

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee February 27, 2019

BREWER: Good afternoon, ladies and gentlemen, and welcome to the Government, Military and Veterans Affairs Committee. I'm Tom Brewer, the chair of this committee, preside from the 43rd Legislative District. We will start by introducing our committee members, starting on my right.

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

LOWE: John Lowe, District 37, Kearney, Gibbon, Shelton, and all the farm ground around it.

HILGERS: Mike Hilgers, District 21, northwest Lincoln and Lancaster County.

BREWER: Andrew La Grone is presenting, I guess, and this is Dick Clark, my legal counsel.

M. HANSEN: Matt Hansen, District 26, northeast Lincoln.

KOLOWSKI: Rick Kolowski, District 31, in southwest Omaha.

JULIE CONDON: Julie Condon, committee clerk.

BREWER: A couple of other quick introductions. Kaci and Preston are back row. They are our pages. Today we have three appointments and then LB626 and LB144. Quickly, some administrative things. Cell phones won't be a problem because I forgot mine. Electronic devices or cell phones, I would ask that you mute those. If you wish to record your attendance, there will be white sheets in the back and you can indicate support, opposition, or neutral. If you wish to testify, there are green sheets in the back. Please have those filled out and ready when you come forward and give to the committee clerk or the page. If you wish to hand out materials, we'd ask that you have 12 copies or notify the pages and they can make copies for you. We have a requirement that any letters that are submitted arrive before 5:00 p.m. the day before. The letter should include your name, address, bill number, your position on the bill, for, against, or neutral. And we would have you state that you're requesting it be included in the public record. The-- the mass mailings we are not including in those numbers. The letters will be announced at the end, the number of those in support, opposition, and those that are neutral. We ask that if you're going to speak on a given bill that you move into the first

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couple of rows so we have some idea of how many are going to speak. When you testify, we'd ask that you state your name, then spell it, speak in the microphone clearly. We have a lighting system here. Five minutes: four minutes will be on green, one minute on the yellow. And then when it turns red, you're to cease and desist with your comments. The senator will be doing the opening on the particular bill, followed by proponents, opponents, and those in the neutral capacity. Lastly, the senator will be invited back for his closing remarks. With that said I am going to hand over and give that to Andrew and the gavel. I have to present in Natural Resources. Are we going with a bill first or--

La GRONE: Yes, Senator Hansen. [INAUDIBLE]

BREWER: All right. Andrew, you have the conn.

PANSING BROOKS: Thank you. I'm sorry to hold you up on--

La GRONE: Welcome to the Government Committee.

PANSING BROOKS: The itinerary says that the appointments are first, so that's why I thought I had some time, sorry. Thank you, Vice Chair La Grone and members of the Government, Military, and Veterans Affairs Committee. For the record, I am Patty Pansing Brooks, P-a-t-t-y P-a-n-s-i-n-g B-r-o-o-k-s, representing District 28, right here in the heart of Lincoln. And I'm here today to introduce LB626, a simple but important bill that will help ensure veterans are a special part of our state's workforce development initiatives. LB626 creates a veterans' workforce development coordinator to better connect veterans with Nebraska employment opportunities and to increase efforts to further public awareness among veterans and their families about the benefits of living and working in Nebraska. I decided to bring this bill after meeting with veterans who believe some of our neighboring states are doing a better job with direct outreach to veterans and transitioning service members, including opportunities for more on-line interaction between employers and veterans and service members seeking employment. I believe this bill sends a message to veterans and transitioning service members welcoming them and acknowledging the fact that we want them here because they can be a vital for-- a vital part of Nebraska's workforce. There have been many policies enacted by Nebraska over the last few years, many of which were championed by members of this committee, which have helped Nebraska move in the right direction on issues important to veterans. This continues this year with LB153, brought by Senator Brewer, which exempts 50 percent

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of military retirement pay from Nebraska income taxation. I know this bill has already been heard by this committee and I am happy to be a cosponsor on that legislation. These initiatives are the kinds of things we can do to help do a better job in promoting in order to recruit and retain a strong Nebraska workforce. Our unemployment stands at 2.8 percent and is among the lowest in the nation. The Nebraska Chamber of Commerce and local chambers continue to identify workforce development as our number one business need. We simply need more people. The veterans that I have met with from my constituency have identified Home Base Iowa which has been-- part of it has been passed out as a potential model that we should look at. This sleek Web site presents a great online front door for Iowa veterans and transitioning service members. I passed out the screenshot from the front page of that Web site, and I encourage you to visit it on-line at some point so you can see some of the great things that the veterans' workforce development coordinator could be helping to coordinate in Nebraska. I met with Commissioner of Labor John Albin and understand that the Nebraska Department of Labor already has an employee who is a veteran and works specifically on veterans' workforce issues. So there are some existing resources to fulfill these functions, but I also believe that putting this employment position into statute and requiring that the person be a veteran and assigning specific duties will help the state to do a better job of coordinating opportunities for our veterans. Part of the feedback I heard from some of the veterans who will be testifying today is that the Commission on Military and Veteran Affairs should be more involved in these efforts and act as an advisory group for these workforce development efforts. So LB153 [SIC] makes the veterans' workforce development coordinator an ex officio member of the Commission on Military and Veterans' Affairs. The coordinator will listen to advice from the commission and submit progress reports to them. I believe this level of engagement will help strengthen, coordinate, and streamline our workforce development efforts for veterans and transitioning service members. When I met with Commissioner Albin, I wanted to be clear that this legislation was not criticism of ongoing efforts and work by the Nebraska Department of Labor. I know that they're working hard and I believe their hard working staff can carry out these functions. In closing I ask that you advance LB153 [SIC] to General File and help ensure that Nebraska is a state of choice for our veterans and transitioning service members. Thank you.

