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Government, Military and Veterans Affairs Committee
February 02, 2018

[LB753 LB1019 LB1038 LB1098]

The Committee on Government, Military and Veterans Affairs met at 1:30 p.m. on Friday, February 2, 2018, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB753, LB1019, LB1038, and LB1098. Senators present: John Murante, Chairperson; Tom Brewer, Vice Chairperson; Carol Blood; Tom Briese; John Lowe; Theresa Thibodeau; and Justin Wayne. Senators absent: Mike Hilgers.

SENATOR MURANTE: (Recorder malfunction)...Affairs Committee. My name is John Murante, I am the State Senator for District 49, which includes Gretna and northwest Sarpy County. And I am the Chairman of this committee. We are here today for the purposes of conducting four public hearings, we will be taking those bills up in the order in which they appear on the agenda listed outside of this room. If you are here and wish to testify on any of the matters before us, we ask that you fill out one of these green sheets of paper that are located on either side of the room. If you are here and wish to testify your support or opposition for any of the matters before us, but you do not wish to testify, we ask that you fill out one of these sign-in sheets that are again located on either side of the room. 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. The order of proceedings is that the introducer will be given an opportunity to open, then we will listen to proponent testimony, followed by opponent testimony, then neutral testimony, then the introducer will be given an opportunity to close. We ask that you listen very carefully and to try not to be repetitive. We do use the light system in the Government Committee. Today, each testifier will be allotted three minutes to testify. When the yellow light comes on you have one minute remaining and we would ask that you begin concluding your remarks. When the red light comes on, your time has expired, and we will open the committee up for any questions they may have of you. At this point, I would like to encourage everyone to turn off or silence any cellphones, electronic devices, or anything that makes noise. If you have an exhibit, a statement, or anything you would like submitted to the committee, we would ask that you provide 12 copies to our page, who will distribute it off to us. If you don't have 12 copies, just provide what you have to the page and he will make sure that we get the copies that we need. And our page for the day is Joe Gruber from Omaha. And for introduction of members, we will start with Senator Lowe.

SENATOR LOWE: State Senator John Lowe, District 37: southeast half of Buffalo County.

SENATOR BRIESE: Tom Briese, District 41.

SENATOR BREWER: Tom Brewer, District 43.

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SENATOR THIBODEAU: Theresa Thibodeau, District 6 in Omaha.

SENATOR BLOOD: Carol Blood, District 3: western Bellevue and southeastern Papillion.

SENATOR MURANTE: And to my immediate right is Andrew La Grone; Mr. La Grone is the committee's legal counsel. To our far left is Sherry Shaffer; Sherry is the Government Committee clerk. And with that, we have dispensed with our formalities and welcome back Senator Clements to your Committee on Government, Military and Veterans Affairs.

SENATOR CLEMENTS: (Exhibit 1) Thank you, Mr. Chairman and members of the Government Committee. I am Senator Rob Clements, R-o-b C-l-e-m-e-n-t-s. I represent Legislative District 2 and I am here to introduce LB1019. LB1019 is a proposal that was brought to me by Cass County officials who are in my district. The bill amends the boundaries of the current Nebraska planning and development regions so that Cass County can move from Region 6, southeast, to Region 8, Omaha metro. You should have in your packet a colored map that shows in the southeast corner the counties who are in Region 6, and Cass is one of those, and the counties in Region 8 in the yellow. And Cass would like to move from the purple to the yellow to join Washington, Douglas, and Sarpy. Nebraska planning and development regions were created by the Legislature in 1992 to help coordinate economic development with counties and cities in a particular region across the state. Much has changed in 26 years since these regions were created in 1992. Though Cass County is still considered in some ways a rural county, Plattsmouth, Buccaneer Bay, Beaver Lake, and Louisville have become bedroom communities of the Omaha metro area. There are many current development connections with their northern neighbor, Sarpy County, which is Nebraska's fastest-growing county. Sarpy County is currently a more natural economic development partner for Cass County than it was in 1992, when Cass County was substantially more rural. Highway traffic counts across the Platte River on the two major highways into Sarpy County from Cass County have grown tremendously over the years. Highway 75 from Plattsmouth to Bellevue has almost reached 10,000 vehicles a day going north over the Platte River. In the center of the county, Highway 50 at Louisville has increased to over 3,500 vehicles going north over the Platte River bridge towards Papillion. I believe for these reasons that LB1019 makes sense for Cass County. I also spoke with Sarpy County officials who are in support of this change. There are a few county and city officials here today that have come to testify in favor of LB1019, and they can answer more detailed questions for the committee as to their reasons for requesting this change. I will gladly work with the committee and other stakeholders to address any concerns you may have. I thank you for your consideration of LB1019, and I will now answer any questions you may have. [LB1019]

SENATOR MURANTE: All right. Thank you very much for your testimony. Senator Blood.
[LB1019]

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SENATOR BLOOD: Thank you, Senator Murante. And thank you, Senator Clements. So you want to move on up to the east side, is what I'm hearing, right? I'm sorry, that had to be said. So Highway 34, do you think that that's also an important part of the reason that Cass County needs to come into the...to MAPA? [LB1019]

SENATOR CLEMENTS: Yes. It provides us a major access to Iowa from Nebraska. In the past, Plattsmouth has had a bridge across the Missouri River, which that bridge is not adequate anymore. And that does help Cass County people that go up into Sarpy County cross the Highway 34 bridge to Iowa. That is another reason that this would be a logical change. [LB1019]

SENATOR BLOOD: And that would be an important part to the growth in that area for both Bellevue and for Cass County? [LB1019]

SENATOR CLEMENTS: Yes. [LB1019]

SENATOR BLOOD: Thank you. [LB1019]

SENATOR MURANTE: All right, any final questions for Senator Clements? Seeing none, thank you very much for your presentation. [LB1019]

SENATOR CLEMENTS: Thank you, Mr. Chairman. [LB1019]

SENATOR MURANTE: And we will proceed to proponent testimony on LB1019. Welcome. [LB1019]

JIM PETERSON: (Exhibit 2) Good afternoon, Senator Murante, members of the committee. My name, for the record, is Jim Peterson, J-i-m P-e-t-e-r-s-o-n. I am currently in my third term on the Cass County Board of Commissioners. I recently completed my sixth year on the Nebraska Association of County Officials Board of Directors, representing the southeast district. I have represented the Cass County Board of Commissioners on the Region 6 Nebraska Planning and Development District Board of Directors for the last seven years. First, I would like to thank Senator Clements for introducing LB1019 on Cass County's behalf. LB1019 would change Section 13-1901, allowing Cass County to transfer from the Region 6 Planning and Development District, commonly known as the Southeast Nebraska Development District, to the Region 8 Planning and Development District, commonly known as the Metropolitan Area Planning Agency. In late 2016, the SENDD board of directors changed executive directors, which was the catalyst for the Cass County board to study the pros and cons of which region would best fit Cass County. Cass County commissioners have recently been active in the I-80 Corridor Commission,

