

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee February 19, 2020

BREWER: Good afternoon, ladies and gentlemen, and welcome to the Government, Military and Veterans Affairs Committee. My name is Tom Brewer. I am the representative from the 43rd Legislative District and the Chair of this committee. We have our committee members here today and we'll start having them introduce themselves on my right with Senator Blood.

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, and Shelton.

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

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

KOLOWSKI: Rick Kolowski, District 31 in southwest Millard.

BREWER: I think both Senator Hunt and Senator Hansen will be with us momentarily. To my right is Dick Clark, the committee legal counsel, and to my left, Julie Condon, the committee clerk. And today our page is Michaela, right back behind there. Today we're going to have public hearings on LB758, LB848, and LB1015. Before we get started, we've got some administrative things we need to run through. First off, make sure that all your electronic devices are silenced. The senators will be using their computers and phones as needed to communicate for information or to let them know if they have another hearing that they need to go to. If you wish to record your attendance, the white sheets are at the table. Please fill them out. If you intend to testify, be sure that you get a green sheet, have it filled out, and give that to the committee clerk, Julie, when you come up to testify. If you have materials to pass out, be sure that you have 12 copies. If you do not, get with the page before you come up to testify so that we can have copies made. Letters to be submitted needed to be in by 5:00 the day prior and we have received a number of letters. These letters should include your name, your address, the bill number, and your position on the bill, either for or against or neutral. We have had some mass emailings. We do not include the mass emailings. They need to come from individuals. When it comes time for the bill that you're going to testify on, we'd like to have you come to the front row. That way, we

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kind of have some type of a head count. Obviously, there will be a lack of room for some on our second bill, I think. But as the front kind of fills out, if you're going to speak, move forward, then let us know how many more are, are going to be speaking. When you come up to the testifier's table, be sure that you state and spell your name clearly. Speak into the microphone so we can make sure that we get a proper record of your testimony. The senator who is providing the opening on the bill, once he's completed, we'll have proponents, opponents, and those in the neutral. And lastly, the opening senator will be given an opportunity close if he wishes. Because of the number of testifiers today, we will use a three-minute rule. So you'll get the green light for two minutes, the amber light for one minute, and then the red light will come on. We also have an audible alarm that will go off on the computer in case you're not watching the light and then I'll let you know that you're done. All right. With that said, we will begin with LB758, Senator Scheer. Welcome to the Government, Military and Veterans Affairs Committee.

SCHEER: One of my old homes. Thank you.

BREWER: Yeah. Well, welcome back.

SCHEER: My first two years, I was on Government, so-- thank you so much, Chairman Brewer and the Government Committee. My name is Jim Scheer, J-i-m S-c-h-e-e-r, and I'm here to introduce LB758. I'm actually introducing this bill on behalf of the Capitol Commission. They requested this in a meeting last fall and so I followed through in January to submit this. There will be somebody behind me representing the past senators that have been raising the funds for the courtyards and their reasoning and premise behind renaming the courtyards. I would just do a couple of things in preface. Just like anything else that was done in the courtyards, there will be actually no acknowledgement of this other than on tours, so there's not a plaque that goes up that says this is whatever courtyard or this is the Joe Blow courtyard or Sally Schwartz. It would be noted if they were taking tours. They would say, well, this one is named after this person, but there's no public acknowledgement, just like there's no public announcement from any of the donors that provided any funds for the renovation of the courtyards and the, the habitat thereof, so wanted to make sure that-- and that is true throughout the building. There were-- there are some of the rooms that are named after individuals. But that's my legislative act and this would not be one of them. These would be nondescript, but they would be-- it, it would

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be known that-- who they're named after, but there's not a plaque or anything that goes along with it. It's somewhat anonymous. If you walk by and you didn't know, you will still not know. There are four individuals and I'll let Senator McDonald talk to that as she-- who's right behind me-- in relationship to that. But it's, it's honoring those that were-- had significant input to the construction process and the design of both the facility and the courtyards. So having said that, I'd be glad to answer any questions that I might. And if not, I will pass that on to those that speak after.

BREWER: All right. Thank you for your opening. Questions? Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman. Senator, thank you. Appreciate seeing this topic come up. And I was wondering on the guide sheets, if you're looking at one of the foldouts on-- on the Capitol, is it identified on the guide sheet?

SCHEER: You know, it, it might be at that point in time. It might say, you know, it-- like on the map, it may say George Schwartz courtyard or Sallie Mae's courtyard. I'm not positive about that. You might check with the person after me, but you know, I-- if--

KOLOWSKI: OK.

SCHEER: --if those are noted other places, perhaps, but it-- for the most intents and purposes, it's sort of anonymous.

KOLOWSKI: OK. Thank you.

BREWER: Thank you. All right. Other questions? Senator Blood.

BLOOD: Thank you, Chairman Brewer, and thank you for bringing this bill forward. This is actually a wonderful idea. But I, I do have one small question.

SCHEER: Well, I'd love to take credit for it, but it wasn't my idea, but thank you.

BLOOD: It's, it's anything that supports the arts, and, and these people are important to our Capitol. But did I hear you correctly to say that they're not going to be labeled as such?

SCHEER: No.

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BLOOD: And why is that?

SCHEER: Historically any, any facil-- anything in the facility, other than a room that may be dedicated to an individual, is not noted and this is specifically not to be noted. There's no place in the building that you will find any of these names or even-- one of which is the architect--

BLOOD: Right.

SCHEER: --of the design of the building. You will not find that anywhere. There are no monuments to the facility at all and I think they're trying to keep in that tradition that they're not trying to make it, if you want to donate a million dollars, well, then, OK, this room becomes the, the Carol Blood, you know, memorial room.

BLOOD: I'm working on that.

SCHEER: Well, when you come up with a million--

BLOOD: All right.

SCHEER: --maybe think about it, so.

SCHEER: Thank you very much.

BREWER: All right. Any additional questions? All right, seeing none, thank you.

SCHEER: Thank you.

BREWER: And are you sticking around for closing?

SCHEER: Well, it depends how quickly it goes--

BREWER: OK.

SCHEER: --maybe yes, maybe no.

BREWER: Well, we'll see here.

SCHEER: Not sure.

BREWER: Thank you. Welcome to the Government Committee.

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VICKIE MCDONALD: It's good to be here. Not one of the committees I served on, but one of those I testified in front of. My name is Vickie McDonald, V-i-c-k-i-e M-c-D-o-n-a-l-d, and I am the executive director of the Nebraska Association of Former State Legislators. I'm here in support of LB758. It only seems fitting to honor the artists who helped create the Nebraska State Capitol by naming the four courtyards after them: Bertram Goodhue for designing the Capitol Building; Hartley Burr Alexander for his development of original inscriptions and themes for the capital; Hildreth Meiere for her designs of the mosaics appearing throughout the Capitol; and Lee Lawrie for his stone carvings and the iconic Sower atop the Capitol. None of these artists are recognized in the Capitol and none are qualified to be recognized in the Capitol's Hall of Fame because they were not born in Nebraska. It is not unusual for the Legislature to name locations in the Capitol. For example, the Legislature has named several by resolution and these are: the George W. Norris Legislative Chamber, which probably doesn't have a pack-- a plaque, but everybody knows that that's the George Norris Chamber; the current Senators' Lounge, named the William H. Hasebroock Lounge; the old senators' chamber, named the Charles J. and Jerome Warner Chamber; the old senator's lounge, which is named the Kenneth S. Wherry Lounge; the Judiciary and Transportation hearing room, named the Ernie Chambers Hearing Room; the Revenue and Appropriations hearing room, named the Moses Kinkaid Hearing Room; and the Education and Natural Resources Hearing Room, named the C. Petrus Peterson Hearing Room. So you see that it's not unusual for the Legislature to name various locations in the Capitol. Prior to the fountains and landscaping project, it would have been a disgrace to name any of the four courtyards after these distinguished artists. But now that the final preparations are being made to finish the courtyards, it only seems appropriate that the naming of the courtyards be done at this time. Now is the time to honor these artists and so please support LB758. And as far as any plaques, it has been the, the Capitol's legacy not to put plaques up, but people do know that and will know that that-- those courtyards were named after those particular artists. And I'm thinking there's probably going to be a brochure that will be passed out, especially the day of the grand opening that we have all the flowers in place and we're going to have a public showing, that there will be naming the courtyards at that point in time and probably the donors, as far as the names. But unfortunately, we couldn't plaques up-- everything in the Capitol, but we'd love to, but we'll leave it up to the Capitol Commission. That's

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Bob Ripley's discretion and he will work with that if, if and when they decide to do that, but I'm guessing it's a policy they don't.

BREWER: OK. Thank you for your testimony. Questions? I have one. If you were to project as best you can, when do you think this grand opening might be if everything goes on track?

VICKIE MCDONALD: OK, well, we're going to have a soft opening in, I think it's June of this year, and that will-- because we are only able to do one courtyard at a time, we can't complete all four court-- courtyards because of the HVAC system, so we're only going to be able to do the first courtyard that was just completed with the HVAC that's now open and I think that's the one by the cafeteria. So we're-- there will be some flowers, some bulbs planted, but it won't be in full bloom. And the reason that we have decided to do a soft opening at that point in time is because we have some people that have donated a great amount of money and they are getting older and they do live a far distance away and we think it'd be perfect for them to be there at that point in time. But I think as far as a-- the public one, it's not going to be until 2020 when, when a couple of them are in full, full bloom because you know when you do the first plantings, things aren't as beautiful as you want them to be. Sometimes the second year is even better. So we want it to be a "wow" effect and so we want to make sure that the public sees it at its best.

BREWER: And because of that stagger with the Capitol construction, would you have one at a time and four different openings staggered by six months, a year, or--

VICKIE MCDONALD: No, we would-- we're going to the first soft opening, like I tell you. That would just be a small amount of our large donors and then the-- we would probably not have all four of them open.

BREWER: Yeah.

VICKIE MCDONALD: We would probably just have a couple.

BREWER: OK.

VICKIE MCDONALD: Each of the courtyards is going to have different flowers in because of the light source. And we didn't come up with the flowers. That was, that was designed when the Capitol was built, which flowers go in which courtyard, and even had them all designed. Fortunately, we're able to still get some of those types of flowers

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and if not, we get ones close to it. So it's not our design. It's the design of the artist that designed the flower gardens.

BREWER: Very nice. I didn't know that. All right. Any other questions? All right. Well, thank you for your testimony.

VICKIE MCDONALD: All right. Thank you.

BREWER: OK. Additional proponents for LB758? Any opponents? Anybody in the neutral? All right. Speaker Scheer, would you like to close?

SCHEER: Very quick-- quickly to expand on it a little bit. I think Senator McDonald may have chose the wrong year. The first will open up this year. The second will be 2021. And again, the reason for that, as we are reconstructing the four quadrants of the building, they can't-- they'll have all the scaffolding to take all the windows out around the perimeter, so they can't plant those until that's done, the windows come back and be put back in. So that's, that's the time delay. They've got-- they've raised-- and I should acknowledge that the former senators have raised \$1.5 million to cover the installation of all the flowers and vegetation and we have a fund set up that will perpetuate the replanting because some of those will be annuals and some will be perennials, that will take care of the maintenance and the replanting each year thereof through some very generous donors as well. And as she said, the original plan just never was quite installed and I suppose because of budgets and so forth. But we have the funds to do it exactly the way it was supposed to be set up and I think it will be beautiful. But it's, it's going to be several years before they all four will be done. So with that, unless there's any other questions, I'm out of here.

BREWER: Any additional questions? Seeing none, thank you.

SCHEER: Thank you very much.

BREWER: It's a good idea. All right. And we'll swap out here and move to LB848 and that will close our hearing on LB758. There are no letters on LB758. With that, welcome, Senator Pansing Brooks. Welcome to the Government, Military and Veterans Affairs Committee.

PANSING BROOKS: Thank you.

BREWER: Please just settle in, make yourself at home.

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PANSING BROOKS: Thank you very much, Speaker-- I mean Chairman.

BREWER: Whenever you're ready.

