are there any questions? Seeing none, thank you very much for coming down today. [LB1073]

JIM MEIER: Thank you. [LB1073]

SENATOR MURANTE: We'll have that submitted for the record. We are still on proponent testimony to LB1073. Are there any additional supporters of LB1073? Is there any opposition testimony? Welcome back. [LB1073]

GREGORY HOLLOWAY: Again, my name is Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y, and this is proof that they give only the hard jobs to First Calvary Division. (Laughter) And you know, as an old grunt with the First Calvary Division of Vietnam in '68, I do understand death. When I was medivaced out of Vietnam July 3 of 1968, all the members of my squad and my team thought I was dead. But I fooled them. You guys are really lucky. But represent the Nebraska Veterans Council, they've asked me to come to oppose this and this is why. It would have been great if they would have come to us, to our council and discussed this bill to make this an official flag for the state of Nebraska; would have assisted our decision-making process a lot more. But in lieu of that, we don't really have a great understanding of the organization itself behind this flag. Although we honor and respect all of our fallen brothers and sisters immensely, it's the overall operation of this flag that we are concerned with. Now, we've been told and heard that it's a for-profit entity. And if it is, I don't think it's actually right for the state of Nebraska or appropriate for the state of Nebraska to adopt that type of agency as anything official for the state of Nebraska. If this does not go through, when my job is hard, but you guys' jobs are a lot harder right now deciding whether to get it to the floor or not. If it doesn't get to the floor, I would ask them to come to the Nebraska Veterans Council and we could sit down and discuss all this and sort everything out and come back and most likely assist them in their endeavor if it's appropriate for the veterans in the state of Nebraska and the state of Nebraska. So good luck with your decision-making process on this. I'm glad I'm sitting on this side of the table right now because it's a hard decision to make. I've been in the blood. I've lost my...lost men. And I've taken lives myself on the other side, so I understand all those things that happen. It's a hard decision and I have 100 percent sympathy in their efforts to make this happen. But we still have those questions through our veterans community. And I'll be quiet. [LB1073]

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SENATOR MURANTE: Thank you. Let me just say if we are unable to pass this bill this year in a short session, let me just offer my services, the services of this committee if we can facilitate some sort of discussion between you and the other organization (inaudible). [LB1073]

GREGORY HOLLOWAY: That would be wonderful. I am the chair for the Nebraska Veterans Council this year, but I've already been told I would be asked to be their legislative director for next year. [LB1073]

SENATOR MURANTE: Okay. Well, good. Senator Bloomfield. [LB1073]

SENATOR BLOOMFIELD: Thank you. Thank you, Mr. Holloway. If this would happen to come out of committee, I don't know if it could be a consent calendar thing with your negative...with your opposition testimony it cannot. However, if that opposition has been satisfied, it could possibly again, would you be willing to meet with these people...? [LB1073]

GREGORY HOLLOWAY: Oh, yeah. [LB1073]

SENATOR BLOOMFIELD: ...very, very soon and see if it's something we can do. [LB1073]

GREGORY HOLLOWAY: I'm more than willing. If our opposition could be satisfied, I would make sure the chairman of the committee knows immediately. And we probably shouldn't hesitate. [LB1073]

SENATOR MURANTE: No, you would have...if you want to do that, I'm more than willing. [LB1073]

GREGORY HOLLOWAY: I still have seven veterans organizations, other than my own, I represent the Vietnam Veterans on that committee and I am the chair, but there's six other organizations, plus a County Veteran Service Officer I have to visit with in order... [LB1073]

SENATOR BLOOMFIELD: And I don't know if it's possible to get that done in time. [LB1073]

SENATOR MURANTE: I'd say next Friday... [LB1073]

SENATOR BLOOMFIELD: I just wanted to clear that up. [LB1073]

GREGORY HOLLOWAY: I can get it done. [LB1073]

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SENATOR MURANTE: ...if we're going to try and do that and do this on consent calendar, I would say next Friday we'd have to have you (inaudible) position (inaudible). [LB1073]

GREGORY HOLLOWAY: I'll visit with them if they stick around. I have one more hearing; it should go pretty quick. And if they'd stick around, we could discuss some of the particulars with it and I can...because I can always call a special meeting. [LB1073]

SENATOR MURANTE: Okay. [LB1073]

GREGORY HOLLOWAY: All right? [LB1073]

SENATOR BLOOMFIELD: And I will not be on this committee next year to facilitate that, so the rest of the members (inaudible). [LB1073]

SENATOR MURANTE: The error of term limits, Senator Bloomfield will be leaving us. (Inaudible) here anymore. [LB1073]

