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Transportation and Telecommunications Committee January 23, 2023  
Rough Draft

**GEIST:** Hello. We're going to go ahead and start the committee. Good afternoon, and welcome to the Transportation and Telecommunications Committee. My name is Senator Suzanne Geist. I represent the 25th Legislative District in south Lincoln and southeast Lancaster County, and I serve as Chair of the Transportation Telecommunications Committee. We will start off having members of the committee and the committee staff do self-introductions, starting on my right with Senator Moser.

**MOSER:** I am Mike Moser. I represented-- I represent District 22, it's Platte County and parts of Stanton County.

**BRANDT:** Tom Brandt, District 32, Fillmore, Thayer, Jefferson, Saline and southwestern Lancaster Counties.

**BOSTELMAN:** Bruce Bostelman, District 23, Saunders, Butler, Colfax Counties.

**M. CAVANAUGH:** Machaela Cavanaugh, District 6, west central Omaha, Douglas County.

**DeKAY:** Barry DeKay, District 40, represent Holt, Knox, Cedar, Antelope, part of Pierce and a lot of Dixon County.

**GEIST:** And we'll go back.

**FREDRICKSON:** Yeah, sorry I'm a little late. I'm John Fredrickson. I represent District 20, which is in central west Omaha.

**GEIST:** All right. Also assisting us in our-- are our committee pages, Delanie, Delanie and Logan. And Delanie is studying political science at UNL and Logan is studying international business at UNL. This afternoon, we will be hearing four bills and we'll take them up in order listed outside the room. On the table near the entrance of the room, you will find the blue testifier sheets. If you're planning to testify today, please fill one out and hand it to the pages when you come up. This will keep-- will help us keep an accurate record of the hearing. If you do not wish to testify but would like to record your presence at the hearing, please fill out the gold sheet on the table near the entrance. Also, I would note the Legislature's policy that all letters for the record must be received by the committee by noon the day prior to the hearing. Any handouts submitted by testifiers will also be included as part of the record as exhibits. We would ask if you have any handouts, if you would please bring 10 copies and give

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them to the pages. If you need additional copies, the pages will be able to help provide them. Testimony for each bill will begin with the introducer's opening statement. After the opening statement, we will hear from any supporters of the bills and then from those in opposition, followed by those speaking in the neutral capacity. The introducer of the bill will then be given the opportunity to make closing statements if they wish to do so. We ask that you begin your testimony by giving us your first and last name and please spell your name for the record. We will be using a five-minute light system today. When you begin your testimony, the light on the table will turn green. The yellow light is your one-minute warning, and when the red light comes on, we will ask that you wrap up your final thoughts. I would like to remind everyone, including senators, to please turn your cell phones off or put them on the vibrate mode. And with that, we will begin the hearing on LB140 after I let Senator DeBoer introduce herself.

**DeBOER:** Good morning or afternoon, everyone. My name is Wendy DeBoer. I represent District 10 in northwest Omaha. And I will say what a fetching vest you have on there, Tom.

**GEIST:** And Senator Brandt, you are welcome to open on your bill.

**BRANDT:** OK. Well, good afternoon, Chairwoman Geist, and members of the Transportation and Telecommunications Committee. I'm Senator Tom Brandt, T-o-m B-r-a-n-d-t. I represent Legislative District 32, Fillmore, Thayer, Jefferson, Saline and southwestern Lancaster Counties. Today, I'm introducing LB140. LB140 will seek to create a new specialty license plate, one that recognizes and celebrates Czech heritage. As you know, many Nebraskans have and claim Czech ancestry. In the late 1800s and early 1900s, tens of thousands of Czechs made Nebraska their home, our rural areas reminding them of the golden fields of Bohemia and Moravia, settling in Wilber, Milligan and many other places throughout District 32 in Nebraska. We're very fortunate to have many ways to celebrate Czech heritage and culture year round in Nebraska, with August Czech days in Wilber being among the most popular. Whether you participate in Czech culture by eating a kolache or drinking a pivo, Czech heritage is an integral part of Nebraska history. In that spirit, I am introducing a bill to allow for the purchase of a Czech heritage specialty license plate. My former legislative aide, Matt Gregory, himself a former resident of the Czech Republic, worked in consultation with some prominent Czech Nebraskans to bring a bill that would allow for the participation of Nebraskans in the plate's creation. The specialty plate would be designed by the

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DMV in consultation with the Czech honorary consul of Nebraska, who at this time is Mila Saskova-Pierce. If the bill passes, anyone who would like to provide a design of the plates would give their design ideas to the honorary consul, who in turn would bring chosen designs to the DMV and work together on a final design. Once the plate is released, it would cost \$5 to purchase a Czech heritage plate and another \$40 if the plate is personalized. To avoid confusion, let me be clear that the Czech heritage specialty plate as proposed would not fund any single Czech organization. The money raised would go to the DMV cash fund. So a way to think of it is that the Czech specialty plate would raise money to fix Nebraska roads. I encourage you to celebrate Czech heritage and to help fund our roads by purchasing a Czech specialty plate if the bill passes. This bill was brought to us by Linda Tabor [SIC - Taborek] of the Czech Language Foundation and Deb Spanyers, Saline County Treasurer. You'll be hearing from them today along with honorary consul, Mila Saskova-Pierce, a Czech immigrant, professor emeritus and longtime advocate for all things Czech. With that, I'm happy to answer any questions from the committee or you can hear the expert testimony coming up after.

**GEIST:** Thank you for your testimony. Are there any questions from the committee? Yes, Senator Cavanaugh.

**M. CAVANAUGH:** Thank you. Thank you, Senator Brandt, for bringing our first license plate bill of the biennium. How exciting. I do have a question about the fee. If this is not going to any other specific fund, do we need to have the fee, the revenue fee, stream fee for this?

**BRANDT:** Well, I assume all the other bill-- all the other ones, like the cougar plate, are, are \$5 and if you personalize a plate, it's \$40. I mean, this is as low as you could get it. If you were to do like the corn growers or the cattlemen, they have a separate fee attached to that plate of \$40 or \$50 that goes into funds to help those organizations.

**M. CAVANAUGH:** OK.

**BRANDT:** We intentionally set it up so that-- because there's competing organizations here, we didn't want to favor one over the other.

**M. CAVANAUGH:** OK. I guess the-- it says estimated revenue, which to me implies that the fee would be greater than the cost. So maybe that's just--it's cost neutral.

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**BRANDT:** Yeah, I don't-- I--

**M. CAVANAUGH:** I see. If it's cost neutral, that answers my question.

**BRANDT:** I think it, I think it, it will be once you listen to the testifiers and what they think the sales will be--

**M. CAVANAUGH:** OK.

**BRANDT:** I think it'll be, it'll be strong.

**M. CAVANAUGH:** Because if it isn't cost neutral, if it is creating revenue for the health or for the trust fund--

**BRANDT:** Um-hum.

**M. CAVANAUGH:** --would you be open to decreasing the costs so that it's-- we're not just generating essentially a new tax for this.

**BRANDT:** Sure. I mean, we're willing to look at that.

**M. CAVANAUGH:** OK.

**BRANDT:** Yep.

**M. CAVANAUGH:** Thank you.

**GEIST:** Any other questions from the committee? Yes, Senator Moser.

**MOSER:** Senator Brandt, do you have any Czech heritage?

**BRANDT:** None. I am German. It's kind of like, it's kind of like everybody's Irish on St. Patrick's Day, except down there we celebrate Czech days the first weekend in Wilber every year in like the last forever. Forty thousand people can't be wrong.

**MOSER:** Well, you're such a good sport.

**GEIST:** Any other questions? You intend to stay to close?

**BRANDT:** Yes, I'll be here to close.

**GEIST:** Great. Thank you. Are there any proponents who would like to testify?

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**MILA SASKOVA-PIERCE:** Thank you. My name is Mila Saskova-Pierce. I am the honorary consul of the Czech Republic--

**GEIST:** Would you-- excuse me.

**MILA SASKOVA-PIERCE:** --and the spelling is--

**GEIST:** Thank you.

**MILA SASKOVA-PIERCE:** M-i-l-a is the first name, S-a-s-k-o-v-a-P-i-e-r-c-e, and not only am I the honorary consul of the Czech Republic for the state of Nebraska, I am also a retired professor. I'm also a member of the Lincoln Czechs. I am also an integral part of the Czech community in Nebraska. I would like to have a few remarks, kind of semiprofessorial, if you will bear with me a little bit about-- well, we ask students of the Czech language at the university to make kind of an informal census of citizens in Nebraska who have some Czech heritage, maybe is one grandma, one grandpa, two grandpas, etcetera. And they came up with 20 percent. Five percent of people who claimed Czech heritage on the, on the official census, but on our unofficial it's 20 percent. The Czech heritage segment-- and I will sit down so then I could also read a little bit. The Czech, Nebraska and indeed U.S.A immigration is a really nice part of the United States in the sense that from the very beginning, 98 percent of Czechs who made it onto the U.S. soil were literate. That means that they could read and write, at least in Czech, often in German and very quickly in English, because in their institutions they started English language schools very quickly. They-- in, in Nebraska, because they were always willing to get involved politically, culturally, etcetera, in their communities, they became very much and very quickly involved in the political life of Nebraska and indeed, United States. They didn't stop in the United States. They also reached back to Europe because, after all, they came from Austria-Hungary where the emperor could hardly read-- anyway. He was kind of slow-thinking guy, but also they had a very strong secret police and many of those immigrants came with a death sentence around their neck that was pronounced in Austria-Hungary. And they exported this willingness to do their own culture, to create their own culture, to learn about democracy to the United States. And the first translation of the United States Democratic documents, including the American Constitution, was done on the American soil and then it was boot-legged back to Austria-Hungary where they could be actually imprisoned. The people who bore all the Czech translation, printed Czech translation, of American Constitution could be jailed. Around 1914, it was here in Omaha that Czech press,

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Czech language press, claimed or asked for Czech independence. Very quickly, it became Czechoslovak independence and was supported from the Nebraska soil by-- financially by collections of money. The same farmers who were sending their children barefooted to school would collect money to support the government in exile. Also, they were supported politically through intervention with American politicians, but also badly because boys of Czech origin enrolled in the illegal Czechoslovak army in 1917 or '16. And so the car license, the car license plate will be a memorial to those settlers. It will be a testimonial of the inclusiveness of Nebraska to all the cultures that settled and enriched it. And it will visually affirm the self-identification of the members of the heritage community and it will support a feeling of belonging to community. And that 2023 marks 62 years of Czech festivals in Nebraska. It marks 150 years of Czech language and culture, a program at the University of Nebraska and it marks 120 years of the culture of the founding of Culture Association of Komensky Clubs. Thank you.