PANSING BROOKS: OK. Thank you, Chair Brewer and members of the Government and Military 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. I'm here today to introduce LB848, which establishes Indigenous Peoples' Day in Nebraska. The establishment of this holiday would recognize the significance of the first people indigenous to those lands that are now known as the Americas, including Nebraska, and the many important contributions of the first people. This holiday would take place on the second Monday in October of each year and replace Columbus Day as a state-observed holiday. In doing so, it would place Nebraska among the majority of states that do not recognize Columbus Day. Again, the majority of states, and you'll have those states in front of you; North Dakota, South Dakota, Wyoming, Iowa, Oklahoma, Arkansas, Kentucky, and Texas are among states that do not observe Columbus Day. In fact, only seven states west of the Mississippi recognize Columbus Day, which is a more than 2 to 1 ratio. South Dakota unanimously replaced Columbus Day in 1989 with Native American Day. South Dakota's whole-hearted acknowledgment of its own history has been positive for that state. While I take nothing away from South Dakota's history, we have our own unique stories in Nebraska as well and we need to celebrate those stories and teach them to our future. Columbus did not step foot in Nebraska as an aside. And actually, I don't know if everybody knows this-- and I think some of my education was woefully inadequate, because Columbus did not step foot in North America at all. It took me almost 60 years to, to learn that fact because we've all been taught the myths about what has happened in some of our history. And I think that is shocking and it's shocking to some people. So why should we retain-- why should we remain one of the few states in the west, west of the Mississippi that is celebrating this cruel history? In recent years, we have taken important steps to try to catch up. This includes the amazing story of Standing Bear, who is now recognized and celebrated in the U.S. Capitol's National statue, statue-- Statuary Hall and on Centennial Mall in Lincoln. He was-- Standing Bear was also celebrated as part of our state's 150th birthday when first lady Susanne Shore kindly distributed free books on Standing Bear to Nebraska's fourth graders across our state. Standing Bear is a symbol of civil rights throughout the United States. That journey is a journey of which all Nebraskans can be

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proud. There are many other remarkable indigenous leaders from our four tribes who are headquartered in this state as well, including but not limited to Chief Blackbear-- Blackbird, excuse me, from the Omaha Tribe, Chief Little Priest from the Winnebago Tribe, and Big Eagle from the Santee Sioux. Clearly there are many other important and fascinating stories to be told about our state's first people. So I bring LB848 to keep Nebraska history alive and Nebraska's prehistory alive and to give our state an opportunity to have an important day of reflection of our first people each year. Nebraska really has only one state, one official state holiday, holiday, excuse me. We only have one official state holiday that is unique to Nebraska. That holiday is, is Arbor Day. While this is a very important holiday, I believe it's every bit as important, if not more so, to recognize our state's history and our first people. In celebrating Indigenous Peoples' Day on the second Monday in October, we are using an existing holiday and therefore not any-- adding any expenses to our state. It is important to note that an amendment I have already filed to this bill, AM2263, clarifies that the state would handle the holiday the same as it, as it currently does and that 24/7 facilities will continue to operate as they do; places like Corrections. Unfortunately, the original phrasing in the bill led some agencies to believe otherwise and so we clarified it with AM2263 and there will be no fiscal note. The fact that this bill uses an existing holiday and the fact that Columbus Day doesn't have a long history of existence, since it wasn't established federally until 1937, makes this second Monday in October a great day to celebrate our native people and our-- and, and the rich history that they have. Further, it puts Nebraska within the majority of a growing number of states and cities which have changed laws to observe Indigenous Peoples' Day. I've passed out a map that shows the national landscape and highlights the majority of states that currently have chosen not to recognize Columbus Day. As, as to the controversy over Columbus himself, professors and members of the tribe can speak to the history that was brutally experienced by our first peoples. I have chosen not to speak about Columbus's brutality, but if this hearing becomes focused on misinformation about Columbus's history, I will address this torturous past in my closing. Tribal members can speak to the fact that we have an official state holiday in which they cannot partake. Let's join our conservative neighbors, including Wyoming, North Dakota, South Dakota, Iowa, Kansas, Oklahoma, and Texas, for goodness sakes. Indigenous Peoples' Day will allow us to recognize the experiences of the tribes as well as their ancestors, who lived, bled, and died on this very land, which ultimately became

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our beloved state of Nebraska. And with that, I ask you to advance LB848 and its amendment, AM2263. Thank you.

BREWER: Thank you for your opening. Questions on LB848 or AM2263? All right, seeing none, so obviously you're going to stick around for closing.

PANSING BROOKS: I am.

BREWER: Or you'll be here? All right, thank you.

PANSING BROOKS: Thank you.

BREWER: All right. Again, because of our limitations on time, we're going to be using the three-minute rule. So we'll start with proponents to LB848. Come on up. Oh, thank you, Patty. While we're having a quick shuffle here, I need to see hands. How many are here as proponents for LB848? OK, very good. And how many here as opponents? OK. Looks fairly balanced, so that should work out good. Sir, whenever you're ready, you may begin.

VINCENT LITWINOWICZ: Thank you, Mr. Chairman and members of the committee. My name is Vincent Litwinowicz, V-i-n-c-e-n-t L-i-t-w-i-n-o-w-i-c-z, and this is my perspective on this. When I first saw LB848 in a list of bills proposed for this legislative session, I instantly thought of Tori Amos' Cherokee edition of Home on the Range. And I played it several times over and over again right away. It is very intense and expressive. I knew I was going to speak and I had to write my thoughts down. This is because I'm just so incredulous as to how Columbus still has his day that I would spin out of control without a written speech. I am a passionate person and tend to get swept up in obvious and naked cases of absurdity. Knowing I was going to do some research as I had memory and cognitive issues associated with my diagnosis, I found a very recent Washington Post article dated last October quoting directly from Columbus's journal. And my memory was jogged about the heinous atrocities associated with Columbus's initial sortie against the Western Hemisphere and indigenous peoples populating the Bahamas and Hispaniola. I read parts of Columbus's journal as well. While I'm not a scholar on the subject by any means, what I did know came back to me and the full realization of why I was going to speak here in the first place. It is an unfortunate disgrace that our United States still honors basically our self-interested, brutal savagery in the name of Columbus' federally-acknowledged day. I'm sure it's just because we haven't

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gotten around to it yet. And the good Lord only knows how Columbus' true carnage is still portrayed in current school textbooks. We can't change the past and many civilizations have been ruled over in such debased, greedy self-interest throughout much of history. But we can, one at a time where necessary, at least rescind mistaken honor and remembrance bestowed by history and ignorance. We have to. Can we, as Nebraskans, continue to honor this discovery of Christopher Columbus' true role as genocidal butcher and enabler clearly revealed in his own journal account? Like making fun of a disabled person, it's the dumbest thing I've ever heard. This is, after all, my perspective. And once you realize, according to Columbus's own journal, that after the very first encounter with Columbus and his crew, where the native indigenous people, Lucayan-- I hope I pronounced that right-- and the West Indies on October 12, 1492, on what would later be named a Bahaman Island, Columbus noted: We understood that they had asked us if we had come from heaven. And then he added: With 50 men, they can all be subjugated and made to do what is required of them. What followed was a tale of pure, pure butchery and horror, of course, taking hundreds of slaves and then cutting the hands off indigenous residents of Hispaniola 14 years of age or older, for example, who could not deliver a certain amount of gold dust every three months. I then followed on more subsequent, subsequent trips. It became fasi-- fantastically more disgusting over time, resulting in a widescale genocide. And this was not only or even primarily due to disease, according to a modern reckoning. I have thought of including some pictures taken during the Rape of Nanjing in 1937-38 showing bayoneted babies and a soldier holding a Chinese severed head for comparison because this is what initially occurred to me as I was reading these first accounts of Columbus and his crew with the indigenous peoples of the West Indies. Anyway, Jackson is still on the \$20 bill after the vigilant enforcement of the Indian Removal Act of 1830 and the Trail of Tears. But the situation at Whiteclay has improved, at least in one respect to my understanding. This is due to the action of people to correct a wrong. Inches make feet. Finally, it is inconceivable to me that LB848 doesn't pass and be basically proclaimed into law by our Christian governor. Given the facts of unrevised history, it should be inconceivable to all Nebraskans.

BREWER: Thank you for your testimony. Questions? Questions? All right, seeing none, thank you for the testimony.

VINCENT LITWINOWICZ: Thank you.

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BREWER: OK. Again, I'm going to stress I know that you come here with five minutes and, and I'm cutting you to three. But to, to do that, I about have to for us to get through today.

VINCENT LITWINOWICZ: I'm sorry I didn't time it.

BREWER: That's OK.

VINCENT LITWINOWICZ: I will in the future.

BREWER: I just wanted to let folks know so that--

VINCENT LITWINOWICZ: My mistake. Thank you.

BREWER: No, no, you did fine. Chairman Wright, welcome to the Government Committee.

LARRY WRIGHT JR.: How are you, sir?

BREWER: Good. Whenever you're ready.

LARRY WRIGHT JR.: Larry Wright Jr., L-a-r-r-y W-r-i-g-h-t J-r. Good afternoon, Mr. Chairman, members of the committee. Again, my name is Larry Wright Jr., I'm the tribal chairman for the Ponca Tribe of Nebraska. I want to thank you for the opportunity to speak in favor of LB848, a bill that when passed will replace the state holiday now known as Columbus Day with Indigenous Peoples' Day. This bill is an acknowledgement of the many historic and contemporary contributions of the tribal nations in Nebraska. By passing this bill, the state of Nebraska will join other states and cities in this country that have replaced Columbus Day with Indigenous Peoples' Day or Native American Day. For so many years, others told our stories. Our history was not our own, but told from sources who painted a picture that was not our reality. The reality of Columbus' actions upon indigenous people he encountered is well-documented. Rape, abuse, enslavement, murder, and theft are not things to be honored. Columbus Day was first declared a national holiday in 1937. Please recall that this was a mere 12 years after the indigenous people that were on this land were granted citizenship in this country. While the indigenous people of this land weren't in a politically-- in a place politically to object to Columbus Day in 1937, the idea of Indigenous Peoples' Day started to gain traction in 1977 at an international conference on discrimination sponsored by the United Nations. Several years later, in 1990, the state of South Dakota was one of the first to replace Columbus Day. But it wasn't until 2014 when the movement to actually replace

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Columbus Day with Indigenous Peoples' Day really took root when Seattle and Minneapolis adopted resolutions to replace the holiday in recognition of their native citizens. This is not a politically-correct movement, a criticism that is often raised when tribal people assert their right to determine how they wish to be portrayed. To continue to celebrate Columbus Day as a national holiday, and as a national and state holiday based on his glamorized history, while ignoring the true history of the indigenous people who were here from time immemorial, does a disservice to the many contributions of indigenous peoples then and now. This is not a new debate, but what is new is the dialogue and discussions that have occurred over the years between the state of Nebraska and its first citizens, the indigenous people of the tribal nations. Recently-passed state education standards have expanded curriculum to teach about indigenous people and tribal nations of this state. I believe it to be a great leadership opportunity to jumpstart those efforts with the passage of this bill, to celebrate and teach the impact that indigenous people have had on this state. Case in point, the very name of our state is derived from our indigenous language, as are many cities, towns, rivers, and streams located here. I'm proud that we've come to a place when this legislation is being considered, an acknowledgement of a flawed telling of this country's history and a false idol. I thank Senator Patty Pansing Brooks for introducing this legislation. In appreciation for a continued positive relationship between the tribal nations and the state of Nebraska and on behalf of my Ponca people, I respectfully ask for your support for this long-due, long-overdue legislation. [INAUDIBLE] Wi'Bthu Ho [INAUDIBLE]. Thank you.

BREWER: Waste [LAKOTA PHRASE FOR 'GOOD']. All right. Thank you for compressing your five minutes into three. I appreciate it because I-- that's how we can get through everybody today. Questions? Questions? All right, thank you, Chairman Wright.

LARRY WRIGHT JR.: Thank you.

BREWER: All right, next proponent. Welcome to the Government Committee.

DEREK LaPOINTE: Senator-- Chairman, Chairman Brewber-- Brewer, excuse me-- members of the Government, Military and Veterans Committee. My name is Derek LaPointe, D-e-r-e-k L-a-P-o-i-n-t-e. I am an executive officer of the Santee Sioux Nation Tribal Council of Nebraska. On behalf of the Santee Sioux Nation in Nebraska, I'm here to testify in

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support of LB848. Native American history has for so long been stricken from the record. The atrocities committed by Columbus are far from heroic. To change the day from Columbus Day to Indigenous Peoples' Day won't, won't right a wrong, but it can be an effort for reconciliation with the true history of the foundings of the Americas. This is something that the Santee Sioux Nation can stand behind. Thank you to all who have been involved in drafting this bill and supporting Native American views in Nebraska. We especially want to thank Senator Pansing Brooks and the committee for your commitment, and respectfully request that you vote to advance LB848 out of committee.

BREWER: Thank you, Derek. All right, questions? All right, thank you for your time.

DEREK LaPOINTE: Thank you, for your all time.

BREWER: All right, next proponent. Don.

DON WESLEY: Mr. Chairman.

BREWER: Welcome to the Government Committee.

DON WESELY: Members of the Government Committee, for the record, my name is Don Wesely, D-o-n W-e-s-e-l-y, registered lobbyist on behalf of the Winnebago Tribe. I am here to read the brief statement from the Winnebago Tribe in support of LB848. Before I do that, I want to thank Senator Pansing Brooks for introducing the bill and Senator Brewer, Senator Hunt for co-sponsoring the bill, along with Senators Linehan, McCollister, Scheer, and Vargas. The Winnebago Tribe of Nebraska supports LB848, a bill to rename Columbus Day to Indigenous Peoples' Day in the state of Nebraska. Historically, 15 tribes lived and hunted within the current boundaries of Nebraska. As was mentioned, there are now four that are headquartered here, but there were 15 to begin with years ago. In July of 2016, the Winnebago Tribe passed its own resolution in support of an Indigenous Peoples' Day in Nebraska. The Winnebago Tribe believes it is important to recognize Indigenous Peoples' Day in Nebraska to continue the ongoing recognition of the tribe, its culture, and to preserve its general welfare. It's an-- it's a way to honor the contributions of the many indigenous people who have lived on this land since time immemorial. Thank you.