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the 2020 metropolitan planning project, as well a portion of Cass County was included in the MAPA transportation planning region along the Highway 75 corridor, the county has participated in the MAPA Transportation Technical Advisory Committee. Cass County is a part of the Omaha-Council Bluffs Metropolitan Statistical Area, MSA, which is a Census Bureau definition based on commuting patterns. Based on the 2014 census data, 42.5 percent of the Cass County work force commutes to Douglas or Sarpy Counties on a daily basis. When the Highway 75 Plattsmouth to Bellevue project is completed, there will be a continuous freeway from Omaha to Plattsmouth. The Highway 50 corridor is expanding rapidly, with industrial development in Sarpy County, such as the recent Facebook project. New employment opportunities will increase for portions of Cass County along Highway 50. If you examine the Nebraska planning and development region map, you will see that Cass County's geographical location is a natural fit for Region 8. The Missouri River is our border on the east and the Platte River represents most of our northern border, with only Highways 73, 75, and 50 linking us to Sarpy County. Highway 34 is located on our southern edge and goes from east to west, linking Cass County to Lancaster County on our western border. Region 7 is Lancaster County, which separates Cass County from the other western counties in Region 6. Otoe County is on our southern border, linked with Highways 73, 75, and 50, and our counties always have worked well together. After many months of research, on December 26 of 2017, the Cass County Board of Commissioners moved to begin the process of moving from SENDD to MAPA by unanimous vote. LB573, which became Nebraska Statute 13-1901 in 1992, created the Nebraska planning and development regions, was introduced in 1991, placing Cass County in Region 6. The record of the Committee on Government, Military and Veterans Affairs on February 28 of 1991, the testimony between Senators Baack, Withem, and Conway about the concern they had about locking counties into districts and not allowing counties the flexibility to change districts, and I quote Senator Baack, "I would not mind seeing something on the bill that would allow them to change districts if that was a necessity. As areas of trade and stuff change, I think we need to allow that flexibility." Unfortunately, this flexibility did not get into the final bill. I thank you for considering this bill, and I welcome any questions you may have. [LB1019]

SENATOR MURANTE: All right. Thank you for your testimony. Are there any questions?
Senator Briese. [LB1019]

SENATOR BRIESE: Thank you, Chairman Murante. And thank you for being here. So far, I've heard suggestions that a change to Region 8 would be a more natural fit, an important part of growth, it's more of a...part of a more natural economic development partner, something along those lines. Can you give me an example of how this change can benefit your county? [LB1019]

JIM PETERSON: Having Cass County change to MAPA? [LB1019]

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SENATOR BRIESE: Yes. [LB1019]

JIM PETERSON: I believe the examples that I've given of the participation that Cass County communities, as well as the Board of Commissioners has had with all of the committees coming out of MAPA is very, very important for the main population areas of Cass County, which is Highway 50 and on east of there. Yes, that's a definite positive link for us. [LB1019]

SENATOR BRIESE: Okay. Can you explain a little further how that translates into a tangible benefit for Cass County? [LB1019]

JIM PETERSON: I think if you take a look at the outcome of the cooperation between MAPA and the Cass County officials and the Department of Roads with the state of Nebraska for the improvements of Highway 73, 75, and the new bridge, of course, across the Platte River. And recently, of course, we have been requested from the Sarpy County area for a bike path across the Platte River, which Cass County has agreed to be a part of that as well. And all of these are tremendous economic returns for Cass County. [LB1019]

SENATOR BRIESE: Okay, thank you. [LB1019]

SENATOR MURANTE: Thank you, Senator Briese. Senator Lowe. [LB1019]

SENATOR LOWE: Thank you, Chairman. And thank you, Mr. Peterson, for being here today. Are the other counties in District (sic--Region) 6 in favor of you moving up to MAPA? I'm going to guess that they probably won't be, because you're the great Cass County. [LB1019]

JIM PETERSON: Well, I haven't had any personal conversations with the other county officials directly about this probably since December of 2016. I would imagine that some of them would prefer that we didn't leave, but nobody has contacted me and voiced any direct comments one way or the other. So I have to personally think that is that they're fairly neutral on it. [LB1019]

SENATOR LOWE: Okay. Thank you. [LB1019]

SENATOR MURANTE: All right, thank you very much. Seeing no additional questions, thank you very much for your testimony. [LB1019]

JIM PETERSON: Thank you. [LB1019]

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SENATOR MURANTE: Much appreciate it. Welcome. [LB1019]

ERVIN PORTIS: Thank you, Mr. Chairman, committee members. I am Ervin, E-r-v-i-n, last name is Portis, P-o-r-t-i-s, the city administrator for Plattsmouth, here representing Plattsmouth, which does support this bill, and is part of the contingent that approached Senator Clements seeking a change in the statute. I am not going to be redundant to anything that either Commissioner Peterson or Senator Clements have addressed. I would just raise a couple additional points. Since 2008, Plattsmouth and Cass County have been affiliated as a member of the greater Omaha economic development partnership, the Cass County Nebraska Economic Development Council, the direct affiliation with the greater Omaha economic development partnership, because there is a very clear economic relationship between the Omaha metro area and Plattsmouth and Cass County. And some examples, Cass County...some additional examples--Cass County and Plattsmouth have participated for several years in the MAPA's Heartland 2050 multi-year visioning plan because we are aligned economically. Cass County and Plattsmouth have participated in the Offutt Air Force Base joint land use study with significant elements of that dialogue facilitated by MAPA. Offutt, a key employer to the entire metro region, to the entire state, very clear impact on Plattsmouth and Cass County. In Plattsmouth, in 2017, to get back to your question, Senator Briese, a direct impact...I think Commissioner Peterson touched on this a little bit, I can elaborate. In 2017, Plattsmouth, Cass County, Bellevue, Sarpy County, the Lower Platte South Natural Resources District, Papio Missouri River Natural Resources District, the Nebraska Department of Transportation, and the Metropolitan Area Planning District entered into an interlocal cooperation agreement to connect Sarpy County, Bellevue, Cass County, and Plattsmouth with a pedestrian bicycle trail across the Platte River. That's a very creative interlocal agreement involving a number of communities or political subdivisions to solve significant problem, recognizing the economic length between the communities. The top 10 cities or destinations where Plattsmouth workers are employed: Omaha, Plattsmouth, Lincoln, Bellevue, Council Bluffs, Papillion, La Vista, Glenwood, Offutt Air Force Base, and Chalco Hills. So for the most part, and 70 percent of our residents commute out for work, true bedroom community. And we're commuting primarily to the greater Omaha metro area and that's where we're spending our dollars. And some additional thoughts from me in response to your question, how can Cass County benefit from the membership with MAPA. The first thing is a savings in the dollars the local communities spend in membership. Under the Southeast Nebraska Development District the county pays a membership and the cities pay a membership fee. Under MAPA's arrangement, the county pays a prorated fee based on total population of the county. So we'll save the city some money. Not a lot, but still, I'll take any dollar savings I can get. [LB1019]

SENATOR MURANTE: All right. Well, thank you very much for your testimony. Are there any questions? Senator Blood. [LB1019]

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SENATOR BLOOD: Actually, I have two questions. So the first one that I have heard some undertones about is there is concern from some of the smaller communities in Cass County in reference to interlocal agreements and how, by moving to MAPA, that they might lose that ability to be able to participate in that. Can you address that a little bit? [LB1019]

ERVIN PORTIS: I believe by a move to MAPA their ability to participate will be increased. [LB1019]

SENATOR BLOOD: Can you explain that? [LB1019]

ERVIN PORTIS: Yeah, I can explain that. Under the current Southeast Nebraska Development District interlocal cooperation agreement, the county is required to participate before the cities can. That same rule doesn't apply with the MAPA district. The MAPA interlocal agreement, if the county participates we're all-in without paying an additional membership fee and we can participate. [LB1019]

SENATOR BLOOD: So you don't feel...so if I hear you correctly, you don't feel that the smaller communities will suffer in any way in that area. [LB1019]

ERVIN PORTIS: I do not believe so. [LB1019]

SENATOR BLOOD: And so, if I remember correctly, MAPA always said: connect, plan, and thrive. That their goal is for all who are involved to have that connectivity, much like the bike path you were just talking about. [LB1019]