**GEIST:** Thank you. Stay there for just a minute in case you have any questions.

**MILA SASKOVA-PIERCE:** Yes.

**GEIST:** Thank you for your testimony that I can tell you're a--

**MILA SASKOVA-PIERCE:** Thank you.

**GEIST:** --wonderful teacher. Are there any questions from the committee? Seeing none, thank you very much for your testimony.

**MILA SASKOVA-PIERCE:** Thank you.

**GEIST:** Next proponent.

**LAYNE PIERCE:** Afternoon.

**GEIST:** Good afternoon.

**LAYNE PIERCE:** My name is Layne Pierce. One of my jobs is being Mila's husband. But the reason that I'm here, though, is because I'm the president of the Czech Language Foundation. My name is L-a-y-n-e P-i-e-r-c-e. Czech Language Foundation was founded in 1993 to preserve and promote Czech language instruction at UNL. We've had classes at UNL since 1907, that's 11 years before there was even a Czechoslovakia, so it's been going on all that time. We take great

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pride in that. We now have the largest undergraduate program in Czech in the entire country, thanks to Dr. Hana Waisserova. We also have scholarships that we work to raise for all the students that take Czech. A lot of people do it because they have Czech ancestry. A lot of people do it because they grew up knowing that there's Czechs in Nebraska and they want to do it. It's all a matter of pride. It's all a matter of getting behind it. You look at the festivals, you look at all the enthusiasm, the costumes, the croix, and I'm, I'm always amazed when I hear people who aren't Czech say, let's go down and get five kolaches, you know, or let's have a couple of pivos. Czech culture in Nebraska is something truly, truly special. And I want to salute you and salute Senator Brandt for being the person who would give us a chance to express that pride, that joy, one more time through the license plates. And I'll just close it at that. Thank you so much.

**GEIST:** That's great. Thank you so much for your testimony. Stay right there in case someone has a question for you. Any questions from the committee? You're set free. Seeing none, thank you. Yes, the next proponent. Good afternoon.

**LINDA TABOREK:** Good afternoon. My name is Linda Taborek. I was one of the people who started this whole thing. My name is spelled L-i-n-d-a T-a-- which sometimes has a carka over it-- b-o-r-e-k. Thank you for giving us the opportunity to speak to you today. I am currently the treasurer of the Czechs of Lincoln, as well as the treasurer of the Czech Language Foundation. Nebraska is said to have the largest population of Czechs in the country by percentage. The Czechs began arriving in Nebraska back in the 1860s, so there have been Czech Nebraskans for as long as there has been a Nebraska for them to be Czech in. In the early days, some went to the cities. And as time passed, Omaha became the home of many prominent Czechs, including John Rosicky, who published the newspapers, the Brandeis family, who-- whose department stores you may remember, and the, and the Hruska family, one of whose sons represented Nebraska in the US Senate, didn't arrive in Nebraska until the early 1900s. A little later, western Nebraska Czechs became the templates for characters in wonderful stories by Willa Cather. Many Czech immigrants did hard manual labor there in Omaha, such as meatpacking and building the railroad and even more Czechs scattered to the more rural areas where many became farmers. They worked hard, they endured the hardships of living out on the prairie where the population was sparse and the land had not been broken. There were natural phenomena such as grasshoppers and locusts and tornadoes and even real blizzards, such as we haven't

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been able to duplicate. But-- which is OK with me. But they worked together to make life better for their families, as well as for their whole communities. Today, the Czechs put on various festivals around the state. There's a Czech reading group who read books by and about Czechs. They read them in English. There are pageants for Czechoslovak queens. There are Czech foods, especially pastries, which are sought after by the Czechs and non-Czechs alike. Czech music is played at various places around the state. At the University of Nebraska, Czech language and culture has been taught since 1907, including waiting lists for this year's beginning classes. We also welcome a variety of scholars from the Czech lands to study here. In short, many beloved Nebraska traditions and values that set Nebraska apart and make it a good place to live are inherited from our Czech forebears. In recognition of the contributions made by our immigrant ancest-- ancestors, some of today's Czech descendants are requesting a license plate. It is another way to show our love of our heritage and how important it is to continue the traditions that helped to make Nebraska a great state. It is a daily reminder that-- of those that came before enabling us to be citizens of this great state. In particular, time-- the timing is wonderful because the Czech ambassador to the United States will be visiting-- the Honorable Miloslav Stasek is visiting Nebraska on February 1 through 3 and will visit your Legislature and is looking forward to seeing how, how you do things. After the fall of communism in 1989, we are celebrating the renewed cultural and political ties with the Czech Republic that have been developing for more than 30 years. Please help us celebrate the existence of Czech, Nebraska and support LB140 to make it possible. Thank you.

**GEIST:** Thank you for your testimony. Thank you very much. Are there any questions from the committee? Yes, Senator Cavanaugh.

**M. CAVANAUGH:** Thank you. Thanks for being here. Are you from Omaha by chance?

**LINDA TABOREK:** Actually, I am not from Omaha. I am from Crete, which is Senator Brandt's district.

**M. CAVANAUGH:** I was going to ask you a question. In south Omaha, because you mentioned the meatpacking plants, south Omaha has a whole bunch of Catholic churches--

**LINDA TABOREK:** Yes.



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**M. CAVANAUGH:** And each one is kind of identified with an ethnic group and I couldn't remember the name of the Czech church.

**LINDA TABOREK:** There's a lot of Czechs buried at Saint Mary's, but I don't know if that was--

**M. CAVANAUGH:** No, that's the Irish, that's the Irish church. I know Saint Mary's in south Omaha. I grew up over there. But we also have a Little Bohemia in south Omaha so.

**LINDA TABOREK:** Uh-huh.

**M. CAVANAUGH:** Thank you for your testimony.

**LINDA TABOREK:** I went and took it and looked, checked it out.

**GEIST:** Any other proponents? Good afternoon.

**ROGER CHRANS:** Jak se mas.

**GEIST:** I wish I could respond to that.

**ROGER CHRANS:** You would respond "dobre".

**GEIST:** There you go.

**ROGER CHRANS:** A greeting [INAUDIBLE] yes. My name's Roger Chrans, it's R-o-g-e-r C-h-r-a-n-s. I am mayor of Wilber, Nebraska, just beginning my fifth term. And I applaud this committee for doing what I feel is something that's very good, very good for the people of Nebraska and very good representative from Nebraska for everyone. I did some research because we're talking about Nebraska itself, not any specific location. So with that, it has been mentioned that Nebraska has the highest Czech-American heritage by percent of population, which-- in the nation, which is 5.5 percent-- that also Nebraska is fifth in the nation as far as actual population of those who claim Czech-American heritage. We're behind Texas, Illinois, Wisconsin and Minnesota, respectfully. I did some online research on each of those states and their Department of Motor Vehicles and found that none do have a Czech heritage prestige or, prestige or-- excuse me, specialty vehicle plate. In regards to those in Nebraska that are from Czech Republic or Czechoslovakia itself, I found that the town of Verdigre has the most Czech-born population with 1.2 percent. And also, in looking at different specific town locations, townships or concentrated populations, the most populated area, according with Wikipedia, is Oak

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Creek township area, including Saunders County and abutting Butler County, with 38.2 percent. Wilber and Saline County has approximately 37.3 percent. David City, representing Butler County, has 28 percent. Wahoo, representing Saunders County, has 22.7 percent. Schuyler, representing Colfax County, 19 percent; Webster, Dodge County area, 19 percent; and North Bend, Dodge County as well, 16.7 percent; Marietta, representing Saunders County, is 14 percent, 14.7 percent; of the old township of Valley, Valley County-- or excuse me, Ord township itself, 14.3 percent, and the city of Ord, 14 percent. And following that would be the town of Crete, representing 14.2 percent in Saline County. These are population base that are the central base itself. In doing further research, I found a site called Zip Atlas and that should be included with your handout. Zip Atlas is a, a location of peoples by zip code itself. So this is not just a town or surrounding township area. This is if your address has a zip code of whatever. And in that, with cities with the highest percentage of Czechs in Nebraska, it lists-- I only listed or only gathered the listing for 100. There are much more on this as far as Czechs percentage in Nebraska. However, this is showing from percentages of 7.48 percent to percentage of 59.83 percent. I found it very interesting because this also shows the national rank, the national rank of percentage by zip of certain ethnicities, which is again, very interesting for your [INAUDIBLE]. Lastly, in researching the LB140 Section 7(5), I noticed that it was-- that the registered vehicles obtain such plates-- you need at least 500 plates. I would almost guarantee you that you will have at least triple that if you pass this bill to allow the the prestige plates. Czech people are very proud, very happy to help people, very happy to show this is what Czech is. We're happy, we're proud, we're willing to help and we enjoy our festivals. So we would like to share that with not just those in Nebraska, we would like to share this in the nation as we travel. They can see who we are, where we're from and what we represent. Thank you.

**GEIST:** Thank you. Are there any questions on the committee? Seeing none, thank you for your testimony.

**ROGER CHRANS:** Thank you very much. Stay safe.

**GEIST:** Thank you. Any other proponents?

**DEBBIE SPANYERS:** Good afternoon.

**GEIST:** Good afternoon.

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**DEBBIE SPANYERS:** Chair Geist and members of the Transportation and Telecommunications Committee, my name is Debbie Spanyers, D-e-b-b-i-e S-p-a-n-y-e-r-s, and I'm here to testify in support of LB140, the creation of the Czech Heritage license plate. The residents of this state who are of Czech descent have great pride in the customs and traditions of their Czech ancestors. In the late 1800s and into the 20th century, Czech immigrants settled into the rural parts of the country, with many of those who settled in the Midwest ending up in Nebraska. Per capita, Nebraska had more first and second, second generation Czechs than any other state in the U.S. Currently, the Nebraska Czechs have 12 active chapters that span across the state. Nebraska was privileged in 1987 to have the small town of Wilber declared as the Czech capital of the United States by President Ronald Reagan in a signed decree. Wilber is a community which sits roughly 35 miles southwest of Lincoln and holds the largest annual Czech festival in the state. The Wilber Czech Festival or Czech Days, as it is often referred, is held the first full weekend in August and takes place-- and has taken place for over 60 years. The deep appreciation of our Czech heritage is celebrated by both young and old at several different festivals held throughout the state, but this event attracts thousands of people throughout the country each year and is a grand celebration of the preserved cultures and traditions of our Czech ancestors. The celebration showcases beautiful hand-embroidered Czech croix, or costumes, many of those being seen at the Queen Pageant were the new Miss Czechoslovak of the U.S.A. is crowned. Sound of polka music fills the streets, parades, Czech dancing, the smells and the taste of the delicious Czech foods consisting of duck dumplings, sauerkraut, rye bread, kolaches, made from recipes of generations past. And of course, you can't forget the people. The spirit, the pride and the enthusiasm resonates everywhere. Being a fourth-generation immigrant, 100 percent Czech, and having grown up on a farm west of Wilber, I hope I have given you somewhat of a picture and sense of the deep passion that exists within the hearts of the Czech people and keeping the heritage of past generations alive. I believe if a Czech Heritage license plate is designed in tasteful fashion, many Nebraska residents would be excited to place an order and would be proud to have them displayed on their vehicles. As a Nebraska county treasurer, it would be an honor to issue Czech Heritage license plates to the residents of Saline County, alongside my fellow county treasurers of this great state. Thank you for allowing me the time to testify this afternoon and thank you for your consideration.