BREWER: Thank you. Questions? All right, seeing none, Don.

DON WESELY: Thank you.

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BREWER: Thank you for your testimony.

DON WESELY: Thank you.

BREWER: All right, next proponent. Judi, welcome to the Government Committee.

JUDI GAIASHKIBOS: Thank you. It's the first time I've testified to the Government Committee with Chairman Brewer, so it's an honor to be here. I am Judi gaiashkibos, the executive director of the Nebraska Commission on Indian Affairs. My name is spelled Judi, J-u-d-i, gaiashkibos, g-a-i-a-s-h-k-i-b-o-s, and I am testifying today in support of LB848 on behalf of the Nebraska Commission on Indian Affairs and all of our 14 Indian commissioners appointed by the Governor. I thank Senator Patty Pansing Brooks for introducing this bill. This is something we absolutely need and I strongly believe that this is the right time for this recognition. Nebraska's indigenous people have inhabited and loved this state for millennia. We all share a common love of this state, its bounty, its flora and fauna, and its beauty. Our people, thousands of years before the settlers, recognized Nebraska as the ideal place to call home. It is a place the settlers loved and it is a place we love. A place to live, to thrive, to raise a family, to establish a generational sense of place and belonging. This is something that all Nebraskans share. I am not here to guilt you or shame you or scold you into recognizing our first people or argue that the day is some sort of atonement for past wrongs and injustices for a sad and downtrodden people. No, this is a celebration of, and an acknowledgement of, an amazing and accomplished people who have contributed to-- so much to our state and are still giving to this day. Much of the history of our state is intertwined and inseparable from the history and contribution of our indigenous people. Our history runs deep and constitutes an incredible part of our state's history. From the story of Ponca Chief Standing Bear to Dr. Susan La Flesche Picotte, a trailblazer who became the first Native American doctor in 1889-- 1889 and returned to her Nebraska home in Walthill to treat both native and nonnative patients in her community. She became a community builder, a pillar of the town for all who needed her. Our tribal members have an incredible history of service to our country, including in times of war; serving at a rate far greater than the national average, national average, including service in World War I before they were even legally citizens of this country. Yet still they fought. Among those who served are two recipients of Congressional Gold Medals, including Walter C. John, a

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member of the Santee Sioux Nation who served as a code talker in World War II; and Hollis Stabler, who served in World War II as a member of the famed Darby's Rangers, who earned a Purple Heart, the French Freedom Medal, a Bronze Star, and other medals. Not only were indigenous people Nebraska's first residents, they were Nebraska's and our nation's first farmers. Most significantly, they were sophisticated agronomists who developed and grew many types of corn, which were then adopted by the settlers and is now Nebraska's largest cash crop. We have our indigenous people to thank as the originators of this quintessential Nebraska crop that has been one of the largest drivers of our state's economy over the past 150 years. You could say that we were the first cornhuskers. Our state's very name, Nebraska, is based on the Omaha Indian word "flat water." The names of many county-- communities, as you've heard Chairman Wright attest to, are named after Indian names: Santee, Ponca, Macy, Winnebago, Cheyenne, Dakota County, Keya Paha, Nemaha, Otoe, Pawnee, Sioux. We are not, however, just, just historic artifacts or ghosts from the past. We are still here, now living today proud Oglala, Pawnee, Winnebago, Santee, Ponca, Omaha, and others, who are also proud Nebraskans who continue to contribute to the vibrant diversity of this state. Serving as a connection to our past, but also as part of our future. We justifiably are richly deserving of the recognition of Indigenous Peoples' Day. And I would like to invoke the spirit of Senator Chambers and leave you with a poem that is also a question. And some of you may have heard this poem in years-- in your childhood. What did Columbus do beyond sailing the ocean blue in 1492? As for the rest of the story, it is not true and does not deserve its due. And again, I want to thank the Government Committee and I urge you to take this bill out of committee and to the floor and make this a part of our rich Nebraska history that honors the first people. And I again thank Senator Patty Pansing Brooks for having the courage to do something right and be Standing Bear strong. Wi'Bthu Ho.

BREWER: All right, thank you for your testimony. Real quick, we'll see if we have questions. Any questions? Seeing none, thank you, Judi. OK, next testifier. Again, I'm going to remind folks to watch for the red light so that we don't go over. Whenever you're ready, please begin.

CHANDRA MICHELLE WALKER: Thank you, Senator Brewer. My name is Chandra Michelle Walker, C-h-a-n-d-r-a M-i-c-h-e-l-l-e W-a-l-k-e-r. I'm the chair of the native caucus for the Nebraska Democratic Party and I'm here for support of this bill. We came to this bill, what, a few years ago, and now we're up here again. So my testimony is going to be a

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little bit different. You know, there's a lot of positive things with this bill, but I just want to remind those that are protesting against this, is this bill is-- Columbus Day is very detrimental to a Native American's mental health. You know, growing up, you know, we knew how bad Columbus was and everybody was celebrating him. You know, I'm raising two sons and I'm trying to do my best to make them proud about who they are. And Columbus Day is a real, real, heinous, heinous person to celebrate. And I just want to focus on this. Nebraska has a high problem with sex trafficking. Columbus was one of the first international sex traffickers. Besides the murder and slaughter of the native people, he would take the children and sex traffic them back home. And so I just want to say, as Nebraskans, I think we can do better than this to make a better example. If we wanted this behavior to stop in our state, then we should stop celebrating or stop acknowledging that his behavior was OK. And that's why I'm for this bill. You know, there's going to be other testimonies, you know, telling all this stuff. But I just wanted to make that very, very big correlation that, you know, Columbus was a sex trafficker. And I helped a couple years ago with cityman-- Councilman Carl Eskridge when he came to the Indian Center board and asked if we can get Indigenous Peoples' Day passed in Lincoln. And so we did that. And after that, I noticed a lot of other people from different cities and towns in Nebraska wanted to know how can they do that? But the simple fact that Columbus Day was not removed from school calendars, it was still celebrated and taught within our public schools. And so it will still affect those young Native Americans that are going to school who wants to take-- proud of who they are. But yet we're celebrating this, you know, horrible person. In the late words of my dad, South Sioux Bernard Stabler [PHONETIC], he said: Holidays are for heroes and Columbus is not a hero. And like I said, this would be-- taking a first step to acknowledge that this behavior is not acceptable in our state. That's all I have. Thank you.

BREWER: All right. Thank you for your testimony. Questions? All right, thank you. Next testifier. Welcome to the Government Committee.

TRACY HARTMAN BRADLEY: Thank you. I'm Tracy Hartman Bradley, T-r-a-c-y, Hartman, H-a-r-t-m-a-n, Bradley, B-r-a-d-l-e-y. I'm here on behalf of Nebraska State Education Association and myself. I must first acknowledge that we are on the ancestral lands of the Otoe and the Pawnee Tribes. And if there are any elders here, I do apologize for speaking in front of you. I am Sugpiaq Aluttiq [INAUDIBLE] Kodiak Region, Old Harbor Native Corporation. I'm the daughter of Ron and

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Jenny and granddaughter of Ralph and Sasha Christiansen, Claude and Hilda Hartman. I'm a public educator and I'm the senior NEA director for the State of Nebraska. I work as a native indigenous-centered education teacher in my district. When I was asked to speak about LB848, I had to think about my own education about Christopher Columbus. I thought about what I was taught. I remembered being told that he was-- he discovered America and that he invited the Indians in with him. Columbus gave them gifts, asked them for gold in exchange. He went from island to island and the Indians would greet him with presents. Columbus even asked the Indians to go back to Spain with him. They seemed to be friends. Columbus was such a great man. And then I thought about what I tell my students: The victor writes the history books. That was then and this is now. What we do really know about Christopher Columbus and what I teach my native and my nonnative students is the truth. We all know that Columbus did not discover America. America had already been inhabited with native people. These native people had their own languages, cultures, religions, cities, trade routes, systems of government, agriculture, and large populations. I tell my students that Columbus caused the demise of many native people and cultures with his greed, rape, slavery, diseases, massacres, and assimilation. These truths that I teach my students are the reason we should not be celebrating Columbus Day. Why would we celebrate the genocide of thousands of native people at the hands of Christopher Columbus? When teaching, I use a really great book called Rethinking Columbus by Bigelow and Peterson. The book gives a deep understanding of the European invasions and allows a narrative for in-- for indigenous people to tell their story. I think every district in Nebraska should be using this book at every school. I support the change that LB84-- LB848 will bring to Nebraska. This is a positive change that will pull back the curtains of the invisible histories. It is a positive change that will uplift native cultures and tribes. It is a change that shows the respect for the first people of this nation and Nebraska. It is a conscious choice of this assembly to honor those who have been here for thousands of years. What will this mean to our native population to have Indigenous Peoples' Day? It's a sign of respect and honoring the native people of Turtle Island. Indigenous people have no reason to celebrate an, an invasion on their homelands and massacres of their people. This is a way to right some of the wrongs and tell the truth. This is a way to, this is a way to be part of the other states and the many cities that have chosen to acknowledge indigenous people. This is a way to celebrate the contributions of indigenous, indigenous people. This, this is a way to fight racism and stereotyping of indigenous people that

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indigenous people have faced for centuries. And this is a way to move forward toward healing and inclusion. This is a way indigenous people can share their culture, language, and traditions. And this is a way that my students can feel like they matter and are not invisible. This is a way to say indigenous people are still thriving on this land that they come from and pro-- and that they protect. My students asked me to give you a gift in the hopes that you will hang it up. This is a poster of a land acknowledgement that honors native lands. I hope that you will put this somewhere in the Capitol for everyone to see and always remember those that came before you, of whose lands you are now occupying. I'm honored to be allowed to speak here and I ask you to please support LB848.

BREWER: Thank you for your testimony. Yes, Senator Hunt.

HUNT: Thank you very much for coming here today and for this land acknowledgement. I--

TRACY HARTMAN BRADLEY: I have never done this before.

HUNT: Can you, can you tell me more about this land acknowledgement?

TRACY HARTMAN BRADLEY: This land acknowledgement is a landmark acknowledgement that NEA has put forward that we have it in our now policies at NEA.

HUNT: For the record, what does NEA stand for?

TRACY HARTMAN BRADLEY: NEA is the National Education Association. So I am the NEA director and I sit at the national level on their board. This land acknow-- acknowledgment came about because so many of us native people who would get up and speak would all acknowledge the land that we walk upon and that we are not the first people to be here, nor are we the true owners of this land and caretakers of it.

HUNT: I, I never knew about this. And this summer, last summer, I was at an event for lawmakers and I met an elected lawmaker from Australia. And he-- we were all kind of like going around introducing ourselves. And he stood up and he did a land acknowledgement and I had never heard somebody do that before. And so I was asking him about it. And he said that-- and he's not indigenous, but, like, he said that in Australia it's, like, the most normal thing in the world. And they always do this to pay respect to the land and the people who came before them. And he couldn't believe that, like, people in the United

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States didn't know about this and it wasn't really normal. I would be in support of us starting our session with this every day.

TRACY HARTMAN BRADLEY: I often thought that.

HUNT: I think that would be very appropriate and respectful and, you know, something toward reconciliation. So thank you for giving this to us.

TRACY HARTMAN BRADLEY: I was hoping that somebody would see that and say that.

HUNT: Thank you.

BREWER: All right, additional questions? Seeing none, thank you for your testimony. OK, next proponent.

COLETTE M. YELLOW ROBE: Good afternoon, senators.

BREWER: Welcome to the Government Committee.

COLETTE M. YELLOW ROBE: My name is Colette M. Yellow Robe, C-o-l-e-t-t-e M. color yellow, Y-e-l-l-o-w R-o-b-e. I am here to testify in favor of LB848. First of all, I want to thank you, thank Senator Patty Pansing Brooks for her introduction of this bill and for her recognition of not only the indigenous and Native American people of the state, but it will ultimately benefit all citizens and otherwise in our state as well. I'm here to offer three points for you to consider in favor of this bill. The first being that this bill is a very forward and courageous step at recognizing how destructive our former interactions in histories and civic matters, civil matters, federal, state, and other governmental, governmental matters have been. This is an opportunity to take that on in a very forward and progressive way in order to begin courageous conversations about some of those histories and how it impacts all of us. Secondly, this bill is very critical if we want to work at reconciling some of the histories and impacts that have happened in and amongst many of our families and our tribal communities. And although the history is tragic at times for Native Americans, it's also important to remember that we are here. We are very resilient and we are open to discussion. And then again, courageous conversations about the histories. Finally, I want to speak to you as a citizen of my tribe. I'm an enrolled citizen of the Northern Cheyenne Tribe in Montana. We were once indigenous to this state, we are indigenous to this state. And the

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history of my people alone is that of resilience and of championing the causes of what is considered minority voices. And that is something that we should remember as constituents and as citizens, that minority rights are just as important as majority rule. Thank you for your time.

BREWER: Thank you. Questions? All right, seeing none.

COLETTE M. YELLOW ROBE: Thank you.

BREWER: Thank you again for your testimony. Additional proponents. Welcome to the Government Committee.

