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Government, Military and Veterans Affairs Committee  
January 28, 2015

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[LB222 LB272 LB305 LR23]

The Committee on Government, Military and Veterans Affairs met at 1:30 p.m. on Wednesday, January 28, 2015, in Room 1507 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB272, LB305, LR23, and LB222. Senators present: John Murante, Chairperson; Tommy Garrett, Vice Chairperson; Dave Bloomfield; Joni Craighead; Mike Groene; and Matt Hansen. Senators absent: Tyson Larson and Beau McCoy.

SENATOR MURANTE: Okay, everyone. The time is 1:30. We'll begin our proceedings for the day. Welcome to the Government, Military and Veterans Affairs Committee. My name is John Murante, state senator for District 49 and the Chairman of the Government Committee. I represent Gretna and Chalco, northwest Sarpy County. Today we will be taking up the items listed on the agendas outside and we'll be going in the order that they are listed on the agenda. If you are here to testify on any of the bills, we would ask that you sign one of these green sheets of paper which are located on either side of the committee hearing room. When you come up to testify, we'd ask that you state and spell your name for the record. You will notice that there is the lights. We are using the light system here in committee. We have four minutes for testimony which will be followed by questions by the committee members. When the light turns yellow or amber, that means you have one minute remaining to testify and we'd ask that you start wrapping up your remarks. When the red light comes on, we would ask that you stop your testimony and we will open it up to any questions. And at this time I'd ask anyone in the audience and all members of the committee to turn off or silence any cell phone or anything that makes any noise. Make sure it doesn't make any noise. You'll notice that this is a committee which does permit the use of electronic devices. We ask that you not take offense to that. We're just taking notes while you testify, making sure that we have it for the record. Let's see. The order in which we will accept testimony is we will have the introducer introduce a bill which will be followed by the proponents, then the opponents, and then anyone who wishes to testify neutral on a bill. We ask that you not be repetitive in your testimony. If someone has already articulated a point that you would like to make, we also have sign-in sheets also located on either side of the room which states that you are here, whether you support or oppose any given bill, and that...you signing in will be given equal weight than if you came and testified before us. So if you have any...a prepared statement, an exhibit, anything to distribute to the committee, we would ask that you print off 12 copies. If you have 12 copies, give it to the page; they will distribute it to the committee. If you don't have copies, give it to the page and we'll make copies for you promptly. Our pages today are Seth Thompson from Ogallala and Tobias Grant from Lincoln. And now we will proceed for the introduction of the members of the committee. To my immediate left is Senator Matt Hansen from Lincoln; to his left is Senator Beau McCoy who I believe will be joining us later, he is from Omaha; to his left is Senator Joni Craighead, also from Omaha; followed by our committee clerk Sherry Shaffer. To my immediate right is Charles Isom, our research

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analyst; to his right, state Senator Tommy Garrett from Bellevue who is the Vice Chair of the committee; to his right, Senator Dave Bloomfield from Hoskins, Nebraska; to his right, Senator Tyson Larson who presumably will be joining us at some point this year (laughter); and to his right we have Senator Mike Groene from North Platte, Nebraska. We have a quorum, so with that we will begin with the first item on the agenda. Senator Crawford, welcome back to the Government Committee.

SENATOR CRAWFORD: Thank you. Good afternoon, Chairman Murante and members of the Government, Military and Veterans Affairs Committee. My name is Sue Crawford, S-u-e C-r-a-w-f-o-r-d, and I represent the 45th Legislative District of Bellevue, Offutt, and eastern Sarpy County. LB272 creates a voluntary veterans preference in private employment in Nebraska. According to the U.S. Department of Veterans Affairs, there are over 146,000 veterans living in Nebraska today. Between 2011 and 2016, it is estimated that over 1 million service members will leave the armed forces. It is important that our policies in Nebraska support these men and women returning from service and encourage many of them to come to Nebraska. Many of these returning soldiers are coming home to an economy in which post-9/11 veterans experience higher rates of unemployment than their veteran and nonveteran peers. Last year, the Legislature passed LB588, thanks to the work of Senator Watermeier and the Government Committee. LB588 provides a veterans hiring preference for public-sector employment. LB272, the bill before us today, compliments the work of the Legislature last year and allows private sector employers to recruit veteran talent. Under the bill, businesses can elect to offer a hiring preference for veterans and spouses of 100 percent disabled veterans. This preference policy must be in writing and applied uniformly to decisions regarding hiring and promotion. Employers seeking to implement a voluntary veterans preference policy must notify the Department of Labor. The Department of Labor shall maintain a registry of employers with the voluntary veterans preference employment policy. The Department of Labor and Equal Opportunity Commission have both indicated that they can do so without an added fiscal cost. If adopted, Nebraska would join at least 12 states including neighboring Iowa who have established similar programs. Currently, private-sector employees wishing to establish a veterans hiring preference may be hesitant to do so out of fear of a claim of discrimination under Title VII of the federal Civil Rights Act. Title VII, Section 11 of the Civil Rights Act contains a carve out that exempts veteran preference policies that are authorized by state statute. Specifically, Section 11 states, quote, nothing contained in the subchapter shall be construed to repeal or modify any federal, state, territorial, or local law creating special rights or preference for veterans, unquote. With the passage of LB272, private companies across Nebraska can establish hiring preferences for veterans and veteran spouses that clearly comply with federal civil rights laws. I recently spoke with Kevin Hilton from the North Central States Regional Council of Carpenters. He described to me a program that they participate in called Helmets to Hardhats. Several other unions also participate. These programs recruit veterans to apprentice in our state so that they will become part of our skilled work force. LB272 would allow an

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added incentive for veterans to come to Nebraska to apprentice and then join our skilled work force. There are several organizations here in support of LB272 today, including Disabled American Veterans, Nebraskans for Civic Reform, and the Nebraska Chamber of Commerce, and others. First, you will hear from J. R. Richardson, director of the Military and Veterans Services Center at Bellevue University. That concludes my beginning remarks. I'm happy to answer questions now or at...I expect to be here at closing but I do have another bill. So the only reason I won't be here is if the other bill is up. Thank you. [LB272]

SENATOR MURANTE: Okay. Sounds great. Are there questions for Senator Crawford? Senator Garrett. [LB272]

SENATOR GARRETT: Thank you, Mr. Speaker. I thought I'd get the opportunity to ask you questions just in case you're not here. It gives them a hiring preference over another equally qualified applicant or employee, so if there's some other applicant that's more qualified that's not a veteran he or she would still get the hiring preference? [LB272]

SENATOR CRAWFORD: Correct, correct. It's a veteran preference for those who are equally qualified. That's similar to the language that we have in our statute for the public veterans preference. So it is a preference for an equally-qualified candidate. [LB272]

SENATOR GARRETT: Forgive me, I wanted to start off by thanking you for bringing this legislation in and for all of your work in support of veterans. [LB272]

SENATOR CRAWFORD: Thank you. [LB272]

SENATOR GARRETT: It's greatly appreciated. The wheels are always turning. Would you be opposed to...had you thought about...I'm thinking about an amendment that would also recognize that since we're doing spouses of 100 percent disabled veterans who have passed, did you think about maybe POW/MIA/KIA, the spouse of someone's who's been killed in action or someone who's currently a POW or missing in action spouse? [LB272]

SENATOR CRAWFORD: I'd be happy to talk to you about that. [LB272]

SENATOR GARRETT: Okay. [LB272]

SENATOR CRAWFORD: Absolutely, so. [LB272]

SENATOR GARRETT: My wife is constantly beating into my head about spouses not... [LB272]

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SENATOR CRAWFORD: Sure. Let's discuss that and see if that's an amendment. [LB272]

SENATOR GARRETT: Okay, okay. Thank you. [LB272]

SENATOR MURANTE: Thank you, Senator Garrett. Senator Craighead. [LB272]

SENATOR CRAIGHEAD: Thank you, Mr. Chairman. Senator Crawford, I, too, would like to just say thank you for introducing this. As a woman who lost a spouse due to an Agent Orange related cancer, thank you for doing this. [LB272]

SENATOR CRAWFORD: Thank you. [LB272]

SENATOR MURANTE: Thank you, Senator Craighead. Are there additional questions? Seeing none, thank you very much for your testimony. Are there proponents wishing to speak on LB272? [LB272]

JEROME RICHARDSON: Yes, J. R. Richardson. [LB272]

SENATOR MURANTE: Come forward. Welcome to the Government Committee. [LB272]

JEROME RICHARDSON: Good afternoon. My name is J. R. Richardson, Jerome Richardson, that's J-e-r-o-m-e R-i-c-h-a-r-d-s-o-n. I am currently the director of the Military Veterans Services Center at Bellevue University. I am also a retired Air Force veteran with 25 years of service and the father of an Air Force veteran with three tours in the desert and multiple extended tours overseas. I'm here in support of this legislation. As one of the services that our center has introduced...and our center is very unique, there are no other centers on a college campus such as ours. Bellevue University tries to set the pace for serving our veterans, and one of the key issues that we have found in serving these veterans is the employment issue. When veterans come back from multiple tours of duty under very high ops tempo environments, when they go to look for employment if they have a way of providing for their family, other issues seem to tend in most cases to work themselves out. When you don't have meaningful employment, those issues that our veteran families are dealing with seem to be exacerbated with that loss of income as they're being separated. Senator Crawford, I'd like to thank her for all of her efforts and service that she has on behalf of the veterans. She has been a part, an integral part as well as Senator Garrett in our center. So they get a chance to visit with our veterans firsthand and see some of the work that we do. We have hired and helped 79 veterans year to date become meaningful employed in the state of Nebraska. One in Iowa but 78 in the state, throughout the state of Nebraska. And the big thing is is that we know that working with employers that if you ask them to do the right thing, a lot of them will step up to the plate and be glad to do

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the right thing, especially if they know the value that these veterans bring to their organizations. The reason the need is now is because, as the senator mentioned, Senator Crawford mentioned, is that we have a very large amount of veterans that are being downsized right now. And to give you an idea, my son had orders in hand with 12.5 years of military service, three days from PCS and he was downsized. With orders to go to Texas, three days notification, he was downsized. So they have very, very little notification in some of these cases. And so you can imagine if you're a young husband with a wife and two children, there's a lot of issues if you're in South Korea to try to find meaningful employment. Where am I going to go? What am I going to do? Things of that nature. So these men and women are serving every state throughout the country on our behalf and I think that we as leaders have a responsibility to help them find the meaningful employment when they come back from that service. Thank you very much. [LB272]

SENATOR MURANTE: Thank you very much for your testimony. Senator Groene has a question. [LB272]

SENATOR GROENE: You're with Bellevue University? [LB272]

JEROME RICHARDSON: Yes, sir, I am. [LB272]

SENATOR GROENE: Are there graduates of Bellevue University or are the university in itself just decided to have a jobs placement for veterans or... [LB272]

JEROME RICHARDSON: Correct. It is a community outreach. We work on behalf of our student veterans, veteran students, but also on behalf of the community. I would say about one-third of all the people that we have placed in meaningful employment came from the university and two-thirds came in off the street. Army, Navy, Air Force, Marines. Some of them are just coming back from deployment and service. Some of them may have been downsized or right-sized and looking for a new... [LB272]

