

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee January 30, 2019

BREWER: Good afternoon and welcome to the Government, Military and Veterans Affairs Committee. My name is Tom Brewer. I am from Gordon, representing the 43rd District and I am the Chair of this committee. We will start by doing introductions of committee members starting on my right.

BLOOD: Senator Carol Blood, I represent District 3 which is western Bellevue and southeastern Papillion, Nebraska.

LOWE: John Lowe, District 37: Kearney, Gibbon and Shelton and the surrounding farm area.

La GRONE: Andrew La Grone, District 49, Gretna and northwest Sarpy County.

KOLOWSKI: Rick Kolowski, southwest Omaha, District 31. Thank you.

HUNT: Hi there. I'm Megan Hunt and I represent District 8 which includes the neighborhoods of Dundee and Benson in midtown Omaha.

BREWER: And my legal counsel, Dick Clark, to my right and committee clerk, Julie Condon, to my left. And then do we have both pages or just one? Just Preston today. All right. And if you have anything to hand in, Preston will be your go-to person. Today we will be looking at LB214, LB152, LB223 and LB450. Please mute any cell phones or electronic devices. I understand that the senators will be using electronic devices as necessary to keep contact. Right now the only one that I know will be leaving for another committee hearing to brief, is Senator Blood. So don't take it personal if we have to leave; it's the other duties we have. If you wish to record your attendance in the hearing, you may do so by filling out one of the white sheets on the table. If you wish to testify, please fill out one of the green testifier sheets located at the table. If you do not want-- wish to testify but wish to have-- have your position recorded, please fill out one of the green testifier sheets and leave it with the page. If you're passing out materials to the committee, please give the committee page at least 12 copies. If you don't have 12 copies, please share with the play-- page so they can make copies so that we'll have enough to give to everyone. As a policy in all committee hearings, all exhibits intended to be in the official hearing record must be submitted to the committee clerk by 5 p.m. the day prior to the hearing. We will again testify today by having you

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spell your name saying-- spell your name for the record. Please speak into the mike clearly, and we'll begin our testimony today with LB214.

La GRONE: Thank you, Senator Brewer, members of the committee. My name is Andrew La Grone, A-n-d-r-e-w L-a-space-G-r-o--n-e. I represent Gretna and northwest Sarpy County. LB214 is a bill to cede all criminal and civil jurisdiction in five tracts of land within the fence line of Offutt Air Force Base to the federal government. And we all know that Offutt is-- plays a vital role in Nebraska's economy with a \$2.7 billion impact every year. And this last year in December, so about a month and a half ago, I was out in D.C. with NCSL's Military Task Force. We met with Assistant Secretary of Defense for Sustainment, Robert McMahon, and Secretary of the Air Force, Heather Wilson. Now, I was talking to them about what we can do to ensure that we are meeting the needs of the installation that we host and ensuring that we're doing all we can to make sure it stays in Nebraska. And outside of, you know, what happens federally with the strategic importance of Offutt at the state level, what they pointed out that we can do is ensure that all of the administrative issues are addressed and take care of any quality-of-life issues that arise. And this bill addresses precisely one of those issues. Secretary Wilson actually requested the bill. And what it does is, currently on the base there are two types of jurisdiction, proprietary jurisdiction and exclusive jurisdiction. And proprietary jurisdiction is when the federal government has ownership of the land but has not taken over the state's obligations for law enforcement. Exclusive jurisdiction is when the land is owned by the federal government, and they've also taken over all the law enforcement responsibilities. All land within the fence line at Offutt falls into exclusive jurisdiction except for five tracts of land which include the Kenney gate, one of two main gates, a small portion of the second gate, StratCom gate, and a portion of the base dormitories. And I passed out a map so that you can see the-- exactly the tracts of land that we're discussing. And on these five tracts of land where there's proprietary jurisdiction only civil authorities rather than military security is able to respond to any instance-- to any incidents that occur. This causes the responsibilities of the Air Force and local law enforcement to come--to become blurred which causes a negative impact on emergency response in post-incident prosecutions, especially when we're talking about the dormitories where the outdated jurisdictional boundaries split at different dormitory facilities. Although the Air Force security patrols the dormitories, when a crime occurs within the area of the proprietary jurisdiction, local law enforcement is required to

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be called out to respond. This bill addresses those concerns by ceding that jurisdiction to the federal government. And I also just want to note quickly, on the fiscal note there's a mention of property taxes. Since this-- since the federal government already owns this land, there's no fiscal impact from-- prop- property tax issue. So that's-- that's why I brought the bill is to address the administrative issues surrounding the various types of jurisdictions at Offutt. And I think it's incredibly important that we do everything we can to support Offutt, to keep it here, and to keep this vital part of our economy in place, and to support the members of our military that are living in Nebraska.

BREWER: Thank you for your testimony. What we'll do now is, we'll first take proponents, then opponents, and then neutral testimony. Are there any questions? Yes, Senator Blood.

BLOOD: Thank you, Chairman Brewer. So I'm sorry but I can't tell what's what on this map. I actually live right next to the base. So are you saying this is Pine Ridge housing here? Is this-- where are we at here, what are these streets? And can--because I'm not really sure where you're showing me. I know where the gate is that you're talking about.

La GRONE: Um-hum. So--

BLOOD: What is this right here;--

La GRONE: --you know--

BLOOD: --looks like a parking lot?

La GRONE: --I think I might have passed out all my copies of the map.

BLOOD: Do you have the original that accesses what these streets are, so I can get a realistic grasp of--

La GRONE: I-- Well-- let me see--

BLOOD: --what we're talking about.

La GRONE: --real quick.

BREWER: He can have this one.

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La GRONE: You know, I'm terrible at street names. I don't know the street names that we're dealing with, but all the tracts of land that we're dealing with are inside the fence line.

BREWER: They're inside the fence lines for Offutt--

La GRONE: Correct. Yes.

BREWER: --Air Force Base. Okay. Is there-- I guess--

BLOOD: Yeah, I'm trying to figure out what this is right here--

BREWER: Okay. But I guess--

BLOOD: --so--

BREWER: --is the point that you don't agree that it's a good idea or--

BLOOD: I'm trying to know that what I'm approving is sincerely within the fence line--

La GRONE: Um-hum.

BLOOD: --and I can't remember this area within the fence line--

La GRONE: Um-hum.

BLOOD: --but I think I have a better map back in my office, so I'll just have to check that.

La GRONE: The-- the-- the language in the bill that specifies the tracks has been checked out multiple times with the county to ensure that we're dealing with the right tracts of land. So it's been run through both the base and the county to make sure the bill specifically deals with the-- the tracts of land at issue.

LOWE: [INAUDIBLE]

BLOOD: [INAUDIBLE] sorry; he's trying to be helpful. And do we have letters from the county that say that.

La GRONE: Yes, we do.

BLOOD: Okay. Great. Thank you.

BREWER: All right. Additional questions. Senator Hunt.

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HUNT: Thank you, Senator Brewer. Hello, Senator La Grone. For my clarification, is track 48 already under the jurisdiction of the U.S. then?

La GRONE: So everything that we are talking about the federal government has some sort of jurisdiction over, all we-- and they have ownership over as well. The only thing that we are ceding is essentially that law enforcement jurisdiction that currently exists. It's basically concurrent jurisdiction right now: both the state, well county in this instance, and federal government have some sort of jurisdictional over the land. We're changing--

HUNT: They already have jurisdiction over these other tracks you're adding--

La GRONE: Corr--

HUNT: --the highlighted ones? Okay.

La GRONE: Correct. But they don't have exclusive jurisdiction. And that's what causes the administrative issue.

HUNT: Okay. And in your statement of intent, you say, "at the request of the United States Air Force."