DEVON GAMBRELL: Hello, I'm Devin Gambrell, D-e-v-o-n G-a-m-b-r-e-l-l. I'm an enrolled member of the Oglala Sioux Tribe and I am speaking on behalf of Nebraskans for Peace. Basically, what I would first like to say is that I don't believe that Columbus has any real positive significance to this nation. Like, like how a lot of other people said he's never stepped foot on American soil. So why do we recognize this as a state holiday? That's my, that's my main question. And some people can make the argument that he, that he was the first to discover the new world, although there were already people here and there were already other semi-colonizers to visit the, the Americas first, likely Leif, Leif Erikson, for example. He does have a holiday, but I don't think it's federally recognized. I think it's international-- or not international, but you know. But I do understand that some, that some people might find pride in the idea that, in the glorification of the history that he discovered the U.S., which he didn't. But do they really want to take pride in somebody who represents colonization, rape, and slavery of indigenous people? By the time he left, by the time he left the Bahamas, there were only 300 people left on an individual island. But second off, I'd like to say that I don't think there's ever been a day in my life where I haven't thought about race. Like, like I remember hearing at school, like about the history of Columbus and people talking about this, the teachers acted really, really excited about it. But I remember going home and my mom telling me the truth and that these certain things happened and it just made me feel alone. Made me feel like, why are people lying about this, this injustice towards indigenous people? Why are people glorifying it? So I think this bill really has a significant meaning to not only me, but I feel that the whole state of Nebraska. And that's it. Thank you.

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BREWER: All right, thank you for your testimony. Hang on, let me check if we got any questions. All right. Thank you again for your testimony. All right, next proponent. Welcome to the Government Committee.

MARGARET HUETTL: Thank you. Hello, my name is Margaret Huettl, M-a-r-g-a-r-e-t, Huettl, H-u-e-t-t-l. I am the descendant of [INAUDIBLE], of Syrian refugees and German and Italian immigrants. And I'm here today to testify in favor of LB848. Today, as I see it, the committee has a chance to decide who we are as a community and as a state. The legacy of Columbus, as people have already said, is murder, kidnaping, rape, and theft. He initiated the transatlantic slave trade when he shipped 550 Tainos who were taken against their will; men, women and children to Spain. Most of them died. His legacy is slavery and genocide. Honoring Columbus requires erasing the real violence against indigenous peoples or worse, saying that that violence doesn't matter, that the violence is justified in the name of progress and American destiny. Indigenous Peoples' Day offers an opportunity to honor the many native nations who have called this land home since time immemorial. It celebrates not violence, but reciprocity and good relationships. When Columbus's ship capsized, the Taino people sailed out in their canoes, helped rescue his cargo and his crew, and fed the hungry sailors. Throughout our shared history, indigenous people fed newcomers, taught them how to grow corn, negotiated treaties of peace and friendship, and built networks of relationships through marriage, friendship, and children. There were millions of moments of possibility as Native Americans and Europeans discovered each other, moments that Christopher Columbus and his greed for gold and glory could never represent. Indigenous Peoples' Day doesn't erase Columbus or other European and later American explorers and immigrants. They remain a part of the complicated history of indigenous people. Indigenous Peoples' Day simply offers a chance to tell a more complete version of the-- a more complete version of the past 500 years and a more forward-looking story about who we as a state want to be. Miigwech. Thank you.

BREWER: Thank you. All right, questions? Again, seeing none, thank you for your testimony. Any additional proponents? All right, we will now-- oh, another proponent. Come on up. Welcome to the Government Committee.

BIAGIO DANIELE AROBBA: Thank you. OK, so just get started?

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BREWER: Go ahead and kick her in. You got a green light.

BIAGIO DANIELE AROBBA: All right. My name is Biagio Daniele Arobba. I am a member of the Rosebud Sioux Tribe. I moved to Omaha in 2012. I'm, I'm a software engineer at a startup. I also for the past--

BREWER: Before you get rolling there, can we go ahead and have you spell that so we can get it right for the record?

BIAGIO DANIELE AROBBA: The name or the--

BREWER: Your name.

BIAGIO DANIELE AROBBA: My name is Biagio Arobba, B-i-a-g-i-o, Daniele, D-a-n-i-e-l-e, Arobba, A-r-o-b-b-a.

BREWER: Thank you. Go ahead.

BIAGIO DANIELE AROBBA: I'm a member of the Rosebud Sioux Tribe. I moved to Omaha in 2012. I'm a software engineer at a startup downtown and I worked in Rosebud in the past as an IT director for a tribal college. I have familiar with-- familiarity with both my Lakota and Italian heritage. My grandfather was a mechanic. He's from the Genoa area. I have family in Italy. I've visited the area before. I've been up to the north of Italy in Rovereto. And I'm very proud of the ingenuity of the Italian people, I'm very proud of the native culture too. You know, I think we have a lot of shared history and shared beliefs. I know that through the Catholic Church, you know, there's good and bad stories, but also the Catholic Church has been there even after the, the-- what do you call it-- the boarding schools to help people. They stay, they stick around, they help, you know, when there's needs. Even Black Elk that Neihardt wrote about became a priest. So the thing, the thing about the native heritage is it's easy to celebrate today, like, Thanksgiving, stuff like that, and talk about natives. But it's difficult to talk about the issues. One thing that I do always tell my kids is to remember their treaties because the thing is a long time ago, the U.S. needed to prove that they were a legitimate country. So the way they did that was by establishing treaties. And who could they do that with? They did that with native people. And so, you know, when it comes to being proud or talking about heritage, I feel like we have the shared heritage as Americans also. So some of the benefits is that by, by having an Indigenous Peoples' Day, it's going to help tribal members feel better. It's going to help bridge the opportunity for shared celebrations of

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Nebraska. And I even remember, being from South Dakota, about Janklow and reconciliation. And it did-- it made people feel really happy and really feel really good. I love my heritage. And I think that in terms of Italian heritage, let's celebrate on other days, other times. And I think that we can come up with positive activities. I'd be willing to volunteer. You know, being from both cultures to volunteer at any other activities, whether it's through the church or through the Italian-American Heritage Society or through working with some of the different tribal festivities and activities and cultures and whatnot. But I think that, that we can look positively on all our heritage.

BREWER: All right. Thank you and you do bring a very unique perspective with having the split background. So thank you for that. Senator Blood.

BLOOD: Thank you, Chairman Brewer. And thank you for your testimony. I need some clarification because I'm not sure I heard the sentence correctly. When you referred to the boarding schools, were you talking about that in a positive way?

BIAGIO DANIELE AROBBA: No, I'm just saying there's-- there's good and bad, you know. And even though the boarding schools was a difficult time for a lot of people, even for my, for my mom and my aunts and uncles, you know, there's still times when people need help. And, you know, I've seen a lot of, like, people come in and almost, like, treat tribes as like a tourist destination or they'll come and have their day of, you know, feeling good. But tribes-- you know, a lot of the Catholic Church, they, they stick around, they stay there, and they have been able to help in many ways. So I think that even though there's bad, there's also positive, too.

BLOOD: I just wanted to make sure I understood it because I'm very familiar with that history. And so I would feel bad on those schools so--

BIAGIO DANIELE AROBBA: Yeah, no, I get it.

BLOOD: --thank you.

BIAGIO DANIELE AROBBA: I believe, I believe it.

BREWER: All right, thank you for your testimony. All right, any additional proponents? One last call. Any additional proponents? Oh, please have a seat. That's what you call timing.

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MARGARET JACOBS: I know.

BREWER: Welcome to the Government Committee.

MARGARET JACOBS: Thank you. So I apologize for being late.

BREWER: Actually, you're exactly on time.

MARGARET JACOBS: So my name is Margaret Jacobs, and thank you for allowing me to testify before you today, today in support of LB848.

BREWER: Margaret, could we have you spell that, too, just--

MARGARET JACOBS: M-a-r-g-a-r-e-t and J-a-c-o-b-s.

BREWER: OK.

MARGARET JACOBS: I'm a bit out of breath, sorry. I obtained a PhD in American history in 1996 and since that date, I have been researching, writing, and teaching about the history of settlers and indigenous peoples in the United States, Canada, and Australia. And I'm coming to you today as a private citizen of the state of Nebraska to lend my support to the effort to rename Columbus Day Indigenous Peoples' Day. So I want to highlight three main reasons for my support. The first is Christopher Columbus is not a person in history that we should be celebrating. He enslaved indigenous people and set in motion a series of violent acts and dispossession against indigenous people of the Americas. And second, we should be honoring the history of indigenous people instead. Although they suffered from numerous atrocities and human rights abuses for over 500 years, they still survive. And third, changing the name of Columbus Day to Indigenous Peoples' Day is one small effort toward reckoning with the painful parts of American history and honoring indigenous peoples' history. So the first part I was going to mention, I don't want to repeat if other people have already mentioned this. But has anyone read to you any of the excerpts from Christopher Columbus's journals?

BREWER: They have not.

MARGARET JACOBS: OK. So as a historian, I always go to the original sources to learn what happened. So let me share with you an excerpt from Christopher Columbus's journal, which he kept for the king and queen of Spain. This is what he wrote on Thursday, October 11th, 1492, upon meeting the indigenous people of a Caribbean island. This is a quote from his journal: They should be good servants and intelligent,

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for I observed that they quickly took in what was said to them. And I believe that they would easily be made Christians, as it appeared to me that they had no religion. Our Lord being pleased, we'll take hence at the time of my departure six natives for your highnesses, that they may learn to speak. So if you didn't quite catch what his meaning was, Columbus said that he was going to take six indigenous people captive the first day he met them. He wrote again in his journal on Sunday, October 14th, 1492. By then, he'd captured and taken captive seven indigenous people and this is what he wrote about them: These people are very simple as regards the use of arms, as your highnesses will see from the seven that I caused to be taken, to bring home and learn our language and return, unless your highnesses should order them all to be brought to Castile or to be kept as captives on the same island. For with 50 men, they can all be subjugated and made to do what is required of them. In short, immediately upon meeting some of the millions of indigenous people in the Western Hemisphere, Columbus took seven of them captive and offered to subjugate and enslave the rest of the people on the island where he landed. And I asked you, is this who we want to be celebrating?

BREWER: All right.

MARGARET JACOBS: We're out of time?

BREWER: I'll have to call you there.

MARGARET JACOBS: OK.

BREWER: I wanted you to finish the sentence and the thought there. Questions? Yes, Senator Hunt.

HUNT: Thank you, Chairman Brewer. Thank you for being here today. I'm glad you made it. I asked the page if we could make copies of your testimony.

MARGARET JACOBS: Sure.

HUNT: Is OK with you?

MARGARET JACOBS: Absolutely.

HUNT: Do you-- you're a history professor?

MARGARET JACOBS: Um-hum.

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HUNT: Do you think that this bill will take anything away from the honor or value of Italians or Italian culture or Italian history in the United States?

MARGARET JACOBS: I, I for me, I don't think so because most Italian-Americans came here in the 19th century, in the early 20th century. No, if they were to learn, I think, the true history of Columbus, it's not an Italian that they would be proud of, I believe. And there are many Italian-Americans to be proud of. So I don't think that it's-- I don't believe that we should be celebrating this person.

HUNT: Thank you.

BREWER: Actually, I need to stand corrected. Vincent actually read some also so.

MARGARET JACOBS: Oh, sorry.

BREWER: Just making sure I keep the record straight there. Any additional questions? Again, sorry to rush you. It's normally five minutes, but we've, we've kind of--

MARGARET JACOBS: That's fine.

BREWER: --got tied up with a lot of folks yet to speak. So again, your timing was perfect. And thank you.

MARGARET JACOBS: Thank you.

BREWER: So I'm going to put out one-- oh, there we go. Proponent, correct?

ERIN OLSEN: Yes.

BREWER: Very good. Come on up.

ERIN OLSEN: I apologize for the delay. I didn't want to go in front of anybody more important.

BREWER: You're good. Welcome to the Government Committee.

ERIN OLSEN: Good afternoon, Chairperson Brewer and members of the committee. My name is Erin Olsen, E-r-i-n O-l-s-e-n, my preferred pronouns are she, her, hers, and I'm a third-year law student testifying on behalf of the ACLU of Nebraska in favor of LB848. First, we'd like to thank Senator Pansing Brooks for introducing this

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legislation that officially changes Columbus Day to Indigenous Peoples' Day. Although America has, as a whole, has often tried not to remember their oppressive and violent past with indigenous tribes, this bill would make one small step towards recognizing indigenous peoples' history in Nebraska. As most of the people have already talked about Christopher Columbus and we, at least one other person knows that rhyme, the "Columbus sailed the ocean blue in 1492." From a very early age, that sing-song rhyme failed to teach me all that Columbus did during his trips to the Americas. He not only sailed, but enslaved and he conquered. He dispossessed indig-- indigenous people from their lands and he started a wave of European migration to a land that was new to him, but already home to countless indigenous tribes. This just isn't the type of legacy we want to celebrate, especially when we have indigenous people living in Nebraska having to deal with an official annual reminder of when decades of dispossession and oppression began for them, all because a man accidently sailed his boat into the wrong continent. Instead, we should recognize the dishonor in our past and help to remedy the discrimination against Native Americans that goes on today. For those reasons, we urge you to advance LB848 to the General File. Thank you.