ERVIN PORTIS: I would use two examples, and to show how MAPA has reached out to the communities in Cass County, even though not obligated to do so. And I think the first and most important is the MAPA's Heartland 2050 multi-year visioning plan. Looking far enough out on a variety of issues, all of them economic-related, but transportation, housing, employment, the types of communities we want to be, infrastructure...working from the base that we're a region that ought to work together. MAPA reached out and invited representatives from all of the Cass County communities and many of us did participate in that process, even though MAPA was not obligated to do so. I think that was a very powerful statement to the people in Cass County. [LB1019]

SENATOR BLOOD: So connect, plan, and thrive. [LB1019]

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ERVIN PORTIS: Yep. And the other one is the Offutt Air Force Base joint land use study, so. [LB1019]

SENATOR BLOOD: Right. Thank you. [LB1019]

SENATOR MURANTE: All right, any additional questions? Seeing none, thank you for your testimony. [LB1019]

ERVIN PORTIS: Thank you. [LB1019]

SENATOR MURANTE: Mayor Sanders, welcome back. [LB1019]

RITA SANDERS: (Exhibit 3) Hi, thank you. Lincoln is a little cold. Good afternoon, Chairman Murante and members of the Government and Military Affairs Committee. My name is Rita Sanders, spelled R-i-t-a S-a-n-d-e-r-s. I am the mayor for the city of Bellevue and serve as the chairperson of the Metro Area Planning Agency, known as MAPA. MAPA is a regional council of governments, and serves as a development district for Douglas, Sarpy, Washington Counties in Nebraska, as well as Pottawattamie and Mills County in Iowa. In addition to myself, our board and finance committees are comprised of representatives from cities and counties from all five counties in the MAPA region. MAPA exists to serve its members through assistance with planning and zoning, community development, transportation, planning data, mapping, and technical research, and other activities that are multi-jurisdictional in scope. MAPA works on a variety of projects, such as successful recent collaboration with Bellevue and Plattsmouth, Sarpy and Cass Counties, the Papio Missouri River and Lower Platte South NRDs, and Nebraska DOT, to ensure that the new Highway 75 Platte River bridge includes a side path for pedestrians and cyclists. Without this collaboration, the new Highway 75 would not have been a viable Platte River crossing for pedestrians and cyclists as it will be a freeway and state statute prohibits pedestrians and cyclists from using freeways. MAPA worked with these jurisdictions that signed on to an interlocal agreement to split the costs of funding with Nebraska Department of Transportation and provide this important facility for transportation and recreation for our residents. MAPA has approached...MAPA was approached originally in 2016 by elected officials from Cass County that expressed their interest in joining MAPA. Since that point, MAPA has been involved in conversations with Cass County which culminated in the county board taking action in 2017 to move forward with the process of joining MAPA. I would note that during the past year, MAPA put the conversation with Cass County on hold for six months because we were aware that Southwest Nebraska Development District was going through a transition period. And MAPA encouraged Cass County to discuss the situation with SENDD's new executive director. Cass County has assured MAPA that its interest has been duly considered, is viewed as a long-term decision, and the county board's vote in December was unanimous. Please note that this

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decision was made by the local elected leaders for the benefit of the Cass County residents. The MAPA board has reflected on Cass County's interests as a potential member for more than a year. There are increasing economic commuting and social connections between Cass County and the MAPA region. Sarpy County is growing as evidenced by development such as Facebook, the regional wastewater authority, and the new missions at Offutt Air Force Base. New connections, such as the Highway 34 bridge that connects Bellevue to Interstate 29 in Iowa, and the new Highway 75 project that will provide continuous freeway with Omaha to Plattsmouth, are helping to spark the growth and connect our region. Following the 2010 census, a small portion of Cass County was required to be added to MAPA's transportation planning region and the area is likely to expand in the future. Also, Highway 50 provides a direct access from Louisville, Central, and Cass County to a growing employment center in Sarpy County. Personally, I have been impressed by the sight of the long line of headlights along Highway 75. Each morning, a stream of vehicles as far as the eye can see heads to jobs in Bellevue and beyond from Cass County. This image illustrates how the majority of Cass County is connected to the MAPA region. For these reasons, the MAPA board views Cass County as a natural fit, and the board has been receptive to Cass County's interest in joining MAPA. In situations such as these, local elected officials, who know their communities best, should be trusted to do what they believe in the best interest of their city or county. We encourage the committee to support Cass County's local request to amend the regions defined in State Statute 13-1901 and move Cass County to Region 8. Should this change take effect, MAPA will work with state and federal partner agencies to ensure a smooth transition. I am proud to be the chair of MAPA. MAPA supports all the members, regardless of whether they are located in urban, suburban, or rural communities and areas. MAPA secured a grant recently from the Department of Economic Development to do owner-occupied housing in Waterloo and Valley, which was the first such grant to go to a community outside the city of Omaha in the Second Congressional District in recent history; and is working with Blair on needed work force housing. An analysis of MAPA's impact to members in the past five years show that 83 percent of state and federal community development dollars benefited cities other than Omaha, Bellevue, and Council Bluffs. In fact, if you exclude FEMA disaster migration and EPA Brownfield funding, 95 percent of state federal community development assistance benefited small communities. MAPA's offices may be located in Omaha, but our work supports all our members, especially smaller local governments. MAPA stands ready to provide high quality service to Cass County and its communities. Thank you for your time. I will be happy to answer any questions you may have. [LB1019]

SENATOR MURANTE: And thank you for your testimony. Are there any questions? Seeing none, thank you for coming down. [LB1019]

RITA SANDERS: Thank you. [LB1019]

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SENATOR MURANTE: Much appreciate it. Is there additional proponent testimony to LB1019? Is there opposition testimony to LB1019? Welcome. [LB1019]

CHERYL BRANDENBURGH: (Exhibits 4, 5) Hi. Good afternoon, Senator Murante and distinguished members. My name is Cheryl Brandenburgh, C-h-e-r-y-l, last name Brandenburgh, B-r-a-n-d-e-n-b-u-r-g-h, and I'm here representing the Southeast Nebraska Economic Development District and also Nebraska Economic Developers Association. I have been involved in economic development in Nebraska for over 25 years. I currently serve as the treasurer for the Southeast Development District and I'm past president of the Nebraska Economic Developers Association. Today, I would like to really focus my testimony, however, on the Southeast Development District. We oppose moving into Cass County in the metropolitan district because of the harm that we think it can do to the smaller communities in Cass County. And the impact that it has is bigger than just looking at Cass County moving into MAPA. We feel that there are mechanisms in place that allow the communities in Cass County to be involved in MAPA and in the transportation district that is very important to them. But those interlocal agreements can work and do work in other parts of development districts across the state. And we are happy to work with any of the other...the previous testifiers to make that, you know, happen, and be successful together. The Southeast Development District is an association of counties and municipalities formed under the interlocal agreement and the cooperation act. And we're here to identify common problems and find common solutions to the communities that we serve within this region. The Southeast Development District includes the 15 counties shown on the map that you have seen now twice, and appreciate that. The way our development district works, each of these counties have representation on the board, and communities within these counties are also eligible for membership. LB1019 would move the entirety of Cass County out of the Southeast Nebraska Economic Development District, referred to in the statute as Region 6. And because of moving a county into the region, it means moving those communities. This would move communities like Weeping Water and Alvo, very small populations. These communities would be included in that metro Region 8, which focuses on serving those 925,000 people, certainly in the Omaha, Council Bluffs, metropolitan statistical area. This district is named MAPA, Metropolitan Area District, because it is metropolitan. We continue to see Cass County's membership, meaning that not only the three communities of Louisville, Plattsmouth, and Weeping Water, but the 11 villages that are important, and the unincorporated communities also in Cass County. It is a very unique county. Southeast Nebraska Development District really takes great pride in working that we have with the communities and the villages in the county, and we think that is the cornerstone of our service. There's various projects. Public works-- Manley, population 178, street and gutter improvements. Planning grants--water, wastewater. We have been involved in housing studies and various other items, certainly like you have heard earlier. In the past 10 years, SENDD has administered 14 projects in Cass County, and brought more than a total of \$1.74 million into Cass County. It's important to realize that this development district will be impacted to this change. You know, a statutory change in boundaries