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La GRONE: Thank you for your opening. Are there any questions? Seeing none, thanks for coming to the Government Committee.

PANSING BROOKS: Thank you.

La GRONE: Are you going to stay for closing?

PANSING BROOKS: I'll stay just in case.

La GRONE: We'll now move to proponent testimony. First proponent. Welcome to the Government Committee.

RONALD DUPELL: Good afternoon, Chairman and senators. I am Ronald Dupell. First name R-o-n-a-l-d, last name D-u-p-e-l-l. And I'm a cofounder of the Nebraska Veterans Coalition. But my remarks will be brief. I have included documentation from my testimony on LB153 and here are a couple pages that kind of address what a Home Base organization is, both in Massachusetts and in Iowa. Submission of this legislation by Senator Pansing Brooks begs the question "why?" Why should Nebraska make this effort to improve its ability to increase the size of its workforce by focusing on veterans? During the hearing for LB153, comments were made that asserted that despite some good efforts, Nebraska lags behind most other states in its efforts to attract and retain veterans. It lags behind all surrounding states as witnessed by its veteran populations declining while those states around us are increasing their veterans population. LB626 is a much needed step toward developing a cogent, effective, and long-term program to attract and retain veterans while increasing the size of Nebraska's workforce. I have been a resident, a proud resident of Nebraska since 1975. There has not been that type of effort in that time. LB626 is needed to aid in workforce development with a focus on veterans that offers the most effective return on investment. To take your efforts and address them to Offutt Air Force Base or to the Lincoln Air National Guard center or to other National Guard units, is a lot less costly than trying to do it on a nationwide basis. As a group, veterans offer a much higher return on investment to increase the size of our workforce. This legislation is an effort to involve multiple state agencies to coordinate efforts towards increasing Nebraska's workforce. We are hopeful that this will be the beginning effort to establish a Home Base Nebraska, which will improve services to all citizens. Home Base programs are veteran and citizen centric efforts to improve the workforce, lower homelessness, deliver medical services, and make existing community services more effective. Efforts like these are needed to improve Nebraska's ability to expand the

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workforce and be more competitive in business expansion. The addition of a key position in the Department of Labor gives the Nebraska Veterans' Commission the ability to more effectively utilize information and broaden its ability to make assessments concerning the need to use veterans to fulfill workforce development needs. We have a pool of skilled, trained, and disciplined people at our fingertips. [INAUDIBLE] simply just needs from a reasoned point of view for Nebraska to make the effort to retain them. This position will aid to that effort. LB626 declares that Nebraska is a welcoming state for veterans and their families. Hopefully, this legislation will be the beginning of an effort so immensely needed to provide substance to that assertion. This legislation adds to Nebraska's capability to compete for disciplined people with significant skills, experience, education, and training. It will be another step toward much improving Nebraska's retention of people. In my last minute, in the year that I served down here at Offutt, 1500 people, over a thousand of them had bachelor's degrees. Another 500 had master's degrees and somewhere near 50 had doctorate' degrees in computer science. And why Nebraska doesn't work hard to compete for those people is puzzling. That concludes my remarks. Are there any questions?

La GRONE: Thank you for your testimony. Are there any questions?
Senator Blood.

BLOOD: Thank you, Vice Chair La Grone. And it's nice to see you again. Thank you for your testimony. So Senator Pansing Brooks has a hurdle to overcome and that's something called a fiscal note. So you are involved in every single military bill and military family bill that we have here in Nebraska. So I look to you to ask: can you see a creative way for us to overcome this fiscal note?

RONALD DUPELL: I want to tread lightly on that fiscal note. There have been multiple studies completed by multiple different states that document the fact; if you retain one veteran, you normally retain their spouse and normally two to three children. Oftentimes, for retirees they are adult children. So on the surface, it's more than just a win-win situation to retain veterans. You're not just getting one person; you're getting four to five. And then when you start looking to subsequent generations, the return on investment is pretty significant. So the fiscal note from my point of view is incomplete. It doesn't give you the picture that you need to make economic decisions. And if I may digress for just a second here, we've seen the agricultural community suffer from the lower commodity prices for