BREWER: Thank you for your testimony. Questions? All right, seeing none. Thank you again.

ERIN OLSEN: Thank you.

BREWER: OK. So one more call, any additional proponents? We'll go ahead and trans-- switch over to opponents. Come on up. And this first row is open, so if a handful want to come up here then we'll kind of have them stacked up ready to come to the chair. Welcome to the Government Committee.

GIO PORTERA: Buon pomeriggio, Italian. That's good afternoon, Senators.

BREWER: Have a seat.

GIO PORTERA: Thank you. My name is Gio Portera, G-i-o P-o-r-t-e-r-a. Today I speak as an opponent of LB848. I ask this committee not to dismantle a federal holiday enacted by the 73rd Congress in 1934, namely Columbus Day. For much of history, the United States considered Columbus a man worthy of admiration. Columbus Day is one of the oldest patriotic holidays first celebrated in the 18th century. Generations of American schoolchildren studied his life and accomplishments.

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Teachers held him up as an example of a person of character who overcame strong opposition and great disappointment, but never gave up trying to prove what he believed to be true. Since 1992, however, the reputation of Columbus has suffered at the hands of special interest groups who use this 15th century Renaissance navigator to further their twenty-first century political and social agendas. As a result, today, Columbus is often deployed negatively. Carol Delaney, who holds a doctorate and teaches at the University of Chicago, she warns in a statement viewing against Columbus that his accomplishments and his temporaries should be viewed rather than the practices of his own time. And I ask, why are we getting rid of Columbus? Is, is the intention of this bill to disparage the European discoverer Columbus and rewrite history? Are we judging Columbus by today's standards, rather than the judge him on the cultures-- other cultures in the same manner? Despite the differences of opinion, the Italian-Americans, indeed, the majority of Americans of all ethnic backgrounds, continue to hold Columbus in a high regard for historic achievements. Columbus Day is also the only day that recognizes the heritage of an estimated 26 million Americans of Italian descent. Increasingly, Italian-Americans are finding Columbus Day celebrations being marred by demonstrations. In 1992, Italian-Americans were declared a protected minority by federal judge Constance Motley Baker [SIC] in the case of Scelsa v. New York [SIC]. There are negatives in what history says about European explorers, but the Europeans also brought literacy, liberalism, and the scientific method, all of which would transform America into the greatest champion of human freedom the world has ever known. In my own family, my father was the first of five children born to Italian parents who immigrated to the United States early in the 1900s. My grandparents worked hard to become proud American citizens. My father and his siblings were blue-collar laborers who worked toward their American dream for themselves and their children. Columbus was-- Columbus Day was a day that made them proud to be part of an Italian heritage and have it recognized by their new country. Did Columbus discover America? In every significant way, he did. Even if others visited the continent sporadically before he did, their voyages had no historic significance. Columbus' voyages, however, marked the end of thousands of years of isolation between the Western Hemisphere and the rest of the world. The recorded history of the Americas and the Caribbeans start with Columbus. On Columbus Day, we reflect on the moments the world changed. It is our hope that your committee will recognize the contributions of all Americans, including Native Americans, but on another day than Columbus Day. Thank you for allowing me this time to express my opinion. In addition, I had one of

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the court pages get copies for you. I have 273 signatures that I would like to present to this committee who also oppose changing Columbus Day. Senator Brewer, I tried to adhere to your, your time limit. So I--

BREWER: I, I--

GIO PORTERA: --paraphrase on here. I, being a former government official--

BREWER: I actually--

GIO PORTERA: --I understand your predicament, sir.

BREWER: I, I actually asked them to hold the alarm because I felt you were in a, in a battle rhythm. I didn't want to interrupt there and you hustled through there. So I appreciate you trying to watch that. Again, I apologize that I'm changing it from 5 to 2, but it would be midnight when we get out of here.

GIO PORTERA: Yes, sir.

BREWER: So.

GIO PORTERA: But I also respect your ask as well.

BREWER: And thank you for this.

GIO PORTERA: You're welcome, sir.

BREWER: Questions? Senator Blood.

BLOOD: Thank you, Chairman Brewer.

GIO PORTERA: Yes, ma'am.

BLOOD: Thank you for coming today. So I'm, I'm asking for clarification because you're the first one up. So I apologize that it's you. That's what happens when you get to the front of the line.

GIO PORTERA: Sure.

BLOOD: So-- and I mean this very respectfully.

GIO PORTERA: Yes, ma'am.

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BLOOD: I am truly looking for an answer. I received so many emails from my friends of Italian heritage on this bill, as I did on the proponent side, because I have a lot of friends that are indigenous as well. And the thing that kept being said in the letters was we shouldn't judge Columbus based on today's ethics and morals, but based on what was going on back then. So, and again, I mean this respectfully--

GIO PORTERA: Yes, ma'am.

BLOOD: --but I want clarification. So are you saying that people that were explorers in that time period were all slave and sex traders and mutilated people? I mean, those are the things that, that's the thing I'm having a hard time getting my--

GIO PORTERA: Sure.

BLOOD: --head wrapped around.

GIO PORTERA: Senator, in my investigations, I have put over 100 hours into, into this. I have documents that I was asked to produce to the Italian-American community, which I did. I have done the research on what other historians have said. The general perspective on your, your question is Columbus was the first discoverer here. He was pinpointed as the person that they point all genocides to because of his discovery from coming here. He was pinpointed at a South Dakota rally by Russell Means. And I did not bring that with me because we were at the understanding that it would, but I would advise you and any senator here to read what he's-- what he said. And I think you're going to find out the other side of the coin. We have-- I have done and what the other members here-- we have done our research on this. We look at both sides of this issue and what Columbus is being charged with is the actions of other people that came after him. One person here mentioned the Tinto Indians, I believe, and how they welcomed Columbus. I bring that up there because Columbus did take a few people back. He was a religious man, he was an explorer, and he wanted to, to educate those people. When Columbus left after his first voyage here in 1492, they built a fort. And he left for, I believe, 40 of his soldiers there. When Columbus came back, all his soldiers were cannibalized by those Indians. OK?

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BLOOD: I mean, when I hear cannibalism, I, I, I don't think sex trafficking. And I think that's what they ate, that's what they did. So to me, that doesn't offend me. So--

GIO PORTERA: But the other thing--

BLOOD: I'm still trying to balance out--

GIO PORTERA: Right. They attribute whatever went wrong from the 15th century to the 18th century, they blame Columbus because Columbus brought over the first wave of Europeans. I can send you my history, if you'd like, dear.

BLOOD: Fair enough. I'm still not hearing the answer I'm looking for, but I do appreciate you taking the time to try and answer that.

GIO PORTERA: Then say again, maybe I didn't clarify enough.

BLOOD: So maybe the answer is that you-- so when I-- want to make sure I'm clear, I'm really clear on this. So what I'm hearing from other Italian-Americans is that he wasn't the only one, is what I'm hearing in the email, that was doing these alleged bad things.

GIO PORTERA: Correct.

BLOOD: But you're, if I hear you correctly, you're saying that it wasn't necessarily that he did anything alleged, it was what came after him that was bad. Is that correct?

GIO PORTERA: None of us, none of us are perfect, but the majority of crimes happened after Columbus.

BLOOD: Well, none of us are perfect, but--

GIO PORTERA: Right.

BLOOD: I don't kill people so.

GIO PORTERA: Right, exactly. But the explorers--

BLOOD: So we want to be careful how we phrase this. It's very important that we're clear.

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GIO PORTERA: Correct. Even if we look at our own government and their expansionism, how they treated other peoples, I mean, that wasn't exactly above board either.

BLOOD: Like how the United States Government utilized boarding schools when it came to--

GIO PORTERA: And I, and I, and I understand the American Indians, the indigenous plight here. But however, there was a week set aside during September 12th to 15th recognizing Native American week. The Italian-American community would proudly support a day set for the American Indians, Indigenous Peoples' Day, but just not on Columbus Day.

BLOOD: And I respect that, but you also hear the pain that they feel based on their knowledge?

GIO PORTERA: Right. And I understand that, but I also heard the pain expressed after Columbus charging him with atrocities that were committed.

BLOOD: Fair enough. Sorry, I know this was really uncomfortable for me, at least.

GIO PORTERA: Yeah. It is for me too.

BLOOD: --discussion. But I think it's really important that, that we clearly hear both sides.

GIO PORTERA: And that's why, that's why I explored both sides as well.

BLOOD: I appreciate that. Thank you.

GIO PORTERA: All right.

BREWER: OK. Additional questions? This took a lot of time.

GIO PORTERA: Actually, sir. I worked about three, three and a half hours on one day and three, and three and a half hours the other day. And that is a melting pot of the people I converse with. When I converse with them, I had shown them a document that said: Fact versus fiction. And they read that.

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BREWER: Well, I guess the part, I guess, I'm grateful for is that you've got address, you got a phone number, and you got email, so if you want to--

GIO PORTERA: If I learned anything in a tour of duty, it is to be definitive in nature and supply the information and anticipate a question that could be asked.

BREWER: Well, so thank you for this.

GIO PORTERA: Hopefully that will help, sir.

BREWER: That way if I got questions, I got people to go to and ask.

GIO PORTERA: Yes, sir.

BREWER: So I appreciate that.

GIO PORTERA: And after, if you have questions of me, I would gladly meet with you over coffee and donuts.

BREWER: Well, thank you for your testimony.

GIO PORTERA: And one other thing, as being an Italian-American, and we also would like to express the appreciation for your service. I read your bio, sir. It is a far better man that walked the steps that you did serving this country that goes unrecognized.

BREWER: Well.

GIO PORTERA: So it is a sincere appreciation that we thank you for your service.

BREWER: Well, I appreciate it. But I'm just--

GIO PORTERA: I know.

BREWER: --an old soldier here.

GIO PORTERA: I agree that nobody does anything to promote themselves. When duty calls, a person rises to the occasion. Sir, you have done that.

BREWER: Thank you. Thanks for your testimony.

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GIO PORTERA: Thank you, sir.

BREWER: All right. Next opponent. Sir.

CHARLES VENDITTE: Good afternoon, honorable senators.

BREWER: Welcome to the Government Committee.

CHARLES VENDITTE: My name is Charles Venditte, spelled V-e-n-d-i-t-t-e, reside in Omaha. And brother Gio kind of stole some of my thunder, but I wanted to start off by just acknowledging and thanking Senator Brewer for his courageous service to our country. I and three of my brothers have also served in the military and I have a great deal of respect and admiration for men and women who have served, especially men like you, Senator Brewer. Thank you, Colonel Brewer. My personal opinion and views are as follows. I grew up in Omaha's little Italy in an Italian household of eight children. I have come to hold onto the many great memories and health strong to our Italian family traditions. I had the utmost respect for my grandparents, who made their way on a long voyage to this beautiful country from their beloved Carlentini, Sicily, and Vichiatiuro, Italy, in the late 1800s. I often think and discuss with friends and family of the struggle of my grandparents must have had leaving their homeland in search of a better life for themselves and their families. They believed coming to America would be the place where they would find their dreams of a good future come true and they did. As all immigrants who look for their-- for that dream in coming to this wonderful country of ours, they too have men and women from their homeland they relate to because of their historical connection. Those values were passed on to their loved ones. As a member of the Santa Lucia Committee, the Sons and Daughters of Italy, and the American-Italian Heritage Society in Omaha, I know from recent meetings with other members in attendance many do not support the proposed LB848, which would replace Columbus Day with Indigenous Peoples' Day. Christopher Columbus represents our rich Italian history and something Italians relate to in a positive light because he was Italian. LB848, if passed, would take that away. I respect the cause to have an Indigenous Peoples' Day and do believe Native Americans deserve that day, but not at the expense of Columbus Day. I, for one, would be happy to support a day honoring Indigenous Peoples' Day, but not at Columbus Day's expense. I was recently made aware last night that a form letter had been sent to many of you senators and I'd like to tell you that I personally did not endorse or condone the entirety of that letter. And I would like you to know that. I want to thank you

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for allowing me to speak today and I'd be happy to answer any questions.

BREWER: All right, thank you for your testimony. Questions? And again, thank you for taking the time to come and testify.

CHARLES VENDITTE: Thank you, sir.

BREWER: All right, next opponent. Welcome to the Government Committee.