SENATOR GROENE: Are they taking classes then too or... [LB272]

JEROME RICHARDSON: Some of them do but it's certainly not a requirement for our service. We offer a variety of services and none of them are based on them being a student or not. [LB272]

SENATOR GROENE: Does this bill have a registry or something so the veterans can look up on the Web site and say these businesses are good ones I can go see because I've got a pretty good chance of getting hired? [LB272]

JEROME RICHARDSON: We don't have a registry. I do have a list of the main employers, but we placed them all over. But if I can mention for the record such

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companies like First Data, Manco Manufacturing, ConAgra, Union Pacific, Bellevue University itself, the Garrett Group. These are companies that have stood out and offered assistance in finding people meaningful employment, and in some cases they've actually helped us find employment for highly-qualified candidates in their competition companies because they couldn't place them in their organization. Any other questions? [LB272]

SENATOR MURANTE: Are there any other questions for the testifier? Seeing none, thank you very much for coming down today. Much appreciate it. [LB272]

JEROME RICHARDSON: Thank you very much. Have a great day. [LB272]

SENATOR MURANTE: Thank you. Are there additional proponents wishing to speak on this bill? Welcome to the Government Committee. [LB272]

JAMES SHUEY: (Exhibit 1) Good afternoon. My name is James Shuey, J-a-m-e-s S-h-u-e-y. Chairman Murante of my home district, distinguished members of this committee, it's indeed an honor and a privilege to be here today before this group of state legislators. In my present capacity, I serve as the state adjutant and legislative director for the department of Nebraska Disabled American Veterans organization. I come today as a spokesman for the Nebraska Disabled American Veterans in support of LB272. With the ever-increasing number of veterans returning home because of ongoing efforts to downsize our nation's military, we believe this legislation will be very beneficial to those veterans who choose to make their home in Nebraska. With the veterans unemployment rate in Nebraska nearly double that of the state average of 2.9 percent, the DAV believes this bill will have significant impact on the lowering of that veteran's unemployment figure. To compound the problem of veterans unemployment, the national rate of our unemployed female veterans is 11.2 percent when compared to the national average of 6.2 percent for our young male veterans. And while I have been unable to research or find viable data on the unemployed female veteran's rate in Nebraska, we believe that it would closely mirror the national averages. We, in the DAV, believe LB272 will have a positive impact on employment of those female veterans who have served our country with great pride and distinction. In its present form, we feel this proposal will build on legislation that was made law last year for the preferential hiring of veterans for state and government employment under LB588. To date and to our knowledge, we in the DAV have not heard of any problems or negative implications of last year's enactment of veteran's preference hiring in the public sector and we certainly would not foresee or anticipate any problems with LB272 in its present form when applied to the private sector. I know or at least I hope I know that I'm preaching to the choir here, but we in the DAV believe that the hiring of veterans is the right thing to do. Veterans have sacrificed for our behalf to ensure our safety and our freedoms. Veterans know about discipline, more importantly, self-discipline. They know about commitment whether it be to unit, squadron, or a battle buddy, and they know what it takes and what

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sacrifices must be made to accomplish the mission. These are skills that will serve them well in the civilian world and skills that will perhaps serve their employer's even better. The hiring of a veteran whenever possible in our judgment just makes good sense to all concerned. This bill, when accompanied with several other bills dealing with veterans issues that will come before you, in particular the proposed changes to tax exemptions of social security and military retirement benefits, will go a long ways in making Nebraska a truly veterans-friendly state. The Nebraska Veterans Council, which is composed of nearly all of the state's veteran service organizations of which the DAV is a member, is always appreciative of every state senator who has gone out of their way to introduce and support legislation to improve the quality of our life for Nebraska veterans. And so we thank all of you who have or will support this proposed bill. I'm also pleased to report that on January 20, 2015, the Nebraska Veterans Council of which I just spoke unanimously voted to support LB272 in its present form. On behalf of the Disabled American Veterans and the Nebraska Veterans Council, I appreciate the opportunity to be here with you today to speak in support of this bill and ask that after careful consideration and review by this distinguished committee, LB272 be advanced and enacted as law in the great state of Nebraska. Thank you for your time here today and your ongoing support for Nebraska veterans. [LB272]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much for coming down today. Much appreciated. We remain on proponent testimony. Welcome to the Government, Military and Veterans Affairs Committee. [LB272]

GREG HOLLOWAY: Good afternoon, Senators. I am Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y. It's a pleasure to be back up sitting in front of you. I see some old faces and I see some new faces. It's good to some new faces, trust me. (Laughter) [LB272]

SENATOR MURANTE: I wholeheartedly agree. [LB272]

GREG HOLLOWAY: I'm one of the old-timers. Right now, actually I'm the vice chair of the Nebraska Veterans Council and as Jim said, we agree that this is...we should support this. Nineteen seventy-six, I was the chair for jobs for veterans committee through Mayor Schwartzkopf in Lincoln, Nebraska. Well, that committee had the same thoughts and that was 40 years ago and it's taken this long for things like this to really get worked out. So it's a long time coming but we need to really do it. Nineteen sixty-eight, I was released from the military as a combat-wounded veteran from Vietnam. I was with the 7th Cav and 100 percent service connected upon release from my duties. Wanted to go back to work. Most of the young guys now that are drawing service-connected disabilities, they don't want to sit around all their life and become old men. They want to participate in life, make sure their family is well taken care of. And I think this is long time overdue for something like this. If we have to legislate it, we shouldn't have to. It should be natural progression. But if we have to legislate it, then we

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will. And I appreciate your support on this and if you would consider it and make sure that at least it gets a chance to get voted on. And with some of the corrections I think there probably would be a good idea because not...we have less POWs, thank God. But we still have a lot of life to live and we want to make sure that the young people in this state want to stay here, help keep this state strong and viable, and pay their way, you know. So that's all I really want to say about this. If you've got any questions, I'll sure answer them. [LB272]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much for coming down today. [LB272]

GREG HOLLOWAY: Thank you. [LB272]

SENATOR MURANTE: Much appreciate it. We continue with proponent testimony. Welcome back to the Government Committee. [LB272]

BRI McLARTY: Hello. Members of the Government Committee, good afternoon. My name is Bri McLarty, that's B-r-i M-c-L-a-r-t-y, and I represent Nebraskans for Civic Reform. We are a nonprofit organization of 501(c)(3), and one of the programs that we facilitate is our veterans job readiness and community engagement services, a program that we partnered with Bellevue University on. And through our work we've noticed that the unique skills and leadership skills that veterans bring to the work force don't necessarily translate easily into a civilian resume. And so we've worked with veterans in Bellevue and also in creating a veteran community employment guide which helps and assists veterans in going through the job application process. A lot of them, in joining the military, are not familiar with kind of the classic turn in your resume, wait for an interview, and go through the entire interview process. A lot of them, it's very new for them. So we've worked in assisting and educating them on the civilian process but we still see that there's an issue on the employer side and some of the employer practices that still kind of hamper and aren't really helping veterans that are seeking employment. We think that LB272 has the capability of shaping how the employer intakes resumes and provide a greater opportunity for a qualified veteran to get an interview or even a job. A lot of major employers, like ConAgra and First Data, a lot of what they do is they have resumes that are submitted online and they use an algorithm to kind of pull out the applications that meet some of the qualifications. Unfortunately, a lot of the job titles that people that had served in the military have don't necessarily translate well to program manager or program assistant or things that that computer program is pulling out. And we think that LB272 would provide larger employers or employers in general some great coverage to be able to implement a veterans preference program and change how they actually do job applications. So kind of one of just to kind of give us a little bit of an illustration, my father served in the military for 20 years and he was a pharmacist, which is a very easy thing to translate to civilian. He was a pharmacist in a military hospital and it's very easily translated to a civilian hospital. We have a board member, Cliff



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McEvoy, he is a retired captain from the United States Air Force and his job was a nuclear missile operator, which doesn't quite translate to program manager, which is what it would be. He managed personnel and facilities. He provided operations training and logistical support, and he also did program development, implementation, and evaluation. We believe that by passing LB272 we can give employers the tools and quite honestly the coverage they need to really start looking at...in using their algorithms or at least in looking at resumes can pull out those military experiences and leadership skills and training and say this is something that we can use here at our business. So we really hope that you'll consider supporting LB272, and if there's any questions about our program I'd be happy to answer them. [LB272]

SENATOR MURANTE: Thank you for your testimony. Are there any questions? Senator Bloomfield. [LB272]

SENATOR BLOOMFIELD: Thank you, Chairman. Ms. McLarty, you discussed a couple of the...how things translate down. How do you translate "kicking down the door, going in and getting the bad guy" into something that looks good on the resume? [LB272]

BRI McLARTY: Assertive leadership. (Laughter) [LB272]

SENATOR BLOOMFIELD: Works for me. Thank you. [LB272]

SENATOR MURANTE: Are there additional questions? Seeing none, thank you for your testimony, Ms. McLarty. Are there additional proponents wishing to speak? Welcome to the Government, Military and Veterans Affairs Committee. [LB272]

BRYON LINE: (Exhibit 2) Sir, thank you very much. My name is Bryon Line, B-r-y-o-n L-i-n-e. I am a retired Army officer. My service is both in the regular Army and the Army Reserves. I was commissioned actually from a college in Nebraska, the predecessor to the University of Nebraska-Kearney, the old Kearney State College. In addition to the military career, I also served as a civilian intelligence officer for the Department of Defense and for other national agencies and also as a defense sector industry executive where I had the experiences of hiring veterans to perform services for our country or for our company rather that was serving our country in a variety of positions around the world. I was a beneficiary of federal hiring preferences for veterans when I first left my active duty experiences before joining the reserves. I am grateful for that because it allowed me to gain my first intelligence job as a civilian. I was sort of surprised coming home to Nebraska after 33 years out of state in my career to discover that a comparable privilege or priority did not exist initially for Nebraska public employees. So obviously now it does and I think that's a gigantic step forward. And it rather surprised me from my defense sector company experience that a comparable priority was not awarded or found within the private sector as our company, which was based in northern Virginia, did enjoy, something of encouragements from the state of

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Virginia for that sort of hiring. I would simply say as someone who grew up in this state, fourth generation as a matter of fact, and who chose when there were a lot of other places to go in the world after a lengthy career in the national security or national security sector I chose to return to Nebraska. I love the state. It's always been home no matter where else in the world I've been. But when I saw that there was a bill that would grant or that would try to establish on a voluntary basis within the private sector preferences for veterans, I just felt that that was an important and necessary step. The last several years I've been doing volunteer work for nonprofit organizations trying to help veterans organizations. I've worked with quite a few of the people who have already spoken with you, and it is more than obvious to me that the first and the best thing that can be done for a veteran, first and foremost, or veteran's family is a job. Because from a job all other things, whether it's clinical services that may be necessary for their mental health or it's the organizational or community services that reintegrate their lives back in the towns and cities that they came from the state, but a job makes all those things possible. And when you've stepped out and done service for your country, you've stepped away from your communities, you've stepped away from your peers who gain advantages within their communities in terms of employment and longevity in companies and so forth. And so I just simply wanted to speak in favor of the bill. I think it is very positive and I hope that it receives ultimately a favorable consideration even in amendment form as was discussed concerning certain other varieties of veterans. I also have just, it's simply a document from Mr. Martin Dempsey, that's your Nebraska liaison to the Department of Defense, which is a positive support of this very same legislation and I would ask it be submitted to your committee if you would agree. And that's pretty much it. [LB272]