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**GEIST:** And thank you for your testimony. I can tell it means a lot to you.

**DEBBIE SPANYERS:** It does.

**GEIST:** Are there any questions on the committee? Yes, Senator DeKay.

**DeKAY:** Not a question, but you mentioned all the foods.

**DEBBIE SPANYERS:** Yes.

**DeKAY:** I love every one of them.

**DEBBIE SPANYERS:** Yes.

**DeKAY:** The one that I haven't acquired a taste for yet is jitrnice so--

**DEBBIE SPANYERS:** I like it very well.

**DeKAY:** --but anyway, that's a discussion for another time. Thank you.

**DEBBIE SPANYERS:** Thank you very much.

**GEIST:** Anyone else on the committee? Seeing none, thank you for your testimony.

**DEBBIE SPANYERS:** Thank you.

**GEIST:** Good afternoon.

**DON WESELY:** All right. Chairwoman Geist, members of the Transportation and Telecommunications Committee, for the record, my name is Don Wesely, D-o-n W-e-s-e-l-y, 100 percent Czech. My family came to Nebraska in the 1870s, first immigrating to Wisconsin and then coming to Nebraska and have been here a very long time, farming largely in Senator Bostelman's territory up in the David City area, Wahoo in Saunders and Butler County. Lots of Czechs up there. So proud Czech and I-- you've heard a lot already from people about the pride in, in our Czech heritage. It's kind of interesting and I'm just going to end on this note, that my first year here, in 1979, one of the first bills I passed was with Senator Richard Maresh. And, and Dick represented the same district as Senator Brandt and knowing that I was Czech, we cosigned this bill and passed it in March 16, 1979, to name the first Sunday in August the official Nebraska Czech Day in Nebraska. And so one of the very first things I did in the Legislature dealt with this,

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and I was proud of that, 44 years ago. So 44 years from now, you can all celebrate, look back in how you played a part in, in making the Czech license plates possible. That's a long way off. I'm not going to make it, but it's amazing what you can look back and take pride in. And I think this, this proposal will be one that a lot of Nebraskans will take pride in. So thank you.

**GEIST:** Thank you for your testimony. Are there any questions from the committee? Seeing none, thank you. Any other proponents? Hello.

**SHERYL KASTANEK:** [INAUDIBLE]. Good day. My name is Sheryl Kastanek, S-h-e-r-y-l last name K-a-s-t-a-n-e-k. In English it means "little chestnut." anyway, I welcome you to Wilber. We have promote and preserve our heritage as one of your former state senators, Senator Joe Vosoba, in 1962, proposed with four other men, let's start a festival to promote the culture. They never realized what that would do. So the first festival was 1962, and since then it has just blossomed. 1963, Frank B. Morrison named Wilber the Czech capital of Nebraska. And in 1987, in a joint resolution between the Senate and the House, it was passed that Wilber was the Czech capital of the nation and Ronald Reagan signed that. My part in the Wilber Czech Festival for the past 34 years has been-- I am the junior Czech dance teacher. I have 100 children, ages 4 to 10, who learn the basic steps of Czech dancing. It doesn't matter if you're white or black or red or-- I have all different nationalities. They all wear a costume and learn how to two-step. Those children bring mom and dad, bring grandma and grandpa, aunts and uncles. It's a celebration of fellowship. Family is very strong to the Czech heritage and they come together, make-- let's make it even better. And it just rolls along. Our town, our schools, we provide scholarships to our children that help put on the festival. Our football team, many of-- much of the football team are past Czech dancers. After they leave my group, they go on to another group and they learn very intricate steps to make Czech celebration even better. The festival was started to: one, promote the Czech culture and heritage; two, provide economic development to Wilber, Nebraska; and three, to promote tourism. It's done all three and more. By 40,000 people coming to our town, it, it just brings revenue. It feels good. It's a good time of gathering. And I invite all of you to please be a part of it. You have music, dance, the arts are represented, theater, food, the flag raising. I'd like you to come to our flag raising. Our local legion comes out, down the street, and the first song that's played by our local band is called "Kde domov muj", Where's My Homeland? It's a Czech national anthem. It's kind of a sad song. And it stops and then the cymbals clang and the drum roll

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goes and The Star-Spangled Banner starts. And that's what we're here about. We're-- are-- we're strong in our Czech heritage, but we have American pride and want to keep that strong. So I think the license plates would be a welcome addition to the state of Nebraska. Do you have any questions for me?

**GEIST:** Thank you. Yes, Senator DeKay.

**DeKAY:** One quick question.

**SHERYL KASTANEK:** Yes, sir.

**DeKAY:** You mentioned tourism. Do you have any numbers on how many-- how far people travel and how many states are represented?

**SHERYL KASTANEK:** We usually at least have half of the states that register-- in the state, in the United States, at least 25 and we have many foreign countries come over. And all year long-- well yes, we have the festival the first weekend in August, all year long, somebody's coming to Wilber to visit because they want to see the Czech capital. So can we have some dancers come in? Can we have some musicians come in? Can we dance the polka? So it's, it's a year-round promotion and it's, it's very good for our town. The town has embraced it. And I invite you to come celebrate with us and get a full immersion of the Czech culture as we promote it all over the United States.

**GEIST:** Thank you. Any other questions? Well, you must speak with-- as someone with great patience, if you were the first instructor all the kids get.

**SHERYL KASTANEK:** Maybe. They're just, they're just good kids. And it doesn't matter if they're rich or poor or fat or thin or what color, they just dance. And that's what we're-- America is the melting pot. And Czechs are hard workers and want to keep their traditions strong, but welcome everybody else to be with us. So it's a, it's a wonderful job. I've had thousands of kids as students so-- come to Wilber. We'll learn to polka and two-step.

**GEIST:** Thank you for what you do and thank you for your testimony.

**SHERYL KASTANEK:** You're welcome.

**GEIST:** Are there any, any additional opponent, I mean proponents?

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**MARVIN KOHOUT:** Good afternoon, Chairperson Geist--

**GEIST:** Good afternoon.

**MARVIN KOHOUT:** --and committee members. My name is Marvin Kohout, M-a-r-v-i-n K-o-h-o-u-t. I live in Saline County, County of the U.S. Czech capital of America. I'm also a county commissioner so you may see me later on this session when you start talking about some bills that affect Saline County. But that's a different day. I also greatly support the issuance of Czech Heritage license plates. I've got five vehicles at home that would really look good with the Czech plate on them. Czech heritage is, as you know, is very important to many people in Nebraska and throughout the United States. The wife and I did go on a tour of the Czech Republic this last September for 18 days, had a great tour, found out that my Czech language speaking skills are not very good. But it was an interesting 18 days. I've never found a wine or a Czech beer that I didn't like, which was a negative. But, you know, very good products over there. We also went on a, on a trip to my mom's relatives' ancestral home that we found the home and everything, but no one was home. So we went back-- of course, the houses there are 200 years old and they're still functioning. I mean, they really take care of things there. How many of you ever been to the Wilber Czech Festival? All right. All right. I've missed two festivals out of 61. Those were during my college days because they had-- when-- I had weddings out of state and it's a day to get there, a day to get back. So those are the two that I didn't make, so I only made 59 Czech festivals that-- I've got to commend you for the, for the times you have been out there. Oh, I should mention that I am 100 percent Czech. I know that was a question that some of you have asked earlier. My son helps out with the Wilber-Clatonia Czech alumni band. He gets to kind of organize the-- all the parades they go through in Nebraska and Kansas. It's just amazing how they find time to do all those things. But again, they're a little on the younger side, so most of them can handle that. Sheryl mentioned she teaches everybody dance. She's got my three grandkids taught. Can't get them off the floor now. Other than that, that's-- we do have over 20 Czech lodges in Nebraska yet. Most of them are located on the east side as Mayor Chrans mentioned. Most of the lodges are in the areas that were on that sheet that he did hand out. So that concludes my testimony. Please forward it on to the full body.

**GEIST:** You bet. Are there any questions from the committee? I don't see any. Thank you for your testimony.

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**MARVIN KOHOUT:** Dobry den.

**GEIST:** Thank you.

**MARVIN KOHOUT:** Good day.

**GEIST:** Thank you. Good day to you, too. Are there any additional proponents?

**BREWER:** T-o-m B-r-e-w-e-r. I'm actually here to brief you in a few moments on a separate bill, but I thought you should at least know that there is a special relationship between the Czech Republic and the state of Nebraska on the military side. In 2000, a number of us went over as part of a liaison group to work with the Czech Army and the Czech Air Force. And we've had a continuous, what's called a partnership program. Different states have different relationships-- Florida has the Ukraine, Nebraska had the Czech Republic. And unless you go to the Czech Republic and mention the fact you're from Nebraska, it's hard to appreciate how Nebraska is thought of in the eyes of the, of the Czechs. Evidently, when they migrated over and many of them came to Nebraska and that word spread, and even though the wall had not been down that long when we were first there, everybody seemed to have a relative that was in the United States, and it seemed like all of them were either in Nebraska or Texas. And so they shared that with us. They did ask me if I was Bohemian or Moravian, and I told them I was Lakota. I had to look that up in the book, but the point being that they welcomed us with open arms. We were U.S. military then. They had lived under the Soviet regime for many years and were so relieved to have freedom and a chance to, to be Czech, because I think for so long they were blurred into the Soviet empire. And so I think that if you, if you look at the information that has been shared here and you look at the current information, because we are in that relationship with the Czechs right now on the military side. We have permanent personnel that are in Prague that work day in and day out with the Czech military. That's a relationship that, that Nebraska has that's very unique. It's all I have.

**GEIST:** Interesting. Thank you. Thank you for your testimony. Any questions for Senator Brewer?

**BREWER:** See you in a few.

**GEIST:** Seeing none, thank you. Any additional proponents? All right. Are there any opponents of this bill? I don't see any. Are there any



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who would like to testify in the neutral capacity? Seeing none, Senator Brandt, you are welcome to close on LB140.