La GRONE: That's correct.

HUNT: Does that mean that-- are you-- are you saying that to say that they requested it or that they may request it and then this can happen?

La GRONE: They requested it in this instance. They requested this bill be brought.

HUNT: Okay. So after this passes this is all under their jurisdiction.

La GRONE: Correct.

HUNT: Okay.

La GRONE: They would have exclusive jurisdiction.

HUNT: Thank you. These are silly questions, but it helps me a lot.

BREWER: All right. Additional questions. Yes, sir.

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KOLOWSKI: Yes, sir. Thank you very much, Mr. Chairman. Senator, the-- how many acres would entail all of this land that--

La GRONE: I don't know the answer to that question.

KOLOWSKI: You don't know that? Is it all developed land or is it some in the natural state yet? [INAUDIBLE]

La GRONE: I don't know the answer to that question for all of it. It's all inside the fence line. Some of it is developed because it deals with some of the dormitories and the gate areas.

KOLOWSKI: Right.

La GRONE: I can't speak to whether the entirety of it is developed.

BLOOD: This looks like a parking area.

KOLOWSKI: And aside from the jurisdiction issue on the police, are there any other reasons why we would be wanting to add this land to the mass that they have [INAUDIBLE].

La GRONE: No. That's the main issue. But on the-- if you're talking about the development concern of is this natural land that they could then go in and develop, they can do that right now.

LOWE: [INAUDIBLE] field

La GRONE: And we don't have jurisdiction over that currently. They have ownership over the land.

KOLOWSKI: Appreciate that.

BREWER: All right. Any additional questions. Seeing none, thank you for your testimony. You're going to stick around to close?

KOLOWSKI: Absolutely.

BREWER: Good answer. All right. We will use the light system here, so what you'll see is a green light; that's five minutes. Yellow is one minute, and when it turns red you cease and desist. What are your questions? All right. All right, first testifier, come on up.

BLOOD: It looks like we've kind of [INAUDIBLE]

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BREWER: Welcome to the Government Committee.

DOUG CARLSON: Thank you, sir. Ready?

BREWER: When you get a light, you're good to go. And there you go.

DOUG CARLSON: Good afternoon, Chairman Brewer, and members of the Government, Military and Veterans Affairs Committee. My name is Doug Carlson, D-o-u-g, Carlson is C-a-r-l-s-o-n. And I'm the deputy director for the Department of Administrative Services for the great state of Nebraska. And I'm here today to testify in favor of Legi-- LB214. And I would like to especially thank Senator La Grone for agreeing to introduce this bill. LB214 would cede all criminal and civil jurisdiction to the federal government in five tracks land at Offutt Air Force Base. This would change the legislative jurisdiction from proprietary jurisdiction to exclusive jurisdiction. As the Senator stated, proprietary jurisdiction is when the federal government has ownership of the land but has not taken over the state's obligations for law enforcement. Exclusive jurisdiction is when the land is owned exclusively by the federal government, and they take over all law enforcement responsibilities. Currently all the land within the fence line of Offutt Air Force Base is exclusive jurisdiction except for the pro-- except for the following that are proprietary jurisdiction: the Kenney gate, which is one of two main gates at Offutt; a small portion of the United States Strategic Command gate, as well as; a portion of the base dormitories. This land is comprised of tract 58 which is about 1.3 acres, tract 227, 228 and 229 which is about 58 and a half acres, and finally track 240 which is 21 and a half acres. On the existing proprietary jurisdiction the responsibilities of the Air Force and the local law enforcement can become quickly blurred potentially negatively impacting emergency response as well as those post-incident prosecutions. These responsibilities become especially complicated at Offutt Air Force Base dormitories where the dividing line between proprietary and exclusive jurisdic-- jurisdiction, in some cases, is a hallway. The United States Air Force contacted our administration last year to request this change. LB214 creates clarity and simplicity for law enforcement and our military by providing the appropriate jurisdiction at Offutt Air Force Base. I urge you to support LB214 and send it to General File. Thank you for your time today. And I now will be happy to answer any questions the committee may have.

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BREWER: All right. Thank you for your testimony. Questions. Senator Hunt.

HUNT: Thank you, Chairman Brewer. Hello, sir. My question is why weren't these portions of Offutt Air Force Base already included in exclusive jurisdiction before?

DOUG CARLSON: To be honest with you, Senator, I don't actually have that information. I can tell you the original documentation started in 1955.

HUNT: I-- could it be that it's just expanded and that that hasn't been included in the documentation since then? Or--

DOUG CARLSON: You know, I--

HUNT: --we can talk about.

DOUG CARLSON: --I'd be reluctant to speculate on that.

HUNT: Okay. Thank you.

DOUG CARLSON: Yeah.

BREWER: All right. Any other questions. So if my ranger math has me right on this, we're roughly about 81 and change acres?

DOUG CARLSON: That's about right.

BREWER: That's what we're looking at here?

DOUG CARLSON: Yeah.

BREWER: All right. Thank you for your testimony.

DOUG CARLSON: Thank you.

BREWER: Next testifier in support of LB214. Seeing none, we will go to opposition testimony. And are there any in the neutral? Seeing none, that concludes the questions. For the closing, Senator La Grone.

La GRONE: I don't have anything else to add, but just to reiterate that I think it's vitally important that we do everything we can to ensure that Offutt has the smoothest processes in place from a state perspective and do ener-- everything we can to ensure that it stays in Nebraska with that massive economic impact and all the great people it

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brings to the state as well. So with that, I'd urge you to advance the bill to General File.

BREWER: Questions. Go ahead, Senator.

KOLOWSKI: Thank you, sir. Just one last question, just a few years ago we had excessive rain and a lot of flooding that was taking place. I was connected to the NRDs at that time and chairman of the NRD board, the Papio NRD. And we did a lot of work to help save Offutt, and I mean that, as far as the flooding on the base and on the-- on the field down there. Does this have anything to do with any of those pieces of land as far as any of the flood control issues?

DOUG CARLSON: I am-- I'm not versed enough in where those-- where those issues fall to be able to answer that question.

KOLOWSKI: I appreciate that. Thank you.

BREWER: Any additional-- Senator Blood.

BLOOD: Just a quick question, you had stated that Sarpy County was in favor of it, but I notice that they did not turn in any contribution to the fiscal note. Do you know why that is?

DOUG CARLSON: There would be no fiscal impact.

BLOOD: So it says, "Sarpy County was asked to provide a fiscal note but did not respond by the required date. If property taxes are paid on the land to be ceded, a fiscal impact may be present."

DOUG CARLSON: So that's what-- that's what I mentioned in my opening about-- that's what I was talking about was that portion of the fiscal note. The federal government already owns the land,--

BLOOD: Right.

DOUG CARLSON: --so there is no taxes paid on it. So there is no fiscal impact.

BLOOD: Okay.

BREWER: All right. Any additional questions? Seeing none, thank you. And as far as letters in support, we have letters from the Department of Justice. Actually we have two from the Department of Justice, we have one from the Sarpy County Attorney, from the Department of the

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Army and the Department of the Air Force. All right with that we will close the hearing on LB214, and I will hand the gavel off here.

La GRONE: We'll now open our hearing on LB152. Senator Brewer, welcome to your Government, Military and Veterans Affairs Committee.