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in southeast Nebraska will shift resources away, we think, from the smaller communities in this county. As a board member, I can attest to the fact that, you know, we believe that our communities are an integral part of our solutions and opportunities going forward, and we oppose changes that would prevent any community from receiving those kind of changes. To the second point, we try to be receptive, I think, to the changing needs of our members and communities, and are open to other options. I think this is certainly a slippery slope, I belong to three development districts across the state and certainly don't want to see counties move back and forth as services change. Thank you for allowing me time to talk to you, and I would be happy to answer any questions you may have. [LB1019]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions?
Senator Briese. [LB1019]

SENATOR BRIESE: Thank you, Chairman Murante. And thank you for being here. Can you tell us something about the funding for MAPA, the funding for the Southeast Nebraska District, how this impacts your funding? [LB1019]

CHERYL BRANDENBURGH: I can't speak at all to MAPA, but, you know, basically the formula for the funding comes out and we thank the senators. Two year received funding from the senators to increase funding to the development districts, which was very important to us. But it is based on a formula and, you know, as we would move one county out of our section into MAPA, they would receive additional state funding. That's also true for the federal funding side of this. There are, you know, our boundaries match our federal boundaries and so it will take a period of time to have those federal boundaries certainly changed. Revolving loan funds, certain things that we have within Southeast Nebraska Development District aren't available currently within the MAPA district. [LB1019]

SENATOR BRIESE: You spoke of a change in state funding. Any estimation of what that change might be? [LB1019]

CHERYL BRANDENBURGH: No, I don't have that. Certainly other people probably later on might have that, I don't have that number with me. [LB1019]

SENATOR BRIESE: Thank you. [LB1019]

SENATOR MURANTE: Senator Brewer. [LB1019]

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SENATOR BREWER: Thank you, Mr. Chairman. All right, let's see if we can get this so it's a little clearer. Because right now, it seems like it's a what if, gloom and doom, if we do this. If I live in Murdock, Nebraska, and this happens, how am I even going to know it happened? Are you thinking that by changing they will become invisible and none of their needs will be met? Is that essentially what you're saying? [LB1019]

CHERYL BRANDENBURGH: I'm saying that we have seen payments come from communities after the counties said they were no longer going to be a district. We continue to work in those communities because they have asked for our services. To your exact point, there are communities in Cass County that have contacted us as recently as this past week and asked for services, want us to continue to provide the services we have been doing. [LB1019]

SENATOR BREWER: Okay. But if this was to happen, wouldn't the... [LB1019]

CHERYL BRANDENBURGH: Would MAPA provide the same services? Their portfolio of services offered aren't the same, which is why we do interlocal agreements between districts to provide different services. I'm aware of...Butler County is a prime example, in the fact that Southeast Development District did not offer the services that Butler County needed about 10 years ago. At that point in time, Northeast Development District and Southeast Development District signed an interlocal. Northeast was able to help them with the business services that David City needed. [LB1019]

SENATOR BREWER: I can understand why there is a concern about the fact, I was part of that long line of vehicles that traveled across Cass County. When I was stationed at Offutt Air Force Base, I spent three years tracking that, and it is a very, very long line of vehicles leaving Cass County, going into Sarpy and working in Bellevue, either in Offutt or supporting Offutt. [LB1019]

CHERYL BRANDENBURGH: Right. [LB1019]

SENATOR BREWER: So there is a bit of a natural bond that Cass does have with that area. [LB1019]

CHERYL BRANDENBURGH: Absolutely. [LB1019]

SENATOR BREWER: Okay, thank you. [LB1019]

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SENATOR MURANTE: Thank you. Are there any final questions? Seeing none, thank you for your testimony. Additional opposition testimony? Welcome. [LB1019]

LOWELL DAISLEY: Thank you. Thank you, Senator. I don't know where I am right now. [LB1019]

SENATOR MURANTE: Do me a favor and just start by stating and spelling your name for the record, please. [LB1019]

LOWELL DAISLEY: Oh, I'm sorry. Lowell, L-o-w-e-l-l, Daisley, D-a-i-s-l-e-y. I have been in and out of a lot of developmental things for a good long time, probably 30 or more years, and live in Cedar Creek, Nebraska. That's right next door to Louisville. And coming here today, I thought the best thing I could probably do is introduce you to SENAHC. In the event that you don't know what SENAHC is, it's the Southeast Nebraska Affordable Housing (Council) unit. And we do a lot of rehab of houses...we did. We did rehab of houses, built new ones, in singles and in group settings as well. And we worked with SENDD, SENDD was our administrator to this whole service that we were providing through SENAHC. Listening to the people so far, it seems to me as though the best thing I can do is make sure that people understand the power of SENAHC as a service unit. I can't...I'm really having a struggle trying to take sides or do anything like of that nature. I am not really prepared for that. And so I apologize for that, but that's the way it turned out. So fine. So I have got to think that...so I have got to think that...I think that Cass County is going to really benefit by this whole measure. I don't know what else I need to say really. Could you excuse me, please? [LB1019]

SENATOR MURANTE: All right. Absolutely. [LB1019]

LOWELL DAISLEY: Good, thank you. [LB1019]

SENATOR MURANTE: Thank you very much for your testimony. Much appreciate it. [LB1019]

LOWELL DAISLEY: Thank you. [LB1019]

SENATOR MURANTE: All right, additional testimony, opposition testimony to LB1019? Is there any neutral testimony to LB1019? Seeing none, Senator Clements, you are recognized to close. [LB1019]

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SENATOR CLEMENTS: Thank you, Mr. Chairman. Thank you, committee. Just a couple of comments. I would like to let you know that I have received no opposing comments from any small communities in Cass County as this bill has been proposed. And I believe the MAPA testimony indicated that they are willing to serve and have served small towns. And I believe that this would be a good change and not hurtful to Cass County people, and I would appreciate your consideration. [LB1019]

SENATOR MURANTE: (Exhibits 6, 7, 8, 9, 10, 11, 12) All right. Thank you very much, Senator Clements. Any final questions? Seeing none, before we close the hearing, I do have letters of opposition. Jack Sikes of the York County Board of Commissioners, CJ Poltack of the West Central Nebraska Development District, Judy Petersen of the Central Nebraska Economic Development District, Jeff Kelley of the Panhandle Area Development District, Roger Glawatz of the Seward County Commissioners and Board Secretary of Region 6. And two letters in neutral, one from Sharon Hueftle of the South Central Economic Development District, and Thomas Higginbotham of the Northeast Nebraska Economic Development District. [LB1019]

SENATOR CLEMENTS: Mr. Chairman, may I make another comment? [LB1019]

SENATOR MURANTE: Absolutely. [LB1019]

SENATOR CLEMENTS: Thank you. In looking also back at the original formation of these districts in 1991, I just want to read a quote from Senator Withem that says, "As trade patterns change, and as new problems develop that are more important to a given area, there may need to be this flexibility of changing boundaries." And they did consider counties that might want to change, although didn't put it in the statute. I think the intent of the Legislature at that time was to provide for this kind of change. Thank you. [LB1019]

SENATOR MURANTE: All right. Thank you very much, Senator Clements. And that closes the hearing on LB1019. And we will proceed to Senator Brewer. Senator Brewer, welcome to your Committee on Government, Military and Veterans Affairs. [LB1019]