**BRANDT:** We'll make this pretty quick. I think you saw a wide range of testimony on what Czechs are to Nebraska in as much as you can get a flavor for in one-half hour. So let's remember those of Czech heritage, those original settlers and those that are here today that want to do that and give them an opportunity to buy these license plates. And I would entertain any questions.

**GEIST:** Anyone have questions for Senator Brandt? I don't see any.

**BRANDT:** Thank you.

**GEIST:** Thank you. And that will close the hearing on LB140. All right. We'll move on to LB66. Is Senator Slama here? Are you presenting for her? OK. Oh, for the record, I do need to include on LB140, sorry, that we have four proponent letters in support and no opponents and no neutral. Now we'll go to LB66.

**TORI OSBORNE:** Yes, sorry. I'm a first timer so. All right.

**GEIST:** All right. You may open.

**TORI OSBORNE:** Well, good afternoon, Chairman Geist, and members of the Transportation and Telecommunications Committee. My name is Tori Osborne, T-o-r-i O-s-b-o-r-n-e, and I am Senator Slama's legislative aide. I'm here today to introduce LB66 on behalf of Senator Julie Slama. LB66 would allow Nebraskans to register all-terrain vehicles and utility-terrain vehicles for street use in our state. The idea for this bill was first brought to my attention by hundreds, like literally hundreds of ATV and UTV enthusiasts in both my district and across the state. ATVs and UTVs are very useful for Nebraskans across the state, especially in rural communities, as they're often used for both recreational and utility purposes. Although we currently have provisions to allow some uses of ATVs and UTVs on our streets, our current statutes create a confusing and inconsistent legal framework that can lead to well-intentioned individuals breaking the law. Nebraska's current statute, for instance, authorizes municipalities to adopt an ordinance that would allow people to drive ATVs and UTVs on city streets, although only within their jurisdictions. Such ordinances have been adopted by numerous towns around the state, including many in my district. Where the issue arises, however, is from Nebraskans outside of city limits, wanting to take their ATV or

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UTV into town. While on their route, these individuals would technically be breaking the law unless they fell into that gray area, which allows ATV and UTV use for agricultural purposes. Just by crossing the city limits, they would fall into a bubble where their use, if accepted by the municipality, would be legal again. LB66 would prevent law-abiding Nebraskans from being accused of crimes for merely operating their preferred vehicle. LB66 would also pave the way for a notable economic gain for our state. Currently, Nebraskans leave our state to go to South Dakota or other states with looser restrictions on ATVs and UTVs for their vacations. I know of several people in my district that actually register their ATVs and UTVs in South Dakota so that they can take them on the ATV/UTV operating off-roading vacations. If we open our road to these vehicles with reasonable safety measures, we can expect an enormous amount of tourism dollars coming from Nebraskans vacationing in the state and others traveling here from out of state. Additionally, LB66 would boost our state funds through vehicle registrations alone. For example, the state of South Dakota makes over \$1 million annually for registration fees and ATVs. Safety considerations are at the heart of this bill as well and this is something that we've spent months crafting. Under LB66, there would be requirements in place to make sure Nebraskans are driving their vehicle safely. This bill would mandate headlights and taillights, among other features and would require that all occupants wear either a helmet or a seatbelt. And just to be clear, these vehicles would not be permissible on the interstate, freeways, expressways or on state highways. LB66 allows local authorities to have a say in the use of ATVs and UTVs in their jurisdictions by giving counties the option to pass an ordinance relating to ATVs and UTVs. If a county does not want these vehicles operated in their jurisdictions, which they can do with man-- which they can do with many other kinds of vehicles, they simply just have to say so. It would make sense if Omaha or Douglas County would want to opt out of this legislation, as they probably won't have much need for ATV/UTV transportation as in more rural areas. Again, I'm more than willing to work with the committee and any stakeholders on any technical changes that need to be made to LB66 to get this bill passed. Thank you very much for your consideration. And I will say additionally, the pages passed out an amendment and AM53 is a simple amendment brought to me by the Game and Parks. It's a simple technical fix. Game and Parks has it so that if you classify ATVs and UTVs as motor vehicles, then Game and Parks loses money that is earmarked from the sale of ATVs and UTVs. This language fixes the problem. Again, thank you for your time. Senator Slama does have another bill in the Banking Committee. Therefore, I must waive closing. However, I would

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be more than happy to take questions from you and I will follow up with Senator Slama and get back to you.

**GEIST:** And typically we don't ask questions of the LA, so we'll give you a break on that.

**TORI OSBORNE:** Easy enough.

**GEIST:** So if you do have questions, committee, you can refer those to Senator Slama.

**TORI OSBORNE:** She would love to answer them.

**GEIST:** Thank you.

**TORI OSBORNE:** All right. Thank you.

**GEIST:** Are there any proponents to this bill, LB66? Any opponents to LB66? Anyone wishing to testify in the neutral capacity? Good afternoon.

**BETH BAZYN FERRELL:** Good afternoon. Chairman Geist and members of the Committee, for the record, my name is Beth, B-e-t-h, Bazyn, B-a-z-y-n, Ferrell, F-e-r-r-e-l-l. I'm with the Nebraska Association of County Officials and we're appearing neutral on the bill today. Senator Slama introduced a bill that was similar to this last year. We were neutral on that bill as well. She'd worked with us early on and incorporated some of our suggestions and technical amendments into the bill. This bill has one element this year that is different that we do like. It specifically addresses ordinance authority for counties. Right now there's one section of statute, it's Section 1 of the bill, that sets out the specific things that counties can regulate by ordinance. And we like the fact that that would include that specific authority. We have had some discussions with our county officials about enforcement and what treasurers would need to do to implement this and so on. In the end, yes, there would be some additional duties for county treasurers. There would also be some additional options for county board members. There might be some additional revenue for counties as well. So because of that, we're neutral. I'd be happy to take questions.

**GEIST:** Are there any questions? Yes, Senator Brandt.

**BRANDT:** Thank you, Chairwoman Geist. Thank you for your testimony. I don't know if you're the one to answer this or not, but today in

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Nebraska, a farmer that has an ATV, as long as they put a six-foot whip with a flag on it, I think they can go down the road. Do you know if that's the case?

**BETH BAZYN FERRELL:** I don't know. I know there are differences between ag uses and sort of off-road uses for the way that taxes are, are and those kinds of things, but I don't know for sure about that.

**BRANDT:** Is, is this something that your counties are asking for?

**BETH BAZYN FERRELL:** We didn't initiate the bill. We've been asked about it. We've heard stories from county treasurers about people who, you know, will take their ATVs and register them in South Dakota because they want to go on the trails in the Black Hills, those kinds of things. So there are some benefits to that-- to be able to register it in a county. And then, you know, counties-- Nebraska would get the revenue from that as opposed to registering it out of state.

**BRANDT:** But is registration-- I would have to put a license plate on my Arctic Cat or what is registration?

**BETH BAZYN FERRELL:** Get registration would be putting a plate on it. There's a little more to it than that, but it's, it's essentially putting the plate on. And one of the things that we did like about the bill, one of the suggestions that we made last year was to be able to use the same plate for both ATV use and UTV use because that would be more efficient for treasurers and for the state, you know, manufacturing the plates.

**BRANDT:** All right. Thank you.

**GEIST:** And I do have a question for you. So when you talked about the county ordinance, does that mean a county can choose to allow this or not? Is that what you mean by a county ordinance?

**BETH BAZYN FERRELL:** They can choose to regulate it.

**GEIST:** OK.

**BETH BAZYN FERRELL:** So right now they can regulate like low-speed vehicles and golf carts, so it would give that same authority for ATVs and UTVs.

**GEIST:** OK. OK. Thank you. Are there any additional-- oh, yes, Senator Bostelman.

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**BOSTELMAN:** Thank you. I think one exemption and it is not in here is county highways. I did not read in here were county highways. The way I read it right now, they will be allowed to drive on county highways. That might be something we need to-- we'd want to look at.

**BETH BAZYN FERRELL:** Something to look at.

**BOSTELMAN:** Thank you.

**GEIST:** Yes. Senator Cavanaugh.

**M. CAVANAUGH:** Thank you. Thank you for being here. I, I think-- I didn't quite catch what you said about the taxing. Could you restate that part of your testimony?

**BETH BAZYN FERRELL:** There-- ATVs/UTVs are taxed differently when they are registered for an ag use versus a sort of recreational use. I'm sure there are other people here who could probably address that better than I could, but there, there are differences there. This would require them to be registered.

**M. CAVANAUGH:** As-- for ag use?

**BETH BAZYN FERRELL:** Yes, I believe so.

**M. CAVANAUGH:** Instead of recreational use. Would it require all ATVs to be and UTVs to be registered for ag use?

**BETH BAZYN FERRELL:** I think I misspoke earlier. I think it would just be the ones that are registered for like recreational on-road type of use, but I can clarify that. I will, I will clarify that for you.

**M. CAVANAUGH:** OK. I'm just trying to figure out what the taxing authority is and where, if we're changing how something is currently taxed and giving that money to counties, if it doesn't currently go to counties. So I'm mostly asking that out loud so that somebody else can possibly answer it later. Thank you.

**BETH BAZYN FERRELL:** I will, I will get clarification.

**M. CAVANAUGH:** Thank you.

**GEIST:** Thank you, Senator Cavanaugh. Are there any additional questions? Seeing none, thank you for your testimony. Is there anyone else who'd like to testify in a neutral capacity? Good afternoon.

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**JOSH EICKMEIER:** Good afternoon, committee members and Chairwoman Geist. My name is Josh Eickmeier, J-o-s-h E-i-c-k-m-e-i-e-r, and I am the executive director for the Nebraska Motor Vehicle Industry Licensing Board. And this year, I was asked to produce a fiscal note on this particular bill. And so after reading through it a little bit closer, I had some concerns that-- again, this is neutral. I don't have an opinion either way. My concern is more about implementation from the standpoint of the definition for a motor vehicle. For our Motor Vehicle Industry Regulation Act has to do with a title being necessary to register a motor vehicle. And my understanding, reading through this bill, it talks about registering these vehicles, these types of vehicles. And I just wanted to make sure-- I did contact the introducer's office about whether the intent was for all of this to fall under our agency. In other words, will we be required to license not only the ATV and UTV dealers, but also the manufacturers? We already do license some ATV and, and other off-road dealers, but not for those vehicles. We-- typically they also have motorcycles and that is something that we do regulate and so we're more than capable of doing that. That isn't the issue. We just-- I just wanted some clarification that that is, that is in fact the, the intent, so it's not an unintended consequence of this legislation. That's why my fiscal note was about as vague and murky as I could possibly write it. We do-- our license fees for a dealer is \$250 for an annual calendar year. License is \$500 for manufacturers. I couldn't tell you how many dealers and manufacturers this would bring under our, our purview. The only, I guess, concern I would have in implementing this would be educating those dealers and manufacturers that if in fact they do need to be licensed by us, they would not necessarily be even aware of that. So we'd have to figure out who they are and, and where they're located and provide them with that proper notice to move forward. But I'm just really here to answer any questions you may have, if it, if it's helpful.