GREGORY HOLLOWAY: You're gone? [LB1073]

SENATOR MURANTE: Senator Garrett. [LB1073]

SENATOR GARRETT: Thank you, Greg, for your testimony. This is a classic example of us veterans hardly ever agree on anything,... [LB1073]

GREGORY HOLLOWAY: Yeah. [LB1073]

SENATOR GARRETT: ...but I do appreciate your concern. I'm long-time veteran, as you know, and hearing the (inaudible) stories. [LB1073]

GREGORY HOLLOWAY: Yeah. [LB1073]

SENATOR GARRETT: You know, I...to tell you the truth, you know, I was a bit skeptical when I first saw this flag, as a member of the veterans and business forum and stuff, I was a little skeptical as well. But I've gotten to where I almost see this flag...not almost, I see this flag as, you know, honoring and remembering the fallen. Just like we have the POW-MIA flag, which has grown to mean a lot to a lot of us, you know, when we honor the POWs and the MIAs. This

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is a way to, you know, we all, of course, recognize the flag of the United States as what we fight for, but again, to honor and remember the fallen... [LB1073]

GREGORY HOLLOWAY: Yes. As a spokesman for the Nebraskan Veterans Council, it is my duty to relay their concerns. [LB1073]

SENATOR GARRETT: Absolutely. I understand. [LB1073]

GREGORY HOLLOWAY: And that's what I'm doing. [LB1073]

SENATOR GARRETT: I understand that and I appreciate it. Thank you. [LB1073]

SENATOR MURANTE: Thank you, Senator Garrett. [LB1073]

GREGORY HOLLOWAY: Thank you. [LB1073]

SENATOR MURANTE: Seeing no additional questions, thank you very much for coming down today. Is there additional opposition testimony to LB1073? Any additional opponents? Any neutral testimony? Senator Kolowski. [LB1073]

SENATOR KOLOWSKI: Thank you, Chairman Murante, and members of the committee. I think whatever challenges the opposition might have of this can be solved. I don't think it's insurmountable in any way, shape, or form. In the same way, I don't think anyone said there was a guidebook to follow as to where you go next or what hoop you jump to get something done that's very good for families in our country. Common sense might have led it to touch base with different groups around your states, and I hope no one feels that they're...they've been misled or overlooked as this process has moved forward. We certainly want to recognize and honor anyone and all who have fallen for our country. And I think it is extremely important that we show compassion and open mindedness toward new ideas that might be out there and new ways of honoring those who have served. And I'm sure with the gentleman who just spoke and others in the room that they'll get together and be able to reach a compromise on this and understanding of what they all are trying to do together. I think that's the important thing. Let's not dwell or get caught in our own territoriality. Let's think of the larger picture of the honor that we're bringing to the families and the memories of their lost ones. Thank you. [LB1073]

SENATOR MURANTE: Okay. Thank you. Senator Bloomfield. [LB1073]

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SENATOR BLOOMFIELD: Thank you. Senator Kolowski, I am assuming that you would be willing to work with Mr. Holloway and this group to help. [LB1073]

SENATOR KOLOWSKI: Anything we can do, yes, sir. [LB1073]

SENATOR BLOOMFIELD: Yes. And I'm willing to help you with that, please (inaudible). Thank you. [LB1073]

SENATOR KOLOWSKI: Thank you very much. [LB1073]

SENATOR MURANTE: All right, seeing nothing else, Senator Kolowski, thank you very much for coming down today. [LB1073]

SENATOR KOLOWSKI: Thank you, Senator. [LB1073]

SENATOR MURANTE: That closes the hearing on LB1073. And we'll proceed to the next item on the agenda. [LB1073]

SENATOR GARRETT: We'll wait until things clear out here. Welcome, Senator Murante, to your Government, Military and Veterans Affairs Committee. [LB878]

SENATOR MURANTE: Thank you, Vice Chairman Garrett. Members of the committee, my name is John Murante, J-o-h-n M-u-r-a-n-t-e. I'm the state senator for District 49 which includes Gretna and northwest Sarpy County. And I'm here today to introduce LB878. I introduce this bill on behalf of the Nebraska Department of Veterans Affairs. Veterans' homes are currently administered by the Department of Health and Human Services. The Veterans Homes Board is an independent board with two representatives from each of the seven-recognized veterans' organizations, 14 total. Board membership is wholly determined by the organizations. Applications for veterans' homes are received and processed by the Nebraska Department of Veterans Affairs. The board reviews and approves or denies applications submitted to the NDVA for admittance to the four Nebraska veterans' homes in Bellevue, Norfolk, Grand Island, and Scottsbluff. The Director of the Department of Veterans Affairs is the permanent, non-voting secretary of the Veterans Homes Board. LB878 would transfer authority to promulgate rules and regulations from DHHS to the Nebraska Department of Veterans Affairs. LB878 would allow streamlined government by allowing the Veterans Home Board to work directly with the Nebraska Department of Veterans Affairs in promulgating rules and regulations in a similar manner that the board currently works with NDVA in adjudicating applications for admission to the Nebraska veterans' homes. I have letters of support from the Veterans Homes Board