SAM TROIA: Well, thank you very much, committee members, Senator Brewer. Thank you for your time. My name is Sam Troia, S-a-m T-r-o-i-a. I'm here representing myself. I'm going to tell you a little, a little bit. I'm not-- I don't have nothing prepared. It's about what it means here, about being together, being part of something that is important. I grew up in Old Town Bellevue. Old Town Bellevue was a rich Indian heritage in that town, very respectful to, to the Native Americans and what our, our area was built upon. We have Big Elk buried in Bellevue Cemetery. We have brought our kids from our school, from north Omaha that we-- that, that we're teaching about the culture to that grave, how important it was to do that. We had a teacher in our classroom that put a tepee in the classroom, was there year-round. And I asked her, I said, why is that? She goes, this is where the higher thinking is and the higher learning should be. Because we get-- we need to come together as a group and being part of the area of Ponca was very important to the north Omaha people. Now me, as a member of the Knights of Columbus, means a member of an American-Italian heritage, myself as American of, of Sons of Italy and a member of the Santa Lucia Festival committee, which my daughter was the queen in 19-- in, in 2018. Again, bringing that culture together to us was very important. Now I understand where they come from. I'm-- where we had looked at both sides of the story and what brother Gio brought up here. I support the fact that we should have an Indigenous Day dedicated for what the Indian people have done for this state and nationally. It should go national, as far as I'm concerned. It's like any other cultural group. But as far as Columbus, let's all sit together and sit down and look at both sides of the coin and come up with a proper course of action of what we should do. So thank you for your time. I appreciate it. Any questions?

BREWER: Questions? Yes, Senator Hunt.

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HUNT: Thank you, Mr. Troia, for coming today. Could it be that this bill is not attacking Italians? It's attacking the idea and history of genocide?

SAM TROIA: You could say that it did. But until we look at all the information together on both sides, gasping and looking at stuff, until we actually sit here and intelligently look at, look at both sides, get the information together and make it-- then make that right decision.

HUNT: Make who?

SAM TROIA: Make, make a right decision for everybody because that's what we are. We're America here. We're here to make for everybody. Because we're a melting pot. So that's what I'm saying.

HUNT: Thank you.

SAM TROIA: All right. Anybody else?

BREWER: Yeah. Let me, let me throw a quick one in here.

SAM TROIA: OK.

BREWER: I think I'd like to kind of share with you, I had an opportunity to be stationed in Italy for a little bit. And when you had some time and you were able leave the base and kind of go out into the community, it was refreshing that when they found out you were an American, for one, and the Italian people were unique in the fact that they found out that you had Native American history or that you came from a Native American tribe, their fascination was amazing. They wanted to learn and, and, and give you a chance to share that experience. And so, so there's no misunderstanding, my experience was incredibly positive. They were so welcoming. And sometimes I, I almost get a feeling that it's an us against them kind of thing and it shouldn't be. It, it's, it's two great cultures. And so I just wanted to share that with you, Sam. So that--

SAM TROIA: Yeah. Yeah.

BREWER: I had that out there.

SAM TROIA: OK, I appreciate that. Thank you, Senator Brewer.

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BREWER: Thank you, for your testimony. All right, additional proponents-- opponents, sorry. It's been a long week. Short week, but a long week. Well, welcome to the Government Committee.

PAM ROWLAND: Thank you. Thank you for having me. I respectfully asked you guys to please speak in front of the mike, since I am hearing impaired, so I can hear. Buona sera, Senators. Senator Brewer, committee chair. My name is Pam Rowland, P-a-m R-o-w-l-a-n-d. I am a member of the Santa Lucia Festival committee and the Order of Sons and Daughters of Italy. I am also the daughter of a World War II vet and I thank you all that have served. Thank you for the opportunity to speak in opposition of LB848. I am a very proud third-generation Italian-American. Both my grandparents, Conjetta and Salvatore Monaco [PHONETIC] came to America on U.S.S ships, the Barbarossa. I have heard horrific stories from my cousins of what they endured on those ships, too terrible to repeat, just to come to America. It was heartbreaking to me, but so thankful for their bravery and courage for a chance at a better life for themselves and their families. Often they were at sea for months with just the clothes on their back, leaving poverty in Sicily and Italy. It was my ancestors' amazing faith, belief, and hope that brought them to Ellis Island. In New York, Italian and other immigrants faced religious and ethnic persecution. This is why Columbus Day is so important to Italians, to answer your question, Senator Hunt, and all immigrants. I don't think we can even imagine what they went through back in those times. My grandparents landed in Nebraska at the time, different times, sponsored by different Italian community and people here already established. My nonno actually received his naturalization papers in 1939. All immigrants played an important role in the making of America today, along with other immigrants. They built our railroads, they built our cities, they built our ships, they built buildings. And they were the ones that added to the economic growth of this great nation. They, like many others, opened their own businesses and prospered. My nonno worked in the ice house and they opened their own general store, as you see in the picture. Their names we had engraved on the wall in Ellis Island; been there twice. I never let my children forget the sacrifice that they made for us to be U.S. citizens and their Italian heritage. That's why my family of 20 in August of 2021 will stand on the very ground my ancestors came from in Italy. We will never forget. Neither should any of you. I'm asking you, please don't nullify my Italian ancestry and heritage. I come from a line of public servants. My son and my husband, now retired police officers, they serve every day. And I currently serve on the Nebraska State Board of Cosmetology.

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That's your job as well, public servants to protect our state, your constituents in Nebraska. I implore you, in my opinion, to do the right thing and strike LB848. I feel it does damage my heritage. With that, grazie, I'd be happy to answer any questions that you might have.

BREWER: All right. Senator Blood.

BLOOD: Thank you, Chairman Brewer. Thank you for your testimony. I'm going to ask you a question. I am speaking because your story parallels with mine, only my grandparents came from Czechoslovakia and came on different boats and settled in Nebraska. And we're the generation that we still know where our grandparents come from. It seems that that's getting lost with each generation and so I definitely respect wanting to hold onto that culture. And I also had my grandparents put in Ellis Island as well. So I'll have to look for yours next time I go. But the question that I have for you, and I thought throughout when I was listening to this, is that how do-- because really what you're saying is we should celebrate all immigrants, is what I heard. And is, is this going to really-- if indeed this bill were to pass, is this really ever going to change the pride that you really feel? I mean, the Italian-American society in the Omaha metro area is exceptional. You, you just rebuilt your hall and after the fire you rose, literally rose from the ashes. And it's a, a proud community. I go to the Santa Lucia Festival, it's a wonderful festival. I'm Catholic, so I understand the benefit of it. But the thing that I'm hearing over and over again is about your heritage, and it's a proud heritage and one that I respect just as I respect my heritage. If indeed this bill were to go through, does any of that really change?

PAM ROWLAND: I'm sorry, can you repeat the last sentence?

BLOOD: I'm sorry I forgot you were-- if indeed this bill were to go through, is any of that really going to change?

PAM ROWLAND: For me, it does.

BLOOD: Can you, can you be-- because, because what I'm hearing is proud of your heritage.

PAM ROWLAND: I agree, like the rest of my members that came and spoke today, that we both are deserving of some type of holiday for our ancestry. And that's why I'm fighting to keep Columbus Day in. I'm in

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opposition to this bill and have them celebrate or, or somehow designate their own holiday. So I feel, as I said in my speech, that it would nullify and here's why I feel that way. When my grandparents came over on the boat, they came separately. Well after Columbus, this was still going on. They lived in terrible conditions on the bottom, bottom decks of the ship with rats. The women were raped. And this, this was in the 1900s so this is well going on after Columbus. And I think that we need to separate that because of the different times and that this is what the Italians celebrate and this is what you're trying to take away.

BLOOD: So what if we just changed it to Italian-American Day?

PAM ROWLAND: Again, Senator Blood, I'm-- the only thing I can do is disagree with you.

BLOOD: I'm really trying to get clarification.

PAM ROWLAND: So.

BLOOD: I'm not trying to be rude or disrespectful in any way. I'm taking what I heard you say in your testimony and just problem solving it out loud. And so it doesn't sound like it's as much about heritage as it is about the day because there seems to be no-- there seems to be such resistance to just changing that. But then I'm hearing the other side saying: We grew up hearing Columbus Day was a special day and for our culture. It was not. It was a time of, of terror and horror and horrific things. And so I'm trying to balance it out and so I'm not picking on you as much as I'm just trying to really understand where everybody's coming from.

PAM ROWLAND: All I could do is refer you back to Giovanni and read his literature. And I'm speaking on mostly of what I've heard from my grandparents and my feelings and how would it affect me. And that's what I spoke on today.

BLOOD: And that's fair. And I also want to add that I don't know any European culture that wasn't discriminated against when they came over. We have our own Senator McDonnell, who will tell a story of how Irish weren't allowed in certain segments in south Omaha for decades. And I know my heritage as well and were looked down upon as immigrants. And so I think everybody has a story if they immigrated to the United States.

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PAM ROWLAND: They all have a story. But when push comes to shove, it's already a federal holiday mandated. And that's all I can say.

BLOOD: I appreciate your time. Thank you.

BREWER: A quick question for you.

BLOOD: Yes.

BREWER: The photo in the store. Where is that store located?

PAM ROWLAND: It used to be right on 9th and Pierce.

BREWER: It's a pretty cool photo.

PAM ROWLAND: Thank you.

BREWER: All right, any additional questions? Thank you for your testimony. Next--

EUGENE CRISAFULLI: Morning, senators.

BREWER: --opponent. Come on up.

EUGENE CRISAFULLI: Quite the day.

BREWER: Did you have any handouts that we needed to make copies of or anything?

EUGENE CRISAFULLI: Oh, no, I just wanted to make, make a referral. My name is Eugene Crisafulli, E-u-g-e-n-e C-r-i-s-a-f-u-l-l-i. Boy, did I get that one. I live at 15519 Jackson Circle, Omaha, Nebraska. And I oppose this. And I'll do my presentation.

BREWER: Yeah, if I could have-- yeah, Michaela, could you go ahead and snag the green sheet there and get that to Julie?

EUGENE CRISAFULLI: Thank you, dear.

BREWER: All right. She's all yours.

EUGENE CRISAFULLI: OK. First of all, I would like to see if they could review the conflict that would be between a federal 1937 declaration for Columbus Day versus taking that away from the state of Nebraska, OK? I don't know if there's anything there. The other thing is just a digression here. The court rules unanimously, based on the 1882 Act of

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Congress Supreme Court decision *Pender*, Nebraska, a treaty with the tribals was given property back to the tribe of the Winnebagos and the Macys. I thought that was very important. I've done work out there as a clinical pharmacist. So anyways, in regards to getting Italian history down for you, Genoa was a city-state, OK? Italy did not become a sovereign state till 1870 under Garibaldi, OK? So there's a kind of, kind of a conflict with that quasi-relationship that Italians seem to be associated with Mr. Columbus. Mr. Columbus was under the aegis of the Spanish government, a monarchy. So he came down. That trip is 2,000 miles long. If you're a flatlander, you haven't seen the Atlantic Ocean. I'll tell you, there's a lot of ocean. He did 2,000 miles in three boats. I've actually-- was able to get on a replica of that boat in Burlington, Iowa, because there is a, there is a group that has replicas of those boats and they actually redo the whole thing. They were only 30 yards long, over a 2,000-mile trek. They stopped at all the archipelagos along the way. So in that he was governor there for about four years, made several trips back. Two colonies were, were taken care of, burned to the ground and he was subsequently tried in the court. That Spanish court did not find him guilty, but he was taken his governorship away. Then he was re-- re-- a new governor was brought in. So I don't know if you're talking about the Spanish and genocide on the part of that government or whether you want to try to associate it. But nonetheless, it was a federal holiday recognizing his sailors ability, his navigational skills, and dealing with the fact that he was doing reckoning, which is a navigational skill, which you have no, no way of knowing what you were going against. So that's what I was going to present on that one, get that clarified. And the misbranding of Italians, I can understand that because they wanted to celebrate their holiday. And this is still going on. In regards to my Ponca--

BREWER: OK, we're running out of time here.

EUGENE CRISAFULLI: OK.

BREWER: I will, I will do this, though. If, if you kind of had to roll this into a quick kind of closing paragraph what would, what would you say?

EUGENE CRISAFULLI: I would say you need to investigate that part of it, whether there's a legal thing to it. The other thing is give an audience to, to the-- I also have audience to the American tribe, which I was unable to get, give you to the Ho-Chunks, because I like the Ho-Chunks. And they've actually got their clan back together and

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they're thriving up there. And what you know is Winnebago, so anyways. If I had more time, I would have done that for you.

BREWER: How about I make you a deal there? What we can do is take those and make copies of them and distribute to the senators and then we'll have the materials to look at.

EUGENE CRISAFULLI: Yeah, yes.

BREWER: If you're OK with that.

EUGENE CRISAFULLI: Yeah.

BREWER: And then let's go back just a second so I follow up and make sure I have this right. So your original point was, be sure that you understand the significance when it comes to a federal holiday and then changing a state holiday, which are mostly-- both designated on the same day.

EUGENE CRISAFULLI: Yeah.

BREWER: That's fair enough. That's what I've got a legal counsel for. So we'll do just that.

EUGENE CRISAFULLI: I'm also for a day for-- OK, go ahead.

BREWER: Go ahead. No, no, you were--

EUGENE CRISAFULLI: I'm also for a day for the tribals because I like my tribals an awful lot. There's four federal ones here, but still the Pawnee and Arapaho, the Cheyenne and Lakota Sioux are not federal, but they're within the parameters of Nebraska. And so I don't know if there's any way to do an evo-- an evolution for their presentations and recognitions too. But that would be a, probably a different department. But I really like that, if that could be done.

BREWER: Well, I'm kind of impressed at how much research you've done there.