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several years now. I would ask a question for everyone to think about: What if that is a long-term issue? What are we going to do to increase our economy and to improve our economy if we don't do efforts like this right here to attract businesses in here. What's the company that just looked at Omaha to come into? And it wasn't a serious effort, I don't think, because we didn't have 25,000 people to support it. But there's a lot of other businesses that are pretty large businesses that we could attract if we had the people. And we simply need to market ourselves. I've got friends and families around, around the country, and they say, why do you stay in Nebraska? What's in Nebraska? The only answer I give them, and the answer I give them every time is two words; the people. That's what keeps me here. This society keeps me here. And if we don't do something, we're going to continue to drive people with stable finances right out of this state. In my own neighborhood, we've got people that because of the tax situation, they can afford to have a second home in Florida and much of that cost is paid for by avoiding taxes. And that doesn't make reasoned sense. We need people here and we need good people. And the people in the military have been screened and disciplined. And as they stay in and retire, it's demanded of them to improve their education, to improve their experiences. And those are the type of people we should be competing for. So when I see a fiscal note that says, it's going to cost us this money. I do a lot of work in juvenile courts, the foster care system, and mentoring of children. There's considerable opportunity for us to improve our effectiveness in those areas. Veterans are the type of people who volunteer for those types of activities. This is an investment on Nebraska's future. We're not asking you to do things for veterans because we're splendid people. We're asking you to do this because it makes good sense for Nebraska as a state, because there's a good return on investment of attracting and retaining good people in this state, not drive us away. And 10 percent of us have walked away.

La GRONE: Mr. Dupell, I think we're getting a little far afield from--

RONALD DUPELL: Yes.

La GRONE: --Senator Blood's original question.

RONALD DUPELL: Yes.

La GRONE: So I am going to--

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BLOOD: So follow-up on that. I agree that it's an investment but you already know that. But the concern is, is that we do have multiple positive bills that pertain to the military, to our veterans this year. And so it's going to be a hard balance. And we do understand the investment part of it, of what we can afford, to be really frank, with the budget the way it is. So the reason I'm asking you that question, that if indeed, Senator Pansing Brooks is not successful this year, this is a bill that obviously needs to come back. I want everybody to be thinking about, for instance-- we'll go to LB138. I'm generating revenue specifically to keep in and hire veterans here in the state of Nebraska. That was my only purpose in that bill. Sometimes we have to be creative in generating revenue, so we don't have to worry about fiscal notes is what I'm saying. So I kind of want you to be thinking about that. Everybody in this committee understands the importance of investing, but we're not the entire body. And so I kind of want you to be thinking about that, if indeed we aren't successful with this bill because I think that there is further we can take it and maybe be more creative with the revenue.

RONALD DUPELL: I wish I could wave a magic wand and convince the Legislature that in times of downturn, that's when you have to compete, that's when you have to make things better, to be more efficient, to safeguard those tax dollars and use them more effectively.

BLOOD: Fair enough.

La GRONE: Thank you, Senator Blood. Are there any additional questions? Seeing none-- oh, Senator Kolowski.

KOLOWSKI: I'll take one, I think. I'm here because of the weather. [LAUGHTER] A little levity at the end of the day. I want to thank you for your service. Thank you for being here today, and for sharing this with us. I appreciate it very much and you have given us a lot to think about. I support the bill. I think it's a key issue that we have to come to grips with it and that is because I was a high school principal for 15 years. So I talked to those seniors yearly and had kids every year, boys and girls, that would think about the service and would go to the service because they knew they weren't ready for college. They weren't ready to take that next step, spend their parents' money to go to college and do the things that some college kids do. And they wanted to have a little more maturity and a different kind of situation. Those kids came back and I saw them after boot camp. I saw them after they got into their specialty areas and it

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was always a treat to be able to whoosh them back into the building and, now go tell these kids about it. Go have lunch with these kids over here, talk to them about the service. It pays off. It pays dividends beyond anything we can imagine. And then after three, four years, those students would get out of the service and-- be more squared away about their life and what they wanted to do. You know that, I know that. I was in the Marine Corps. I know what it takes to get squared away and do the things you want to do and-- and get your life to where you want to be. A question is one of--How do we match up whatever their skill area is, their specialty area, their MOS, with the jobs that we have available? Do we have a database working at the current time that translates between the two languages, military and civilian, and has an easy, easy way to place them into a location?

RONALD DUPELL: There's ample databases around the country for that. The military touts them and provides them to a lot of military members. In Iowa, through their Home Base program, one of the gentlemen is in our group, signed up for Home Base Iowa. He gets e-mails that say, hey, we have a job for you. And all they're doing is taking the database out of the Department of Labor and matching it up to the database that they've got where people have sent them resumes and-- So they match up and send the e-mail out to-- It's taking existing resources in just doing this, Home Base. We just need to take that extra step to communicate and to lobby and let people know. When I went into South Carolina, a representative from the state was there. We were required to attend an incoming briefing within 30 days of arriving at an Air Force base. They are there to welcome us, say what they stand for, and say, we want you to stay here when your tour of duty is done. We don't do that in Nebraska and that goes to your effort of-- how do we make that connection? How do we let them know that their skills are needed here? And there's methods to do it. There's databases available. I won't say it's easy, but it's doable.

KOLOWSKI: I have discussions with community college people across the country and especially in the [INAUDIBLE] area. They tell me that we've got 80 to 100 welding jobs available in the state right now. We could use bodies immediately to fill those and we still struggle to find the people to do that.

RONALD DUPELL: Offutt Air Force Base has welders.