SENATOR MURANTE: Okay. Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much for coming down today. Much appreciated. [LB272]

BRYON LINE: Thank you, sir. [LB272]

SENATOR MURANTE: Additional proponent testimony. Welcome to the Government Committee. [LB272]

RON SEDLACEK: (Exhibit 3) Thank you, Chairman Murante and members of the Government, Military and Veterans Affairs Committee. For the record, my name is Ron Sedlacek, it's R-o-n S-e-d-l-a-c-e-k. I'm here today on behalf of the Nebraska Chamber of Commerce, representing them in support of Senator Crawford's LB272. We believe the legislation is a thoughtful, employer-friendly approach to making Nebraska an even better place for veterans to live and work. A voluntary veterans preference program will appeal, we believe, to many private employers all across our state. Many employers we talked to would like to reward the courage, the sacrifice made by those who served our country in uniform and it only makes sense that we provide those businesses with some

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modicum of protection, some legal protection with a voluntary preference policy and if they wanted to establish such a policy. In recent years, the Nebraska Chamber has endorsed legislation that is aimed at retaining and attracting military veterans to Nebraska. We certainly recognize the value of retaining our service members stationed at Offutt Air Force Base, as well as the importance of attracting new military veterans from other states to Nebraska because they do bring to the work force skills, experience, discipline, and a lot of other desired qualities, and they do that at a time when we here in Nebraska are facing a shortage of qualified workers and with a very low state unemployment rate, less than 3 percent. On the Department of Labor's Nebraska Works job listings Web site, right now there are currently about 40,000 jobs available in Nebraska. And that's why in 2014 last year of course the State Chamber, and we recruited and joined with other partners as well, we unveiled what's called The Good Life for Veterans campaign. It's an initiative to recruit out-of-state military personnel and veterans to Nebraska. Last year, the Good Life campaigns had a presence at military job fairs, career fairs, and we visited Fort Sill, Oklahoma, Fort Riley, Kansas, and Fort Collins, Colorado, and we visited with many veterans and a number of members also had booths present at the career opportunities event. Essentially, it resulted in a lot of face-to-face interaction with over 1,000 veterans and current military members as well. We told them about Nebraska's quality of life and cost of living advantages. We told them about the veteran-friendly legislation that has been passed by the Legislature last year, including legislation to reduce taxation of military retirement benefits and to provide in-state tuition assistance for veterans and direct family members. And our state is getting noticed for these efforts to accommodate veterans. There's a financial Web site, it's called [WalletHub.com](http://WalletHub.com). You take a look at that, you'll find that Nebraska is now the fifth-best state for military retirees. Lincoln was named the best city for veterans and Omaha came in sixth best. So LB272 we believe will build on that foundation. It'll help veterans know that they are wanted in Nebraska. And we urge the committee to unanimously support LB272. That would be our desire. Have a consent calendar bill. But (laugh), anyway, we'd like to have it forwarded to the full Legislature for consideration. Did have a last-minute communication, so to speak, with one of the labor attorneys here in Lincoln, and I believe the issues that he had raised is probably addressed or could be addressed in the legislation. Just need a little exploration in that regard. We'll visit with Senator Crawford about it, but just to make sure that the appropriate language is there for defense if there were a preference program, that we're not discriminating against any other protected class. But I think that can be worked out either with Senator Crawford or, you know, maybe it can be come to an understanding. And I'll end my testimony with that. [LB272]

SENATOR MURANTE: Okay. Thank you very much for your testimony. Are there any questions? Senator Garrett. [LB272]

SENATOR GARRETT: Thank you, Mr. Chairman. I'd like to thank you and the State Chamber for all you've done for vets. I know that last year you sponsored LB1083 and

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you do a whole lot for vets and trying to get vets to move to Nebraska. I'd just like to publicly thank you for your support. [LB272]

RON SEDLACEK: Thank you very much, Senator. [LB272]

SENATOR MURANTE: Thank you, Senator Garrett. Additional questions? Seeing none, thank you for coming down, Mr. Sedlacek. [LB272]

RON SEDLACEK: Thank you, Senator. Oh, and I do have copies of the written testimony I'll give to the page. [LB272]

SENATOR MURANTE: Mr. Bohrer, welcome to the Government, Military and Veterans Affairs Committee. [LB272]

BRUCE BOHRER: Thank you. Thank you very much, Chairman Murante and members of the committee. My name is Bruce Bohrer, appearing on behalf of the Lincoln Chamber of Commerce. And, for the record, my last name is spelled B-o-h-r-e-r. I think most of the positive rationale for this legislation has already been covered. I just want to reinforce that we are very supportive of this proposal, LB272. I think I kind of refer to this as a safe harbor legislation for promoting the idea that private employers can voluntarily adopt a veterans preference policy. I would just reinforce, too, the work force initiative aspects of this proposal, we do have a military affairs committee at Lincoln Chamber of Commerce. We recently kind of reinvigorated that a little bit. And so we take part in a work fair for veterans, hiring our heroes who partner with the U.S. Chamber. Heck, we've got one coming up here at Lancaster Event Center April 1. Maybe that's why we were designated number one. I don't know. But, yeah, I think anything that we can do to become more veteran friendly and really support this population of the work force brings just tremendous qualities and leadership skills and intangibles to it. And anything we can do to help reinforce the idea that make it easier to hire them, that's a good thing to do. So we would urge your support and I'll conclude my remarks unless there are any questions I can answer for you. [LB272]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much for coming down today. [LB272]

BRUCE BOHRER: Thank you. [LB272]

SENATOR MURANTE: We are still on proponent testimony. Are there any additional proponents wishing to speak? Seeing none, is there any opposition testimony? Didn't think so. (Laugh) Is there any neutral testimony? Seeing none, Senator Crawford, you're recognized to close. [LB272]

SENATOR CRAWFORD: Thank you, members. I appreciate your good questions and

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patience and I would like to thank all the testifiers who have come to testify and also thank them for their service and for their work for our veterans. Thought I'll just be brief. I'll try to answer some questions that I think were raised during the discussions. Senator Groene asked about whether the bill has a registry and it does. It has a registry. And, again, the Department of Labor has said they can maintain that registry with no additional fiscal cost. Obviously you can see how the State Chamber, Lincoln Chamber, other chambers would be able to use that registry to help advertise positions and recruit employers. Also want to clarify that this is a voluntary veteran preference, which I think has been emphasized. And the reason to pass this bill is not because we don't have employers who are anxious to employ vets and reach out to them. The reason to do it is to allow those companies who want to do this to be able to have a veteran preference and to be able to be protected in doing so. And so as I said before, Title VII, Section 11 of the Civil Rights Act allows for a company to have a veteran preference if their state statute creates it, and that's exactly what we're doing. We're creating that state statute to allow the employers to have a veteran preference if we pass this bill so they'll be protected. And we will be sure to talk with any folks who have talked to the chamber about specific concerns about language to make sure that that's covered so we are protecting our employers. That's our intent to do that so that they can reach out and use those employer...the veterans who are returning and get them engaged in a job and get them in our work force. I thought the discussion about how this might help an employer change their algorithm was a fascinating discussion. I mean, that's the example of the kind of thing you want to have protection to do. Can you search for a veteran? You know, and that's an interesting example of what this might allow employers to do. Ultimately it allows an employer when there are equally qualified candidates to provide a preference to hire a veteran. Be happy to answer any other questions. [LB272]

SENATOR MURANTE: Senator Crawford, this seemed like the kind of bill that could get some broad support, some consensus to send out, but I heard two separate instances where there was discussion about amendments or some sort of changes to the bill. Would it be your preference to give you some time on this to work out an amendment or would it be your preference that we "execed" on this sooner rather than later and sent it to the floor? [LB272]

SENATOR CRAWFORD: We can follow up on that discussion today... [LB272]

SENATOR MURANTE: Okay. [LB272]

SENATOR CRAWFORD: ...and let you know...let clerk know if it's ready to go or if we need something. [LB272]

SENATOR MURANTE: Okay. [LB272]

SENATOR CRAWFORD: And then you will know. [LB272]

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SENATOR MURANTE: Okay. Senator Bloomfield has a question. [LB272]

SENATOR BLOOMFIELD: Thank you. Senator Crawford, my only question is, it says that the employer will notify the Commissioner of Labor. How extensive is that requirement that they notify them? Do you know? Is that... [LB272]

SENATOR CRAWFORD: I don't think it's very extensive. And, again, the Department of Labor has said that it won't be a fiscal cost, so I'm expecting it's not an intensive process because they're not expecting it to add any FTEs or cost to it. So it shouldn't be a burden. [LB272]

SENATOR BLOOMFIELD: It certainly shouldn't be a burden to them. Okay. Thank you. [LB272]

SENATOR MURANTE: Thank you, Senator Bloomfield. Senator Groene has a question. [LB272]

SENATOR GROENE: So an employer could put an ad in the paper, I'm looking for ten veterans and he wouldn't get in trouble now with the Equal Employment. Be real blunt about it, I want ten veterans. [LB272]

SENATOR CRAWFORD: I don't want to answer a specific question about a legal matter because I don't have the training to do so. (Laugh) It does say equally qualified candidates and they will be listed as a private sector employee that has a veteran preference. But we will...and I believe they could identify themselves as an employer that's looking for veterans to hire. But it is the case that they are still required to receive applications and treat candidates fairly, and so they would need to also be considering nonveteran applicants in that process. [LB272]

SENATOR MURANTE: Senator Bloomfield. [LB272]

SENATOR BLOOMFIELD: Just to clarify a little bit where Senator Groene was going then. It would seem to me that if...and I'm going to take it back to language I understand, if I have a CDL and a company is looking to hire someone to drive a truck and a veteran comes in that doesn't have a CDL and I'm not a veteran, do they have the opportunity to train the veteran to get the CDL or are they kind of forced into hiring the guy that's already got one? [LB272]

SENATOR CRAWFORD: So the good news on that front with that example is that we as a state already fast track military members to get their CDL. So it shouldn't be a problem. [LB272]

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SENATOR BLOOMFIELD: That was just the example. [LB272]

SENATOR CRAWFORD: It is the case that they will be on the registry, so I'm assuming they can advertise themselves as a company that has the veteran preference so veterans know it's a company that's friendly to them. So... [LB272]

SENATOR BLOOMFIELD: But if somebody comes in that's already more qualified, the veteran is going to be dropped. [LB272]

SENATOR CRAWFORD: It does say equally qualified. [LB272]

SENATOR BLOOMFIELD: Okay. Thank you. [LB272]

SENATOR CRAWFORD: So now an employer could be proactive in reaching out with workshops and trainings to try to help, you know, veterans become qualified and I think there are a lot of nonprofits and universities who are trying to make sure that happens to make sure that the veteran when they show up for the job interview is equally qualified. [LB272]