BREWER: Thank you, Vice Chair La Grone, and good afternoon, fellow senators of the Military, Government and Veterans Affairs Committee. I'm Senator Tom Brewer. For the record, that is T-o-m B-r-e-w-e-r. I represent the 43rd District which is 13 Counties of western Nebraska. I'm here today to introduce LB152. I introduced this bill last season. It advanced to General File but advan-- to-- to General File unanimously, but it-- it died for lack of time on the floor. As many of you know, I spent many years as a member of the Nebraska Army National Guard. Almost five years of that time was spent as the Commander of the Counterdrug Task Force. Many times throughout my career, there were times where soldiers faced a situation where their membership in the National Guard caused one or more of these rights to be in question that we're going to address. The main reason that I bring this bill is to codify all these rights in Chapter 23 of the law so that there is a clear expression of all-- of all, in one place, of what the Guard members' rights are. As Commander of the Counterdrug Task Force, we pro-- provided direct support to law enforcement, local sheriffs, Nebraska State Patrol and federal law enforcement agencies, primarily the DEA, and also the local postal service. In order to do that mission, we provide resources to law enforcement so that they don't have to secure those resources themselves. Just so you can imagine if you're a local law enforcement, sheriff's office, or even the Nebraska State Patrol, the cost for our night-vision thermals, long-range binoculars, tactical radios that are speed secure, all of these assets would be financially unbearable for local law enforcement. So they are provided through military channels to law enforcement through the Counterdrug Task Force. This bill would allow the Adjutant General to establish a policy which authorizes the Guard to participate in law enforcement asset-seizure programs with local, state, and federal law enforcement agencies that our National Guard currently works with. At present, the absence of this language in the law prevents us from being able to do that. Before I wrap up, there was an amendment that was handed out. The idea behind the amendment was to clarify that this was only for those National Guard assets that are working with law enforcement and that is in pursuant to

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subdivision (3) of this section. So with that said, I would be open to answer any questions.

La GRONE: Thank you, Senator Brewer. Are there any questions? Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Just-- just for clarification if something had happened in the past, Senator, were multiple jurisdictions called, or was it a matter of trying to choose one that was available or closest to a situation that might have occurred?

BREWER: Good question. To give an example when I was commanding the Task Force, we would normally go with the highest agency who was involved in the particular event that we were going to support. The majority of them are orchestrated through the Nebraska State Patrol; they-- they kind of have the primary oversight. But in some cases they were DEA missions because of how the intercept of information was done. So it would vary-- some-- some-- normally we had to notify the local law enforcement agency that we were doing operations, but sometimes they didn't participate simply because they didn't have the resources to really do a lot other than have oversight.

KOLOWSKI: OK, thank you very much. That's fine.

La GRONE: Seeing no further questions, thank you for your opening. We'll now move to proponents. Welcome. You can go ahead.

RYAN McINTOSH: Good afternoon, Vice Chairman La Grone, and members of the committee. My name is Ryan McIntosh R-y-a-n, McIntosh M-c-I-n-t-o-s-h. I'm here on behalf of the National Guard Association of Nebraska. The State of Nebraska National Guard is nearly 5000 members strong, and our association represents the current commissioned and warrant officers of the Nebraska National Guard as well as numerous retired members. Our organization supports LB152, and this bill has two primary objectives as Senator Brewer discussed. First, it consolidates and organizes specific rights of members of the National Guard with respect to government employment, and just to point out again these are not new rights, these are merely rights that exist under current law. Second, LB152 adds protection for members of the National Guard serving in the Counterdrug Task Force role. I won't elaborate much more, but Senator Brewer pointed out that there are the same sort of dangers that go along with law enforcement. So we support

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adding those protections to members of the Counterdrug Task Force. Without any-- I'll be happy to answer any questions at this time.

La GRONE: Well, thank you for your testimony. Are there any questions? Seeing none, thanks for coming down.

RYAN McINTOSH: Thank you.

La GRONE: Are there any more proponents? Is there any opposition testimony? Is there any neutral testimony? Mr. Dix, welcome back to the Government, Military and Veterans Affairs Committee.

LARRY DIX: Good afternoon. My name is Larry Dix, L-a-r-r-y D-i-x. I'm executive director of the Nebraska Association of County Officials appearing today in neutral capacity on LB152. The comments that I-- that I'm going to make relate to only the section of the bill, sort of subsection (4) on page 2. That's where it begins about removing the address from some of the assessor's records and things like that. And so I want-- by way of this I want to give just a little bit of background. A year ago Senator Wishart had a bill that talked about this, and at that point in time it was for law enforcement folks. At that point in time I think we had a neutral position on that bill as well. I would tell you that since that time in Lancaster County-- I think they've received 198 applications in Lancaster County to, sort of, give you an idea of what, sort of, is going on. We also then looked at another 50 counties that we provide software for, and in those 50 counties 21 out of those 50 counties had people make applications. And out of those there were 114 applicants in those counties. So what-- what Senator Brewer is requesting today from our point of view and from the county's point of view that becomes a policy decision of the committee and of the legislative body. It just-- like I said last year, even though we remove those names or those addresses, I'm sorry not the names but the addresses, it really doesn't stop someone from going out and finding the address. When you start to look at Web services, you know, there's Spokeo, there's Any-- AnyWho, there's USpeople search. Just for the fun of it, I went through one and searched every member on the Legislative Committee, just pulled up their name, no charge. Search within-- I actually timed it, within three and a half minutes I had everybody's name, everybody's address including a phone number. So I don't want to mislead anyone into thinking that this was foolproof and it locks that address away. Because I had said last year what I believe is going to happen, we're starting to see happen. Last year I said once we go through law enforcement next year, we're going to see a few other

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groups, and I think that that's evident. We've got a couple more bills that we'll have up that are going to look at this same removal of address process, and then it becomes just a policy decision-- discussion of who do we-- how big do we want that list to be, what does that really do to the intent of public records and searches, and things like that. That's, like I said, that's clearly a policy decision. We just need to know for sure the methodology that everybody wants-- wants us to follow on that. So with that, I'd be happy to answer any questions anybody has.

La GRONE: Thank you, Mr. Dix, and correct me if I'm wrong, this is basically the same amendment that was brought to that Wishart bill last year. Is that correct?

LARRY DIX: Yes. Last year, you know, Senator Wishart had the bill that-- that removed the addresses of law enforcement.

La GRONE: Yeah.

LARRY DIX: And this is now extending it to members of the Guard. Plain, straightforward and like I said, we're going to have two more bills that are going to be similar to this. We'll have more discussion. And so the question just becomes where does it stop.

La GRONE: All right. Are there any questions? Senator Lowe.

LOWE: Thank you, Vice Chair. And thank you, Mr. Dix, for being here. So you're saying even if we do remove the names or the addresses, they can still be found with these other search--and I know I use Whitepages a lot to find-- and a lot of times I can't find because it's not there. You've got to-- got to pay the fee in order to get the total thing.

LARRY DIX: Right. The search that I did in three and a half minutes was no fee.

LOWE: Yeah.

LARRY DIX: And from that, quite honestly, I learned that you live on a street that has some relation to a golf club. Right?

LOWE: I did. I did.

LARRY DIX: You did.

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LOWE: I did.

LARRY DIX: Yep. So that information's out there--

LOWE: Yeah.

LARRY DIX: --and it's readily attainable. And so-- and just as we testified last year, you know, does this slow some of the people down? Probably if they happen to be going to our Web site, but they're still going to find that information.

La GRONE: Thank you. Any additional questions? Seeing none, thanks for coming down.

LARRY DIX: Thank you.

La GRONE: Additional neutral testimony.