SENATOR BREWER: (Exhibit 1) Thank you, Chairman Murante, and good afternoon fellow senators of the Government, Military and Veterans Affairs Committee. I am Senator Tom Brewer; for the record that is T-o-m B-r-e-w-e-r. I am representing the 43rd Legislative District in western Nebraska. I am here to introduce LB753. And just as kind of an overview, this bill is about the National Guard tuition. It has varied from 50 percent to 100 percent back to 75 percent. The reason for this bill was that we have had a number of National Guardsmen come in with very challenging situations. And for that reason I've introduced this bill. The two primary reasons: first, I'm trying to fix a very old problem. It's bureaucratic red tape that sometimes

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makes the National Guard Tuition Assistance Program hard to use for members of the National Guard. Sometimes this even means the Guard member isn't able to use this important benefit. Second reason I introduce this bill is to raise awareness and call attention to the problem. And judging from the calls, e-mails, conversations that the staff and I have had, I think I have been success at that. The bill has certainly generated a lot of interest. And just so everybody understands, this tuition benefit is designed so that you must be a Guardsman in good standing; you must complete all requirements, your physical fitness test, you meet height and weight standards, attend your drills, be NLS for skill qualified. So this is not anything that is given, it's earned. But for everyone's...that's planning to testify today, please pay close attention because I want to make this very clear and clear up some of these mis...maybe misinterpreted issues. What this is about is that we are simply trying to improve the current system of how the money is moved and what the requirements for the Guardsmen are. So if you're here to testify and complain that it's costing your particular university or school, that is not true and you're wasting your time and it's a nice Friday afternoon, so listen up. The idea is going to be that we find in an efficient, effective way so that when you register at your particular college, university, or community college...the other part of this is, some of the schools are already being very effective in how they're handling this. Unfortunately, that's not true across the board, and that's what's requiring this. We want to have a way to move the money that pays that tuition through channels and expedite it so that it doesn't require the Guardsmen up front to pay it and then that 75 percent is paid back later. Because what we found is sometimes that delay can be months and months. And for some of them, the burden is unfair and unnecessary. They're wearing the uniform; they're doing the duty and we shouldn't make life more difficult for them. So just as wrapping this back up, the idea is to stop the bureaucratic red tape. It is not to cause any more burden to any schools and to help the Guardsmen. So with that said, I will entertain any questions. [LB753]

SENATOR MURANTE: All right. Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much. [LB753]

SENATOR BREWER: Thank you. [LB753]

SENATOR MURANTE: Proponent testimony on LB753? Welcome. [LB753]

MARK FREEOUF: Hello. My name is Mark Freeouf, that's spelled M-a-r-k F-r-e-e-o-u-f. I am testifying on my own behalf and not on the behalf of the senator for whom I work, just to make that clear. I have been a proud member of the Nebraska Army National Guard since 1999. During that time, I attended college at Doane College in Crete and earned a bachelors degree. Also during that time, like many soldier-students, I utilized the state tuition assistance program. And this is something that...I don't know...Senator Brewer touched on, but there's also two other

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sources of funding that student-soldiers have to manage on their own. There's federal tuition assistance and Montgomery GI bill, I believe now it's called Post-9/11 GI Bill. I'm thankful those programs exist, don't get me wrong, especially when trying to pay for college like Doane, which is around \$700 a credit hour. However, I always felt like I was navigating bureaucracy and various arbitrary deadlines that were thrown on me to make sure I didn't have, what we call in the military, a SNAFU and somehow lose out on money that I was promised. Luckily, I had a somewhat supportive unit that assisted students in the unit, to some extent, in making sure we got our things in that we needed to do. Other students in other units, I've heard, have not been so lucky. One time I missed a deadline and I was given one-time-forgiveness by Cindy York who is the administrator of the program. So the program currently works this way--a student is required by state statute, I believe, to apply for federal tuition assistance prior to applying for state tuition assistance. And the programs then will kind of work in conjunction. Federal tuition assistance on its own can be applied for during the semester you're attending. However, state tuition assistance has a more stringent deadline. The deadline for first semester is the 5th of June; for second semester, surprisingly, it's the 5th of September. So the federal tuition assistance will pay up to \$250 a credit hour and then the idea is the state tuition assistance pays 75 percent of UNL's current instate rate. So picture yourself as a beginning college student, often fresh out of basic training, you may have missed a deadline for first semester and you're only able to get federal tuition assistance that semester. Then 5th of September comes and goes and perhaps you miss out on state tuition assistance for second semester. Well, there's a whole year gone that you could have got state tuition assistance that you didn't because of these deadlines. I just think there's a better way to administrate this program. And I believe Senator Brewer is looking for that solution. Sorry, my red light is on, but I'll try to wrap it up. Making it a waiver-type system, I believe, help is the right idea, you know, help streamline the system more. And if you're a son or daughter of a university employee or professor, this is already what you receive. And I don't know why it should be any different for National Guard soldiers. The fiscal note looks kind of huge on this and I think it's just a shift. And, quite frankly, as a soldier, I don't care how the money is dealt with on the back end as long as the people that get it and earned it are getting it. As Senator Brewer mentioned, the student is afforded not having to front the large tuition bill and given more flexibility to catch up all the funding sources before having to pay their bill. In closing, soldiers, especially student-soldiers, have enough to deal with in their lives without having to deal with more bureaucracy. Let's find a solution and move forward toward making this program easier to use and therefore more beneficial to National Guard soldiers. Thank you. Any questions? [LB753]

SENATOR MURANTE: Thank you for your testimony and thank you for your service. Are there any questions? Seeing none, thanks for coming down. [LB753]

MARK FREEOUF: Thank you. [LB753]

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SENATOR MURANTE: Additional proponent testimony on LB753? Welcome. [LB753]

DANIELLE MARTIN: Thank you. Good afternoon everyone. My name is Danielle Martin, D-a-n-i-e-l-l-e M-a-r-t-i-n. I'm here for LB753. I started school at the University of Nebraska-Lincoln in spring of 2015, just after finishing basic training in AIT for the Nebraska Army National Guard. So I began in spring of 2015. I wasn't able to apply for federal state tuition assistance yet because you have to have a year out of your training. And so I got my spring 2015 tuition covered by state and then I had my next semester of tuition assistance covered by state also. And then when it came to spring 2016, I was under the assumption that I only had to apply for a year. So I didn't know I had to apply every semester, I only had to apply for a year. And when it came to spring 2016, I was informed that I was \$5,000 in debt by the University of Nebraska-Lincoln. And unfortunately I didn't have any financial assistance from my parents and so seeking out any type of help, I was unable to get a loan or a co-signer for a loan. And because of that, I had to take a year off of school to pay back that \$5,000 on my own which was fine, I guess; but I would have preferred not to take a year off from school and so I was set back not only that semester because of army training, but I was also set back a year because I was \$5,000 in debt. I really support the federal tuition assistance, I think it's great. And I think now that I am more informed on the situation, I have completed everything at their appropriate deadlines with the help of Robin Husky, she's really helpful for me. But I think there's a better way that we can do about doing this. Being a freshman in college, you're already trying to figure out everything; and just coming back from basic training in IT, you're just trying to get used to this civilian lifestyle and trying to get back into school. So I think there's a better way that we can go about doing this without having students being \$5,000 in debt and being in the situation that I was in. Yeah, that's all I have. Thank you. [LB753]

SENATOR MURANTE: All right. Thank you very much for your testimony. Senator Lowe. [LB753]

SENATOR LOWE: You went to UNL, is that correct? [LB753]

DANIELLE MARTIN: I'm currently a student there, yes. [LB753]

SENATOR LOWE: Do they have anybody there assisting the National Guardsmen? [LB753]