SENATOR BLOOMFIELD: Okay. Thank you. [LB272]

SENATOR CRAWFORD: And that would be in an effort for all of us across the state in our different roles to help make sure that happens. [LB272]

SENATOR MURANTE: All right. [LB272]

SENATOR CRAWFORD: Thank you. [LB272]

SENATOR MURANTE: Seeing no additional questions, thank you very much for coming down. [LB272]

SENATOR CRAWFORD: Thank you. So we will follow up with the clerk and let you know, committee clerk. Thank you. [LB272]

SENATOR MURANTE: Okay. Sounds good. All right. That closes the hearing on LB272. We will now proceed to the hearing on LB305 in a moment. Stand at ease for just one moment. Senator Schnoor, welcome to your Committee on Government, Military and Veterans Affairs. [LB272]

SENATOR SCHNOOR: (Exhibit 1) Thank you, Senator Murante, committee members. My name is David, Senator David Schnoor, last name is spelled S-c-h-n-o-o-r. I represent Legislative District 15, which is Dodge County. I'm introducing today LB305 along with an amendment immediately and it is what I believe is a simple bill but I've

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learned real quick in my limited tenure here that what I think is simple and what can...what is simple could be two different things, so. Although I do think it's simple, and its single purpose is to expand areas of assistance to veterans and their families in times of need. There's currently a Nebraska Veterans Aid Fund that is in place with the veterans administration and it allows the Director of Veterans Affairs to furnish food, shelter, fuel, wearing apparel, or medical or surgical aid, or it allows them to assist with funeral expenses for a specific class of veterans. LB305 would add transportation to that list of services provided. And I do understand that that word "transportation" in itself can be vague. Veteran and family qualifications means that they must have served on active duty, honorable, or a general discharge or, if it's for their families, they must have died while in service or as a direct result of such service. The Nebraska Veterans Aid Fund provides for the aid of needy veterans and their dependants. These veterans work with their local post or county veterans service officer to determine eligibility. They evaluate the need and they find the best source of action, the best course of action, excuse me. The state service officer then provides assistance to meet the immediate need. These are not ongoing payments, but they assist in cases of emergency. You will hear today from Mr. Chalupa who is the veterans service officer from Lancaster County. He will speak more specifically to the details of the fund and how the money is dispersed. You may wonder why this matter is before the Legislature when the fiscal note indicates zero, and it is zero obligation to our state. It takes nothing out of the General Fund and nothing will go towards these expenses. These funds are in a trust account that is currently under the control of the Veterans Administration and the state of Nebraska, but the Legislature has oversight as to the appropriate use of these funds. We have the opportunity to do the right thing by the veterans and the families of those who have served our country. I'm asking you to support LB305 and I will take any questions. [LB305]

SENATOR MURANTE: Thank you, Senator Schnoor. I have a question on procedure and how you'd like to proceed with the amendment. It looks like your amendment simply adds the emergency clause to the bill. [LB305]

SENATOR SCHNOOR: Yes. [LB305]

SENATOR MURANTE: Is it your intention to file this yourself on General File or do you want that added through the committee amendment process? Which would you prefer? [LB305]

SENATOR SCHNOOR: I would prefer just through the committee amendment. Let's make it as simple as possible. [LB305]

SENATOR MURANTE: Understood. Okay. Senator Bloomfield has a question. [LB305]

SENATOR BLOOMFIELD: Thank you. Senator Schnoor, you and I discussed very



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briefly before your introduction questions of what transportation really means. Do you want somebody behind you to address that or do you want to address it? What your intent is? [LB305]

SENATOR SCHNOOR: I'll give you how I feel, what I feel, and then the experts who are actually already doing this, they will tell you as well. But the current legislation, there's some areas that are already vague, like wearing apparel. You know, what does that exactly mean? Does it mean buying somebody's wardrobe or buying them a coat if they need it? You know, that in itself is vague. Transportation is just a vague word in this aspect. Does it mean buying them a new car? Or does it mean replacing tires on a car? Or does it mean in...as I see it, the Veterans Administration can't even buy a veteran a bus fare in Lancaster County to go to an appointment or they can't pay for a taxi fare. If that is done, let's pay it out of the goodness of somebody's heart and there's no reimbursement. So that's what I see transportation as. [LB305]

SENATOR BLOOMFIELD: Okay. I'd like to follow up on that a little bit more. When we're talking transportation, again, if we're talking bus fare are we talking bus fare to a medical appointment or are we talking bus fare to a Dairy Queen? [LB305]

SENATOR SCHNOOR: To where? [LB305]

SENATOR BLOOMFIELD: Dairy Queen. [LB305]

SENATOR SCHNOOR: Another good question. And it's bus fare to a medical appointment or something to that effect. Once again, you know, "transportation" is a very vague word in itself when used in this context. But if you look back to the history, this program has been around for years and it's been administered extremely and frugally is even a word, but they've been very, very good at how they're using this money and it hasn't been spent wastefully. [LB305]

SENATOR BLOOMFIELD: Just to make it clear, I'm not in opposition to this. I just want to clarify some things, and another one that's already in there says fuel, as you mentioned before. Is your understanding is that heating fuel or is that fuel for the car? [LB305]

SENATOR SCHNOOR: That could...I don't know that. I do not have an answer for you. The folks following me should have... [LB305]

SENATOR BLOOMFIELD: Okay, okay. We will proceed down that just for a little clarification later. Thank you. [LB305]

SENATOR SCHNOOR: Okay. Thank you, Senator Bloomfield. [LB305]

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SENATOR MURANTE: Thank you, Senator Bloomfield. Senator Garrett. [LB305]

SENATOR GARRETT: Thank you, Senator Murante. Senator Schnoor, I first heard about this Nebraska Veterans Aid Fund last week when I was in a veterans meeting in Papillion, and I was surprised to hear about it. Several of the attendees were all up in arms about this fund, about how, the word you used was frugal, that this money was originally set aside for this and that they hardly ever extend funds for things. Can you give us an idea about what that initial investment was, and we're talking about the investment income from this? Can you give us a size or scope or is that a question for maybe subsequent testimony? [LB305]

SENATOR SCHNOOR: I'm going to defer a lot of that to the committee (sic) because I'm right up there with you, Senator Garrett. My education spans about two weeks on this as well. Because I knew there was...there were these programs available but unless you're not directly involved in them, you know, you just, you don't follow up on them, you don't study them. It's just like everything else that we do here in the senate (sic). There's a lot of education that goes on and this was one of those areas for me. So I'm going to defer that question if I may to the testifiers that will be following me. [LB305]

SENATOR GARRETT: Great. Thank you. [LB305]

SENATOR MURANTE: Thank you, Senator Garrett. Senator Groene. [LB305]

SENATOR GROENE: This money comes from the federal government. Is it an annual outlay? [LB305]

SENATOR SCHNOOR: No. The money is in trust in the veterans administration and the only part of that that's allowed to be spent is the interest earned off of it. [LB305]

SENATOR GROENE: And I'm assuming there's federal guidelines for this that started when the original money was given or... [LB305]

SENATOR SCHNOOR: I can't answer that question. I'm sure there...I'm sure the Director of the Veterans Administration will be testifying following me and I'm sure he can answer those questions. [LB305]

SENATOR GROENE: But did one of your constituents come to you and say that they couldn't get a taxicab or something to go to the VA or something? [LB305]

SENATOR SCHNOOR: This started with the Lancaster County Veterans Service Officer that he...in a good application is here in Lancaster County. In other counties, you know, this transportation may not be an issue. I attempted to talk with the veterans service officer from my county which is Dodge County. He's in the hospital, so I was unable to

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get any answers from him. But just a simple analogy is if a veteran wants to go to a doctor's appointment, he cannot get reimbursed through this program because simply of the word "transportation" is not in there. [LB305]

SENATOR GROENE: I guess my concern is if it's a veteran I want to help him, but he's a 23-year-old kid who's never seen a day of service I'm worried about him taking a trip to Hawaii to see his mother or something. I understand that there's somebody over at the... [LB305]

SENATOR SCHNOOR: No. I would challenge anybody to find that his program has been abused because this has been in effect for many, many, many years, and that trust fund has not dwindled at all. It has increased substantially. [LB305]

SENATOR MURANTE: Thank you, Senator Groene. Any additional questions from the committee? Seeing none, thank you very much for opening, Senator Schnoor. [LB305]

SENATOR SCHNOOR: Thank you, sir. [LB305]

SENATOR MURANTE: We will now proceed to proponent testimony. Welcome to the Government, Military and Veterans Affairs Committee. [LB305]

GAROLD CHALUPA: Thank you, Senator. [LB305]

SENATOR MURANTE: Thank you. [LB305]

GAROLD CHALUPA: (Exhibit 2) My name is Garold Chalupa, G-a-r-o-l-d, and last name is Chalupa, C-h-a-l-u-p-a. Thank you for the opportunity to be here today. I'm here as the president of the Nebraska Association of Professional Veterans Advocates. We are a state-recognized organization of county veteran service officers and of assistant service officers. We represent 35 counties which houses approximately 75 percent of the veterans that live in Nebraska. So hopefully I'm speaking on their behalf and doing the right thing. I want to thank Senator Schnoor for his willingness to sponsor this bill for us and thank him for his service. I didn't know until I came over here today that he was actually a 20-year retiree, so. And I know we've got some veterans on the committee and thank you for your service as well. The Nebraska Veterans Aid Fund was created in 1947 with an initial investment of, state dollars, \$2 million state tax dollars. That money has been invested wisely over the years, not abused, not overspent. There was, I believe, an \$8 million one point shot in the arm that was provided to help the fund grow and it has since been invested. And as Senator Schnoor said, we're allowed to spend the interest monies that that money earns. The change in state statute, again as the senator said, would have absolutely no impact on the state budget. It's all money that's coming out of that trust fund that's done. We're simply expanding our ability to provide assistance to veterans and we're using nontax dollars to do it. County service officers

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are the first line representative and advocates for veterans. When veterans come to us with financial need situations, we have to evaluate how to best resolve their problem, their issue. To us right now we have two funds available, one being the Nebraska Veterans Aid Fund, the second one being a county veterans aid fund. The county veterans aid fund is tax-dollar funded, money allocated by the county commissions of each individual county into the fund and that fund is administered by the county veteran service committee which at the county level is five veterans appointed by the county board. Those are the individuals that provide the guidance to us, the county service officers, in administering that fund. Again, those are tax dollars. So we do our best and I think I can speak for most of us, we do our best to minimize the use of those dollars and maximize the use of the state dollars because it's not tax dollar money. This proposal will allow us to also set the rules and provide the guidance with which this transportation is defined. I don't think we're going to buy somebody a helicopter or a car. I've been in this position for 20 years. The directors have all done a magnificent job of monitoring the fund and making sure it doesn't get abused. We will formulate a committee. We will gather information from throughout the county veteran service community, our county veteran service officers and provide input into how we define transportation and how these monies can be spent wisely and not abused. With that, I see I'm about out of time, I give up. (Laughter) And I'm prepared to answer any questions you may have. [LB305]

SENATOR MURANTE: Thank you very much for your testimony. Senator Bloomfield has a question. [LB305]