**GEIST:** Thank you. Thank you for your testimony and thank you for being here.

**JOSH EICKMEIER:** Sure.

**GEIST:** Are there any questions on the committee? Yes, Senator Cavanaugh.

**M. CAVANAUGH:** Thank you. Thanks for being here and for being willing to answer my questions. So are we changing where the money that we currently collect in taxes, where it goes?

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**JOSH EICKMEIER:** No, this is completely separate from this.

**M. CAVANAUGH:** OK.

**JOSH EICKMEIER:** So to be-- so we normally, what we license, we're talking about cars, trucks and not, not farm use. We're talking cars, trucks, trailers over 9,000 GVW and motorcycles for the most part. And so to, to, to sell those, you have to have a license. There's a lot of criteria there. But that's just-- generally speaking, to be a, a dealer who sells cars or trucks--

**M. CAVANAUGH:** OK.

**JOSH EICKMEIER:** --you need to have a license. And that license fee is currently \$250. And so, for example, if you look at a franchise like Ford, Ford Manufacturing has a \$500 license from us, but so does the local Ford dealership in every community would have a \$250 license from us as well.

**M. CAVANAUGH:** OK. Sorry.

**JOSH EICKMEIER:** So it's completely different from the taxes. We're, we're cash funded.

**M. CAVANAUGH:** I'm out of practice with reading fiscal notes, apparently, so I'm a little slow. Thank you.

**JOSH EICKMEIER:** That's why I said there'd be no General Fund impact--

**M. CAVANAUGH:** OK.

**JOSH EICKMEIER:** Because even if our expenses were to go up, we're cash funded and we, we-- it's all the, the fees that we collect are--

**M. CAVANAUGH:** Right.

**JOSH EICKMEIER:** --what pay for our operations. And so we would-- what we would, we would require, if it came to that, would just be additional authorization to spend the money that we have of the revenue that comes in.

**M. CAVANAUGH:** Thank you.

**GEIST:** Thank you. Senator DeKay.

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**DeKAY:** So would that be under an umbrella clause like if you have a farm implement dealership that sells tractors, equipment and stuff and also has an ATV/UTV dealership under the same roof or how's that work?

**JOSH EICKMEIER:** So currently, those dealerships we don't license, typically. If they are going to start carrying additional and I assume in this case, ATVs and UTVs, then I, I would assume that that could fall under this unless there's a carve out made or an exemption made in this bill. So I just wanted the introducer first and foremost, but of course, committee members to be aware, because if that's not the intent, it's not hard to write an exclusionary amendment to keep it out of our jurisdiction. If it is the intent, then we will obviously regulate it like we do the other motor vehicles under our jurisdiction.

**GEIST:** Are those license fees annual?

**JOSH EICKMEIER:** Yes. Calendar year.

**GEIST:** OK. Any other questions? Yes, Senator Bostelman.

**BOSTELMAN:** Thank you, Chairwoman Geist. You brought up a part of this I hadn't thought of before. I don't know if we talked about this the last time this bill come up. So I guess the question may be Senator DeKay was talking about a little bit there, too, getting at is I know there's different outdoor sports businesses that sell ATVs/UTVs for just pleasure, recreation, ag use or business use. So to me, it almost looks like if you're going to sell any of them, because you don't know what the-- I mean, you're not going to know what the use is that they would all have to be licensed. And then how does that-- that would be one question. And then I think everybody who would sell a UTV or ATV would have to be licensed. But then the other question is how does that come into the, into the used market? How does that affect the used market then or the, or the modifications [INAUDIBLE]?

**JOSH EICKMEIER:** Sure. Yeah. I'll try to unpack that best I can. So as far as-- just like we have, you know, used car dealers or independent car dealers, you would-- could potentially have used ATV/UTV dealers. As an individual, you can sell up to eight in a 12-month period without being a licensed dealer. The trade-off, though, is that you, you have to pay like on a vehicle and a car, you pay sales tax on that. You have it titled in your name and then when you sold it, you would transfer that. You can do up to eight of those in a 12-month period without being licensed. A lot of the-- especially in recent



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couple of years with, with vehicle prices going up, you see a lot of people dabbling, for lack of a better term and, and what they need to be careful of is, is we won't come knocking on our door, it will be the DMV fraud unit and they'll be the ones that will be knocking on the door because if you're title jumping, if you're avoiding paying sales tax, that becomes an issue on that side. I would imagine if you are like an outdoor sports and, and you sell a new ATV and maybe you take an old one in on trade, that's usually what you would see. If they would be-- if they're doing more than eight of these in a calendar-- in a 12-month period, they would presumably would need to be licensed by our agency, if that's the intent. Again, I think you can do simple carve outs on this, if that's not the intent. I just wanted to raise that issue and if I can help with an amendment either way. Again, it doesn't matter to me. I just want to make sure that nobody is surprised if, if we come asking them to, to get a license for something down the road. But we do currently have, of course, all the ag equipment exceptions, we don't license a lot of like tractors or, or any-- of any ag equipment. If you start getting into non-ag uses, I think you do run into, potentially, that issue.

**BOSTELMAN:** So does your board deal with vehicle licensing of vehicles that are manufactured specifically not to be put on the road?

**JOSH EICKMEIER:** No. So, so our definition of a motor vehicle is, is a title is required for, for registration. And if it's not going to be on the road that historically you wouldn't need to have it registered, is my understanding. I know there's other people that might be able to explain that better on the-- on that side of it because we don't get into like the titles, we don't get into all that, that aspect of it. But that was one of the questions I had coming into this was just making sure that-- because we, we typically don't get involved in the ag side of it. But if there needs to be clarifying language, that might be something worth looking into just to make sure if that's where, that's where you're concerned that it would leach into that.

**BOSTELMAN:** Right, Right. I mean, now you're a licensing board and you're, and you're working with vehicles that are-- manufacturer says they are not to be used on the roadway.

**JOSH EICKMEIER:** Right and-- yeah.

**BOSTELMAN:** And now you're, now you're licensing and your board is now [INAUDIBLE].

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**JOSH EICKMEIER:** Right. This gets us a little outside of our wheelhouse, which is why I thought it was a good idea to come and hopefully, I could get answers as well as answer any of your questions.

**BOSTELMAN:** Thank you.

**JOSH EICKMEIER:** Of course.

**GEIST:** Thank you. Any additional questions? Seeing none, thank you for your testimony.

**JOSH EICKMEIER:** Thank you.

**GEIST:** Are there any other neutral testimony? I don't see any. Senator-- and Senator Slama has waived closing so that will end our hearing on LB66 and we will move on to LB266 with Senator Brewer.

\_\_\_\_\_ : Do you have letters?

**GEIST:** Oh, I'm sorry. The letters again, I be setting [INAUDIBLE]. We have one neutral letter from Timothy McCoy from Department of Game and Parks. And that will end the testimony. Good afternoon, Senator Brewer. You're welcome to open on your bill.

**BREWER:** Thank you, Chairman Geist. And good afternoon, fellow senators of the Transportation Committee, I'm Senator Tom Brewer, that's T-o-m B-r-e-w-e-r. I represent 11 counties of the 43rd Legislative District of western Nebraska. I am here today to introduce LB266. This is really a pretty easy bill to understand. You take out a copy of your bill and it is only five pages long. At the top of the third page you'll see four lines that's the underlying text. The new bill is just about some new language. I introduced this bill simply because I believe that it needed to be done for military spouses. By the end of the speech, I think you will agree with that. The current law says that a qualified veteran could apply and receive a veterans honor plate. This is usually done through the Veterans' Department, the Department of Veterans' Affairs. To do it, you need a copy of your Department of Defense Form DD-214. This is the artifact that a citizen must present to the Veterans Affairs Department to qualify to receive a special Veterans Honor plate. And keep in mind, that could be a variety of them. There's everything from Army, Navy, Air Force, Marines to Purple Heart, Bronze Star, whatever. The department has a very good website that you can go in and it's easy to track, look up. Unfortunately, once the qualified veteran passes away, the surviving

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spouse is not eligible for that veteran plate. This is clearly an oversight that I think we-- need to be corrected. Every military service member that I know that had a career, had a spouse that was there to help them through that. And understand that it's, it's the travel that's required. It's the assignments which can be overseas or stateside. The, the fact that most of the time, because of training and deployments, they are the sole person who runs the household and keeps things going. They're the sole person who does child care. And so to then say that they were not a part of that award or honored to have the plate, I don't think it's fair. And so all my bill does is say that once that veteran passes, that his wife would then be able to carry on the use of that plate. With that I will be ready for any questions.

**GEIST:** Thank you for your testimony. Are there any questions from the committee? Senator Moser.

**MOSER:** But it would apply just to the surviving spouse, it's not something that you can pass on to children.

**BREWER:** It's in the-- it's right in the written part of the bill there. It's, it's just for that spouse of the service member.

**GEIST:** Any other questions from the committee? I don't see any. Do you plan to stick around to close?

**BREWER:** I'll stay right there.

**GEIST:** OK. Thank you.

**BREWER:** Thank you.

**GEIST:** Any proponents? Good afternoon.

**RYAN McINTOSH:** Afternoon, Chairperson Geist, members of the committee. My name is Ryan McIntosh, M-c-I-n-t-o-s-h, and I'm here today as a registered lobbyist on behalf of the National Guard Association of Nebraska, which includes the current commissioned officers and warrant officers of the Nebraska Army and Air National Guard, as well as a number of retired officers as well. Our organization brought this to Senator Brewer following contact of one of our members by the surviving spouse of deceased veteran. Joyce Urbanec, the widow of Senior Master Sergeant Edward Urbanec, who retired from the Nebraska Air National Guard on September 1, 1982, after faithfully serving our state and nation for over 20 years. Ms. Urbanec approached one of our

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members at church one morning asking whether she was eligible for such military honor plates. She was hoping to honor her husband's service. After researching the issue, Ms. Urbanec found out that, no, she was not. Our first action with this was to speak to the Nebraska Department of Veterans' Affairs, who gave me a rundown on how the registry is maintained, the various registries for active duty, National Guard and other various benefits in between. We determined following that conversation, that inclusion of a surviving spouse on any of the registries would not be a significant burden or increase in workload for the department. However, the bill was drafted, at my suggestion, to only include a surviving spouse from the deceased veteran while alive, had a-- had applied and was approved for Military Honor Plates. After introduction, we learned that this would not resolve Ms. Urbanec's issue. With that, I went back to the depart-- department to determine if that would be any additional burden and was told it would not be. So with that, on behalf of our association, I would respectfully request the committee to consider an amendment that would strike the new language found on page 3, line 3 of the bill that is, quote, had applied and was approved, end quote, and insert the following language in it's place, quote, would have been eligible, end quote. So with that, we ask that the committee support LB266 and pass it on to General File. Thank you for your considerations.