KOLOWSKI: Absolutely. Now, how do we keep them as they work toward retirement or getting their [INAUDIBLE] to stay?

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RONALD DUPELL: On their first trip, just-- just get down to Offutt, and say, welcome to Nebraska. This is who we are, this is what we do, this is what's here. We hope you will stay here upon your completion of duty. And this coordinator position could be the one to do it. I'm not saying that they should, but it could be. We need to make that effort. It doesn't make sense when the workforce is growing at two-tenths of one percent per year for us not to be doing something to retain people, whether it's veterans or whether it's some other group that would give us a good return on investment. It just so happens that we've got veterans, and they are available, and they're leaving the state because they don't like the [INAUDIBLE]. I know we are digressing but this is very important. During my first several years at Offutt, my family was here but I was gone. And when I came home, I spent time with my family. I didn't know anything about Nebraska until I retired. And then I had to find out about Nebraska. There's an e-mail out there called "Only in Nebraska". Has anybody heard of that? I've got over 2 copies of it. Here's some of the strange, beautiful things that they tell you about that. We don't do that in Nebraska and we need to be doing-- the Department of Labor, the Department of Tourism, the Department of Economic Development-- all those folks need to be doing that to attract people. If we don't get people, what are we going to do if the agricultural community doesn't turn itself around? What if we stay at \$ 2.75 a bushel for corn? How are we going to compete for the Amazons of the world? And this is just one small step in doing that. Yes, it's going to cost us some money. It's going to cost us a heck a lot more money if we don't do this. So when you say a fiscal note, what's the cost of not doing it?

La GRONE: Thank you, Senator Kolowski. Are there any additional questions? Seeing none, Mr. Dupell, thank you for your service and thanks for coming down.

RONALD DUPELL: Thank you.

La GRONE: Next proponents. Welcome to the Government Committee.

JOHN STEWART: Good afternoon. I am Air Force Retired Chief Master Sergeant John Stewart, S-t-e-w-a-r-t. Among my many tours I was an air commando in Special Operations with the Air Force. I'm a disabled Vietnam War veteran. I live in Kearney. I've received national awards for my veterans volunteer service over the past 25 years. I was inducted into the Florida Hall of Fame by Governor Scott, now Senator Scott, two years ago for my volunteer service. There is a 2018 UNK report on the economic impact of Nebraska military assets that

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provides some remarkable numbers, such as that our military bases and our retirement system payments and V.A. spending generate close to \$7 billion in revenue, has increased property tax revenues by \$8.6 million, and created nearly 45,000 jobs in Nebraska. Veterans definitely impact state revenue, but retention is critical if we're going to continue that trend. I have found some other interesting facts about Nebraska when I was researching this. We have 130,000 veterans or so in Nebraska and nearly 64,000 are Korean, World War II, and Vietnam veterans like me. Those 64,000 are over 65 years old. That's almost half of your veteran state population. However, there's 49,000 Gulf War veterans in the state, and the primary veterans that we need to address are those young guys. And even the older ones are only like, 48 years old. Beyond them what does your available pool of veterans going to look like in the future? It's pretty sad. The V.A. says the veterans population in the entire United States will decline by more than 40 percent in 2045. That's because I won't be here. The Vietnam veterans, Korean War veterans, World War II veterans, but those Gulf War veterans will still be working. So as we head for 2045, we will see a serious reduction in tax revenue and the numbers of veterans to recruit for needed jobs here. And we also see expanding an extremely competitive veterans recruitment programs in all the states, trying to bring the veterans in. Therefore, veterans' retention efforts must start today, not tomorrow. It's gonna be too late. LB626 is a giant step and many other states already have retention programs. He mentioned the Iowa Home Base recruiting program, and along with their good state tax breaks, Iowa looks like a much better place for a second career if I was to leave Offutt, or Kearney, where I live, and get a job and work in Nebraska. But simply having a program will not ensure success. You must speak directly to the veterans. You were talking about that earlier, sir. You've got to go out to the active duty bases. You've got to go out to the Reserve and the National Guard units and the veteran organizations: the VFW, the American Legion, and speak to them and tell them what programs you have. Just having a Web site ain't going to do it. With me today is my wife of over 50 years, Renata [PHONETIC] to observe American government for the first time. She's from Germany, had a hard life during our 26 years in the military but she's really active in American politics. She's also here for another reason; to remind you that LB626 must fully enhance veteran spouse recruitment. Our spouses need and want Nebraska jobs, thereby not only increasing your revenue; but if you recruit them while we're on active duty, you'll probably get us to stay with them here when we separate. I want to give you a final personal comment, and this is something I thought about quite a bit the last 48 hours.