SENATOR BLOOMFIELD: Thank you. I'm going to go back to the transportation issue. [LB305]

GAROLD CHALUPA: Yes, sir. [LB305]

SENATOR BLOOMFIELD: My concern is currently in my district we have some people that need to come down to the VA in Omaha. It's 120-mile trip. We have volunteers that bring them down. Doesn't cost anybody anything except the guy that's volunteering and maybe the veteran himself who putting in a few dollars. My concern is that if we start paying them, when we say transportation, it'd make it awful easy for the fellow that's bringing him down to suddenly start turning in a bill for 55-56 cents a mile round-trip to bring him down. And I fear we may do damage to the fund. I am not opposed to some transportation but I think we ought to put some monthly limits on it. You know, each veteran is maybe limited to \$50 or \$100 a month that he can get for transportation. But I think when you're working on those guidelines, there better be something in there to protect that fund from people from Scottsbluff that need to come to Omaha that are being brought here voluntarily now because I think we could eat up this fund with transportation. [LB305]

GAROLD CHALUPA: I fully agree. I don't know if limiting, you know, a veteran to one

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trip a month or something, but obviously we have to put some kind of limit on it. You're from a community, a county that's very fortunate. Someone took the initiative to purchase a van and organize to volunteer drivers to do that. We have 93 counties and I don't know how many but... [LB305]

SENATOR BLOOMFIELD: Not enough. [LB305]

GAROLD CHALUPA: ...not enough have that same service. We don't have at our disposal now any ability to help in those counties where they don't have the transportation. And it's easy to look at, those of us living in Lincoln, where we have buses, where we have taxis. We have to remember there are 92 other counties where maybe they don't have those same facilities available to help people with transportation. [LB305]

SENATOR BLOOMFIELD: I believe you understand my concerns and how we deal... [LB305]

GAROLD CHALUPA: Oh, yes. Yes, sir, I do. And that's where I say I think between the Governor's advisory committee and the previous directors, when we had changed the guidelines that we currently have and we've modified them, they've done an extremely good job at providing controls (laugh) that prevent abuse of that fund. And I'm positive Director Hilgert will do the same thing for us now when we get to that point in developing the rules. [LB305]

SENATOR BLOOMFIELD: We may ask him that very question soon. (Laughter) Thank you. [LB305]

GAROLD CHALUPA: Yeah, and I'm sure he'll have an answer. [LB305]

SENATOR MURANTE: Senator Groene has a question. [LB305]

SENATOR GROENE: Hopefully a quick question. [LB305]

GAROLD CHALUPA: Yes, sir. [LB305]

SENATOR GROENE: Thank you, Chairman Murante. How do you divvy up the money now? Is it as the claims come in and then when you run out of money, you're done? Or is it prorated across the counties? Do they send you a budget? Because nobody really knows how much need you have each, and do you spend all the money every year or... [LB305]

GAROLD CHALUPA: I can't...okay, let's start at the beginning. [LB305]

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SENATOR GROENE: Just don't spend a lot of time on it because... [LB305]

GAROLD CHALUPA: Veterans that have an emergency situation, they used to...an unforeseen emergency comes up that creates a financial hardship, a loss of income, that qualifies them for the basic eligibility. The application includes a list of monthly expenses, a list of monthly income, and from that we determine is there a financial need. And then depending on the type of assistance the veteran or the applicant is requesting, we look at which category does it fall into. We're limited on the amount of dental service we can provide, on medical service. We have limits, limits on funeral, burial expenses for both actual burial and cremation, two different amounts. So there are limits in place on some of the existing services we provide. On other services, we have a \$75 limit on a phone bill, a monthly phone bill. Electric, there's no limit. The fuel you talked about earlier, that is...and that's meant to mean heating fuel, not fuel for a car. So...but there are different amounts. It's not necessarily divvied out to the counties or divvied out or limited in that way. It's dependent on the number of applications that are received. Individual gets sick, can't work for two months, loses his job, until he gets rehired or back on his feet again and going, we can sometimes...and I always say sometimes because we don't get to make the decisions. Some of the folks back here get to make those decisions. But, you know, we do our best at putting an application in forward and sending it in. I don't think there's...the experts back here would have to correct me, I don't think we've ever spent our entire annual earnings of this fund in one year. [LB305]

SENATOR GROENE: So the fund keeps growing. [LB305]

GAROLD CHALUPA: The fund keeps growing. [LB305]

SENATOR GROENE: Thank you. [LB305]

SENATOR MURANTE: Okay. Thank you, Senator Groene. Are there additional questions? Seeing none, thank you very much for your testimony today. [LB305]

GAROLD CHALUPA: Thank you very much. I appreciate your time. [LB305]

SENATOR MURANTE: Much appreciate it. Additional proponent testimony on LB305. Seeing none, is there any opposition testimony to LB305? Is there any neutral testimony to LB305? Welcome to the Government Committee. [LB305]

JOHN HILGERT: Thank you. Good afternoon, Chairman Murante, members of the Government, Military and Veterans Affairs Committee. My name is John Hilgert, J-o-h-n H-i-l-g-e-r-t. I'm the Director of the Nebraska Department of Veterans' Affairs and I'm here to testify in a neutral capacity on LB305. LB305 would add the word "transportation" as an allowable category for expenditure for the Nebraska Veterans Aid

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Fund. The Nebraska veterans aid was established in 1921 using no federal funds, only state funds. It was house...it was the Nebraska House of Representative actually that passed it. (Laugh) House Rule number 415 that, in short, allowed funds to be used at furnishing food, wearing apparel, medical or surgical aid, care or relief, or in bearing the funeral expenses, that's the quote. As you know, the program has changed slightly since 1921 but it still remains true to the original intent of HR415. Adding transportation as a new category of aid under the Nebraska Veterans Aid Program would expand the program as we know it. Although its direct impact is not known at this time. The last fiscal year, the Nebraska Department of Veterans Affairs received 986 applications for Nebraska Veterans Aid. We expended \$1,158,541.66. That concludes my testimony, but I understand there's been many questions that I will wait until asked or if you want me to address them as I remember them. [LB305]

SENATOR MURANTE: Okay. I've got a question or two for you. [LB305]

JOHN HILGERT: Yes, Senator. [LB305]

SENATOR MURANTE: So with the authority that you currently have now to expend money, let's say food and shelter, you don't really have any statutory parameters so far as I can tell regarding what food is permissible and what is excessive, whether it's a loaf of bread or a dinner at a steak house. So how is it that you go about determining what is an appropriate expenditure and what is not? [LB305]

JOHN HILGERT: We rely on the 90-plus years of tradition. We move...you're right. There's very little statutory guidance on this. When I came to this position that was something I noticed right off the bat and...but we had a department director, deputy director that had been here about 30 years, Dan Parker. A lot of institutional memory. We put down as much as we could on guidelines to try to let our County Veteran Service Officer partners understand what we fund and what we don't fund. So we've built it on the small statutory guidelines. We built on that and included our tradition. And at this time, the way that we make changes is that we say here's what our guidelines are and if there's suggestions from our counties or veterans or our own staff to make changes, we take that to the Nebraska Veterans' Advisory Commission and we have them review our proposed change. And frankly we have decided to let them vote on it, advise us, and then make the changes accordingly in our guidelines. We've expanded some of the...for example, during the economic downturn of 2008-2009, we went generally from once...from a 60-day basically two asks, every 30 days you can ask for one, to three because there was economic issues there. There was people out of work. There was jobs closing. There was...so forth and so on. So we try to be responsive to what's going on. Mr. Chalupa had said that we've never spent more than we have made, and I'll go back to the 1996 and 1997 years, 1998 as well, '99, those four years during that recession we did actually spend more than the income. Now this income, it started at \$2 million. And right now we have approximately \$46 million. What we do is

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we try to spend the interest and give it away for veterans who are going, temporary unforeseen emergencies. Senator, that's beyond your question. I apologize. [LB305]

SENATOR MURANTE: (Laugh) That is very good information. Senator Bloomfield, I bet you have some questions. [LB305]

SENATOR BLOOMFIELD: Thank you. I've repeatedly heard that we spend nothing more than the interest. Is this strictly on deposit and it's collected with a 1 percent interest or is it invested somewhere else and hopefully doing a little better than that? [LB305]

JOHN HILGERT: No. We have spent more than the interest in those years. [LB305]

SENATOR BLOOMFIELD: Right. [LB305]

JOHN HILGERT: Basically there's two funds. There is kind of a long-term fund, if you will, and then a short-term fund. The long-term fund feeds into the short-term fund. The short-term fund is what we grab on a periodic basis to use for our Nebraska veterans aid. At one point a few years ago our short-term fund got a little large. Our State Auditor suggested that we keep that short-term fund a little smaller and we transferred some in the long-term fund. [LB305]

SENATOR BLOOMFIELD: Okay. My question was are we strictly drawing interest or are there other investments in companies? [LB305]

JOHN HILGERT: We don't invest it. We let the... [LB305]

SENATOR BLOOMFIELD: It's strictly interest then? [LB305]

JOHN HILGERT: It's the state...the State Investment Council... [LB305]

SENATOR BLOOMFIELD: Okay. [LB305]

JOHN HILGERT: ...that is in charge of all the investments. [LB305]

SENATOR BLOOMFIELD: Okay. Thank you. [LB305]

JOHN HILGERT: I wouldn't pretend to do that. [LB305]

SENATOR GROENE: I'll ask a question. [LB305]

SENATOR GARRETT: Senator Groene, go ahead. [LB305]



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SENATOR GROENE: Thank you, Vice Chair. The county employee is a county employee, isn't he? I think it's in our county budget. He's actually an employee of the county or do you guys write him a paycheck? [LB305]

JOHN HILGERT: No, we don't hire, fire, debt, test, discipline, nor fund the County Veteran Service Officers. [LB305]

SENATOR GROENE: Usually paid by the county. [LB305]

JOHN HILGERT: Always paid by the county. The state has no role in that. [LB305]

SENATOR GROENE: Yeah, that's part of the county. Does that officer, he helps them with more than this. If a veteran comes to him, he helps him get together with the VA or look for disability. I think ours does more than just this, don't they? [LB305]

JOHN HILGERT: Yes, Senator. In fact, as you heard that Nebraska is one of the most veteran-friendly states, it wouldn't be so without our County Veteran Service Officers. They do many, many things. [LB305]

SENATOR GROENE: My advice is to keep that secret you've got \$46 million or else you'll be using it to build a hospital. (Laughter) I'm just joking. [LB305]

JOHN HILGERT: We can't. [LB305]

SENATOR GROENE: I know. [LB305]

JOHN HILGERT: You can and I'd hope that you wouldn't. [LB305]

SENATOR GROENE: Tell me about it. Just being funny, I didn't mean that. (Laughter) Get myself in trouble here. [LB305]

SENATOR GARRETT: Thank you, Director Hilgert. I had listed that question as to how much money was in the fund, and can you give us a rough approximation of how much typically you earn in interest every year? [LB305]

JOHN HILGERT: Let's see, I do have it going back to '08-09. The investment income, upright aid, transfers out...let's see, just excuse me. Oh, here we go. It varies from about \$1 million to \$3.5... [LB305]