KORBY GILBERTSON: Good afternoon, Vice Chair La Grone, and members of the committee. For the record, my name is Korby Gilbertson. It's spelled K-o-r-b-y G-i-l-b-e-r-t-s-o-n. I'm appearing today as a registered lobbyist on behalf of Media of Nebraska. Medi-- for those of you don't know, Media of Nebraska is a group of both print and broadcast news media in the state. But we only focus on first amendment issues, open meetings, and public records. So that's where this bill falls under. Mr. Dix did a good job of talking about-- a little bit about the history which is part of why I was up here-- going to be up here today. I wanted to take that one step further though. For those of you who haven't been around, for years we-- the Legislature worked with the county officials and other interested parties including the realtors and other groups to allow part of the Doc. Stamp Tax fees to go towards record modern-- modernization so that we could have Internet-- easier access to these records. And so now it seems like we're trying to take steps backwards from that. And that's just kind of an historical perspective for all of you that weren't around when all of that happened. Mr. Dix also referred to two other pieces of legislation that are going to be before this committee later. The first one is LB118 which would then broaden this to apply to all physicians or osteopathic physicians. And then later is LB633, which is another bill by Senator Wishart, which would then expand this to say that it would remove the residential addresses or names of the owners of any real estate property. So we're going to be removing the addresses here, and then in LB633 later you're-- that you're going to be considering it would also start removing names. But that would be

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for any owner of the property. So as Mr. Dix said this is a policy decision for you. But as Media of Nebraska we're-- we're just cognizant of the impact of trying to close public records, and we hope that you would not want to go too far on that. With that, I'd take any questions.

La GRONE: Thank you for your testimony. Are there any questions? Seeing none, thanks for coming down.

KORBY GILBERTSON: Thank you.

La GRONE: Are there any more neutral testifiers? Senator Brewer, you're welcome to close.

BREWER: Thank you. Yes, I would like to close. I must have not done a proper job of the introduction here, because you need to understand that first off this is a very, very, small slice of the National Guard. So to make a blanket statement, it-- it-- it would be referenced National Guardsmen, that's not the idea behind it. It is that small slice that directly supports law enforcement. They-- they are vetted by the Nebraska State Patrol. They are given IDs to build-- identify them. And the other half of this is that it helps them in that as there are seizures they are eligible for the federal asset seizure program which then takes those resources and makes it available to buy additional resources to provide support to local law enforcement. It is simply a way of providing the resources to do their mission that they otherwise wouldn't have the money to do. So there's no large requirement here. It is simply to help protect the identity of those guardsmen, and keep in mind much of what they do is classified. I cannot talk about it here, but I can tell you that when you-- when you're doing work that involves MS-13 and-- and groups like that the chances that someone is exposed and what that would result in for their family is significant. And that's what we're trying to do with this bill. It is very basic. It is-- it is to protect the guardsmen and their families, and it is to make sure that those assets seizures that they have earned are available. With that said, I have nothing else.

La GRONE: Well, thank you for your closing. Are there any final questions? Senator Lowe.

LOWE: So what you're saying is this would not, say we had a natural disaster in Nebraska if a tornado hit and the National Guard was

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called out to protect property or citizens, this would not include those National Guardsmen acting in protection like the police officer.

BREWER: No, it would be only the ones that would have a State Patrol seal badge, which isn't that much different than our badges here. They're required a much more thorough background check than we are because, well, they are. And-- and so it is-- it is that very small number that are affected by that mission.

LOWE: And one more question, if I may. Whose picture is that on the ID? It has darker hair than you had.

BREWER: It's maybe a little bit younger version.

LOWE: Thank you.

La GRONE: Any final questions. Seeing none, thank you for your closing. And before we close the hearing we have letters from proponents, from Dean Kenkel from Omaha, Nebraska and Twyla Gallino from Valentine. With that, we close the hearing on LB152.

BREWER: All right. I have the conn. All right. We are now on LB223. Senator Albrecht, welcome to the Government, Military and Veterans Affairs Committee.

ALBRECHT: Thank you. Thank you. Good afternoon, Chairman Brewer, and members of the Government, Military and Veterans Affairs Committee. My name is Senator Joni Albrecht, J-o-n-i A-l-b-r-e-c-h-t and I proudly represent Legislative District 17 including Wayne, Thurston and Dakota Counties. Today I am presenting LB223 along with AM61 which relates to the National Guard state-sponsored life insurance program. I brought this bill on behalf of the National Guard Association of Nebraska. The National Guard state-sponsored life insurance program, which is already in place, provides group term insurance-- term life insurance exclusively for the National Guard members and their dependents. The insurance program is derived from the Veterans Insurance Act of 1974 which was created to encourage persons to join and remain in the National Guard. LB223 provides further guidance within state law on the state-sponsored life insurance program ensuring National Guard members maintain the opportunity to access information and enroll in the program. LB223 as amended directs the Adjutant General of the National Guard to allow the availability of the state-sponsored life insurance program to all National Guard members, provide an opportunity to purchase state-sponsored life insurance program

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products, and allow education briefings about the state-sponsored life insurance program for members. With your materials, you should have received a white copy amendment AM61 that makes a few changes to the original bill. Following the introduction of LB223 and further discussions with the National Guard Association and the Adjutant General, we agreed to-- to changes outlined in AM61. The amendment simply removes some unnecessary provisions and ensures that no unintended responsibilities be placed on the Adjutant General. AM61 should also remove the fiscal note that is on the bill and will not add any additional financial burdens on our state. In replacing LB223, AM61 maintains the original intent of the bill by ensuring that all members of the Nebraska National Guard continue to have access to information and the ability to enroll in the state-sponsored life insurance program. I ask that you support LB223, and I'd be happy to take any questions you may have. And I'll also have people followed behind me from the National Guard Association that would be happy to answer any other questions.

BREWER: Thank you, Senator Albrecht. Questions. Senator Kolowski.

KOLOWSKI: Thank you very much, Mr. Chairman. Senator, how many other states have this option? Is it a state decision or is it across the board for all National Guard personnel nationwide?

ALBRECHT: Good question. I do have, excuse me, four states that currently have adopted this: in Minnesota, Illinois, Oklahoma, and Massachusetts.

KOLOWSKI: Okay. And the numbers of those states, are they similar to ours or--

ALBRECHT: I--

KOLOWSKI: --larger or whatever it might be?

ALBRECHT: --you know, I probably would ask those following me. Maybe they would have a better idea--

KOLOWSKI: Okay. Thank you.

ALBRECHT: --of how many people are in there.

KOLOWSKI: And making this available to the Guard approximately how many percentagewise would sign up out of the entire contingent?

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ALBRECHT: Good question. I'm going to refer that to those behind me as well. Thanks.

KOLOWSKI: I'll wait for them. Thank you.

ALBRECHT: Yep.

BREWER: Additional questions. Seeing none, I-- you, there-- oh, sorry--

HUNT: Sorry--

BREWER: Go ahead.

HUNT: --excuse me.

BREWER: Uh-huh.

HUNT: Senator Brewer, thank you. Hello, Senator Albrecht.

ALBRECHT: Hi.

HUNT: What-- who brought this bill to you and who made you aware of this problem with the--

ALBRECHT: The association.

HUNT: OK.

ALBRECHT: The National Guard Association of Nebraska.

HUNT: OK. How long have you been working on this bill with them?

ALBRECHT: They just brought it to me this year.

HUNT: Okay. Great. Thank you.

ALBRECHT: Um-hum. Good question.

BREWER: OK. Any additional questions? Seeing none, thank you. You're going to stick around for the close?

ALBRECHT: Yes, sir.

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BREWER: Thank you. All right. Proponents, come on up. Welcome to the Government, Military and Veterans Affairs Committee. Just as a general question about-- where are you going to be about 5:00 this afternoon?

RYAN McINTOSH: I'll be at the Ferguson House, pending the completion of this hearing, Senator.

BREWER: Good answer. Thank you.