**GEIST:** Thank you. Are there any questions? Yes, Senator Bostelman.

**BOSTELMAN:** Thank you, Chairwoman Geist. Maybe I should ask Senator Brewer, but I'll-- question come to mind when you were talking here. As a retired Air Force person, so I understand completely where he's going with this and understand the, the reason behind it. My question comes in to is if we have a, a younger person in the military-- say he was an Air Force guy. He spent 10 years in, got out, was in a vehicle accident and was killed. The wife or the husband of that member usually will have benefits, perhaps, for a certain amount of time but if they remarry, then those stop.

**RYAN McINTOSH:** Sure.

**BOSTELMAN:** How do you think this would-- we should handle something like that?

**RYAN McINTOSH:** I think if-- my opinion would be if, if despite remarriage-- there's, there's lots of policy reasons for why we cut off the financial, the financial benefits that may have been earned upon remarriage for surviving spouses. The, the point of, of this,

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this bill and the request is that a surviving spouse can honor their, their deceased spouse's service. And so I don't believe, based on how the registry was explained to me, that it would be any issue to, to, to maintain this person on the eligible list for Military Honor Plates. I would not see an issue with-- and despite the remarriage, being able to keep the plates.

**BOSTELMAN:** OK.

**RYAN McINTOSH:** That's, that's my personal opinion.

**BOSTELMAN:** Thank you.

**GEIST:** Any other questions from the committee? I don't see any. Thank you, Ryan.

**RYAN McINTOSH:** Thank you.

**GEIST:** Are there any other proponents for LB266? Are there any opponents for LB266? Is there anyone wishing to testify in a neutral capacity? Good afternoon.

**RHONDA LAHM:** Good afternoon, Chairwoman Geist and members of the Transportation and Telecommunications Committee. My name is Rhonda Lahm, R-h-o-n-d-a L-a-h-m, and I'm the director for the Department of Motor Vehicles. I'm appearing before you today to offer testimony in a neutral capacity on LB266. The bill changes the eligibility for Military Honor Plates, authorizing the surviving spouse of current or former military members to obtain the plates if the veteran or deceased military member had applied for the plates prior to death. The DMV has identified three technical areas for the committee's consideration to facilitate the screening and issuance process of these plates to the surviving spouse. First is the trademark authority granted by the military branches to use their logo and insignia on the plates. After LB383 was enacted in 2014, the DMV contacted the various branches of the military to obtain trademark authority to use the logo or insignia on the plates. This process took several months to acquire the authority. As one of the requirements, the military strictly requires the DMV to document the military status of all applicants. This is done in conjunction with the Nebraska Veterans' Affairs, primarily using discharge documents such as the DD-214. The military has not approved the use of the logo or insignia for surviving spouses and therefore, if LB266 passes, the DMV does not have the authority from the military to use their logo or insignia for this purpose. The

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DMV will seek such permission, but the issuance of Military Honor Plates to surviving spouses will be dependent upon the military branches granting such permission. We request the committee amend the language of the proposed bill to make the issuance of the plates to surviving spouses dependent on the DMV receiving approval to use the logo or insignia of the various branches of the military for this purpose. The second item is related to the surviving spouses' eligibility after the initial application. It would be helpful for the bill to address if, if surviving spouses will have eligibility when applying for Military Honor Plates for other vehicles not already plated as such. The third item is whether the surviving spouse would continue to be eligible upon divorce or remarriage. I have spoken with Senator Brewer's office about the bill and welcome a continued conversation should there be any questions or comments. Senator Geist and members of the committee, thank you for your time today. I'm happy to answer any questions you may have.

**GEIST:** Thank you. Thank you for that testimony. Are there any questions for Senator-- I mean Director Lahm? Yes, Senator Bostelman.

**BOSTELMAN:** Thank you, Chairwoman Geist. I guess the question would be, if we follow it up there is all the different-- the Gold Star plate. Are there any restrictions on that, on, on, on how the-- looking here where you have to have a-- you know, the military says it has to be-- you have to have a DD-214 in order to do that, in order to carry that emblem on there. Is there something similar on Gold Star plates or not?

**RHONDA LAHM:** So the Gold Star plate doesn't actually have the insignia, a military-- so those-- so we don't have to have permission to use that for that.

**BOSTELMAN:** So potentially, if you couldn't do with the insignia, it-- with the branch of service emblem on there, perhaps you could do something similar, if that would be--

**RHONDA LAHM:** I think--

**BOSTELMAN:** --Senator Brewer's acceptance and yours or the committees-- they have something like a Gold Star plate or maybe it's a-- you know, something similar to a Gold Star plate that you could do that'd identify that person as, as the spouse of a deceased military member.

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**RHONDA LAHM:** Yeah. And I think-- I just wanted-- the eligibility piece is handled by Veterans Affairs, so I don't want to speak out of turn here and say, you know what, they could or couldn't do that, but certainly, you know, we can design additional plates. I certainly don't disagree with Senator Brewer that spouses play an important part in their military service. It's just right now we would be in the position of violating either state law or federal law if the bill passed as it was and we prefer not to be in that position.

**BOSTELMAN:** Thank you.

**GEIST:** Any additional questions? Director Lahm-- yes, Senator DeBoer.

**DeBOER:** So I think it was-- the last testifier suggested that we strike the "had applied and was approved for" and just put in "would have been eligible for". Would that get to your first concern about the-- not the first one, the one about approval of the logo. Yeah, you had some other-- second concern, whichever concern you had about that. Would that solve that for you?

**RHONDA LAHM:** I think that would-- I think that helps with it. And I-- you know, the thing is just the county treasurers are the ones that ultimately are the-- responsible for issuing the plate. And so those questions will come up and we just want to make sure that either on the record or in the bill, there's guidance so that when we provide guidance to the county treasurers, as far as issuing them to somebody who has been remarried or divorced or however that situation is, we know what the intent of the bill is.

**DeBOER:** Perfect. Thank you.

**GEIST:** Any other questions from the committee? I don't see any. Thank you for your testimony.

**RHONDA LAHM:** Thank you.

**GEIST:** Any additional neutral testimony? Senator Brewer, you're welcome to close. And as you're coming, I will include one proponent letter for the record as well.

**BREWER:** All right. I didn't have a chance to talk with Major McIntosh ahead of time and so the, the recommended changes he had, I have no issues with [INAUDIBLE] so that's fine. As far as the issue of DOD, you know, I, I just think that if we decide we want a whole different plate, it defeats the purpose of it. The idea is you're taking a

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burden away from that spouse. She doesn't have to go to DMV and change her world over this, that there's a way for her to carry on that plate and, and that status. The spouse is, is issued a CAC card, an ID card, just like the, the service member. And so, you know, I guess I'm a little bit struggling to, to try and understand why DOD would hesitate to want to provide that benefit to the spouse. So I'm of the opinion that we need to push forward with the bill and just ask for permission. And if DOD denies that, then, you know, we address it at the time. But I just think it-- the spouse has earned it and that we shouldn't cheapen it by trying to change and, and revamp a whole new idea on a plate that, that is a spouse of someone who has passed. It, it just doesn't make sense. So McIntosh's recommendations, I think, are spot-on. We need to do them. But other than that, I, I'd like to see us push forward with LB266.

**GEIST:** All right. Are there any questions for Senator Brewer?

**M. CAVANAUGH:** Thank you, Chairwoman.

**GEIST:** Senator Cavanaugh.

**M. CAVANAUGH:** I just want to maybe provide clarification. What I was hearing from direct-- Director Lahm was that she would like us to just put language in that, upon the approval of the military, so that we're just-- if for some reason we don't get approval to do the license plate, that we would then not be obligated by statute to, to, to keep the license plate for the spouses. I think it's just more of a technical-- that's my understanding. And I'm seeing a nod from behind there. I don't think she wants us to change the license plate was, I guess, my takeaway from that.

**BREWER:** I guess I was going more off what-- the, the point that Senator Bostelman was going with, with--

**M. CAVANAUGH:** Oh, sorry. Yes.

**BREWER:** --with the Gold Star in, in some variant from there. But no, I, I agree with Director Lahm.

**M. CAVANAUGH:** So you'd be open to making that technical--

**BREWER:** Yeah, I'd actually be fine with that.

**M. CAVANAUGH:** Thank you.



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**BREWER:** It was, it was the plate thing, so I'm sorry to confuse you.

**M. CAVANAUGH:** Yes. No, I, I, I got the clarification. Thank you.

**GEIST:** Any other questions? That must have been the prevailing question. Thank you for your testimony. We appreciate it.

**BREWER:** All right. Thank you.

**GEIST:** And that will close the hearing on LB266. We will now proceed to the last bill, which will be LB124. Senator Moser.

**MOSER:** Good afternoon, Chair Geist and fellow members of the Transportation and Telecommunications Committee. My name's Mike Moser. It's M-i-k-e M-o-s-e-r. I represent the 22nd Legislative District. I'm here today to introduce LB124 that extends the termination date for the County Bridge Match Program. This affects every county in the state and was created to help fund the repair or replacement of structurally deficient bridges on county roads. The program can award, through the NDOT, 55 percent of each bridge's construction costs up to \$250,000. The County Bridge Match Program was allocated \$40 million through the Transportation Innovation Act of 2016. Roughly \$29 million has been allocated through the County Bridge Match Program. The program is set to sunset on June 30 of this year; and in order to keep this program active, this bill seeks to move the sunset date to June 30, 2029. At this point, I would be glad to answer questions and I thank you for the opportunity to testify before you today.

**GEIST:** Are there any questions? Yes, Senator DeBoer.

**DeBOER:** Thank you. Do we know-- do we have any sort of data on how effective this has been at helping our bridge-- bridges in our rural areas or in the counties?

**MOSER:** I think there may be testifiers behind me that will, will testify to that. And I would also say that Senator Brandt has a bill that's similar to this and goes farther than just changing the date. And he and I may or the committee may want to broker a bill between the two that would save the time to make it work. But I think it's been a very effective-- well, it's given counties \$20 million-- \$29 million to help build bridges. And there are a lot of defective or deficient bridges in Nebraska. So.