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Well, I should say something about your veteran retention efforts. I have a flag here with me today that means a lot to me. It was given to me by a World War II Pearl Harbor survivor. I escorted him to Honor Flight in Washington so he could see his memorial years ago, and later I performed his military funeral service when he passed. This is a symbol of our freedom and what I served for 26 years, and veterans daily offer their lives for this symbol right here. Far too many have come home with this great symbol draped on their coffin. And after our many sacrifices while defending freedom under our flag, why would any veteran choose to be employed in a state or even retire there, when that state accepts without a punishment in-house insult to the symbol of our sacrifices for America? Hundreds and hundreds of Nebraska veterans and hundreds and hundreds of veterans across the country have contacted me in the last week about Senator Chambers' recent comments about this being a rag. It's not a rag. It's what we serve for. And that's why you need to recruit veterans and bring them in here because we believe in this flag, and we believe in our freedom in this country, and we fought for this flag. And it should not be tolerated and you should not tolerate somebody speaking against the flag in that manner. I'd like to thank you, Senators, for allowing me to speak to you today, on behalf of this bill. I hope you'll pass it, get a committee started, then go out and visit everybody. Don't just put it on a Web site. It doesn't work. I am a webmaster. I know. Thank you very much.

La GRONE: Thank you for your testimony and thank you for your service. Are there any questions? Seeing none, thank you so much for coming down.

JOHN STEWART: Thank you.

La GRONE: Any additional proponents? Seeing none, we'll move to opposition testimony. Seeing none, we'll move to neutral testimony. Seeing none, Senator Pansing Brooks, you're welcome to close.

PANSING BROOKS: First I want to thank our fabulous vets that have been here today, number one, for their service, but two, for taking time to come and testify on this bill. I want-- I appreciate your questions, Senator Blood, on the fiscal note. And if you'd look at the second page of the fiscal note, it talks about total costs for workforce development as \$82,190 for salaries, benefits, and overhead in fiscal year '19-20, with an additional for-- 5,500 for computer needs in '19-20 only. And then the total costs for the IT contractor is \$173,300. Well, this came as a total surprise to me, because when I

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was speaking with John-- with Commissioner Albin and the Department of Labor and the people that he came with, they said-- number one, they expressed surprise that anything was even needed. And he said that he doesn't think this would be too much cost at all, because we already have a person. So all of a sudden, to be-- to have this kind of a cost was very surprising for me. So-- and we wrote this under the belief that no new person was necessary. So-- and the other thing is that they talked about this time line, we didn't set up a time line in the bill. So-- and clearly, I think that there are all sorts of different people that can work on a Web site and help get that going and up to speed. One of our fabulous testifiers, Mr. Stewart, just talked about his prowess. So you know, I don't know exactly what-- what is happening here but I am certainly willing to work with the Department of Labor to see what it is that-- that is going on. We had considered putting this on in a different-- the coordinator under a different commission. But then we decided to go ahead because Senator-- because Commissioner Albin said this should be no problem at all. So this is all very surprising to me. And the intention was not to add undue burdens to the state but to promote the workforce development of our state and bring, as you've heard, the highly educated, wonderful people that are working here, and encourage them to stay here and live here. And we want their families to encourage their spouses, encourage their families. That's why the first line talks about welcoming their families. So I appreciate your listening today. I'm happy to answer any questions. And again, I'll work with whomever. But I do love-- Mr. Dupell said, what-- what is the cost of not doing this? Thank you.

La GRONE: Thank you, Senator Pansing Brooks.

PANSING BROOKS: Thank you.

La GRONE: Are there any questions? Senator Blood.

BLOOD: Thank you, Vice Chair La Grone. Senator Pansing Brooks, I have a challenge for you.

PANSING BROOKS: Okay.

BLOOD: So have you had an opportunity to speak with that department since you received the fiscal note?

PANSING BROOKS: No, I have not.

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BLOOD: Would you be comfortable speaking to them to see if we could get the fiscal note changed?

PANSING BROOKS: Sure-- sure, I'm always willing to do that. So yeah. And you know, I'm also wondering-- I mean, there-- it's possible to get federal grants out there that could help if there really is some major issue with this. But again--

BLOOD: It seems like it would just be moving some staffing people around. And I was kind of concerned with how the fiscal note read, especially with the technology part of it. If we are spending that much on contracting, it would behoove us to start doing that stuff in-house, I would think. Senator Lowe and I were speaking about what would-- it would really take to get it done, so-- I don't know what is going on here.

PANSING BROOKS: OK, yeah, I think so too. And I, you know, I-- I mean, at that cost it seems to me we're just hiring somebody to do technology for the entire Department of Labor at that kind of cost.

BLOOD: One-- one of my biggest beefs about government is the amount of money we waste on IT, paying contractors instead of having people in-house that can do it. So it's that way in local government, it's that way in state government, it's that way in federal government and it drives me insane.

PANSING BROOKS: So--

BLOOD: I think that maybe we can work on that and--

PANSING BROOKS: I'm happy to. Again, it seems to me that if-- if the Department of Labor needs a specialist in IT, the way to handle it is not necessarily to slam a bill that helps veterans.

BLOOD: I concur. Thank you.

PANSING BROOKS: So-- thank you very much.

La GRONE: Thank you, Senator Blood. Any additional questions? Seeing none, thanks for coming down, and before--

PANSING BROOKS: Thank you, Vice Chair La Grone. Thank you, committee.

La GRONE: Before we close the hearing, I did have one letter in support and one letter in opposition and no letters in neutral

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capacity. With that, we'll close our hearing on LB626. We'll now move to open our hearing in LB144. Senator Hughes, welcome to your Committee on Government, Military and Veterans Affairs.