RYAN McINTOSH: Good afternoon, Mr. Chairman and members of the committee. Again, Ryan McIntosh on behalf of the National Guard Association of Nebraska. It's R-y-a-n, McIntosh M-c-I-n-t-o-s-h. As Senator Albrecht said, we brought this-- this bill and this issue to her. We thank Senator Albrecht for carrying this bill for us. LB223 ensures that the benefits that are already provided under federal law, that are already being taken advantage of by members of the Nebraska National Guard, continue to stay that way. So state-sponsored life insurance or SSLI is an optional life insurance program offered to members of the National Guard. Currently service members have a service members' group life insurance policy. That's a policy in place while serving. SSLI can go and be carried with a service member after retirement or completion of their-- his or her duty obligation. My understanding from the amendment that has been circulated is that this will remove the fiscal note that was attached to the bill, and therefore LB223 does not add any additional cost or burden to our state. Rather, it ensures that all members of the Nebraska National Guard continue to have access to information and enrollment in the program. And Senator Kolowski, to get to your question--

KOLOWSKI: Yes.

RYAN McINTOSH: --So SSLI is a program that's in place under federal law and that is available to members of the National Guard across the country. The four states that were referenced by Senator Albrecht are the four states that we're aware of that are within-- that Nebraska participates in a 12-state insurance trust. Four of those states have passed SSLI bills very similar to this. The underlying bill is identical to the bill that was passed in Minnesota last year. And so these do not necessarily introduce the program into the state but ensure that the program is made available to the-- to the members of that state, and that information can be brought to the members during drill weekends, during annual training assemblies, things like that. So it allows the representatives of the program to come into-- come into the units to basically sign members up for these-- for this

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benefit. Now so the amendment, as you can see, doesn't add anything new; it just simplifies and removes what we deem to be redundant provisions within the law. So with that, we urge the committee to adopt LB223 and the amendment, and pass it to General File. With that, I'd be happy to answer any questions.

BREWER: All right. Thank you for your testimony. Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Give us the range of kinds of insurance, or is it only one thing? What do they get to choose from?

RYAN McINTOSH: So under our current pro-- so under our current insurance trust that we belong to and again, the National Guard Association gets to-- could opt out of that and select a different program. Right now, there's six different levels of coverage; that can be for service member, service member and spouse, service member and dependents. So, for instance, I have \$150,000 coverage on myself, \$50,000 on my spouse, and then \$10,000 on each of my children.

KOLOWSKI: Life Insurance policy.

RYAN McINTOSH: Yes, term life insurance.

KOLOWSKI: That's what I'm asking, life or health,--

RYAN McINTOSH: Correct. I'm sorry.

KOLOWSKI: --dental or whatever they can get.

RYAN McINTOSH: No, so currently service members have access to TRICARE Reserve Select and all that, and the dental program. So this is only term life insurance.

KOLOWSKI: Is it competitive with other markets in the private sector?

RYAN McINTOSH: I believe so and that's why-- and that's why I carry it. I have outside life insurance, but I-- but my SSLI I do intend to keep it. It's a very competitive premium, and it also comes directly out of our-- our LES paycheck. So there is not a-- I don't have to write a check each year. And again it's a program that continues to stay in place after separation or retirement.

KOLOWSKI: Thank you.

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BREWER: Just for clarification, LES stands for Leave and Earnings Statement--

RYAN McINTOSH: Yes.

BREWER: --so I've heard. All right. Other questions. Seeing none, thank you for your testimony.

RYAN McINTOSH: Thank you, Senator.

BREWER: All right. Additional proponent testimony. Those testifying in opposition. Those in the neutral position. Welcome, sir.

DARYL BOHAC: Good afternoon, Senator.

BREWER: Just so everyone understands, this is the Adjutant General of Nebraska. So he is the highest ranking national guardsman in the state of Nebraska and the Commander of both the Army and the Air Forces. Sir.

DARYL BOHAC: Thank you, Senator. Good afternoon, Chairman Brewer, members of the Government, Military and Veterans Affairs Committee. I am Major General Daryl Bohac, D-a-r-y-l B-o-h-a-c, the Adjutant General of your Nebraska National Guard. I'm here today to offer neutral testimony on LB223. As originally drafted the bill would have required the Adjutant General to be the official sponsor of the insurance program as well as facilitate and coordinate the specific life insurance program offered through the National Guard Association in Nebraska. This would have imposed an administrative burden on my office. The National Guard Association is a professional organization outside the structure of the Nebraska National Guard. This valuable organization provides professional development opportunities, advocacy at the state and national levels, and insurance benefits including the term life insurance at the heart of LB223. I'd like to thank Senator Albrecht for her willingness to amend her bill and address our concerns. Therefore, our fiscal note is no longer relevant. And I'd be happy to answer any questions you might have. Thank you.

BREWER: Thank you, sir. All right. Questions. Questions. Seeing none, thank you for your testimony. All right. Additional neutral testimony? Seeing none, we will have-- oh yeah, sorry Joni. Would you like to close? [INAUDIBLE] Come on up.

ALBRECHT: You didn't have any letters?

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BREWER: I do. I'll read them as soon as you're done. I didn't want to hold up your rhythm there.

ALBRECHT: Well again, I'd just like to ask for some support to get it to the floor so that we can help them continue to get the life insurance that they are afforded.

BREWER: All right. Questions. Seeing none, thank you again for your presentation and your testimony.

ALBRECHT: Thank you.

BREWER: All right. We do have some letters to read into the record, three. We've got, of course, Ryan McIntosh from the Nebraska-- from the National Guard Association Nebraska, Dean Kenkel, Chief Warrant Officer, Omaha, and John Antonich, Executive Director for NAPE, and that's the Nebraska Association of Public Employees. Here, I've got my eyes. With that said, we will close the hearing on LB223. And what's the next up? And we may have to stand by. I do not see Senator Wishart handy here, so we'll just pause for a little bit and give her a chance to get here. We may be a little ahead of schedule.

[BREAK]

BREWER: Senator Wishart has a bill in Judiciary. So we're just going to give her some time to finish up there and get down here. Just out of curiosity on numbers here, how many in the room now are planning to testify either in support, against, or in the neutral position? Raise your hands. OK. I just wanted to make sure the whole room wasn't full of testifiers and then we had an issue. Julie, I think what we're going to do is take a break for a bit here. That way we don't have anyone waiting. So if you want to go ahead and kill--

[BREAK]

BREWER: All right. If we could have everyone take their seats, we'll get ready to get started. Senator Wishart, welcome to the Government, Military and Veterans Affairs Committee. I know you've been going 100 mile an hour here so just take a deep breath. We're in no rush. Just whenever you're ready feel free to begin.

WISHART: Well, thank you so much. Good afternoon, Chairman Brewer and members of the Government and Military Affairs Committee. Thank you so-- and Veteran Affairs Committee as well. Thank you so much for your patience. I've been juggling a few bills today. My name is Anna

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Wishart, A-n-n-a W-i-s-h-a-r-t, and I represent the 27th District in west Lincoln. I introduce LB450 to expand the use of state tuition assistance for Nebraska guardswomen and men. This idea was brought to me by one of my all-star constituents, Kamryn Sannicks, who currently attends UNL and serves in the Guard. Currently members of the National Guard qualify for up to 75 percent tuition assistance for their undergraduate degree. They cannot apply state assistance towards a graduate and professional-level degree of any kind. Members must exhaust their federal tuition assistance first before receiving this aid, and while and with federal tuition assistance only covering master's degree there is no assistance for students who wish to pursue other types of degrees, such as a Juris Doctorate. With the passage of LB450, Nebraska would cover 100 percent tuition for undergraduate degrees, we would eliminate the prohibition of utilizing the program for only one undergraduate degree, and we'd allow 50 percent tuition assistance for professional or graduate degrees. With the-- with these changes we would rank at the top of-- in the country for tuis-- tuition assistance for undergraduate degrees, and we would become the first state in the country to expand our tuition assistance program to cover professional degrees. Having one of the most competitive tuition assistance packages in the country for guardswomen and men will help us attract and retain residents to our state and encourage young Nebraskans to serve their country. Current funding for this program is capped at \$900,000 during any fiscal year. And in reviewing the funding trends for this program, I did not feel it was necessary to change the cap, because historically we've not reached that cap and we will not likely even reach it with the expansions of LB450. So with that, I'm happy to answer any questions. And we'll have experts and students behind me willing to testify.