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chairman, and Director John Hilgert is here to answer any questions you may have. But I'll be happy to work with the committee on this, the department's bill. [LB878]

SENATOR GARRETT: Any questions from the committee? Thank you, Senator Murante. Do we have any proponents? Welcome, Mr. Hilgert. [LB878]

JOHN HILGERT: (Exhibit 1) Thank you. Good afternoon, Vice Chairman Garrett, and members of the Government, Military and Veterans Affairs Committee. My name is John Hilgert, J-o-h-n H-i-l-g-e-r-t. I'm the Director of the Nebraska Department of Veterans Affairs. I'm here to testify in support of LB878. Would like to thank Senator Murante for introducing this bill on our behalf. The Nebraska Veterans Homes Board was created by LB534 in 1949; originally called the Board of Inquiry and Reviews. It is composed of two representatives from each of the seven recognized Nebraska veterans' organizations. The Veterans Homes Board is tasked with recommending matters of policy, rules and regulations and maintenance pertaining to each of the Nebraska veterans' homes. Although their most recognizable accomplishment is the review of approximately 450 veterans homes applications each year. Currently, the Nebraska Veterans Home Board is supported administratively, budgetarily and is situated in the Nebraska Department of Veterans Affairs. Additionally, as the director of Nebraska Department of Veterans Affairs, I have the honor of serving as the permanent, non-voting board secretary. LB878 would simply transfer the authority to promulgate rules and regulations pertaining to the homes from DHS to where it currently resides to NDVA. To pass this bill would streamline the government; it would help...it would make things clearer. The board, through their quarterly meetings would be able to make the recommendations and rules, all that Senator Murante has shared with you. I've spoken and you have a letter from Mr. Jim Cada, the chairman of the board. I've spoken with the chairman; we discussed it, and, of course, he's in support. That concludes my testimony and I'd be more than happy to try to answer questions that you might have. [LB878]

SENATOR GARRETT: Thank you, Mr. Hilgert. One question for you: as far as promulgating rules governing the operation of veterans' homes, you're not actually doing anything on the medical front, are you? This is just all admissions and how you operate the home? [LB878]

JOHN HILGERT: You know, states...that's why I kind of referred to old 1949. The state statute gives to the board those types of rules that are not only admissions, but the length of stay; if someone, for example, is to be discharged involuntarily, that certainly hasn't happened on my watch, but it goes to the Veterans Home Board. So it's more intimate, simply, than just the applications. They do get reports from the administrators and they do have an oversight. They review and have been involved in discussions regarding our staffing challenges, for example; any building that we have, be it the conversion of the assisted living beds to skilled in western

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Nebraska; or the establishing of a new veterans' home in central Nebraska. So it's more than just the applications. And statute does seem to say they're the ones that are supposed to have this oversight. So why not have the state regulations be attached to that board...the same place. [LB878]

SENATOR GARRETT: I guess I was probing more on the medical front, making... [LB878]

JOHN HILGERT: I'm sorry. You know, the medical front are, thank you, Senator, and I apologize for not picking that up. The actual services at the home are heavily regulated. Our USVA partners who contribute a per diem contribution survey us yearly. So we're very in-tuned with the federal regulations for the community living standards for state veterans' homes. Additionally, we are licensed as skilled licensed care facilities within the state of Nebraska. And the state of Nebraska also surveys our service. So the actual medical treatment, the service that we give to our veterans through our long-term care facilities is through regulations that we follow as a licensed entity. The regulations that govern long-term care facilities, skilled nursing facilities will still be in tact, they'll still be at HHS, we still have to follow those to get our license. [LB878]

SENATOR GARRETT: Perfect. Thank you. And I commend you for the job you're doing and the Eastern Nebraska Veterans' Home which I'm familiar with, it's just a mile away from where I live, what an absolutely superb facility (inaudible). [LB878]

JOHN HILGERT: We have an excellent team. [LB878]

SENATOR GARRETT: I commend you for... [LB878]

JOHN HILGERT: Well, it's the teams...it's the folks that work there. [LB878]