EUGENE CRISAFULLI: Oh, well I've, I've worked at these places. And then the Ho-Chunk Winnebagos, they have really advanced their area up there. If you've ever seen the economic engine they've got, as opposed to the Macys.

BREWER: I have.

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EUGENE CRISAFULLI: It is impressive.

BREWER: Lance Morgan is an amazing guy and they have done great things. But thank you for that. Questions? All right, seeing none, if you can share that with the page, we will get some copies made for the committee. And I thank you for your testimony.

EUGENE CRISAFULLI: Oh, can I give a tip of a hat to Senator Pansing Brooks?

BREWER: Sure. I'm good with that.

EUGENE CRISAFULLI: Thanks for what you did for Whiteclay. That is really heartfelt. [INAUDIBLE] 35 years. And I come from the area of the Iroquois tribes. Thank you. Thank you, gentlemen.

BREWER: I'll second that. All right, additional opponents. Come on up. Have a seat. Sit down and relax. Welcome to the Government Committee.

TODD PROCOPIO: Thank you, Chairman Brewer and the committee members. Hello, my name is Todd Procopio, that is T-o-d-d P-r-o-c-o-p-i-o. I am the president of the Santa Lucia Festival committee, located right down the road in Omaha's little Italy. Our committee is a Catholic-Italian organization which honors the saint, the patron saint of light. We are a committee that is 96 years young and brought here by immigrants from Carlentini, Sicily. We celebrate our heritage and share our saint and our history with the city of Omaha every year. During those four days, our history and of course, our food, is on display for all to take in. Columbus was a man of courage, conviction, and honor and deserves to have a day named for him, as all of us Italians do. Like many immigrant groups, the Italians were not always welcomed with open arms. We did have to fight stereotypes. But the potential for equality for all in a nation that fights to achieve that every day is what beckoned our ancestors. I'm going to imagine that seeing the Statue of Liberty for the first time was thrilling for my great-grandparents and my grandfather who first came over to this land in the early 1900s. And I know that because of their work ethic and their willingness to share their heritage, they were able to become a part of American society and make their own unique contributions to its vitality, as we still do today. Today, our organizations celebrate Columbus Day by honoring people who have given above and beyond to their communities, to their fellow man. We honor students who have given themselves a fighting chance in this world with scholarships to help with educational costs. We give of ourselves so that our

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communities are better today than they were yesterday. I am here today as a person who is in, in opposition of replacing Columbus Day with Indigenous Peoples' Day. However, I am here to say, as an Italian-American and a citizen of this great state of Nebraska, why can't we be the light and work together to honor our Native American friends with a celebrated day of their own? I, for one, and others in our organizations who have voiced the same, would be willing to be a part of the process to assist in putting you-- putting into place an actual day celebrating our Native Americans. Just as we deserve our-- deserve to have our heritage and history celebrated, so do our friends. What if Nebraska became that beacon of light and showed the rest of the nation that we can do something special? I wish to thank you for allowing me to speak today. I hope my words help and I hope with all my heart that we can make history together. Thank you.

BREWER: Thank you. Questions? Well, I have one. I'm not that familiar with Omaha. If you were to try and give me the general vicinity of what little Omaha is, what would that be?

TODD PROCOPIO: It would be south of-- you know where the Old Market is?

BREWER: Sure.

TODD PROCOPIO: Right off of 10th street, just south of it. Maybe a mile, maybe a little bit less than a mile.

BREWER: Going over to the river?

TODD PROCOPIO: Going to--

_____ : Towards Bellevue.

TODD PROCOPIO: --towards Bellevue.

BREWER: Oh, OK.

TODD PROCOPIO: Yeah.

BREWER: I'll just keep going down. All right. No questions, thank you for your time. Oh, Senator Blood.

BLOOD: Thank you, Chairman Brewer. And thank you for your testimony. I'm going to ask you a question and I, I want to clarify what I'm doing when I ask these questions because I'm getting angry text

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messages from pretty much every Italian person I know. I think it's really important that we get on the record information from both sides in a neutral fashion. And so when I ask expansive questions, it's because I'm trying to get a more comprehensive answer. It's not because I'm picking on somebody. It's not because I'm taking sides. It's because I want to make sure that when we go back and we look at these minutes, that we're doing it in a way that gives both sides of the story. So I'm going to ask you this question knowing this, all right? And I thought you had a very, quite measured testimony, and thank you for that. So I'm going to ask you, and again, I respect your proud heritage. And you-- I love that generation after generation participates in this-- in your, in Italian culture. But, but why Columbus? I mean, there's so many other Italians that are wonderful as well. Why Columbus?

TODD PROCOPIO: I've been thinking a little bit because I kind of figured that that was going to come back again. But it is what we've grown up with. It is what I've grown up with and I just feel it would be different to me and many others because that's what we know.

BLOOD: Fair enough. I appreciate that. And for anybody that I've offended with my questions, I apologize. But my intent really is to try and get a balanced record. Thank you.

BREWER: All right, any additional questions? Seeing none, thank you for your testimony. Any additional opponents? Any here in the neutral capacity? With that said, Senator Pansing Brooks, welcome back to the Government Committee.

PANSING BROOKS: Thank you very much, Chairman Brewer. Well, I have a few things to say. First off, you know, we do still have the federal holiday. And this isn't about dismissing or not supporting the Italian-American communities, which are integral to our state, integral to the growth and the fabric of our state. I just want to-- I've written down a few notes and they may be a little bit out of, out of order. But clearly other states have done this. It happens due to states' rights. We do have the authority to do something different than the federal government, as so many other states, as a majority of the states have shown. Mr.-- I think his name was Cris-- Crisafulli talked about the Spanish heritage and I couldn't agree more. That is, that's another part to this whole argument, that truly the Spanish-Americans should also be taking pride in Columbus because that's where the money came from really, from, from Spain. So I just wanted to say I'm not really sure why we're, we're opposed to

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recognize-- or why some people want to recognize Columbus rather than creating an Italian-American Day. And it seems like that would be a wonderful idea for-- I'm happy and excited and interested in creating an Italian-American Day that would truly celebrate the great things that have happened in our state by great Amer-- by great Italian-Americans and help us to, to enjoy and learn about the history of the great Italian-Americans who have really made great contributions to our state and to our nation. So that's one thing. I, I agree that, you know, I do not agree that Congress, when they were creating Columbus Day, was really creating a celebrate Italian-Americans Day. I don't, I don't agree with that because I believe then they would have had the Polish-Americans coming up and the, and the English, the, the German-Americans and the Spanish-Americans. So I think the fact that all of a sudden, there's a group of people that gains pride because a guy who had some Italian heritage is being celebrated and somehow that group has, has taken that on and, in my opinion, it's, it's a mistaken private group. Now who am I to say that they're mistaken on this? It's important to celebrate the heritage of the Italian-American people, but to celebrate somebody like Columbus who tortured people, who raped people, who kidnaped people? Yes, and I'm totally happy to talk about the great navigational skills of Columbus and the fact that he did-- was the first to go across the Atlantic Ocean, and at least from that route, because Leif Erikson presumably came the northern route. So anyway, you know, there are, are places that have changed it to Leif Erikson Day. I, I just think that celebrating Columbus as a sort of note-- is a misnomer for celebrating the great Italian-American people. And to me, I'm happy if somebody wants to come to me and we'll bring a bill to change that day. But right now, what we need to do is recognize the great, the great history of the African-- or the Native American people, the first people who were here, who were here prior to Columbus, not even touching our land, which, literally, I was never taught that in my, in my history courses ever. In all schooling I've had, I have never heard that, that Columbus did not touch North American land. So to me, we're not only using the wrong person, we're not teaching history appropriately. So-- or correctly. So I think that in many ways, Columbus, you know, really offers-- doesn't offer the honor to Italian-Americans that they may think that he does. So let's, let's get an Italian-Americans Day and celebrate them. We could then fix two wrongs by celebrating Native Americans and Italian-Americans. I think, I think that would be a wonderful way to do it. All-- most of our families came from Europe and many of us had families that did endure terrible hardships coming over here. There's no question. And

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I'm not dismissing the value of the Italian-American people by doing this bill. And it's really too bad that, that in a way, it's, it's, it's my way or their way or somebody else's way. That's not what we need to be looking at. And I think that clearly, we could bring a bill and celebrate Italian-Americans. And I hope that we can do that. But I do think that it is now time to no longer celebrate a man who cut off people's hands when they, when they wouldn't bring gold to them. Who let them, who had competitions to split people in half with one blow who were Native American. And instead, let's celebrate the incredible attributes of the Italian-American people. There are so many people that, that I can name. I looked them all up and we can all go into that bill next. But I think it's time to celebrate the wonderful history and prehistory of our Americas, of the people who crossed the land bridge 24,000 years ago and were the first people on this great land. And in closing, I want to read what was handed out to the body and hers says: We begin. And I will say we end by acknowledging that we meet on the traditional land served by the Otoe and Pawnee people. We honor America's first people and all elders past, present, and emerging. And we are called on to learn and share what we learn about the tribal history, culture, and contributions that have been suppressed in telling the story of America. Thank you very much.

BREWER: Thank you, Senator Pansing Brooks, for your, your bill and your closing. Are there questions? I do want to take an opportunity to first off thank-- let's see, who was it that had the handouts? There you are. These are good. It is ironic that all the years that I've existed, I have never seen a breakout of where the Lakota Sioux were, and it took an Italian to give it to me. And it just happens to be the exact area that I have my district so that's pretty good. I do want to thank everyone. You have shown incredible respect on both sides. I appreciate that. I think it says a lot about the, the very difficult part that we're, we're trying to address here. But I was worried that, you know, it would, it would be more difficult than it was, but both sides showed respect. But I just thank you for that and I appreciate it. With that, we will read into the record before we close on LB848, we have six letters as proponents, 14 letters in opposition, and none in neutral. With that, we will close on LB848 and we will open on LB1015. Senator Briese, welcome back to your old committee, the Government Committee.

BRIESE: It's an honor to be here.

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BREWER: Well, I know it's been a bit of a delay, but I appreciate your patience and you are free to open here. Maybe I'll-- let's let things settle down just a little bit before we kick it off so we can hear you.

BRIESE: Sounds good.

LOWE: Hurry up. The sun is going down. Better change time.

BREWER: All right. If we can get everybody to clear out, we'll kick off the next bill. And it's really boring, so you won't want to wait around. Sorry, Tom. [LAUGH]

BRIESE: No offense taken.

BREWER: Yeah, well--

BLOOD: It's getting hot in here.

BREWER: OK. If we can-- can everybody clear out? We'll start the next hearing. All right, Senator Briese, whenever you're ready, go ahead and open.

BRIESE: Thank you. And good afternoon, Chairman Brewer and members of the Government, Military and Veterans Affairs Committee. For the record, my name is Tom Briese, T-o-m B-r-i-e-s-e, and I represent the 41st District. I bring to you today LB1015. LB1015 would move Nebraska into year-round daylight saving time once two conditions are met. First, the federal government must allow states to make that change; and second, two of our neighboring states must pass similar bills. LB1015 first came to me from a discussion with a constituent who wanted to know whether Nebraska was a part of the growing number of states who have implemented legislation allowing for year-round daylight saving time. The answer of why we cannot simply currently move to year-round daylight savings time is a complicated one. Introduced during World War I and again during World War II, daylight saving time was sold as a temporary wartime measure to save coal and fuel oil, which was needed for the war effort. After the end of the Second World War, daylight saving time was observed in some states but not others and began and ended on various days in those states. This led to a very confusing few weeks every spring and fall, so the federal government, in 1966, passed the Uniform Time Act, which allowed states to opt out of daylight saving time, but which gave prescribed beginning and end dates for those states which did

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participate, meaning that a state's choices are, as it stands now, year-round standard time or changing our clocks twice a year. Contrary to popular belief, farmers were in no way the impetus behind daylight saving time and were, in fact, among the earliest and strongest opponents. I can also say that, given the slew of calls my office has received from across the state, and as a farmer myself, I can tell you we are as sick and tired of changing our clocks twice a year as everyone else. Farmers and everyone else in our state, it would seem, hate the idea of having to change their clocks twice a year and I really do mean everyone. The feedback my office and others have gotten has been overwhelming. The opinions on some Facebook polls conducted by local media and from what my office has received, points to about 85 percent of people strongly supporting adoption of year-round daylight saving time. And they're not wrong. The reasons for stop-- to stop changing our clocks are myriad. From parents calling to tell us that it makes getting their children ready in the morning harder to hard scientific data from medical research that the practice actually costs lives to studies pointing to reduced economic activity, it's hard to argue that the practice benefits anyone. And the medical and personal costs are substantial. Folks with epilepsy and other conditions causing seizures report an increase in the week after the change. Heart attacks go up also. A study by the University of Michigan, the University of Colorado, and U.S. Department of Veterans Affairs in 2014 found a 24 percent increase in heart attacks on the Monday following the time change. And other studies have shown statistically significant increases for up to a week after that. A study by Finnish researchers in 2016 showed an increase in stroke of up to about 25 percent for the two days following the springtime change. Another study by the University of Colorado of over 700,000 car accidents found a 6 percent increase in car accidents in that week after changing times. This practice is actually hurting and even killing people. The time change is also costing us money, in the cost of injuries and in other ways. An organizational economist with the University of Oregon found a 6 percent increase in workplace injuries among minors. And the injuries were more severe than the typical trend, resulting in a 67 percent increase in lost workdays. A 2012 study published in the Journal of Applied Psychology showed a substantial decrease in worker activity and an increase in idle time in the mornings of the days following the time change. Between medical costs, sick-- excuse me-- sick days from heart attacks, strokes, and car accidents, lost work days from workplace injuries and simple decreased efficiency at work, the costs really begin to add up. An economics and analytics company undertook a study entitled,