DANIELLE MARTIN: Yes. So they have their veterans service office and I went there and I also went to the student accounts office really trying to do anything...whatever I could to get this \$5,000...whether that be just like a late enrollment to this federal tuition assistance or anything. And they basically told me there was nothing that they could do. And because of the \$5,000, I didn't put this in my testimony, but because I was late... [LB753]

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SENATOR LOWE: (Inaudible) explain it. [LB753]

DANIELLE MARTIN: ...\$5,000 I was evicted from the dorm rooms. So I was in the dorm rooms that spring of 2016 and had no way of paying that \$5,000 and so I was evicted with three weeks left in my semester. And so they're basically just like, I'm sorry, but since you can't pay this off, we're going to evict you from the dorms, please find a place to live and hopefully you can finish your semester. [LB753]

SENATOR LOWE: Did they not tell you at the office that you needed to do this every semester? [LB753]

DANIELLE MARTIN: Not that I remember. I don't think...I wasn't...I'm not quite sure if I went there before hand to, like, before spring of 2015. I was enrolled as a student. I knew that I got a state tuition assistance, and I also had loans at the time. So I applied for student loans and got those such as a Pell Grant, and so I did get those. And federal tuition assistance wasn't in the game at that point because I hadn't...wasn't able to receive it yet. [LB753]

SENATOR LOWE: Okay. Thank you very much. [LB753]

SENATOR MURANTE: Thank you, Senator Lowe. Seeing no additional questions, thank you very much for your testimony. [LB753]

DANIELLE MARTIN: Thank you. [LB753]

SENATOR MURANTE: Thank you. Proponents? Mr. Lindsay. [LB753]

JOHN LINDSAY: Senator Murante, members of the committee, for the record, my name is John Lindsay, L-i-n-d s-a-y, here on behalf of...or as registered lobbyist for the Council of Independent Nebraska Colleges. Council of Independent Nebraska Colleges is comprised of Bellevue University, Bryan College of Health Sciences, Clarkson College, College of St. Mary's, Concordia, Doane, Hastings College, Midland, Nebraska Methodist College, Nebraska Wesleyan University, Union College, and York College. So it's folks from across the state that...in representing their students who attend the independent colleges. At the beginning of the day, I was going to testify in opposition to the bill; talked with Senator Brewer's office and heard Senator Brewer's opening. Our concerns are of a drafting nature, a technical nature; not an intent nature. And because of that, after talking to Senator Brewer's staff and finding out what the senator was trying to accomplish, we agree with the direction he's going. We'd like to make it easier for our students who are Guardsmen to be able to work through the process more quickly.

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And as the previous testifier talked about, it should be easier on the front end, in her perspective, not interested in what happens at the back end. We're actually interested in both the front end and the back end. And Senator Brewer's office made clear that they're trying to work on language that will accomplish both of those. So we would encourage...we look forward to working with Senator Brewer's office on helping out with that and we would encourage the committee to look favorably on what Senator Brewer is trying to accomplish. [LB753]

SENATOR MURANTE: All right, thank you very much for your testimony. Are there any questions? Seeing none...oh excuse me, Senator Wayne. [LB753]

SENATOR WAYNE: So on my bills when you agree on kind of like the attempt, will you quit testifying negatively? (Laughter) [LB753]

SENATOR MURANTE: You did set a dangerous precedent. (Laughter) [LB753]

JOHN LINDSAY: Yes, I did. [LB753]

SENATOR WAYNE: Question withdrawn. [LB753]

JOHN LINDSAY: Thanks, Senator. [LB753]

SENATOR MURANTE: Thank you. Welcome. [LB753]

KOAN NISSEN: Good afternoon, Mr. Chair, senators. I'm humbled to be here. I'm here as a proponent for LB753. My name is Koan Nissen, K-o-a-n N-i-s-s-e-n. And I'm really just here to add some...I don't want to be redundant, but I do want to add some anecdotal evidence as to why this program is important. When I began, I opted to not go to the university, I went to Bellevue University instead. Ran into some of the same bureaucracies that others have spoken about...thank goodness for Ms. Robin Husky. She saw us through and saw me through and helped me achieve my goals, ultimately, ending with a bachelor of science which then led to a masters of education through the University of Nebraska. Since that time, I've been able to use those different educations to...now working for a large...the federal government here in Lincoln in one of the largest centers that they have. And that is due solely to me being able to obtain that education, obtain it in a timely manner and not be stuck in the rut that others here have talked about. But more importantly, these soldiers that we're talking about that come here to Nebraska to serve or that are from Nebraska to serve in the Guard that then continue on their education or accomplishing a couple of different things. They're bringing workforce experience and a variety of skills to the table; they are working constantly through college. And as Senator Brewer did

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mention, they are also meeting the standards. It's not a handout by any means. Again, physical fitness, basic rifle marksmanship, all those things that an active duty soldier has to maintain, so do these people, on top of the academic pursuits that they have as well. Again, I support this because I support the process of making it easier on these people. And I hope that my successes can show you the value of investing in something like this for future soldiers so that they don't end up evicted from Able Hall or Sandoz Hall or somewhere like that. And then the last piece if I could, we're talking about waivers and simplicity, when I was earning my masters, I was working at the University of Nebraska. And one of the things that I remember the most was how easy it was to click that tuition submission...or remission, excuse me, prior to the beginning of the academic semester and how those bills were paid in a timely manner. And I never had a fear of being dropped from my...from the college of education because of that. And I think it would be great if we could find some sort of process similar to that for Guardsmen. So thank you. [LB753]

SENATOR MURANTE: All right. Thank you very much for your testimony. Are there any questions? Seeing none, thanks for coming down. [LB753]

KOAN NISSEN: Thank you. [LB753]

SENATOR MURANTE: Additional proponent testimony to LB753? Is there opposition testimony to LB753? Is there any neutral testimony? Speaker Adams, welcome back. [LB753]

GREG ADAMS: Thank you, Senator Murante. My name is Greg Adams, G-r-e-g A-d-a-m-s, representing the Nebraska Community College Association. The reason that we're in a neutral position was that my board needed to take a position on the bill before I had had an opportunity to talk with the senator and really better understand what he's trying to do. All of our colleges try and pride themselves in being military friendly. The problem is in the drafting of the bill and the way we interpret it. Crossing out the word "credit" and putting the word "waiver" in, our interpretation meant that we were going to be giving away tuition and not being reimbursed for it, hence the fiscal note that you also see. In conversation with Senator Brewer, it's probably very similar to what Mr. Lindsay described. The real issue appears to be one of an internal mechanism, a procedural process rather than a waiver that the way we interpret that means we give up tuition and we don't get reimbursed from the military department. That's our concern. I'll give you an example, I quickly picked up the phone and called one of our community colleges and said--how do we handle this? And I'm going to give you one example of Mid-Plains. And I cannot...I'm not going to say that all of our colleges replicate this model. But at Mid-Plains Community College, a soldier comes in...I'm going to use a hypothetical number, let's say a soldier comes in to register for a class at Mid-Plains and after all other financial aid has been determined, they have a tuition bill of \$100. Under current law, there's a 75 percent credit. So

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what Mid-Plains will do is to charge the soldier \$25 tuition. The other \$75 is held on the books, almost like an account receivable. If the soldier completes the class successfully as the current law requires, then Mid-Plains will invoice the military department for the \$75 remainder, that credit. If they don't complete the class, they drop out, then that becomes a bill back to the soldier to pick up that amount of money. I think that's closer to what Senator Brewer had in mind as a procedural thing. But again, the way we interpret the way the bill is drafted, we see it as purely a waiver which means our colleges will lose tuition dollars that we, right now, collect from the military department. I'd answer any questions, Senators, if you have them. [LB753]

SENATOR MURANTE: Understood. Thank you very much for your testimony. Are there any questions? Senator Lowe. [LB753]