SENATOR GARRETT: Okay. [LB305]

JOHN HILGERT: ...million. [LB305]

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SENATOR GARRETT: I was going to ask that initial question how much was in the fund to begin with with great trepidation for a myriad of reasons, but when veterans apply for aid is it the Veterans Advisory Commission or who is it that evaluates those requests for funds? [LB305]

JOHN HILGERT: It's actually Denise Sanders who's with us here today. What happens is, is not only County Veteran Service Officers but post service officers of veteran service organizations that are recognized by the state of Nebraska can apply for these funds. The application comes into the state of Nebraska. It is first examined for eligibility and completeness, and then it's determined how much of the request to what extent that we honor that request. Sometimes it is a partial. Sometimes is rejected saying that this is not an eligible request. And then sometimes, you know, we fund fully. So it is a one-by-one and we use, we try to use those guidelines that we shared with our county partners as guidelines for our staff to evaluate these. If there's a question, obviously it goes on up and we do big...we huddle as a department and try to figure out just what this request is all about and so forth. But it's very retail. It's very artful. It's more an art than a science. And we had...I'm kind of a left-brain guy and at one time in my career with the state I wanted to make it very, very clear, and that was a fault and that was a mistake on my part because what it did is it would suggest that we don't have the flexibility. The county doesn't have the flexibility. The flash flood that happened in Ogallala we're able to respond to. The Vickers plant that closes in Omaha we're able to respond to. So we wanted that flexibility. With it comes the need to have a good partnership with our counties, and we feel we do. So it's not clean and crisp. It's not like a hunting or a fishing license. It's...there's a relationship here. But we try to establish the guidelines of what it's for and we work with our county partners to satisfy the veterans. [LB305]

SENATOR GARRETT: And, again, I think you said most years you do not fully expend the interest made from that year. [LB305]

JOHN HILGERT: We have in the past because the interest was not keeping up with our expenditures. When there's an economic downturn, the need goes up and the interest goes down. [LB305]

SENATOR GARRETT: Right. [LB305]

JOHN HILGERT: And we, you know, kind of tighten things up a little bit but we ended up spending more because we needed to. In years where the economy is robust, at the same time the need maybe goes down at the same time the interest goes up. The Nebraska Investment Council does a fantastic job and we rely on them. So, again, that's why we have this flexibility and perhaps why the house members back in 1921 didn't put a lot of detail in the statute to allow us that flexibility. [LB305]

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SENATOR GARRETT: Thank you. [LB305]

SENATOR MURANTE: Thank you, Senator Garrett. Senator Bloomfield. [LB305]

SENATOR BLOOMFIELD: Thank you, Chairman. I'm going to move clear away from the line of questioning we're at right now and ask you a question that really has nothing whatsoever to do with this bill. If a county is unfortunate enough to have a veterans service officer that does a horrible job, is there anything the veterans in that county can do in to get rid of him? Or would you rather talk to me about this somewhere else? [LB305]

JOHN HILGERT: You know, and, Senator, we can certainly talk off mike at length, but, you know, in short the County Veteran Service Officer is a county employee. Some counties have different resources than other counties. Some counties are larger. You know, in Douglas County, for example, we expended \$255,000 of county veterans aid or Nebraska veterans aid. In Hall County, about \$180,000. In Sarpy, it was about \$47,000 I believe. And it's all based on the requests. What people can do in a county with any county employee whether it be a roads maintenance or a County Veterans Service Officer or whatever, that's an issue for the county board, working through the statute as it's presented with the County Veteran Service Committee to the extent that the county attorney interprets the law. And...but it's a county issue. We try to work with all of our county partners and we work with whoever the county hires. [LB305]

SENATOR BLOOMFIELD: I would like to converse with both of you off the mike at some point. [LB305]

JOHN HILGERT: Okay. I'm not sure my...I'll be any more help than I just was, but I'll certainly converse with you, Senator. [LB305]

SENATOR BLOOMFIELD: I understand. [LB305]

SENATOR MURANTE: Thank you, Senator Bloomfield. Are there any questions? Seeing none, thank you very much for coming down, Director Hilgert. [LB305]

JOHN HILGERT: Thank you. [LB305]

SENATOR MURANTE: Is there additional neutral testimony on LB305? [LB305]

GREG HOLLOWAY: You can see that I wear a lot of different hats. Again, my name is Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y. I was the deputy director for the Lancaster County Veterans Service Center--that's what it was called back then--from '90 to '95, so I've done a lot of Nebraska veterans aid applications back then. And as a matter of fact when I first got out of Vietnam, my wife was with child and Nebraska veterans aid

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helped pay some of the medical bills for when my son was born. So I've been on both sides of the table which I think helped me become a little better service officer because I could understand both sides of the table. And there are some transportation needs. Now the fund is set up for unforeseen emergencies and I'm testifying in a neutral capacity because I have been a steward of this money since I believe the early seventies when I really got involved in '72 in veterans organizations. So I've been kind of watchful, but I have the utmost confidence in the Nebraska Department of Veterans Affairs to continue to steward this money and to make sure that it is taken care of well and looked after and not spent unaccountably. We got a good crew, a really good crew there, and I'm glad that the Governor seen fit to keep them. I am also past-department commander of the Disabled American Veterans. The new department commander has asked me to look after our transportation programs which we have at the three major veterans hospitals that we provide transportation to veterans that need transportation to their scheduled appointments. We don't take them to Dairy Queen. (Laughter) But we take them to their scheduled appointments and make sure they get there. And there is a pretty good transportation program throughout the state, but it's very hard and trying for a World War II veteran, a Korean veteran, and now I'm 68 as a Vietnam veteran to make that long trek on a van and wait to get back. There is a need for viable transportation. And so there's...this might help with that need a little bit. Now we're going to be talking about a bill on tax exempt for a vehicle. That's coming up I think next month. That will help veterans that need viable transportation, reliable transportation to be able to acquire that on limited incomes. So we'll talk about that I think next month. I think it might be your bill. So I'm not opposed to it but I want to make sure it's done right, and I do have confidence in our Department of Veterans' Affairs, the Nebraska Department Veterans' Affairs, not the U.S. Department of Veterans Affairs--we're not talking about any U.S. money here--to look after those funds because those guys, pretty good. So that's what I want to say, make sure you guys know what we're talking about here. The Nebraska Veterans Aid Fund has been a good fund and if they don't...believe me, if they don't set it up right I'll be on them to say I don't like the way this looks. I'm not on the Veterans' Advisory board for the Governor's advisory board to sit there, but I am the vice chair of the Nebraska Veterans' Council. Next year, I'll chair it, so. I'll keep my eye on it. I'll be around for a little bit longer. If you got any questions, I'll answer them. I do know a little bit about Nebraska veterans aid. I made a lot of applications in Lancaster County from '90 to '95, so. [LB305]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions? [LB305]

GREG HOLLOWAY: Thank you, Senator. [LB305]

SENATOR MURANTE: Thank you. Seeing none, thank you very much for coming down today. Much appreciate it. Is there additional neutral testimony on LB305? Seeing none, Senator Schnoor, you may close. [LB305]

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SENATOR SCHNOOR: Thank you, ladies and gentlemen. The current statute 80-401.03 which was originally drawn up in 1947, so post-World War II, and amended several times since then but currently states that the base sum of this has to stay at \$12 million. So there's between \$12 million and I believe he said \$46 million, so we're at--what is my math--\$34 million available to use for this fund. Now that alone should show you that this has not been abused at all. This has grown at an unbelievable rate. And we all know that our current, I believe it's the Retirement Committee I think that they were referring to that manages the money already is being managed very well and always earning interest. So I ask that you approve this with the amendment of the emergency clause as written. Is it vague? Yes. There's no doubt. But the Veterans Administration has proven that they have been good stewards of this money and so I ask for your approval. [LB305]

SENATOR MURANTE: Thank you, Senator Schnoor. Are there any final questions? Senator Groene. [LB305]

SENATOR GROENE: Just a quick question. Down the road or an amendment, would it be wise to amend that from \$12 million \$40 million or \$35 (million) so nobody can raid it? I mean, it's an amendment to look at down the road. [LB305]

SENATOR SCHNOOR: That's a...yeah, very good question, very good question. [LB305]

SENATOR MURANTE: Okay. Thank you very much for coming down today. Much appreciate it. [LB305]

SENATOR SCHNOOR: Thank you, ladies and gentlemen. [LB305]

SENATOR MURANTE: Thank you, Senator Schnoor. That concludes the hearing on LB305. We will proceed to LR23, and Senator Riepe is here. Welcome to the Government, Military and Veterans Affairs Committee. [LB305 LR23]

SENATOR RIEPE: Thank you. It's a good-looking group. [LR23]

SENATOR MURANTE: We wanted you on this committee, but it didn't work out that way. [LR23]

SENATOR RIEPE: Well, you're kind. I think I would have enjoyed it, Senator Murante. [LR23]

SENATOR MURANTE: I think so. [LR23]

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SENATOR RIEPE: Thank you to all of you. I am Senator Merv Riepe, and that's spelled M-e-r-v, Riepe is spelled, R-i-e-p-e, of the 12th District, which is Millard, Omaha, and Ralston. I want to thank you for the opportunity to introduce a resolution that benefits veterans and local communities. I grew up in a rural community on a farm. I'm a veteran of the U.S. Navy. While in the Navy, I was a hospital corpsman. I have 30-plus years in healthcare administration, most of those years in Omaha but two years as an on-site consultant for day-to-day operations in a hospital-based multi-speciality physician group practice in rural east Texas. So I have some rural experience as well. Today, I'm asking for your support of a resolution that benefits military veterans and the economies of local communities and local hospitals within those communities. At the present time, 40 of my fellow state senators have cosponsored LR23. On November 5, 2014, the Veterans Administration implemented what they called a veterans choice program. The choice program allows veterans the option to receive non-VA healthcare, however, veterans can only use the choice program if they meet certain eligibility requirements. Those requirements are: (1) the veteran has a 30-day wait to see a veteran's physician; (2) the veteran must live 40 miles beyond a VA healthcare facility; (3) the veteran must have...be required to be travelling in difficult situations including travel by plane, boat, or geographic challenges. Veterans are required to call the VA under the choice program to see if they are eligible to use the program, and if the physician they want to see is approved by the VA. This puts the responsibility on the veteran to gather information and obtain permission to use the local service, a "Mother, may I" approach. The "Mother, may I" approach works against continuity of care. Every veteran should be allowed to create and enjoy a relationship with a primary provider. This is known as a medical home and not to be passed back and forth between the veteran systems and a local practitioner when the veteran meets all eligibility requirements of the VA. The bureaucratic nature of this policy is obvious and serves as a disincentive for veterans. LR23 will also support and promote local economies, especially rural hospitals and local physicians and towns across Nebraska. Hospitals are important to our state and many are critical access hospitals. Critical access hospitals are hospitals with no more than 25 inpatient beds. Many have operating cash on hand of less than five working days. Should veterans be allowed access to any of these hospitals and require inpatient care, that admission along with others during a year could be the difference in the financial survival of these critical access hospitals. If our goal is to work to preserve our small Nebraska communities, we need to provide support when possible that is not a state subsidy. Veterans who use local physicians and hospitals as well as other outpatient services along with their families will spend money on food, shopping, gas, and other consumable items to boost these local communities. Veterans in rural communities receive some services from the veterans hospital system in Omaha or South Dakota. And these veterans receive some services from local physicians and hospitals in their local communities. This is a total absence of continuity of care for these veterans and they deserve better. Presented to you today are letters in support of LR23, including the Nebraska Rural Health Association, the Nebraska Hospital Association, and I think today that you will hear from a representative of the Nebraska Medical Association in