BREWER: All right. Thank you for your opening and thank you for your bill. Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Senator, thank you for bringing this-- this bill. I think it's very important. And my question is one of would you describe the tuition assistance with this program compared to also being-- if you're an ROTC student at UNL for example in Army or Air Force whatever they might be doing, is that in competition with this, or can you have both? Is it a combination that you might have both over time, or is it just here in one silo or another; you don't mix those?

WISHART: Senator, I don't-- I don't know the answer--

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KOLOWSKI: Yeah.

WISHART: --to that question. I'd imagine someone following me would.

KOLOWSKI: Okay. I appreciate that.

BREWER: Senator Wishart, is it okay if I answer the question for you?

WISHART: Yeah, please.

BREWER: Okay. Just for clarification ROTC would fit into two categories of course one that would be on ROTC scholarship which would be, for the most part, full-ride scholarship. So they pretty much have everything plus they're given a stipend. You can be in ROTC and be in the National Guard; it's called a simultaneous membership program. And if they were in that, then they wouldn't be eligible to use these benefits for whatever level they wanted to go to. Normally your participation in ROTC is going to be, if you're not prior service, four years. If you were prior service, you would be able to get two years before you were commissioned and then went into the National Guard as a commissioned officer. So say you were-- you-- you came out of high school, you went in the army, well in your case the Marine Corps, and-- [LAUGHTER] and you served your four years, six years, whatever. You came out. You went to the university. If you decided you want to be an officer, you could serve two years, get your commission, come back, still be a student at the University of Nebraska and finish the other two years. And this-- this would then allow you to do that, and you'd be eligible for all the benefits.

KOLOWSKI: So you wouldn't go over 100 percent of whatever tuition would be at that particular school. Nobody's going to over pay you.

BREWER: No.

WISHART: No.

KOLOWSKI: It's just a matter of payment?

BREWER: Right. It would--[INAUDIBLE] Yeah. Because obviously if you're a four-year, than you're going to have all four years. And if-- if you're going to the two-year program, then, you know, your part-- you're out of ROTC. You're simply a National Guardsman who's going full-time to whatever college or university that you're attending. And then you still drill on the weekends and do your annual training.

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KOLOWSKI: And the commitment after graduation would be how many years?

BREWER: Well, your commitment would depend on the contract. Again--

WISHART: It's three years.

BREWER: Three years from-- if you use the program from when you finish using the program.

WISHART: Um-hum.

BREWER: Okay. Yes.

KOLOWSKI: Thank you. Thank you very much.

BREWER: I was actually going to--

WISHART: And I, I will clarify as well that, within the bill it clearly states that it doesn't apply to any person who's not exhausted any other federal tuition assistance benefits.

KOLOWSKI: Okay. Okay. Thank you.

BREWER: And the three years would be if you didn't have a longer existing commitment to finish up. That would be the minimum time. That way-- I guess that's the government's way of getting their-- their value back out of you.

KOLOWSKI: Um-hum. Um-hum. Thank you.

BREWER: Senator Hunt, did you have a question?

HUNT: Yes. Thank you, Senator. Thank you, Senator Wishart, for bringing this bill. I love it. I love the sentiment behind it. You said that we've never gotten close to hitting that cap of 1200 people using this assistance. Do you have any ballpark idea of what's typical; how many people-- oh, I'm sorry, thank you --of how many people use this assistance every year?

WISHART: So being an Appropriations Committee member, I have-- I more look at it in the dollars, and our historical trend is around-- I believe we looked at last-- last fiscal year was around \$500,000 utilized. And then if you look at the fiscal note here they anticipate potentially an additional \$200,000 in expenditures, so I anticipate even-- even with-- I anticipate even with the expansion of this program that we will not hit that cap. And if we do, we can always

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come back with it-- with a deficit request to-- to expand that if the legislature so chooses to.

HUNT: Does this fiscal note reflect the cap number or just a projection of what [INAUDIBLE]?

WISHART: So I read through this today-- what I-- the cap is at \$900,000--

HUNT: Okay.

WISHART: --is what we appropriate to-- to be able to be utilized. And then I believe we cap it at 1200 students--

HUNT: Um-hum.

WISHART: --as well. My anticipation is that these-- if you read through this fiscal note, what the-- what they're imagining is that this will be-- because of the additional opportunities, an additional \$200,000 would be on top of what I anticipate will probably be about \$500,000 of need-- of need.

HUNT: While noting that-- that the total spending that you can allow under this original program is \$900,000.

WISHART: \$900.000. Yes.

HUNT: So we'd still be under that?

WISHART: Yes.

HUNT: OK. Thank you.

BREWER: Good question. Additional questions? Oh, yes.

KOLOWSKI: Just let me comment, sir. Senator, thank you for bringing this bill. I'm a great supporter of what you're talking about, and it matches so well with my knowledge of what we've talked about on Offutt Air Base and how important that is to our community and how much impact that's had on Bellevue, Papillion, and the all-- the entire Omaha area over the years. That I had students in my high school that were also the sons and daughters of people who work at Offutt. So that's a tremendous impact upon our-- our community. And this is a great recruiting tool also for the state of Nebraska. You're putting it out there and having that opportunity to bring people in, and they

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discover, aside from days where it's 13 below, they discover that Nebraska is a pretty nice place to be. And we-- we gain a lot of people that way. So thank you very much for what you're doing.

WISHART: That would be the hope. And I will close by saying that I can't take credit for this idea. The amazing woman that's following me is the one that brought it to my attention, and I anticipate in the future she will be sitting probably in one of these seats someday.

KOLOWSKI: I hope.

BREWER: Okay. Any additional questions? Sergeant Wishart. Sergeant. Senator, too many years in the army.

LOWE: You've been promoted. You've been promoted.

BREWER: They-- they-- they do give out an annual recruiting award. I think that you may be a candidate for that now. So thank you for this bill.

WISHART: Thank you.

BREWER: All right. Next testifier. Please come on up. Just double checking, you are a proponent, right?

KAMRYN SANNICKS: I am a proponent.

BREWER: Excellent. Welcome to the Government, Military and Veterans Affairs Committee.

KAMRYN SANNICKS: Thank you. Good afternoon, Chairman Brewer, and members of the Government, Military and Veterans Affairs Committee. My name is Kamryn Sannicks, K-a-m-r-y-n S-a-n-n-i-c-k-s, and I'm testifying in support of LB450 to expand the Nebraska National Guard tuition assistance program with the help of Senator Anna Wishart. The following pro-- statement is on my behalf and not the Nebraska National Guard. As a lifelong Nebraskan, proud member of the 27th Legislative District, current student at the University of Nebraska-Lincoln, and Army ROTC Cadet, I am here before you to encourage your support of LB450. Nebraska is a thriving state, and this bill, first and foremost, retains current Nebraskans but attracts others to serve in the Nebraska National Guard like myself. I've been fortunate enough to have my undergraduate degree funded through private scholarships and an ROTC dedicated Guard scholarship. I am committed to the state of Nebraska, not only now, but going forward.