SENATOR GARRETT: Any other questions from the committee? Thank you, Mr. Hilgert. [LB878]

JOHN HILGERT: Thank you. [LB878]

SENATOR GARRETT: Are there any other proponents? [LB878]

GREGORY HOLLOWAY: I get to wear a lot of different hats, it's wonderful. Again, Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y. And in this case I'm actually representing the Nebraska

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Veterans Council. And I am the co-chairman of the Nebraska Veterans Home Board. As a matter of fact, I was on the board when it was called the I&R Board so, and there's quite a few of us still on there that were from back in those days. I was off for a little while, but I'm back on. The members of the board have served for considerable length of time. And they are the members of the recognized veterans' organizations and they understand pretty well with the help of the Nebraska Department of Veterans Affairs to explain stuff to us once in awhile, the legal stuff that we need to learn. But this bill would help expedite some of our decisions that we make to make things work faster and more efficient with the Nebraska Veterans Home. Jim Cada, John Liebsack was the adjutant for the VFW, and I were on the committee with Lieutenant Governor Robak when it was a single entity and it kind of bled it into health and human services. It was going to happen one way or the other so we tried to make it as smooth a transition as we possibly could. Some of those changes need to be made. So it just works more efficiently. And I think this bill would assist the Department of Veterans Affairs and our board to be able to work in a more efficient manner, that they take care of the veterans within our care. That's why I'm here testifying in favor of this. [LB878]

SENATOR GARRETT: Thank you, Mr. Holloway. Are there any questions? Committee? Thank you for your testimony. [LB878]

GREGORY HOLLOWAY: Thank you. [LB878]

SENATOR GARRETT: Are there any other proponents for LB878? Any opponents? Anyone testifying in a neutral capacity? Senator Murante waives closing. And that concludes the hearing on LB878. We'll now turn to LB877. Again, welcome Senator Murante. [LB878]

SENATOR MURANTE: (Exhibit 1) Thank you, Vice Chairman Garrett, members of the committee. Again for the record, my name is John Murante, J-o-h-n M-u-r-a-n-t-e; I represent the 49th Legislative District here in the Nebraska Unicameral Legislature which includes Gretna, Chalco, and northwest Sarpy County, and I'm here today to introduce LB877. LB877 was brought to me by my friends at the city of Gretna. This bill would amend the law to change the procedure for approval of subdivision plats in cities of the second class and villages located in counties with a population between 100,000 and 200,000 people, very narrow in scope. LB877 changes the length of time that a county has to review subdivision in the municipality's extraterritorial zoning jurisdiction. Under current law, a city of the second class or a village approves subdivision plats within the municipality and within the municipality's ETJ. If the subdivision is within the ETJ, the municipality is required to give notice of the subdivision to the county and wait four weeks before taking action on the subdivision approval. LB877 requires the city or village to give notice of the proposed subdivision to the county, but removes the requirement that the city or village wait four weeks before taking action. Waiting four weeks can

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delay action on the development of the subdivision and adds costs to the development. Under the state's current statutes, Sarpy County is the only county where this change will apply and because the county's population and the population growth the law already treats cities and villages and this county differently than other cities and villages for the purposes of annexation. And I would note that after talking with Sarpy County, the League of Municipalities, and other interested parties, we have an amendment that further cleans up the language increasing the population to...of the county population to 250,000 and clarifying terms such as "commission" to the department of...and Public Works Department. And so with that I'd be happy to answer any questions that you may have. [LB877]

SENATOR GARRETT: Yes, Senator Hansen. [LB877]

SENATOR HANSEN: Was there a similar bill...thank you, Vice Chairman Garrett, was there a similar bill in Urban Affairs this year dealing with similar issues or am I making up things? [LB877]

SENATOR MURANTE: I introduced a similar bill on behalf of the city of Gretna which the Urban Affairs Committee promptly advanced to General File unanimously. This bill is a little bit different because it deals with counties rather than cities exclusively which is why it's here instead of there. In retrospect, I...if I had to do it over again, I probably just take these two bills and merge them together and had them both sent here but here we are. We can do it on General File instead. [LB877]

SENATOR HANSEN: All right. Thank you. [LB877]

SENATOR GARRETT: Thank you, Senator Hansen. Any other questions? Senator Bloomfield. [LB877]

SENATOR BLOOMFIELD: Is this not borderline special legislation? [LB877]

SENATOR MURANTE: It's the definition of what is not special legislation. [LB877]

SENATOR BLOOMFIELD: Due to the verbiage. [LB877]

SENATOR MURANTE: Correct. Because this is the... [LB877]

SENATOR BLOOMFIELD: Thank you. [LB877]