**DeBOER:** OK. Thanks.

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**GEIST:** Thank you. Senator Cavanaugh.

**M. CAVANAUGH:** Thank you. And maybe this is in Senator Brandt's bill, I wasn't aware, but is there a reason to not just eliminate the sunset altogether? Or, or do you feel like the program needs to have a, a sunset?

**MOSER:** Well, the other parts of the program sunset in 2027, I think. Well, anyway, I have to look that up, to be truthful. But there is a different sunset for the rest of the bill and it's a lot longer than this portion of it. The county bridge part was set to sunset this June.

**M. CAVANAUGH:** Right.

**MOSER:** And so this just extends that part of it.

**M. CAVANAUGH:** OK.

**MOSER:** I think we should look at the whole thing because I got a call from the Department of Roads because they saw the bill come across and they were explaining to me how it works and everything so I would understand it better. And they said, if we don't put some money with this, there's not a whole lot of point in extending it is kind of what they told me. They, they said they weren't going to come oppose it, which is a big improvement because everything ever-- I've ever brought before touched a nerve somewhere over there. But they're, they're very helpful. And, and so Senator Brandt's bill's got some funding included in there. And we want to look at those amounts and see if it's reasonable to extend the whole thing, because there were moneys in here for the expressway system, the county bridges-- there was one third thing that I don't recall but--

**M. CAVANAUGH:** So is-- I guess I read the statute that there is a funding source for it. It's the Transportation Infrastructure Bank Fund. But maybe that's part of the larger thing that's sunseting, because that's funded, I believe, by the gas-- a portion of the gas tax.

**MOSER:** Well, I had this discussion with our counsel today, too, a little bit because sometimes you have unintended consequences. And if you change the budget of the Department of Roads and they have-- you give them more requirements, they're basically a cash-funded agency, then that could trigger an increase in the gas tax--

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**M. CAVANAUGH:** OK. I see.

**MOSER:** --which is not my intent and I don't believe that's Senator Brandt's intent either. So.

**M. CAVANAUGH:** OK.

**MOSER:** But I think if we make an outright award to the Department of Transportation, that that would eliminate that possibility, unless you want to raise the gas tax. Have at it, but that wouldn't be easy. That, that could kill the whole bill.

**M. CAVANAUGH:** Thank you.

**GEIST:** In your discussions with the Department of Transportation, did they give you any guidelines on what they thought was a good amount to put behind this?

**MOSER:** Well, they were kind of based on the anonymity of the person giving me the information. But in his conversation that we didn't have, he said that he thought, you know, \$30 to \$40 million total would be-- kind of a good sum. But again, he's not authorized to speak for the Department of Transportation so the new director is coming to talk. I think most of you are going to talk to the new director this week because she's making appointments to talk to us. So we can ask her and see what she thinks because she'd be the official spokesperson-- or her designee, whoever that might be.

**GEIST:** Sure. Thank you. Any other questions from the committee? Yes, Senator DeKay.

**DeKAY:** Thank you, Chairman Geist. How many bridges have been impacted by this so far and how much-- do you have any data on that, Mike?

**MOSER:** I don't. I could get that for you. Well, you could take \$29 million and divide by \$250,000. It'd be that number or more. So that would be 254-- four times three is 120 bridges minimum, because \$250,000 maximum times that many bridges is around \$30 million. So that's-- so I think it has had significant effect. And, and I got this idea from Senator Bostelman. He had written a bill to extend the date and we were talking about it. And he said he had lots of bills to do and I said, well, I only had two or three. And he said, well, here. Go run with this one. So being the dutiful friend of Senator Bostelman, I said, sounds like fun and I took it. But then after I got it, then I got to thinking about the expressway system and you know I'm nuts

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about getting that done. And I thought we could put some funding with it, provided we can come up with money. So.

**GEIST:** OK. Thank you. Any additional questions for Senator Moser? Seeing none, are you going to stick around to close?

**MOSER:** Oh, sure. I've got a real long closing. It'll take--

**GEIST:** Do you?

**MOSER:** --until 5:00.

**GEIST:** We'll make sure we take a break before that.

**MOSER:** Yeah. Everybody will go home. I've been here before.

**GEIST:** Are there any proponents to LB124? Good afternoon.

**PAM DINGMAN:** Good afternoon. Good afternoon, Senator Geist and members of the Transportation and Telecommunications Committee. My name is Pam Dingman, P-a-m D-i-n-g-m-a-n. I'm a licensed professional engineer in the great state of Nebraska and I'm the current Lancaster County Engineer. Today I'm testifying on behalf of the Lancaster County Engineering Department and the Nebraska Highway Superintendents in support of LB124. This bill extends the very popular County Bridge Match Program, which we like to refer to as the CBMP, which sunset last year after seven years. And technically I realize it's this summer, but the last grant application was awarded just a few weeks ago. The County Bridge Match Program created an extremely successful partnership with the Nebraska Department of Transportation and Nebraska counties for the shared goal of improving local bridges. As you can see from Exhibit 1 of the information I have shared with you, this program has helped many counties replace bridges across Nebraska, and each dot on that map on Exhibit 1 represents a bridge that's received funding from this program. This program has reimbursed counties 55 percent or up to \$200,000 or \$250,000, depending on the grant type. However, as you can see from Exhibit 2, there are many more county bridges that have been eligible for funding that still need improvements. Every year, the-- every year the program requests more-- there were more bridges that needed funding than bridges awarded funding. In addition, the first seven years of the program replaced many smaller bridges. You may note that there are different sized dots on Exhibit 2. The medium-size dots and the larger-size dots are larger bridges. The county highway superintendents are hopeful that with the larger bridges and the current construction inflation,

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the maximum amount of reimbursement from NDOT can be increased. Working with counties to replace these bridges improves farm-to-market routes, school routes, creates local construction work and improves the lives of Nebraskans. Nebraska counties own 11,048 bridges of Nebraska's 15,047 bridges; 751 of these bridges that counties own are rated poor with over 1.6 million square feet of bridge deck that are rated poor and 182 of these bridges are closed. Poor and closed bridges continue to impact the everyday lives of Nebraskans trying to farm, trying to get to work, school or even the doctor. We need to continue to work together to replace county bridges that are rated poor. I would also like to note that due to the popularity of this program, there are two additional bills that involve the County Bridge Match Program this session, LB449 and LB453. It is important to note that LB124 extends the program. However, it does not add funding to the program. LB449, as currently written, would extend the program and add funding and define the program. LB453 currently, as written, would increase the state's reimbursement to 80 percent of the costs associated with these bridges. Thank you for your time this afternoon and for your continued partnership with infrastructure. And I'll add that all four exhibits that I've included with my testimony came from Nebraska Department of Transportation site under bridge information. So I do want to thank NDOT for their great information they put out there on bridges.

**GEIST:** Great. Thank you. Is there any questions from the committee? Senator DeKay.

**DeKAY:** Thank you, Chairman Geist. There's a large amount of bridges along here, especially along the Missouri River corridor. Is any of that attributed to the flooding of 2019 that put some of those bridges in more disrepair coming forward?

**PAM DINGMAN:** Thank you for your question, Senator DeKay. So as the program continued, NDOT added bridges that were eligible for this funding. Their website that shows the two exhibits that I have given you shows what bridges are eligible. So there were additional bridges added to the list after the 2019 storm.

**GEIST:** Senator Bostelman.

**BOSTELMAN:** Thank you, Chairwoman Geist. My understanding is, even though this sunsets I think in July or whatever that DOT has funding after December for bridges. Is that correct?

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**PAM DINGMAN:** It is my understanding that the funding that has been granted to bridges through the grants that were announced in the last couple of weeks, that-- that that was the remainder of funds that they had.

**BOSTELMAN:** Yeah. And, and so I talked to Fiscal Office. There's other funds out there. It appears to be the DOT saw those sunset-- setting so they made the decision, well, we're not going to fund anymore, but we're going to fund these last few into December that's out there. So it's not a matter of whether they have funding or not. It's a matter of whether they chose to fund it. I guess the, the point that you made, I just want to echo that, too, to counties. This, this is a very important program that we have. And Saunders County has the most bridges of any county in the state and I know of at least three bridges that they cannot afford to replace. They're closed right now, but something like this would be very, very helpful in, in making that happen.

**PAM DINGMAN:** One of the components of the current program is the ability to get just a little bit more funding if you partner with another county. And so Lancaster County has successfully partnered with Saunders and Saline County to repair and replace bridges.

**BOSTELMAN:** Right. And a lot of that is--

**PAM DINGMAN:** It's a great program.

**BOSTELMAN:** --planning out materials, those type of things, you ordered-- order things together, you work together on the things, you reduce your costs. And that was just one of the successes of the program. So thank you.

**PAM DINGMAN:** It's a very successful program.

**BOSTELMAN:** Thank you.

**GEIST:** And I do have a question for you. And this might seem obvious, but I'm curious if it is obvious. Are the closed bridges a higher priority than the poor bridges? Or, or how do you prioritize? I know you can only speak for your county.

**PAM DINGMAN:** So, as I speak for Lancaster County, what I would like to say is that we have received awards under this grant program for seven different structures. We have a couple of them right now that are in the process of, of being built. We did get a little snag with the snow

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last week. But that being said, it doesn't always seem like the grants we received were for bridges that were closed. The grant that we received a couple of weeks ago was for a bridge that is very important. It's the only access to the village of Denton's water supply. And so it is important that that bridge remains open and solid. However, we do have a bridge on Roca Road that is closed right now and it definitely is impacting the public and the traveling public. It's on a paved road with about 1,400 cars a day.

**GEIST:** Wow. And is that in line or-- I guess if this fund-- you need this to pass.

**PAM DINGMAN:** If the funding would continue, it has the possibility of being in line, but it's not currently in line.

**GEIST:** OK. OK. Thank you. Yes, Senator Brandt.

**BRANDT:** Thank you, Chairwoman Geist. Thank you, County Engineer Dingman for testifying today. Would it be correct to say that without this funding anymore to replace these bridges, we're going to have to raise property tax?

**PAM DINGMAN:** Well, Commissioner Vest is in the, in the room, Senator Brandt. And, you know, as you may be aware, as the county engineer, I seek funding from the commissioners. And to date, they have not been warm to the thought of increasing property tax to open these structures. But we continue to near very critical times with these bridges and at any time there could be additional bridges closed. We currently have several bridges closed in Lancaster County and I know that Commissioner Vest has prepared to talk about that today.

**BRANDT:** OK.

**PAM DINGMAN:** So I would hope that that is never the case. I think what has been successful about this program is, at the 55 percent funding level, we have been able to step forward together, the counties, along with the Nebraska Department of Transportation and, and replace and reopen a lot of these bridges. And it is significant.