SENATOR LOWE: Thank you, Speaker Adams. I think I've been to the Central Community College in Kearney, I'm familiar with that and I know that they have the veterans military resources center there. When they get a veteran or a National Guardsman in there, do they explain when things need to be filed and everything else? [LB753]

GREG ADAMS: You know, I can't answer that. I would tell you that Southeast told me that they do. They sit down and counsel with the soldier on all those kinds of things. I don't know about Central. I know that Central really prides itself in being military friendly, so I can't help but think that quite possibly that happens. [LB753]

SENATOR LOWE: I think that would be a good thing for all schools to do. [LB753]

GREG ADAMS: Yeah. And I think too, I'm speculating here, but it could very well be that when all of this procedural problem gets uncovered, it isn't all on the higher ed side, it may also be on the department of the military side and guidelines and bureaucracy that they have that may be encumbering this process as well. [LB753]

SENATOR LOWE: Thank you; appreciate it. [LB753]

SENATOR MURANTE: All right. Thank you very much. Seeing no additional questions, thank you for your testimony. [LB753]

GREG ADAMS: Thank you, Senator. [LB753]

SENATOR MURANTE: Additional neutral testimony to LB753? Seeing none, Senator Brewer. [LB753]

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SENATOR BREWER: Evidently my attempt to keep some of the opposition from eating up the day was successful. All right, the obvious issue here is that we need an amendment that gets rid of the word "waiver." And again, that was...if I had anything to share with my counterparts, bring all the players together in this bill-writing process and let them go north, south before you have it in a form that you have to live with until it's amended, because that's kind of where we're at here. That word should have been "reimbursed," should have been "credit." But in the world that we knew, that "waiver" had a different meaning than what, obviously, for the schools it does. So that we will correct. And I'd like to find a way to meet with the folks that are sitting behind me and we'll get the verbiage correct and we'll add that amendment. The intent, again, is, I believe, a good one--to figure out a way to help those that are wearing the uniform and doing the duty to be able to go to school and not have that additional burden. So with that I'll take any questions. [LB753]

SENATOR MURANTE: (Exhibits 2 and 3.) All right, thank you very much. Seeing no final questions, I do have a letter of support from Bryon Line of the Nebraska Veterans Council. And a letter of opposition from Stan Carpenter of the Nebraska State College System. And that will close the hearing on LB753. And we'll move to Senator Thibodeau's LB1038. Senator Thibodeau, welcome to your Committee on Government, Military and Veterans Affairs. [LB753]

SENATOR THIBODEAU: Thank you. It's a day of committee member bills. [LB1038]

SENATOR MURANTE: Yes, that's right. [LB1038]

SENATOR THIBODEAU: Well, good afternoon, Senator Murante, and fellow members of the Government, Military and Veterans Affairs Committee. For the record my name is Theresa Thibodeau, T-h-e-r-e-s-a T-h-i-b-o-d-e-a-u and I represent Legislative District 6 in west center Omaha. I appear before you today in introduction and support of LB1038, which I introduced at the request of the Nebraska Secretary of State, John Gale. LB1038 extends the on-line voter registration deadline from 5:00 p.m. to midnight on the deadline date cited in Nebraska Revised Statute 32-304. This bill provides clarification regarding on-line voter registration. And I would like to defer any questions to Secretary Gale. [LB1038]

SENATOR MURANTE: All right. Thank you very much for bringing the bill to us. Are there proponents wishing to speak on LB1038? Secretary Bena, welcome back. [LB1038]

WAYNE BENA: Thank you, Mr. Chairman and members of the committee. For the record, my name is Wayne Bena, W-a-y-n-e B-e-n-a. The last time we all had a chance to speak, I served as Sarpy County Election Commissioner. But since that time, I've taken on a new role and I'm here

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representing Secretary of State John Gale as the new Deputy Secretary of State for the elections division. I, along with the rest of the elections division, look forward to working with all of you on the important election issues facing our state. Thank you to Senator Thibodeau for agreeing to introduce LB1038. LB1038 is a simple solution to a lingering question--when does on-line voter registration end? In September, 2015, on National Voter Registration Day no less, Nebraska provided its citizens the ability to register to vote on-line. To date, this system has processed over 114,000 registrations. As the elections division was putting together the 2018 election calendar, the discussion developed regarding the deadline and what the actual voter registration deadline should be. And if it was to be midnight, could our office just set it to be midnight on the day of registration? The election calendar is done with the consultation with the Attorney General's Office and upon working with them specifically in statute if there's not a specific deadline set, then revised statute states that the deadline is 5:00 p.m. Upon discussions with our various stakeholders, not only voters, but voter advocacy groups, as well as our election commissioners, we determined that a 24/7 application of our on-line voter registration system should probably go all the way up until the end of that day. However, it would take a bill to be able to do that and that's why we have LB1038. This bill will give residents a 24/7 method, even on the deadline day. I will note that this is the first time I've ever been done before the little red light, so I'll close by just saying this bill we seek to be advanced to General File expeditiously so it might be considered for a possible consent calendar. I reserve the balance of my time for LB1068 later on this month and I will take any questions that you may have. [LB1038]

SENATOR MURANTE: I don't think it works like that, but... [LB1038]

WAYNE BENA: That's not how any of this works? [LB1038]

SENATOR MURANTE: How any of this works. All right. Are there any questions? Seeing none...oh excuse me, Senator Lowe. [LB1038]

SENATOR LOWE: Is midnight the next day or is it... [LB1038]

WAYNE BENA: Midnight on the deadline...before midnight on the deadline day. [LB1038]

SENATOR LOWE: I mean, exactly midnight. [LB1038]

WAYNE BENA: Exactly midnight, yes. [LB1038]

SENATOR LOWE: It's not 11:59? [LB1038]

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WAYNE BENA: 11:59 is fine, but it has to be before midnight. [LB1038]

SENATOR LOWE: Okay, thank you. [LB1038]

SENATOR MURANTE: All right. Seeing no additional questions, thank you for your testimony. Additional proponents? Commissioner Shively, welcome back. [LB1038]

DAVID SHIVELY: (Exhibit 1) Thank you. Good afternoon, Senator Murante, and members of the Government, Military and Veterans Affairs Committee, my name is David Shively, D-a-v-i-d S-h-i-v-e-l-y. I am the Lancaster County Election Commissioner and also co-chair of the Election Law Committee of the Nebraska Association of Clerks, Election Commissioners and Registers of Deeds. I am here today in support of LB1038 which would provide a specific time-of-day deadline for on-line voter registration applications to be accepted prior to the election. I'd like to thank Secretary of State John Gale; Deputy Secretary of State for Elections, Wayne Bena; and Senator Thibodeau for their efforts in researching, coordinating, and supporting this bill. It is important to note that this bill was introduced on behalf of Secretary Gale from recommendations of election administrators from across the state. Nebraska's on-line voter registration system began in September of 2015. Following the first election after implementation, election officials noticed that we continued to receive several on-line voter registrations after the 5:00 p.m. deadline on the third Friday prior to an election. It appears to us that voters were confused that there was an actual time deadline. Therefore, LB1038 would clarify the deadline with a move to midnight on the third Friday prior to an election. We hope this would end any confusion by the voters. I would like to thank Senator Murante and members of the Government Committee for their consideration and urge you to advance this to General File. Thank you for your time. I'd be happy to answer any questions. [LB1038]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much. [LB1038]

DAVID SHIVELY: Thank you. [LB1038]

SENATOR MURANTE: Welcome. [LB1038]