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With the expansion of this program, I will be able to attain an affordable professional degree while continuing my service. Upon graduation, I intend to pursue a JD and a Master's Degree in Sociology from the University. I am proud to attend our state's public institution, and with the help of LB450, I can continue this education in an affordable manner along with other young guardsmen and women who will also be able to do this. This bill keeps the requirement to serve for at least three years upon completion of your graduate program. I think that this is a simple ask in return for an affordable degree and more young talent staying in our state and coming to our state. Nebraska would become the 26 state to expand their tuition assistance program to 100 percent for undergraduate degrees, and like Senator Wishart said, we would be on the forefront of expanding this program to graduate and professional programs. Nebraska can be on the forefront by showing their service members that they matter and that they should stay here to continue their service and their education. Expanding this program does not put the current program at a deficit and will only enhance it by expanding it to those members who wish to go back to school to further their civilian and/or military career. Joining the Nebraska National Guard to continue my family's history of service and gain a topnotch education from the University of Nebraska-Lincoln is something that I am proud of. I ask for the support of the committee today and for their support of the legislative body to help Nebraskans like myself stay in Nebraska. Nebraska will retain and recruit a more diverse and highly educated work force with the passage of LB450. Thank you, Senator Wishart, for her continued support of young people like myself and those in her district and across Nebraska. And thank you for your time today. And I can answer any of those other ROTC-related questions as well.

BREWER: Good. Thank you for your testimony. Questions? All right, well, let me hit you up with a couple here since you're the target of opportunity.

KAMRYN SANNICKS: Yes.

BREWER: Have you selected or-- have you selected which branch you're going to apply for?

KAMRYN SANNICKS: I either want to go fly or go field artillery, so I'll find out in the next year and a half.

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BREWER: Well, I was field artillery enlisted and I flew as an officer, so your decision-making process is outstanding.

KAMRYN SANNICKS: Thank you, sir.

BREWER: All right. Any other questions. Seeing none, thank you for your outstanding testimony.

KAMRYN SANNICKS: Thank you.

BREWER: Next proponent, come on up. Welcome to the Government, Military and Veterans Affairs Committee. You may begin whenever you're ready.

LAURA NELMS: Thank you. Good afternoon, Chairman Brewer, and the members of the Government, Military and Veterans Affairs Committee. My name is Laura Nelms, L-a-u-r-a N-e-l-m-s, and I am testifying in support of LB450 to expand the Nebraska National Guard tuition assistance program. The following statement is on my behalf and not the Nebraska National Guard. I lived in Nebraska for the majority of my life. I'm currently a full time student at the University of Nebraska- Lincoln and I'm also an Army ROTC Cadet. I'm here in support of LB450. When I first considered college, being a first-generation student, leaving the state of Nebraska was not an option for me because out-of-state tuition seemed like a daunting and unnecessary cost. I chose the National Guard as a way to serve my state and country with the added benefit of tuition assistance. Many guardsmen and women like myself would not be able to attend college without the tuition assistance program. I was also fortunate enough to receive private scholarships in an ROTC dedicated Guard scholarship but have been using tuition assistance for the last two years as my family is not financially capable of supporting my education. I am committed to the state of Nebraska for the time being, and moving forward in both my military and civilian careers. After graduation, I intend to pursue a master's degree. And with the expansion of the National Guard tuition assistance program, that allowed me to pursue an education within this state-- of having to-- instead of having to seek an education in neighboring states. With the help of LB450, other guardsmen and women, regardless of their age, would be able to continue their education at the University and other public institutions. Expanding this program does not burden the current program. It will only encourage members to go back to school for further education within the military and their civilian careers. I'm proud to serve the Nebraska National Guard and have the opportunity to

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receive an education from the University of Nebraska-Lincoln. I ask for the support of the committee today and the further support of the legislative body to help Nebraskans like myself stay in Nebraska. Nebraska will retain and recruit a more diverse and highly educated work force with the passage of LB450. Thank you for your time today. I can answer any questions if you have them.

BREWER: Thank you for your testimony. Very good. All right. Questions? Senator Hunt.

HUNT: Miss Nelms, thank you so much for being here and thank you for your service and your dedication to Nebraska especially at such a young age. I think that's really cool. Do you have a lot of other colleagues, other students in your-- in your cohort who take advantage of this program?

LAURA NELMS: So a lot of students don't take advantage of the state tuition assistance because they're afraid it will affect their capped on scholarships that they have throughout the University. So I'm also aware that there's a lot of other guardsmen and women who don't take advantage of it because it is like that 75 percent, and they're like, oh, I can just pay off the 75 percent. So in terms of a marketing strategy, you're more likely to get people because it is that 100 percent number.

HUNT: Um-hum. Do you think that expanding it to cover graduate degrees will expand the use of the program?

LAURA NELMS: Absolutely, yes.

HUNT: Okay. Thank you so much.

BREWER: Additional questions? Yes.

KOLOWSKI: Just one for clarification, if I may. Thank you, Mr. Chairman. What aspect of the service would you like to go into and which service branch would you like to go into?

LAURA NELMS: I'm committed to the Army National Guard--

KOLOWSKI: Okay.

LAURA NELMS: --but I haven't decided a branch. Sixteen is still too many options to choose from.

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KOLOWSKI: I understand. Thank you.

BREWER: All right. Everybody's done and it's my turn. You knew it was coming. All right. Just some background, where's home? Where did you grow up?

LAURA NELMS: I am from Benkelman, Nebraska.

BREWER: Oh, very nice, and MOS?

LAURA NELMS: I was a 42 Alpha which is a human resources specialist before.

BREWER: Military Occupational Skill, MOS, just for the record. I think that it may have been overlooked in the past the value of being able to get your master's and even your doctorate. If you are a company-grade officer and you want to look at promotion to lieutenant colonel or colonel, having a master's degree is really a requirement to be competitive with other officers. And in some cases, it's your only path because it is one of those barriers that's up and if you have no other way to get around it that's what will limit your career. So to Senator Wishart, well done, and thank you for your testimony.

LAURA NELMS: Thank you.

BREWER: Now the guy we've saved the hard questions for. Welcome to the Government, Military and Veterans Affairs Committee. You've got handouts?

RYAN McINTOSH: I do, Senator.

BREWER: All right stand by just one-- a second here. We're-- we're short a page today so we're having him do triple duty. All right. We're good to go over? Julie, you're good to go? All right. Welcome to Government, Military, Veterans Affairs. Please proceed.

RYAN McINTOSH: Thank you once again, Chairman Brewer, and Senators. Ryan McIntosh again on behalf of the National Guard Association in Nebraska. R-y-a-n, McIntosh, M-c-I-n-t-o-s-h. The National Guard Association of Nebraska is very much in support of LB450. And just to, hopefully not be redundant, to lay some of the background information to this, members of the Nebraska Army National Guard and Air National Guard currently have federal tuition assistance, in-state tuition assistance available. Federal tuition assistance is currently limited to \$250 per credit hour and for up to 16 credits hours per year, for a

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maximum of 130 undergraduate semester hours. State tuition assistance may not be used, as has been testified to, until federal tuition assistance is fully depleted. There are currently 3 states that do not provide any state tuition assistance, by my count 38 states and territories that provide 100 percent state tuition assistance, and Nebraska is one of the 13 states that provides all or-- partial or limited state tuition assistance. I've handed out an easy-to-read map that demonstrates which states have full and partial or none, as well as the last five pages that I've handed out is a fairly comprehensive summary of what each state offers. With for instance, in Nebraska it's specifically limited to University of Nebraska-Lincoln tuition rates. Other states have similar measures in place. So currently members of the Nebraska National Guard who enroll in state-supported university colleges or community colleges, independent not-for-profit regionally accredited colleges and universities may be entitled to a credit for resident tuition charges in an amount no higher than that person would receive if he or she attended the University of Nebraska-Lincoln. Commissioned officers and warrant officers are not eligible for state tuition assistance program except in limited situations wherein they've started and have not yet obtained their bachelor's degree, but that's a pretty limited circumstance. Likewise, enlisted personnel who have a bachelor's degree are not eligible for the state tuition assistance program either. The impact of the mandatory use of federal tuition assistance before being able to use the state tuition assistance has resulted in a very diminished number of service members that can obtain a master's degree, because their federal tuition assistance is already depleted. By the expansion of state tuition assistance under LB450 provides a very significant benefit to our service members and to our membership and ensures that our force remains fully manned. Under a recent survey that I just saw earlier this week, done across the joint service branches, 62 percent of recruits listed pay for education as the very top reason why they join any branch of the military. Therefore we urge the committee to pass LB450 to General File. Thank you for your consideration and support, and I can answer any remaining questions.