HUGHES: Thank you. Vice Chairman La Grone, members of the Government, Military Affairs-- and Veterans Affairs Committee, I'm Senator Dan Hughes, D-a-n H-u-g-h-e-s and I represent the 44th Legislative District. I'm here today to introduce LB144. LB144 will allow counties with 15,000 or fewer residents to remove the party affiliation label from the ballot in county primary races only. This will allow the top two candidates for office, regardless of party affiliation, to advance to the general election where they will be elected on a partisan ballot. In order to change the primary elections from nonpartisan to nonpartisan, counties with a 15,000 population or less can adopt a resolution, or the residents can file a petition to place the question on the ballot to change primary elections to nonpartisan. If the people want to enact a petition to remove the party affiliation label from the ballot, there is a requirement of 5 percent of the regular voters in the county at the time of the preceding statewide general election to sign a petition. The question must be submitted at the first statewide general election, which will be held at least 60 days after the adoption of the resolution of-- of the signatures. This question can only be submitted to the voters one out of every three years. Finally, if the county ends up exceeding the population of 15,000 residents, the nonpartisan county primary will continue until a vote is taken-- a vote is taken to change it back. Very frequently, county offices in low-population counties are generally decided in the primary. This is due to the partisan-- partisan nature of balloting, which will only allow one person from any party to advance to the general election in most races. LB144's intent is to allow this-- those advancing to the general election to be the top two vote getters, regardless of party affiliation in the primary. Then in the general election, the party affiliation will be attached to the candidates in order to aid in the voter's decision making while casting their vote. This bill will hopefully increase voter participation by allowing all registered voters to participate in the primary election. Essentially this will safeguard that election is not over once one candidate advances to the general ballot on one side of the ticket. There are 19 counties in Nebraska that have more than 15,000 population. So that means there are 71, 72, 74-- I didn't do the math. [LAUGHTER]-- Quite a few counties. In my district-- and the reason I came up with the 15,000, because that does encompass my largest county, which is Red Willow County where McCook is, the first

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time I ran four years ago there were-- the sheriff was retiring and there were four candidates to replace him and they were all Republicans, or they were all one ticket. So the Republicans in that county decided who their sheriff would be. And in reality in these smaller counties, you have the opportunity to know your-- who you're going to vote for. Whereas in the larger counties with more population than that sometimes you don't have a clue who that individual is. But in these smaller counties you have the opportunity to know the individual. And that's part of the reason why I am-- why I'm bringing this. There was another-- at the same time, the first time I ran, there were two ladies running for the treasurer's job in Perkins County. They were both on one ticket. So the voters in the primary decided who went on to the general election. Is it probably going to make a difference in the outcome of the general election? Probably not. But it does give the opportunity for all the voters in the county to have a chance to vote at least once on those races that are contested that have someone from the same party. So with that, I'll wrap it up and be happy to answer any questions.

La GRONE: Thank you, Senator Hughes. Are there any questions? Senator Blood.

BLOOD: Thank you, Vice Chair La Grone. Thank you, Senator Hughes. It's the most we've spoken since the session started this today, outside this room, in addition, I should add. So I was reviewing Senator Crawford's LB211. Have you had the opportunity to look at that yet?

HUGHES: I have not. I do know she opens it up statewide--

BLOOD: Right, for county officers--

HUGHES: --is the difference, yes.

BLOOD: And so unlike yours, which is-- is meant for a smaller populace--

HUGHES: Yes.

BLOOD: --hers is comprehensive. Would you say that yours needs to be done instead of hers, or that maybe they can be combined or--

HUGHES: I did talk to Senator Crawford. And Senator Hansen had a similar bill as well. Senator Crawford did talk to me. We introduced the same bill four years ago, three years ago. We have had those conversations. The party structure is a lot more intense or better

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organized in the larger counties. And I certainly don't want to infringe upon that. But there is-- in a lot of these smaller counties, there is no real party structure, party apparatus to help get out the vote and to promote candidates. So that is part of the reason. But you know, the true push behind this is, in these smaller counties, you do know personally who your elected officials are. And you have, you know, the party does not mean that much in those areas because you do have a personal relationship with the people you're voting for. And that's-- that's really why I am bringing the bill.

BLOOD: I would argue that that happens even in urban areas, like my area, though, I mean--

HUGHES: It-- as--

BLOOD: I think it depends on--

HUGHES: -- as we are elected officials, I certainly-- you know, the range of individuals we interact with in our pursuit of office, you know, expands greatly. But in these small counties, these are the people we're working with. And if you have, you know, 20,000-30,000 voters, I mean, you can't have a personal relationship with each of those. Wherein in the counties where there's, you know, 1,000-2,000 votes cast, chances are, you pretty well know everybody.

BLOOD: How would-- and I'm not saying I'm going to be doing that. I'm just, I'm trying to get a feel for all the bills that are like this. So if, if we were to amend your bill to make it so it pertained to all county elections, would that be something you would be for or against?

HUGHES: I would have to give that some thought.

BLOOD: Okay. Fair enough. Thank you.

HUGHES: Um-hum.

La GRONE: Thank you, Senator Blood. Are there any additional questions? Seeing none, thank you for your opening.