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SENATOR MURANTE: ...what we have done in Nebraska state statute to ensure that it is not special legislation, because any county can reach the population of 250,000. [LB877]

SENATOR GARRETT: Thank you, Senator Murante. [LB877]

SENATOR MURANTE: Thank you very much. [LB877]

SENATOR GARRETT: Is there any proponent testimony? Welcome. [LB877]

JEFF KOOISTRA: (Exhibit 2) Thank you. Good afternoon to the committee of Government Affairs. My name is Jeff Kooistra, K-o-o-i-s-t-r-a, and serve as the city administrator for the city of Gretna. While I'm here today to speak in support of LB877, primarily on behalf of Gretna, I also represent the United Cities of Sarpy County, which include the cities of Papillion, La Vista, and Springfield, who also support this proposed legislation. I want to thank the senator, Senator Murante, for sponsoring this bill for our group. The city of Gretna is a city of the second class, but because of the interest in development of our community, we have several project applications annually for housing and commercial developments within our corporate limits and our extended territorial jurisdiction, ETJ. These projects require applications from preliminary and final plats. The current statute requires the county must approve these plats before the city moves forward with our city planning commission public hearing and recommendation and the city council's public hearing and approval or denial. We believe it is unnecessary that the developer and the city needs to take this extra step of the County Planning Commission approval. Gretna presently uses professional consultants to help us work through any issues. These consultants are the city attorney, city planner, city engineer. By law, the city conducts four public hearings which gives the public ample opportunity for input. We presently and will continue to submit the preliminary and final plat applications to the county's planning department and county engineer for comment. We do believe it is important that the city submit these plats for county review since the development is taking place in our ETJ. We are concerned that the statute requires a review and approval by the county's planning commission. This requires an additional month to the approval process for the preliminary plat and an additional month to the approval process for the final plat. These are unnecessary requirements for the developer and the city. Many projects have tight schedules and the construction season is limited. Thank you for your time and consideration this afternoon. We respectfully request that you advance LB877 as currently drafted with its amendments. I would be happy to try to answer any questions. [LB877]

SENATOR GARRETT: Thank you, Mr. Kooistra. Are there any questions from the committee? Seeing none, thank you for your testimony. [LB877]

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JEFF KOOISTRA: Thank you very much. [LB877]

SENATOR GARRETT: Are there any other proponents? Welcome. [LB877]

GARY KRUMLAND: Senator Garrett, members of the committee, my name is Gary Krumland, it's G-a-r-y K-r-u-m-l-a-n-d, representing the League of Nebraska Municipalities. As Senator Murante was mentioning, this bill, basically, just reduces the time for comment for the county in their...in specific counties. And those are those between 100,000 and 200,000. Under current law, cities of the second class and villages, and these are the smaller cities, cities of the second class are those between 800 and 5,000; villages are those below 800, are given four weeks to comment on a subdivision plat. So any time during that four weeks they can comment, but the city has to wait four weeks before they can take action. And all this does in those larger counties with a lot of growth, the requirement to give notice to the county is still there, it's just that they don't have to wait the four weeks, they just go through the normal process. And in counties this size, they have a full-time planning commission, or full-time planning department, excuse me, so they have people there all the time; it rarely takes that long. And in the meantime, the city will be giving notice for the planning commission hearing, notice for the city council hearing, so there's plenty of time to comment, it's just that we're taking out the timing of it all. I'd be happy to answer any questions. [LB877]

SENATOR GARRETT: Thank you, Mr. Krumland. Are there any questions? Senator Bloomfield. [LB877]

SENATOR BLOOMFIELD: Thank you. Mr. Krumland, we're eliminating the time frame they have to comment. Are we also eliminating their ability to say "no"? [LB877]

GARY KRUMLAND: The law really right now does not give them the ability to say no. It just gives them a comment time. If you look at the current...if you look on page 3, at the top of the page, you give it to the county planning commission and it says this county planning commission, it's line 2 and 3, shall give them four weeks to officially comment on the appropriateness of the plat. So it's, basically...the law right now gives them four weeks to comment, but they think they found in counties with a full-time planning department they don't need the full four weeks and it does delay things. [LB877]

SENATOR BLOOMFIELD: Okay, thank you. I'll dig into that a little deeper. Thank you. [LB877]

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SENATOR GARRETT: Any other questions? Thank you, Mr. Krumland. Is there any additional proponent testimony? Any opponent testimony? Any testimony in the neutral capacity? And Senator Murante waives closing. This concludes the hearing on LB877 and today's Government, Military and Veterans Affairs Committee meeting. [LB877]