BREWER: All right. Thank you for your testimony. Questions? Tony, this is the guy to ask if you've got a question. Alright. Just a little bit of background now, you've got connections with the big guy, right? I don't mean the big, big guy but the General?

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RYAN McINTOSH: Well, our organization is-- I believe he is a member of the National Guard Association.

BREWER: You've got him on speed dial. All right. I'm guessing that this bill is probably going to, how shall I put it, be low-hanging fruit and be fairly well fast-tracked because it's-- it's a great idea. It's needed. It's something I think that's long overdue. But so that I stay true to my word you will make sure the General knows that if all of a sudden our strength which, if I'm not mistaken, we've got room to add more people to the National Guard?

RYAN McINTOSH: As it's been in the news over the past couple of years, Senator, we have undergone very significant force structure changes growth within our state due to our past excellence in recruiting and retention. That's opened new slots, and so by-- so they reward us with allowing us a larger footprint. So we need to continue to recruit.

BREWER: So what he's saying is they did a good job. Because they did a good job, they gave them more assets. Because they gave them more assets, their numbers have dropped because they've tried to distribute them to those new units. Consequently Nebraska's strength is not what it could be. And so this will assist them in increasing the numbers. And if my prediction is right, you'll go ahead and talk to the General and make sure that Anna gets that recruiting award?

RYAN McINTOSH: That's correct.

BREWER: All right. Thank you. No other questions. Thank you for your testimony.

RYAN McINTOSH: Thank you, Senator.

BREWER: All right. Additional proponents, come on up. All right. There are more testifiers either in the opposition or neutral. If you can come forward, that will give me some idea of how much more time I need to set aside. With that said, welcome to the Government, Military and Veterans Affairs Committee. Please begin whenever you're ready.

KOAN NISSEN: Mr. Chairman, thank you. Senators. I'm Koan Nissen, K-o-a-n N-i-s-s-e-n. I'm here representing myself today with the full disclosure that I am currently an m-day soldier in the Nebraska Army National Guard and I am in a paid vacation status from my full-time job with the United States Citizenship and Immigration Services. I'm here on my own time. With all that said, you've heard some testimony a

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moment ago from-- from policymakers and, Senator, and thank you for bringing this bill forward, as well as those looking to use the benefits that come with-- with this funding. I'm here to maybe show, kind of, the other end of that. I am somebody who has benefited from military funding for various degrees. When I joined the Nebraska National Guard, I was looking to get a bachelors. I thought that's where I was going to go; that's probably where I'll stop. Because of the Nebraska National Guard and other funding sources that was made available to me, I was able to complete that bachelor's which then led to a Master's of Education through the University of Nebraska-Lincoln. And I guess, what I want to say is I would not have had those opportunities to do that had it not been for the Nebraska National Guard. Now with that said, it would have been a lot easier to do with the current bill that we-- that we see here especially as it relates to obtaining my master's degree which ultimately was funded through the state of Nebraska while I was serving as a police officer. And there was some tuition remission stuff with that. But one other thing I wanted to kind of mention, the last time something similar to this came up one of the arguments that I had heard was that this is an awfully steep bill for, you know, 2 days a month and 15 days a year. And I only really just wanted to highlight that, at least in my case, that-- that's-- that's certainly not how this works. It may be two drilling days per month, absolutely, but we as soldiers and airmen are required to meet the same standards that our bigger components are required to meet as well. So for example, guardsmen will participate and has to have, the Army Guard specifically, will have to have a qualifying individual weapons score, Individual Weapons Qualification, IWQ. They will probably if they want to stay in good graces, be able to pass Army physical fitness tests at least during a diagnostic and for record. Army physical fitness tests are demanding. They require that soldiers on their own time away from the two days a month, exercise in an appropriate manner so that they can-- they can meet those standards. On top of that we're required to meet height and weight standards which means we have to be constantly thinking about, you know, Thanksgiving turkey and Christmas Day festivities, right? We can't just let it go to the wind because then we fall out of good graces with our-- with our commanders as well as other things that come around. You know some-- some of them seem simple, but, you know, urinalysis and drug detection, you know, guardsmen are constantly monitored for that. And then, you know, we've got to be constantly thinking about this stuff while living in our civilian lives with our spouses and our children and our jobs and academics. And then we also have to be, not only cognizant of the Title 10 mission overseas facing

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enemy combatants foreign enemy combatants, but we also need to be cognizant of our [INAUDIBLE] mission we need to watch and be prepared for bad weather that's coming up. Last year, I was mobilized to the territory of Puerto Rico, for example, to help document the-- the-- the-- the Guard and the federal response in Puerto Rico, and I spent some of my holidays down there. So I really just wanted to come here today to throw out that preemptive argument in case somebody were to say, well, it's only 2 days a month, 15 days a year, and it's a hefty price tag. I personally don't believe that. I know I dedicate much, much more time than that per month to make sure that I can stay in good graces with the guardsmen. And I think this is a wonderful benefit for the-- for the young people and folks like me who are still in the Guard. So an investment in a Nebraska National Guardsman is an investment in Nebraska's future. Thank you. And I would take any questions you have.

BREWER: Thank you for your testimony. We probably should have filmed that and used it for a recruiting commercial because it was outstanding. All right. Questions? Well, again, I got to-- Oh, go--.

HUNT: I just want-- I just had a comment. I just want to thank you for coming and getting on the record on this issue and thank you for your service as well.

KOAN NISSEN: Thank you. Appreciate it. My pleasure.

BREWER: I will second that. Sometimes I take things for granted because I lived that life and so it become the norm. Both my children are in the Guard. I've got multiple nephews in the Guard. So it's just part of life and what we do. But to make it clear to those who aren't in that world, you did a wonderful job of explaining the duties above and beyond what you would normally do in that vision of a two-day-a-month drilling guardsman. So thank you for your service. Thank you for your testimony, and have a good day.

KOAN NISSEN: Yes, sir. Thank you.

BREWER: All right. Additional proponents? All right. Those-- opponents? And any in the neutral? With that said, Senator Wishart, come on up.

WISHART: I did quickly just want to close. We-- with-- answering some of the questions, there's currently 250 people enrolled in this tuition assistance program. And then we do it on a reverse--

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reimbursement basis, just so you can understand how we fund the program. With that, I can take any follow-up questions.

BREWER: Questions? Seeing none, thank you. Thank you for the bill and thank you for your testimony. And we have letters to read in on LB450, Dean Kenkel, Chief Warrant Officer, Greg Adams, former Speaker and Executive Director of the Nebraska Community College Association, Major Dan Fritz who is Assistant Professor of Military Science at the University of Nebraska-Lincoln, Colonel Kenneth Brownell, Director of the University of Nebraska Lincoln's Military and Veterans Success Center and oh, and of course, Kamryn Sannicks, Lincoln Nebraska student, University of Nebraska-Lincoln. That said, that concludes the hearing on LB450 and concludes our Military, Government and Military Affairs-- Government, Military and Veterans Affairs meeting this afternoon. Thank you. OK, so I've got to consolidate all these letter--