HUGHES: Thank you.

La GRONE: We'll now move to proponent testimony. First proponent. Welcome to the Government Committee.

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J.D. SCHLUNTZ: Good afternoon. My name is J.D. Schluntz. S-c-h-l-u-n-t-z. I'm an ex-county officer supervisor from Harlan County. And I'm going to give you four reasons why county officers should be elected on a nonpartisan ballot. And I don't care if you do LB211 or this one. I hope you remember what I say today because I don't want to come back next week. [LAUGHTER] Okay. The first reason is the offices are nonpartisan, sheriff-- a county sheriff, whether he's a Democrat or a Republican, ought to do the same job, and the same way with the clerk, the treasurer. So they are a nonpartisan office. So why we care about partisan? The second reason is, you say you want more people to vote, but you deprive people from voting the way it is now. So many races are settled in the primary. And if you're a Democrat and it's only Republicans running, what's the use of you going to vote? And when you're all settled in the primary, why should you go vote if it's all been settled? I passed out something-- in Phelps county this year, every race was settled in the primary. I think it was eight years ago when I was down to testify on a similar bill. York County, which is a pretty good sized county, but every race there was settled in the primary. It wasn't all Republicans, but every race was settled in the primary. And the third reason is it saves-- to save a little money. You wouldn't have to print so many ballots. Perhaps you put them in the newspaper. And another reason some people don't think of, but elections are better solved in November than they are in May. May is a-- things can happen between May and November. In our particular county, I think it was two supervisors. They voted the same every time I was there for eight years. They were two different parties. In the primary, both incumbents, one of them was in the primary and he won by five votes. The other one was settled in the general election. He lost by about 100 votes. He got 27 percent of the vote. Now there was a few things happening during the summer that I think might have changed people's mind, although it was two different-- two districts though it might not be completely right. And-- and I guess that's about all. [LAUGHTER]

La GRONE: Well, thank you for your testimony. Are there any questions? Senator Blood.

BLOOD: Thank you, Vice Chair La Grone. And thank you for the entertaining testimony. I'm gonna ask you that same question. Do you see any reason why we shouldn't do this statewide?

J.D. SCHLUNTZ: I don't care which way it is done.

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BLOOD: Just get it done?

J.D SCHLUNTZ: I was thinking-- and I am-- this is maybe about the third or fourth time I testify. And I know the last time, the committee never voted on it. I mean, you go out and come inside. Every bill gets a hearing but if the committee don't vote, it really wasn't much of a hearing. And if it gets to the floor, if it gets beats it gets beat. But I'm kind of getting tired of coming down on this same bill.

BLOOD: Well, thank you for your honest opinion.

La GRONE: Thank you, Senator Blood. Are there any additional questions? Seeing none, thanks for coming down.

J.D. SCHLUNTZ: I just say that I didn't know I would get beat in a primary. I would have retired. [LAUGHTER].

La GRONE: Any additional proponents? Welcome back to the Government Committee.

WESTIN MILLER: Thank you, Vice Chair La Grone. Members of the committee, my name is Westin Miller, W-e-s-t-i-n M-i-l-l-e-r. I am the policy and communications associate at Civic Nebraska. We're a nonpartisan, nonprofit organization who work with the Legislature on elections and voting rights legislation. I want to thank Senator Hughes for bringing LB144 and for promoting nonpartisan elections. I think that any bill that promotes nonpartisan elections in Nebraska is pretty useful for two reasons. First, it promotes participation over partisanship and it also helps reduce confusion surrounding other nonpartisan elections that we already have in Nebraska. So as a nonpartisan organization in Nebraska that works on elections and voting rights, we have four pretty clear goals when it comes to elections. We want turnout to be high. We want them to be secure. We want them to be efficient. And we want Nebraskans to have trust in the process. And I think that the expansion of nonpartisan elections furthers all of those goals. Civic Nebraska supports nonpartisan elections in pretty much every level of government. I understand why parties exist. But I think it's not absurd to say in 2019 that partisanship and public trust are pretty much mutually exclusive terms at this point. One of the reasons that I think partisanship erodes public trust in county elections specifically, like Senator Hughes touched on, is because it makes it much harder for voters to choose their number-one candidate in the general election. So in counties or