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support. You will also hear from at least one veteran who can give firsthand account of the difficulties encountered in obtaining local healthcare. Thank you, sir. [LR23]

SENATOR MURANTE: Thank you, Senator Riepe. Are there any questions for Senator Riepe? Seeing none, thank you very much for your testimony. [LR23]

SENATOR RIEPE: Thank you. [LR23]

SENATOR MURANTE: Are you going to stick around for closing? [LR23]

SENATOR RIEPE: Yes, sir. Yes, sir. [LR23]

SENATOR MURANTE: Wonderful, wonderful. We will proceed to proponent testimony on LR23. Are there any proponents? [LR23]

GREG HOLLOWAY: Me again. [LR23]

SENATOR MURANTE: All right. [LR23]

GREG HOLLOWAY: I kind of represent a little bit of everyone here. [LR23]

SENATOR MURANTE: That's right. That's great. Well, welcome back to the Government, Military and Veterans Affairs Committee. [LR23]

GREG HOLLOWAY: Yeah. Thank you. Thank you. Good to see you all. Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y. I've been walking through the doors of the VA hospital here in Lincoln actually since 1969, September of 1969 when I got out of the military, but. I want you to approve this. It's kind of a...it's a gimme. It should be done. It's commonsense stuff that should be done to look after everybody. When you look after a veteran, you're looking after his family and you're looking after his family's family because us old guys look after our grandkids now. So to keep us healthy so we can make sure our grandkids grow up responsible. Lincoln, Nebraska, actually has never had an emergency room facilities, accessibility to emergent care in Lincoln, Nebraska, ever. Omaha I think, I don't even think Grand Island does. I'm not sure about Grand Island. But Omaha has an emergency facility where you could go onto emergency care. Lincoln has cut their hours of operation to 7:00 in the morning until 5:00. So if you don't walk through that door before 5:00 you're done. So this needs to be done. I represent actually the Nebraska Veterans' Council that are in favor of this bill, made this resolution one of their priorities pretty much. The Disabled American Veterans would like to move this on. I got a call from AMVETS yesterday to ask me to say, yes, they...AMVETS of Nebraska want this to be moved forward. VNI represent the Vietnam Veterans of America as a past-state council president of their legislative representative, we would like this to move forward. We're not only looking at the veterans in these medical issues. Agent Orange, the

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residuals and the ramifications of Agent Orange go seven generations back. So seven generations from I was exposed since I was exposed to Agent Orange in 1968 in Vietnam. I was up in ICOR, DMZ on the Laos border, A Shau Valley, Khe Sahn. The use of Agent Orange was heavy, heavy, heavy. I've never seen them drop it but I've seen all the effects of it. Agent Orange goes back seven years. So every child of a veteran, child, child, child of a veteran has residuals of Agent Orange. Now this even works towards, we'll say we have a male child or a female child, there's no relation to a service member. When they marry, if they marry one that's seven generations out there is some sort of effect. So good VA medical care, competent, responsible, and appropriate medical care is well needed. This resolution, though it's not going to make them do it, it's saying that the state of Nebraska understands this and wants to look after our veterans. And we need to stand up and say we look after our veterans. Thank you. [LR23]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions for the testifier? Senator Craighead. [LR23]

GREG HOLLOWAY: Sure. [LR23]

SENATOR CRAIGHEAD: Thank you, Mr. Chairman. Mr. Holloway. [LR23]

GREG HOLLOWAY: Yes. [LR23]

SENATOR CRAIGHEAD: Where did you get your information on the seven generations and Agent Orange? [LR23]

GREG HOLLOWAY: There's a big study on Agent Orange who are getting ready to do some town hall meetings on Agent Orange. Are you on the Agent Orange registry? [LR23]

SENATOR CRAIGHEAD: No, but I lost a spouse due to Agent Orange. (Inaudible) [LR23]

GREG HOLLOWAY: Yes, I understand that. I will give you my card. I am planning on through our Vietnam Veterans of America State Council of doing a town hall meeting on Agent Orange, and we have some very good people that are very knowledgeable about Agent Orange. So...any of your children, you have offspring? Get off the subject here, but to give you again, make sure if they need any medical care whatsoever that they know that their father in country Vietnam veteran, doctors need to know that. All right. I'll give you my card. [LR23]

SENATOR CRAIGHEAD: Thank you. [LR23]



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GREG HOLLOWAY: And we could visit. Okay? [LR23]

SENATOR CRAIGHEAD: Yes. Thank you. [LR23]

GREG HOLLOWAY: All right. [LR23]

SENATOR MURANTE: Thank you, Senator Craighead. Additional questions? Seeing none, thank you very much for your testimony. [LR23]

GREG HOLLOWAY: Thank you. [LR23]

SENATOR MURANTE: Before we give too much time. All right. Are there additional proponents wishing to speak? Welcome to the Government Committee. [LR23]

ANN FROHMAN: Thank you. Senator Murante, members of the committee, my name is Ann Frohman, for the record that is spelled A-n-n F-r-o-h-m-a-n. I'm an attorney and registered lobbyist for Nebraska Medical Association. We are here in support of LR23, think that there's laudable reasons for considering that resolution as the senator had just explained. The members of the Nebraska Medical Association, the physicians of Nebraska, fully support the continuity of care and access that they can provide to the veterans. The veterans have served the country well. The physicians are very willing, ready to be able to provide that service for our veterans. And the patient-centered focus that we move into in the new dynamics of healthcare delivery is one that really plays well into this so that folks in the areas where they have their rural challenges with distance will be able to I think through something like this have better access to those needs that are focused on their challenges and issues with care. So the NMA is very willing to stand behind this and put our full support in it. [LR23]

SENATOR MURANTE: Thank you very much for your testimony. Are there any questions for the testifier? Seeing none, thank you very much for coming down today. [LR23]

ANN FROHMAN: Thank you. [LR23]

SENATOR MURANTE: Appreciate it. Are there additional proponents wishing to speak on LR23? Seeing none, any opponents? Any neutral? Senator Riepe, you are recognized to close. [LR23]

SENATOR RIEPE: Thank you, Senator. Thank you. I'd like to start with a quote, and that is "to care for him who shall have borne the battle" were the words of Abraham Lincoln, and they have become the VA's motto. Lincoln affirmed the government's obligation to care for those who were injured during the war, but Lincoln never quantified or qualified in sense of where or how the veterans' care must be provided.

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This is a resolution to support veterans receiving healthcare services in their communities and to support these local communities and these critical access bed hospitals. I want to thank all of you on the committee who are veterans. I want to thank everyone here in the audience who is a veteran. And I want to thank all of you who were cosigners on the terms of this resolution. I will answer any questions. [LR23]

SENATOR MURANTE: Thank you, Senator Riepe. Senator Bloomfield. [LR23]

SENATOR RIEPE: Yes, sir. [LR23]

SENATOR BLOOMFIELD: Thank you. Senator Riepe, it's more of a statement than a question. I was...it became necessary for me to take some hearing tests through the VA. I had to drive to Omaha from Hoskins to do that. I ended up making two trips. I originally thought it was going to be out of my pocket. I found out later that they would reimburse for those trips. So this is not only...there was no reason I couldn't have taken the test 12 miles away in Norfolk. The money that we would save by not having to transport veterans to VA facilities would be substantial. And if you would like to include that anywhere in your resolution I would be glad to be a vehicle for that. Thank you. [LR23]

SENATOR RIEPE: Thank you. One of my own experiences was I was at one of the hospitals, this one happened to be on the Denison side, the Iowa side, and they were loading the veterans up to come down to Omaha for the day. If you've got a 10:30 appointment, you stayed all day until you went home. That's not good healthcare. Yes, sir. [LR23]

SENATOR MURANTE: (Exhibits 1, 2, 3, and 4) Any additional questions? Seeing none, Senator Riepe, thank you very much for introducing LR23. Before we close the hearing on LR23, I have letters to be read into the record as proponents all, John Roberts of the Nebraska Rural Health Association, Michael Hansen of the Nebraska Hospital Association, Julie Condon, the cofounder of the Western Nebraska Citizens Caucus, and Lona Ferguson, member of the VETS, V-E-T-S. And with that, we have closed the hearing on LB222 and we will proceed to the final item on the agenda, LB222. So we're just missing Senator Harr. All right. Need some hold music. (Laughter) There are a few protocols we have in the Government Committee, but. Senator Burke Harr is here. [LR23]

SENATOR HARR: Sorry, I was delayed in the hall. [LB222]

SENATOR MURANTE: Understood. Welcome to your Committee on Government, Military and Veterans Affairs. [LB222]

SENATOR HARR: Thank you, Chairman Murante, members of the Government,

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Military and Veterans Affairs Committee. My name is Burke Harr, H-a-r-r. I represent Legislative District 8 which consists of the neighborhoods of Dundee, Benson, Keystone, and Memorial Park, which is very timely for this bill. Throughout Nebraska, numerous communities have erected memorials to Nebraskans who have served in the Armed Forces, including one in Memorial Park in my district. These are meaningful tribute to those who have sacrificed much for our country. It is imperative that we continue to take action to recognize these Nebraskans and their honorable service. Since the start of the global War on Terror, 81 Nebraskans have paid the ultimate price and have been killed in action. On April 4, 2003, Captain Travis Ford was the first Nebraskan to be killed in action when he was serving in Iraq. Private Ed Wood, a constituent of my district, also perished. Army staff sergeant Benjamin Prange was the most recent Nebraskan to be killed in action when his vehicle was attacked in Afghanistan on July 24, 2014. LB222 would help recognize these 81 Nebraskans and others who have served in action during times of conflict. This bill would do two things. First, state statute 80-201 currently allows counties, townships, cities, and villages to erect statues, monuments, and other memorials on public lands or within public buildings that commemorate the service of members of the Armed Services of the Civil, Spanish-American, World War, either World War, Korean, and Vietnam conflicts. LB222 would update and expand the statute to allow these entities to erect statues, monuments, and memorials that also commemorate the service of veterans defined in statute 80-4011.0...401.01 to include those who served in Lebanon, Grenada, Panama, or who served in the Persian Gulf War or the Global War on Terror. Second, the bill would establish a Fallen Heroes Memorial Commission. The commission would consist of five members appointed by the Governor with the primary responsibility of the commission being to establish a grant program for counties, townships, cities, and villages in order to assist with the funding of statues...statues--not statutes, we don't need more statutes--statues, monuments, and memorials erected pursuant to state statute 80-201 that would recognize members of the Armed Services who lost their lives in armed conflicts. The grant program would allocate funds from the Fallen Heroes Memorial Construction Fund that would cover up to one-third of the cost of the design and construction of such statues, monuments, or memorials. By establishing the commission, the Legislature would be taking an important step toward helping our local government recognize these Nebraskans who have served our country so honorably. Thank you. I would entertain any questions. [LB222]