**BRANDT:** All right. Thank you.

**GEIST:** Any additional questions? Seeing none, thank you for your testimony.

**PAM DINGMAN:** Thank you.

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**GEIST:** Are there any other proponents of this legislation? Are there any opponent--oh-- are we-- proponent, proponent. OK. You have to wave me down.

**JOHN HANSEN:** Madam Chairman, for the record, my name is John Hansen, J-o-h-n, Hansen, H-a-n-s-e-n. I am the president of the Nebraska Farmers Union. And for the new members of the committee, we're the second-oldest, second-largest general farm organization in the state and have been around serving family farmers and rural communities since 1913. It was my hope that the two folks that I'm sitting in the back of the room with who are both smarter than I am would go first. That plan failed. And so we were in support of the original legislation that created this push. And we represent rural communities. And is there a need out there? There absolutely is need. And why is the need there? Well, it's because-- that we depend on commerce, we depend on roads. We have to get our commodities to market. We also have to have livable rural communities that people can live in. You should not have to drive 5 to 6 to 7 miles or more out of your way in order to get someplace because a bridge is out. And so, when we don't have bridges and we don't have infrastructure, the roads fall apart, lots of things fall apart. And so the need is great. And the-- part of the reason is not just the fiscal need, but counties are really pushed hard, given their funding authority, for all of the needs that they have and the infrastructure they have. And so any time that we can partner with counties, which this is, is a partnership, that this is a positive thing and this is a good way to get infrastructure needs met. And so as we look at this, anything that we can do to better utilize joint funding opportunities, it's a good thing. And putting on my old Lower Elkhorn NRD hat, you know, I think we have to think strategically. You know, we-- the Department of Roads and Department of Ag and all of the code agencies in the state met together in the 2019 flood. We were a part of that, those weekly meetings. What a train wreck, or in this case, a flood. And so you look at the infrastructure and the impact that it had on all of that. So we-- anything that we can do in terms of bridges and infrastructure, where we can look on down the road and say, how can we figure out how we do a better job of protecting the whole watershed? So I was always a very strong advocate of any time that we could look at a bridge and say, does this provide us a road structure opportunity where we can put in a road structure that accomplishes the mission of the bridge and yet can help take part of the head off of the downstream discharge and protect how many bridges downstream. And so I just think as a state, as we're looking at all of these infrastructure



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things and we are big supporters of infrastructure in almost all cases that I can think of, we ought to be looking at, at prioritizing road structures, but also prioritizing ways that we can utilize federal infrastructure dollars. And so in my political lifetime, we've never had the opportunity to drag in that much federal dollars. And I want our state to be aggressive when we get to bills to look at it in that kind of way. Anything that we can do as a state to take advantage of, of this one-time opportunity to help catch up and get back to where we ought to be is a good thing. And yes, we'll be in support of Senator Brandt's bill. Senator Moser, we really like your bill, but we really like Senator Brad's bill a little better. So with that, I'd be glad to end and answer with any questions you might have.

**GEIST:** Any questions from the committee? I don't see any. Thank you for your testimony.

**JOHN HANSEN:** Thank you very much.

**GEIST:** Another proponent. Good afternoon, Commissioner.

**RICK VEST:** Good afternoon. Good afternoon, Senator Geist and members of the Transportation and Telecommunications Committee. My name is Rick Vest, spelled R-i-c-k V-e-s-t. I am appearing before the committee in my capacity as a member of the Lancaster County Board of Commissioners. I'm here to testify on behalf of the board in support of LB124. Like many counties throughout the state of Nebraska, Lancaster County faces the daunting challenge of best deploying limited resources to maintain, improve and expand infrastructure in our growing community. Aging bridges in particular have become exceedingly expensive to replace, while also being extremely disruptive to the traveling public, including our agricultural producers when we were forced to close them. Lan-- Lancaster County's road system contains 288 bridges. Eight of those bridges are closed pending repairs and three other bridges are permanently closed. In addition, 20 are rated poor and 34 are weight restricted. During my time with the county board, some of the bridge replacement contracts that we have considered have come with price tags well over \$1,000,000. And as you know all too well, the cost of construction continues to increase at an incredible pace. The cost necessary to undertake repairs to these bridges, while also keeping up with a maintenance program to, to prevent future bridge degradation can overwhelm the county's property taxpayers. Since its adoption in 2016, the County Bridge Match Program has significantly aided Lancaster County's infrastructure program. Seven structures in Lancaster County

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have been selected for the County Bridge Match Program, providing approximately \$1,202,000 in matching funds and support total project costs of approximately \$3,155,000. The program's matching dollars have yield tangible improvements to our roadways, while also providing real property tax relief to our citizens. With the County Bridge Match Program currently scheduled to expire on June 30, 2023, we need legislation like LB124 to ensure that matching dollars continue to be available to address critical bridge infrastructure needs throughout Lancaster County. We believe that approximately 26 bridges in Lancaster County may continue to qualify for funding through the County Bridge Match Program if it were extended. And we look forward to continuing to partner with the state to successfully deliver quality infrastructure improvements to our constituents. On behalf of the County Board, I encourage you to support LB124 to reauthorize this extremely successful program. Thank you for the opportunity to testify and I would be glad to answer any questions.

**GEIST:** Are there any questions for Commissioner Vest? Yes, Senator Bostelman.

**BOSTELMAN:** Thank you, Chairwoman Geist. My understanding the funds we're receiving now through this program is for gas taxes, correct?

**RICK VEST:** I'm sorry, could you repeat that?

**BOSTELMAN:** From gas taxes? The funding that you get from the state on the bridge match that comes out of the gas tax? Your portion that the county does-- I'm not talking about that, but the state's portion.

**RICK VEST:** Right.

**BOSTELMAN:** It comes out of gas taxes [INAUDIBLE].

**RICK VEST:** I believe that's true, but I'm not necessarily the expert on the state portion. I do know the county portion comes out of property taxes and that's what we would have to use to replace the funding if this program were to expire.

**BOSTELMAN:** I believe my-- when I'm talking to the Fiscal Office, the program is the state's funds, if you will, that goes to the county, that \$200,000-\$250,000 comes out of gas taxes.

**RICK VEST:** I'm not--

**BOSTELMAN:** That's fine. Thank you.

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**RICK VEST:** I couldn't answer that.

**BOSTELMAN:** Thank you.

**GEIST:** Any other questions from the committee? I don't see any. Thank you for your testimony.

**RICK VEST:** Thank you, Senator.

**GEIST:** You bet. Good afternoon.

**JON CANNON:** Good afternoon, Chairwoman Geist, members of the Transportation and Telecommunications Committee. My name is Jon Cannon, J-o-n C-a-n-n-o-n. I'm the executive director of the Nebraska Association of County Officials. You probably heard of us referred to as NACO. I'm here to testify today in support of LB124. First and foremost, I, I probably should have testified on LB140, given that Marv Kohout is my first vice president and Debbie Spanyers is one of my treasurers. I probably should have testified on that one but oh, well. Here I am today. I could not have put it any better than Engineer Dingman or Commissioner Vest has put it, infrastructure is our number one item in the counties. When you think about what, what we expect from, from county government, roads, bridges, law enforcement, jails, elections. That's what we're, we're really there to do. And number one item, always going to be roads and bridges for sure. And, you know, certainly that's going to change as far as the, the mix of, of the total county expenditure is concerned if you-- as you go from one county to the next. I can tell you for the majority of Nebraska counties that roads and bridges are going to be your number one item. This is one of the most successful programs that we have. NDOT, The Department of Transportation has been a terrific partner, very willing. They understand what our citizens expect and they worked hand and glove with all Nebraska counties in making this a successful, successful program. I understand the concerns about the funding source and certainly we will be here in support of Senator Brandt's LB449. I think that probably provides some good solutions as far as that is concerned. And I appreciate the questions that we've had about funding. I realize I'm the last testifier on the last bill of the first day of, of hearings. And so I will just say that we think it's a great program. Please advance it to the floor and I'm willing to take any questions you might have.

**GEIST:** Great. Thank you. Are there any questions from the committee? I don't see any. Thank you for your testimony.

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**JON CANNON:** Thank you.

**GEIST:** Are there any additional proponents? Oh, you weren't last.

**JEANNE McCLURE:** Well, maybe I'll be last but I'll be brief. I am Jeanne McClure, J-e-a-n-n-e M-c-C-l-u-r-e, and I'm the executive director for ACEC Nebraska, that's the American Council of Engineering Companies. We partner with the state and the counties and all of the locals to design those bridges as they are being rebuilt. And I guess my message to you is this is great funding, this is a great program. It's worked really well. I would also say that through all of it, I am not an engineer, but what I do know from them is that we need to be on these things as soon as possible. Watching those bridges as they start to go into disrepair and fix, you know, fix them early and often so they don't completely go out. I grew up in rural Nebraska, in York County. I have family in Dawson County, so I understand what it's like to be far away, you know, and have to go out of your way. No one in town likes to go, you know, two blocks out of their way, let alone seven, ten miles, because we need to find a bridge that works. So I'll just leave it at that.

**GEIST:** OK. Thank you. Thank you for your testimony. Are there any questions from the committee? Seeing none.

**JEANNE McCLURE:** Thank you.

**GEIST:** Thank you very much. Are there any other proponents? Any opponents to this legislation? OK. Are there any who wish to testify in the neutral capacity? I don't see any. Senator Moser, you're welcome to close. And as you come, I have a letter that is a proponent from Andrew Dunkley.

**MOSER:** Thank you very much. I don't know the answer to every question that was raised, but I can get more information and get back to you. A little handout that I got from the Department of Transportation talked about this Transportation Innovation Act from 2016, and it said it was created with a one-time transfer of \$50 million from the cash reserve in 2016. But then the next sentence says, this infrastructure bank receives annual revenue from fuel taxes generated by the TIA. The Department of Transportation projects that \$455 million will be generated for infrastructure investments prior to 2033. So I guess that's confusing, because when I talked to the Department of Roads, they said, well, we got \$40 million or \$50 million and we gave \$29 million toward bridges and we spent the other \$21 million on

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eligible-- or not spent but committed or spent for purposes that were also authorized in the act. And so they felt like there was no money there. But then if you read that second sentence, if they're getting, if they're getting ongoing fuel taxes, then I guess that's the question I-- I'll ask between now and when Senator Brandt's bill comes up for hearing. So anybody have any other questions?

**GEIST:** Any questions from the committee? I do not see any.

**MOSER:** Thank you very much. I appreciate it.

**GEIST:** Thank you. That closes the hearing on LB124. Thank you, everyone.