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districts that are packed with voters from one party-- and we have them on both ends of the spectrum in Nebraska-- partisan elections often unnecessarily eliminate the candidate who received the second highest vote total for the sole reason that they're registered with the same party as the top vote getter. This in my opinion gives disproportionate weight to voters in the minority party. And I use as an example, if your preferred candidate is eliminated in the primary despite them receiving far more votes than the person who advanced from the other party, that is not going to make you feel better about the process, it's not gonna make you feel counted, and it's certainly not going to make you more likely to vote in the next election. And that's why we think that nonpartisan elections do promote participation over partisanship. The second reason we support the expansion of nonpartisan elections is the help it could provide in limiting-- eliminating some confusion we currently have surrounding the nonpartisan elections that already exist, like the election for the Legislature. I think I mentioned last week in here that one of Civic Nebraska's major projects outside of the Legislature is a nonpartisan election observation program. We train and deploy-- last year it was 120 volunteers to observe various polling places. In 2018 we observed a lot of confusion surrounding nonpartisan primary ballots specifically. This confusion stems from the fact that unfortunately nonpartisan elections just aren't the norm. But I do think that the expansion of nonpartisan elections could result in better, more focused training about how to run them really efficiently. This could result in a better experience for both the poll workers and for the voters. So in summary, we support nonpartisan elections because they promote participation over partisanship and I think that LB144 will help them make them the standard that they ought to be. Senator Blood, you touched on these already, but I do want to address since they've come up. I think there are two ways this bill could be made even better. To be clear, we definitely support it as it is, but I think there are two things that the committee has already kind of addressed that could be even further improvements. Number one, we don't see a strong justification for the population cap. You'll see me in here again next week testifying that I think in general, if we-- I think limiting tools that counties have access to just because they have 16,000 people versus 15,000 people, or 11,000 versus 10,000, I think it's pretty much never good public policy. Second, I'm not sure that I see a reason that the part-- the general election couldn't also be nonpartisan. I just explained why we think that nonpartisan elections are the best kind of generally and I think that confusion could be even further reduced if we just stayed consistent and the general

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election was also part--it was also nonpartisan. We want elections to be about candidates, not about their party affiliations. I think Senator Hughes alluded to this. There are very valid reasons that, you know, party affiliations can kind of give you a general idea of that candidate but they can also inhibit you from actually knowing that candidate themselves. I live in a-- in an urban district and I mean I know hundreds of people that felt very well informed about their candidates. And so I don't know that-- that I see a strong reason to either limit this to a certain county or to suddenly go back to being partisan in the general election. But again, we support the bill as it is because anything that expands nonpartisan elections is good with us. So thanks for your time and I'd be happy to answer any questions.

BREWER: All right, thank you for your testimony. Questions? Left? Right? Looks like you got out of here easy.

WESTIN MILLER: Thank you. Thank you for your testimony again. All right. We are on proponents, right?

DICK CLARK: Yes.

BREWER: Any additional proponents? Seeing none, any opponents? Any in the neutral capacity? Come on up. Welcome.

LARRY DIX: Good afternoon, Senator Brewer and members of the Committee. For the record, my name is Larry Dix, spelled L-a-r-r-y D-i-x. I'm executive director of the Nebraska Association of County Officials, appearing today in a neutral capacity. Over the years we've had a number of these bills. NACO has somewhat been all over the place on these from year to year as our boards change. I would openly admit that. We vacillated between opposing it and this year we are neutral. Some of the things that, when we had a discussion and when our board meets, this is one of those bills that there's a lot of discussion on. Our board is representative-- represented by 20 members, all the way from members on Douglas, Sarpy and Lancaster board, all the way down to folks on it and we've got clerks, assessors, treasurers and court sheriffs. So it's very, very broad based. Some of the things when we had the discussion, our board was very, very split. Some of the board members loved the idea that it was the smaller counties and it was taken to a vote of the people to make that decision. Other of our board members said, why 15,000, why not everyone, similar to Senator Crawford's bill. So another part of the discussion which was brought up earlier is, if we really go nonpartisan, why not in the general? So that sort of split and that split was a little bit differently than

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the above 15,000 and less, less than 15,000. There was a little bit of difference there. So as we had that discussion in and you'll hear next week when Senator Crawford's bill comes up, we remain neutral on both of those. For the most part, we're talking about our county officials. The other point that has been brought up from time to time when we talk about a nonpartisan and I think it's, it's something for this committee to think about: the discussion of nonpartisan of a county board member versus the discussion of nonpartisan for a clerk, assessor or treasurer. And I think that's something that at some point in time, you know, there may be a bill that that separates those possibly or that the committee may want to look at that. But it was a good discussion and you can imagine why. But for those reasons, we ended up, really, in a neutral position, some some way, some the other. So with that I'm happy to answer any questions that anybody may have.

BREWER: All right. Thank you Mr. Dix, for your testimony. Questions? Well, looks like you get out of here easy, too. Thank you.

LARRY DIX: Thank you.

BREWER: All right. Additional testifiers in the neutral position? Seeing none, Senator Hughes, welcome back. It's a little deja vu here today, isn't it?

HUGHES: Thank you, Chairman Brewer, members of the committee. I did the math and it is 74 counties [laughter] that are under 15,000 population. But there is a fairly significant split, kind of right in that range. There is-- it does-- the counties above that are around 20-- 20,000 population. So that, that's a justification. And this would be a way to try to see how it works before we would, you know, attempt to go statewide with this. I know I'm very pleased to have Mr. Dix come in in neutral. I think the last time I brought this bill, he came in and opposed, but as we all know the-- the makeup of an organization changes. So with that, that's kind of why that 15,000 mark did hit. And I appreciate everybody's attention to the matter. Thank you.

BREWER: All right. Thank you for that close. Questions? All right. We'll close the hearing on LB144. And that will also close the hearing on-- our hearings today for, for Government. The committee appointment will be on a future one. We just had some-- some miscommunications on

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that one. So we'll still do the appointee--appointments. It'll just be on a different meeting. All right. Thank you.