SENATOR MURANTE: Thank you, Senator Harr. Senator Bloomfield. [LB222]

SENATOR BLOOMFIELD: Thank you, Chairman. I'm going to have a series of questions, Senator Harr. Number one, you and I need to get together and visit about the language on how the cities and counties--I have a bill in that just strikes that language so that we don't have to come back every time there's a new conflict and add that--we need to get together and visit about a little bit. But I have some questions on the commission you're wanting to form. [LB222]

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SENATOR HARR: Regarding the what? Sorry? [LB222]

SENATOR BLOOMFIELD: On the commission that you're wanting to form. [LB222]

SENATOR HARR: Oh, yes. The second part, yes. [LB222]

SENATOR BLOOMFIELD: Where are you intending that commission should be housed or is it going to be a standalone commission or what is your thought pattern there? [LB222]

SENATOR HARR: Well, as you see in the bill, it allows the commission to set its own rules and regulations and I think that would be part of the rules, promulgated through the rules and regulations as far as where it would be found. If you want more specific language, I'm more than willing to work with you as I am with the first part of your bill. You know, hopefully we don't have to keep updating the statute. Hopefully we can... [LB222]

SENATOR BLOOMFIELD: We can do away with some of that. [LB222]

SENATOR HARR: Yeah, wouldn't that be a perfect world? But addressing your second part, that's a great question. You know, we could reach out to the VA. [LB222]

SENATOR BLOOMFIELD: That would be my suggestion to take it to the VA. [LB222]

SENATOR HARR: Yeah, and we have reached out to John Hilgert on this. Unfortunately we haven't heard back from him yet. I probably should have done that earlier and that's my fault. We could easily put it there. You know, I'd be willing to work with you on that but, you know, right now we don't even have funding for it. I just want to get the commission established first and then I can work on getting funding for it. [LB222]

SENATOR BLOOMFIELD: Okay. And I'm going to have some further questions on the funding. You and I will talk about that. Then I will bring whatever information we develop to the Exec Session. So we'll... [LB222]

SENATOR HARR: Thank you. And I would be remiss if I didn't state and I think it's in your file that the city of Lincoln also sent a letter in support, and if not I can get copies made. Okay. [LB222]

SENATOR BLOOMFIELD: And let me go one more there. We have...in the language you have that it's just for people killed that's in current language. [LB222]

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SENATOR HARR: Yeah. [LB222]

SENATOR BLOOMFIELD: I wonder if we couldn't change that a little bit, too, and make it Armed Forces Memorial Construction Fund maybe and they wouldn't necessarily have happened to give all on the site to do it. Again, that's something we can discuss. [LB222]

SENATOR HARR: And for the record, that's on line 24 and 25. It's funny you should say that. And I had crossed that out and put served in armed conflicts. Yes, I think that is proper. That was the oversight on my behalf and I apologize. Yeah. And then the other thing I would be open to is we specifically say that this fund can't be used to pay for the maintenance of these monuments, statues, and such. We have a lot of aging infrastructure and it's easy to remember those who most recently lost their lives in armed conflicts, but I think we also need to remember those who paid the price for where we are today. And I would be open to an amendment to allow for maintenance. I know personally in my own district, Memorial Park could use some work. I know, you know, and that's just World War II. You know, I wouldn't want this to go to Memorial Stadium necessarily. But I think we need to find ways to preserve those monuments that we already have and statues and etcetera. So I would be open to that amendment as well. [LB222]

SENATOR BLOOMFIELD: Just an added aside, Sergeant Ford, the first man you mentioned was killed out of Nebraska is out of my district. [LB222]

SENATOR HARR: Thank you. [LB222]

SENATOR MURANTE: Thank you, Senator Bloomfield and Senator Harr. Senator Groene has a question. [LB222]

SENATOR GROENE: A lot of communities have these already. We in North Platte have a beautiful one right on the interstate that we did it. They sold bricks. I bought a bunch of bricks for all my relatives that were in the service. It was all local. I go through Columbus and I see theirs. There's a beautiful one there in Columbus. I'm just thinking the cities I've been in, Schuyler has one right in their courthouse yard. It's a beautiful flame that's been there for years. I don't know of many communities that haven't done this already. [LB222]

SENATOR HARR: How come they haven't? [LB222]

SENATOR GROENE: I mean, they have already. [LB222]

SENATOR HARR: They have, but for your generation. You know, right now they aren't allowed to have it on public property for those who served, you know, nobly the last 10

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years, getting close to 15, post-9/11 or even those who served in Lebanon, Panama, Grenada, you name the conflicts. But I think what we need to do is have for everyone who has served in armed conflicts. [LB222]

SENATOR GROENE: So they could add to an existing one, because people go in honor to veterans in a smaller community. They don't go to this one from this war or this one from this war. [LB222]

SENATOR HARR: Yeah, yeah. In my parents' small towns, one has a mini-wall, you know, and that served those...you know, that was to honor those who served in Vietnam. But there isn't anything right now for the current conflicts. My mom's hometown has just a little plaque. But you couldn't put those on there right now as the statute is written. And so there are two options. Either we update the statute or we do what Senator Bloomfield, just eradicate it altogether and allow completely without naming specifically. I don't think one is better than the other and I'm open to working with Senator Bloomfield as far as... [LB222]

SENATOR GROENE: Do you know how the history, what paid for the ones...if the World War I, what paid for the ones after World War II, Korean War? Was it local efforts kind of? [LB222]

SENATOR HARR: It was local efforts, it was VFW, and then there was also public funds used. I can't speak for all of them. I can only speak for the one in my district. It was VFW, private, and public funds. [LB222]

SENATOR MURANTE: Okay. Senator Bloomfield. [LB222]

SENATOR BLOOMFIELD: We have a monument in Wayne County that was paid for by donations. I don't believe there's any public money invested in it, but the Legions and whatnot were greatly involved and there were a lot of just folks that weren't veterans or members of any board of veterans organization. They gave to it and maybe it isn't right but we've got names of some of the folks that served in Afghanistan on it. We may not have been aware of the statute as they are written when that was done, but I know my son's name is on the one in Wayne. [LB222]

SENATOR HARR: I'm not going to be the one... [LB222]

SENATOR BLOOMFIELD: He was in Afghanistan. [LB222]

SENATOR HARR: I'm not going to be the one to enforce that law that says we have to remove your son's name. [LB222]

SENATOR BLOOMFIELD: I understand that. [LB222]

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SENATOR HARR: But I think we need to update it so that he isn't there illegally.  
[LB222]

SENATOR BLOOMFIELD: I agree and you and I will get that...yeah. We'll get that...  
[LB222]

SENATOR HARR: We wouldn't want someone here illegally, right? (Laughter) [LB222]

SENATOR MURANTE: That's a different public hearing, Senator. [LB222]

SENATOR HARR: Oh, okay. [LB222]

SENATOR BLOOMFIELD: We'll get to that one too. (Laughter) [LB222]

SENATOR MURANTE: Any additional questions? Seeing none, thank you very much.  
[LB222]

SENATOR HARR: Thank you. [LB222]

SENATOR MURANTE: We'll proceed to proponent testimony. And welcome back to  
your Committee on Government, Military and Veterans Affairs. [LB222]

GREG HOLLOWAY: Thank you, sir. Greg Holloway, G-r-e-g H-o-l-l-o-w-a-y. The hat I'll  
put on right now is I'm the trustee of the village board of Bee, Nebraska, the big  
community of 208 people. So we'll talk about it's got assistance in funding for the  
smaller villages. You know, and we do have a small monument that we figured out how  
to pay for and everything. But with these small villages, I've got just as big a problems in  
my village that cost me almost as much money as they do in Lancaster County. Two  
hundred and sixty thousand dollar water project we just finished in Bee, Nebraska. So  
money is tight and this would help us maybe come up with a little bit of funds. And if this  
commission is formed, I might try to throw my hat in there to get on this so I have a say  
in it. I helped put together the Veterans Memorial Gardens back in Lincoln, Nebraska,  
down at the Antelope Park. As a matter of fact, designed the Purple Heart Monument  
and I'm an artist. I work on granite. I've done artwork on some of the other monuments  
and have developed some of the other monuments down there. So I've been down  
there since its conception, involved in that. So I know what you're talking about and I  
know what's needed to be done and they do a lot of things that...I mean, Wilber and  
Crete and all these little communities, we just do it. If we want to do it, we're going to do  
it. But it would be nice to have something that's a little more cohesive within the state  
that's got a little more guidance for everybody and maybe it's, like I said, it's this old  
guys to help the young ones with some guidance follow through with it. So that's all I  
have to say. And Nebraska...AMVETS, DAV, the VVA, Nebraska Veterans Council say

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fine, they're okay with it. All right. [LB222]

SENATOR MURANTE: Sounds great. Thank you very much for your testimony. Are there any questions for the testifier? Seeing none... [LB222]

GREG HOLLOWAY: Thank you. [LB222]

SENATOR MURANTE: ...thank you very much for coming down today. Are there additional proponents wishing to speak? Seeing none, is there any opposition testimony? Any neutral? Senator Harr. [LB222]

SENATOR HARR: Just to close quickly. You know, this bill was brought to me by a friend who served and lost a friend. And I can only speak for him. You know, and I asked him, hey, would you rather have a tax break over here for you or would you rather have...because funds are limited, right? We only have so much we can use. Would you rather have a tax break over here or would you rather have your friend be remembered? It wasn't even a question. You know, this is a person who gave their life so we can have tax breaks, so we can have a country. And, yeah, it might cost us some money, maybe of state dollars, but I guess in the scheme of things we may not even exist if it weren't for the sacrifices this person made. And there is a cost to building this, but what was the cost to 9/11, because that's going to be a lot greater. This is about remembering. You know, it's about honoring those who paid the ultimate price. It's also honoring those who served so that we can be proud of those individuals like your son who fortunately came back unharmed. [LB222]

SENATOR BLOOMFIELD: Not quite. [LB222]

SENATOR HARR: But it's also about so we remember. We don't forget these people. And I can't state that enough. I mean, this is a big deal and maybe because we're still in the midst of a war of sorts that we don't remember or give it the emphasis it needs. But I'm not asking for a whole heck of a lot of money here. As a matter of fact, I'm saying the state only provides a third. Two-thirds can come from private. Two-thirds could come...I mean, more than that could come from, that's just up to. I want to put a limit on it. I want responsible government and I want buy-in from the communities because ultimately they're the ones who are going to...as it's currently written, they're the ones who are going to care for that and these are their citizens so they have the vested interest. But I think we have a duty and an obligation to look out for those who came and served our country. Thank you. [LB222]

SENATOR MURANTE: (Exhibit 1) Thank you, Senator Harr. And that...before we conclude the hearing on LB222, I do have a letter in support of LB222 from Lynn Johnson of the Lincoln Parks and Recreation Department. So with that, we close the hearing on LB222 which ends the hearings and veterans day here in the Government,



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Military and Veterans Affairs Committee. [LB222]