ELAINE MENZEL: Thank you, Senator. My name is...Chairman Murante and members of the Government Committee. For the record, my name is Elaine Menzel, that's E-l-a-i-n-e M-e-n-z-e-l; here on behalf of the Nebraska Association of County Officials, also known as NACO. We would also like to record our support of LB1038 and also express our appreciation to Senator Thibodeau, the Secretary of State Gale, and the Deputy Secretary of State Wayne Bena, and all

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of the election commissioners who have been involved in bringing this effort forward. And with that I'll just open it up to any questions if anyone has any of me. Thank you. [LB1038]

SENATOR MURANTE: All right. Thank you for your testimony. Are there any questions? Seeing none, thank you very much. [LB1038]

ELAINE MENZEL: Thank you. [LB1038]

SENATOR MURANTE: Additional proponents for LB1038? Mr. Cartier, welcome back. [LB1038]

JOHN CARTIER: Chairman Murante, thank you. Members of the Government Committee, my name is John Cartier, spelled J-o-h-n C-a-r-t-i-e-r. I'm here today in my official capacity as director for voting rights for Civic Nebraska. A little history lesson, when we're doing business under Nebraskans for Civil Reform, we play a little bit of a role in making sure we had an on-line voter registration system. We like to have our support on record for this bill for relatively small but important change to the registration format. I'd like to thank the Secretary of State's Office and also Senator Thibodeau for bringing it forward. And with that we'll keep it short for Friday. [LB1038]

SENATOR MURANTE: All right. Any final questions? Seeing none, thank you for your testimony. [LB1038]

JOHN CARTIER: Thank you. [LB1038]

SENATOR MURANTE: (Exhibits 2-5.) Additional proponents wishing to speak on LB1038? Is there any opposition to LB1038? Is there any neutral testimony to LB1038? Seeing none, Senator Thibodeau...waives closing. And I do have letters of support from Michelle Andahl, the Sarpy County Election Commissioner; Brian Kruse, the Douglas County Election Commissioner; Joann Fischer, the Knox County Clerk and Election Commissioner; and Diane Olmer, the Platte County Election Commissioner. And with that we close the public hearing on LB1038 and proceed to LB1098. Mr. Ballard, a substitute for Senator Hilgers. [LB1038]

BEAU BALLARD: Good afternoon, Chairman Murante and the members of the Government, Military and Veterans Affairs. My name is Beau Ballard, that's spelled B-e-a-u B-a-l-l-a-r-d, and I'm the legislative aide for Senator Mike Hilgers who represents District 21 which encompasses northwest Lincoln and Lancaster County. I'm here today to present LB1098 which amends the County Purchasing Act. The overall county budget for goods and services have increased

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significantly since this last adjustment in 2003. The population of Nebraska has resulted in more purchases of each county ranging from air filters to motor graders. Each of these purchases takes time and money and performed correctly and legally. The change in the threshold would result in competitive bidding process which awards being made to the lowest responsible and responsive bidder. Finally, the changes in the bid threshold of this act would bring in line with state of Nebraska's threshold which took effect in August of 2017. The exception to this was there was a request of \$10,000 agency-purchasing threshold in place of the state's \$25,000. This is simply due to \$10,000 be more suitable for a county level. Under LB1098, the new County Purchasing Act goes as follows: \$10,000--no bid required; the current amount is \$5,000. Between \$10,000 and \$50,000--a request of at least three informal bids which to the current amount is between \$5,000 and \$20,000. In excess of \$50,000 requires a competitive bid; the current amount is \$20,000. I think it's important to note that these bids cannot be divided to avoid this act. There's members of the Lancaster County to answer any more technical questions that you may have. [LB1098]

SENATOR MURANTE: All right, thank you very much for your testimony, much appreciate it. [LB1098]

BEAU BALLARD: Thank you. [LB1098]

SENATOR MURANTE: And we will proceed to proponent testimony on LB1098. Proponents? Welcome. [LB1098]

ROBERT WALLA: Hi. Good afternoon. My name is Robert Walla, R-o-b-e-r-t W-a-l-l-a; I'm the purchasing agent for Lancaster County. I am in support of this legislation. As the purchasing agent for the county, we deal with, basically, over a hundred million dollars worth of purchases per year. And in doing so, we are obligated to follow a number of policies and procedures in order to make sure that we're being good stewards of that money. In doing so, as the costs of items rise, everything from a lawnmower to even a service such as heating and air, we have been exceeding the threshold of the \$5,000 that it currently is. And we just ask that this increase in the threshold be issued in order for us to spend more time on the larger purchases that we are obligated to make throughout the year. And I can answer any questions you may have. [LB1098]

SENATOR MURANTE: All right. Thank you very much for your testimony. Are there any questions? Seeing none, thanks for coming down, appreciate it. [LB1098]

ROBERT WALLA: Thank you. [LB1098]

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SENATOR MURANTE: And welcome back. [LB1098]

ELAINE MENZEL: Thank you. Good afternoon, again, Chairman Murante, and members of the Government Committee. Again for the record, my name is Elaine Menzel, that's E-l-a-i-n-e M-e-n-z-e-l, and I am appearing here today on behalf of the Nebraska Association of County Officials. We would echo the comments that preceded me. I would just like to also note that it's been since 2003 that the dollar amounts have been modified. So, certainly, the CPI and various other factors have changed those dollar amounts. The County Purchasing Act was first codified in 1985, and it came about as a result of...or codified in Chapter 23. I believe it was in the other sections of the statutes in various areas and things like that. But it came about as a result of a committee doing some research on this issue. And so that's where you see that. But at this time, I will open it up to any questions if you have any. [LB1098]

SENATOR MURANTE: All right, are there any questions? Seeing none, thank you for your testimony, much appreciate it. [LB1098]

ELAINE MENZEL: Thank you. [LB1098]

SENATOR MURANTE: Commissioner Zuger, welcome back. [LB1098]

BRIAN ZUGER: Mr. Chairman, members of the committee, thank you very much for allowing me the opportunity to testify. Real quick, I'm Brian Zuger, B-r-i-a-n Z-u-g-e-r, and I'm here testifying on behalf of the Sarpy County. It's also important to note that Sean Kelly was supposed to be here for Douglas County today and he had to go home with the flu, so I was asked to make that mention. Just real quick and we'll do this real brief, Sarpy County has a very small purchasing department, actually our full-time equivalency rate is about 1.2 people. In that department, they're responsible also for our contract management as well. And that's about 150 open contracts on an annual basis. The development for formal bid specifications and the completion of the bid process is a long and technical process. And it needs to be reserved for purchases or varied material of the county. If the threshold for taking competitive sealed bids raised just from \$20,00 to \$50,000, the number of bids required would be reduced to 15 percent to 20 percent per year. This solicitation of information...or informal quotes is currently required for the purchases between \$10,000 and \$20,000. While not as time consuming as the competitive sealed bids, there are more informal quotes also that are required in a typical year. If the threshold for informal quotes increased from \$10,000 to \$20,000, we might expect that number of informal quotes to decrease as much as 50 to 60 percent per year. The increase in bidding informal quote thresholds will allow Sarpy County purchasing department to focus more on the major purchases and other responsibilities such as contract management while still ensuring the major purchases have the transparency and the cost benefits of competitive sealed bid process.

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Sarpy County, obviously, supports LB1098 and encourages the committee to advance the bill to General File. I'm open for any questions. [LB1098]

SENATOR MURANTE: All right. Thank you very much. Are there any questions? Seeing none, thank you. [LB1098]

BRIAN ZUGER: Thanks so much. [LB1098]

SENATOR MURANTE: Additional proponent testimony to LB1098? Is there any opposition testimony to LB1098? Is there any neutral testimony to LB1098? Seeing none, Senator Hilgers waives closing. And that closes our hearing on LB1098 and ends our public hearings for the day. Thank you all, everyone. [LB1098]