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"Estimating the Economic Loss of Daylight Saving Time for U.S. Metropolitan Statistical Areas," which led to-- which led others to create a lost hour index and an interactive map to show the economic cost to businesses. That economics and analytics company estimated that businesses in the U.S. lose over \$430 million of economic activity every year in the days after the change. And up until now, I've simply been talking about the negative effects of a change at all, which would be solved by changing to year-round standard time just as easily as it would be by changing to year-round daylight saving time. So I picked the latter option, one that requires us to wait on the federal government to give us permission. I was on this committee in 2017 and I know that a few of you were as well, and that year, we heard LB309 from then-Senator Brasch, which would have moved us to year-round standard time. I want to thank her for her efforts. And obviously, I agree with many of the points she made. However, the opponents at that hearing made some excellent points also, which I believe this bill addresses. Year-round standard time would reduce daylight for after-school sports and could reduce the economic impact of golf, hiking, and other outdoor recreation activities that people in Nebraska take advantage of in the summertime. And that leads me to perhaps one of my greatest reasons for suggesting this change and that is the potential increase in economic activity that could flow from year-round daylight savings time. One could argue that it could be a valuable tool in our efforts to grow our state's economy. Countless commentary suggests a net increase in consumer spending, enhance-- enhanced economic activity flowing from an extra hour of daylight in the evening. In November of 2016, JP Morgan Chase and Company published a study assessing the economic impact of daylight savings time. They did this by comparing economic activity for the 30-day period immediately after the beginning of standard time and the 30-day period after the beginning of daylight savings time in three urban areas to the same period found in Phoenix, where daylight saving time is not recognized. In it, they found an average increase in credit card activity of 1.5 percent for the 30 days immediately following the start of daylight saving time and an average decrease of 3.5 percent following the start of standard time. As the Chase study noted, their comparisons "indicated economic impact of daylight saving time is not uniform and the impact on a given city is an empirical question," but their data does raise some intriguing considerations. Depending on the source you ask, consumer spending in Nebraska equals roughly \$80 billion per year, and for the sake of simplicity, would equal on average \$6.6 billion per month. If we could surmise that, based on the Chase study, year-round daylight savings time would generate a 2

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percent bump in economic activity for the four-month winter period, we're talking about roughly \$530 million in increased economic activity. Now these numbers are admittedly speculative and I wouldn't want to take them to the bank, but they certainly merit consideration. And finally, another reason to consider year-round day-- year-round daylight saving time or standard time is the trend nationwide. In 2017, no states had passed legislation calling for doing away with the time change. As of today, seven states have passed legislation to go to year-round daylight saving time, most recently with South Carolina, whose governor signed a bill at the beginning of this month. There also are dueling bills in the U.S. House and Senate to allow for this and President Trump has endorsed year-round daylight saving time. So my last message to the committee is this: The trend is happening, and regardless of what happens here in Nebraska. Seven states have already done this and over 30 states have legislation introduced in their current or most recent session to do away with the time change. Almost all of those passed and introduced bills contain triggers, much like LB1015, and they don't take effect until one or several neighboring states pass similar legislation. Once something passes at the federal level, the dominoes on this are going to begin falling very quickly and I don't believe that any of us want to see Nebraska be left behind when states all across the country stop changing their clocks and have us sitting here still carrying out a-- really, what's a deadly, costly, and pointless exercise. And with that, I thank you and I would try to answer any questions you might have.

BREWER: All right. Thank you, Senator Briese. Quick question, do we know-- you said that at least two border states have to agree. Do we have any border states that are considering it?

BRIESE: Considering, I believe, yes; actually adopted something similar, I would say no. And, and I'm not positive which ones are considering it now, but I'm pretty confident a couple of them have bills in place.

BREWER: OK. Questions-- yeah.

BRIESE: I-- I can get back to you on that.

BREWER: All right. Questions? Senator Blood.

BLOOD: Thank you, Chairman Brewer. Thank you, Senator Briese. We talked a little bit about this bill before you came to the committee. So isn't it more that the state-- it isn't the state is, is choosing

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to go to this full time, but that we're opting out of the fed-- isn't that how the federal law reads, that we have the-- states have the ability to opt out, not to implement the full time?

BRIESE: We don't have the ability to opt out until they give us authority to do so.

BLOOD: And so we don't get the authority to do so unless we have neighboring states?

BRIESE: Unless the feds give us the ability to do so.

BLOOD: And so know--

BRIESE: And it's my understanding that, for example, Arizona and Hawaii are on standard time. They've never adopted daylight savings time. They've just maintained standard time.

BLOOD: So knowing that this is a huge thing for President Trump, would it be better just to wait for the federal government to handle this instead of making a patchwork of laws?

BRIESE: Well, and that's why you would wait until at least two neighboring-- you don't really want to be in Iowa with your own time zone and neighboring states not recognizing-- it's a time zone, but neighboring states not recognizing similar time. But then that's why you would wait until two neighboring states would also adopt something like this. And, you know, if there are concerns about that, you know, you could go four neighboring states or three neighboring states. As far as waiting for the feds on this, may as well have it in place so you're ready to go if they-- if they would, instead of having to wait and be a "lagger" in that respect.

BLOOD: How would you address the opposition letter from the NBA?

BRIESE: [INAUDIBLE]

BLOOD: Nebraska Broadcasters Association.

BRIESE: I'd have to review that opposition letter again, but Arizona appears to get along OK. You know, they're, they're-- they could be considered an island and somehow manage to adapt to this situations with their border states.

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BLOOD: Thank you.

BRIESE: Thank you.

BREWER: Sen-- Senator Briese, as a farmer, you would prefer daylight savings time over standard time?

BRIESE: I-- I don't know if I would go that far other than we'd prefer not to have the switch. In the summertime, we already have daylight savings time and I think that was-- growing up, that was a gripe of my parents, you know, the daylight savings time. They weren't fond of that. We already have that, and that's not going to change. As far as that change in the winter month, I-- months, I don't think that would have a negative impact really on folks out in the agricultural industry.

BREWER: OK. Additional questions? Seeing none, you're going to stick around for close?

BRIESE: Sure.

BREWER: Well, fortunately, the room emptied out pretty good and I'm guessing some of them are just here occupying time, so [LAUGH] we'll see how quick I get you back up here.

BRIESE: OK.

BREWER: All right. We will start with proponents to LB1015. All right. We'll quickly move to opponents. Welcome to the Government Committee.

JIM TIMM: Thank you, Chairman Brewer, members of the committee. My name is Jim Timm, J-i-m T-i-m-m. I serve as president and executive director of the Nebraska Broadcasters Association, otherwise known as the NBA. We represent Nebraska's over-the-air radio and television stations. They're licensed by the Federal Communications Commission to serve their respective communities of license. And our membership includes 48 different companies that operate 254 radio and TV stations across the state. I'm here to testify in opposition to LB1015 as it would be disruptive to many of our members and to the businesses and the people that they serve who rely on Nebraska-based radio and TV stations to keep them informed. I want to make clear that we don't oppose the concept of permanent DST. We're opposed to operating on different clocks than those of our neighboring states. As Senator Briese mentioned, in the early part of the twentieth century, when the country was not at war, states individually chose whether and when to

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change time standards and this patchwork approach caused problems which led Congress to pass the Uniform Time Act of 1966. Broadcasters opposed state-by-state time shifts because adopting different time standards on this individual basis would put each state out of sync with its neighbors in making program scheduling as chaotic as the patchwork time zone map would look on its own. This would be especially problematic in TV and radio markets that stretch across state lines, such as the designated market areas, or DMAs, of Omaha/Council Bluffs and Cheyenne/Scottsbluff. This would also be problematic for Nebraska stations that serve audiences and advertisers across state lines, from stations licensed to cities like Chadron, Falls City, McCook, Superior, Valentine. and others. Some broadcasters might be forced to air certain programs on tape delay. Setting start times for live events such as sports and awards shows could become challenging. Drive-time radio in markets that cross state lines would suddenly reach only a fraction of its intended audience at once. The operating power and operating hours of most AM radio stations are regulated by the FCC and are tied to daily sunrise and sunset times. For many of the 48 AM radio stations in our membership, operating on different clocks than those in neighboring states would negative-- negatively impact a large segment of their listeners and their advertisers. Additionally, TV station programming may comply with FCC rules for the time a program is permitted air in one state, but could violate the safe harbor rules in another state. So in summary, individual state time changes could be very hazardous for our industry and we believe it should be left up to Congress to decide on permanent DST. Again, we're not opposed to the concept. We just don't want to be left on an island compared to different times on those of our neighboring states. Thank you for your time and I'd be happy to answer any questions.

BREWER: All right. Thank you for your testimony. Questions? Yes, Senator--

LOWE: Thank you, Chairman [INAUDIBLE]--

BREWER: What's his name?

HUNT: Lowe.

BLOOD: Lowe.

BREWER: Lowe. Thank you.

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LOWE: Thank you, Mr. Timm, for being here. How do you deal with radio stations like KRVN that stretch out multistates' time zones? I mean--

JIM TIMM: Yeah.

LOWE: --they do it.

JIM TIMM: They are one of a very few stations, AM radio stations in the country that have that kind of operating power. And that was grandfathered in decades ago. I don't want to get too technical, but there are a handful of radio stations across country, like WLS and WGN in Chicago, WABC in New York, KCBS in San Francisco, that in wartime, were granted what was called clear-channel operating power. They're the only station operating at that frequency across the country and they do not have to change their operating power at all during the day. Technical concern here is the way AM waves are transmitted. There's a bounce and a reflection and signals can cut into each other and that's why certain stations have to change their pattern and their operating power at different times of the day. So KRVN is one of those in the minority that does reach a lot of states. And the way they change their pattern at night, they get all the way out to California so it wouldn't change much for them. Frankly, in our membership, the bigger concerns would be coming out of Omaha and Scottsbluff. But it could also impact those on the other bordering communities.

LOWE: Yeah, I think in today's technology, you know, when we're watching CNN or Fox News and they're basing their time on the Eastern Time Zone and we're watching it much earlier on our clocks, you know, I think, I think our people can understand what-- what's going on. But thank you. I appreciate you being here today.

JIM TIMM: You're welcome. Thanks for the question.

BREWER: Yes, Senator Blood.

BLOOD: Thank you, Chairman Brewer. I-- I just want to clarify something. I think you're talking about two different things here. There are specific laws in place, FCC, on what the radio stations can and can't do, where they can and cannot transmit, correct?

JIM TIMM: In terms of their operating power?

BLOOD: Um-hum.

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JIM TIMM: Absolutely.

BLOOD: Can--

JIM TIMM: Your license says you can only have so much power up to a certain time. And by the way, that's sunrise and sunset--

BLOOD: Right, and so--

JIM TIMM: --in AM radio.

BLOOD: And so when you cross state lines or you, you, you go into other time zones, can you kind of just address that a little bit better for me?

JIM TIMM: Well, that doesn't change because--

BLOOD: Right.

JIM TIMM: --where the station-- wherever it's licensed to transmit from and whatever signal pattern it's licensed to cover, that only changes at sunrise and sunset at the direction of the FCC. So that wouldn't change. The impact would be the programming schedule of people in a bordering state that might be on a different clock than the rest of us.

BLOOD: I, I just-- I, I heard a little confusion between the two. For me, it's-- it all makes sense because my husband, as you know, was in radio for over 40 years, so.

JIM TIMM: Right.

BLOOD: All right. Thank you.

JIM TIMM: You're welcome.

BREWER: So what is the most powerful station in, in Nebraska?

JIM TIMM: In Nebraska, KRVN has the largest signal and the--

BREWER: Who's number two?

JIM TIMM: Probably KFAB.

BREWER: And three?

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JIM TIMM: KNEB out of Scottsbluff.

BREWER: That would make sense. All right. Any more questions? All right. Seeing none, thank you for your testimony.

JIM TIMM: Thank you all.

BREWER: We, we learned something.

JIM TIMM: Thank you.

BREWER: OK. Any additional opponents? Anybody in the neutral capacity? Ah, so you weren't just taking up space.

JOE KOHOUT: No.

BREWER: You were actually here in official capacity.

JOE KOHOUT: I was sitting back there and--

BREWER: Welcome to the Government Committee.

JOE KOHOUT: Hey, thank you. Chairman Brewer, members of the Government, Military and Veterans Affairs Committee, my name is Joe Kohout, K-o-h-o-u-t, registered lobbyist appearing today on behalf of the Nebraska Golf Alliance. Two years ago, when the committee-- or three years ago, when the committee first heard a previous version of this bill that set us to daylight-- or kept us on standard time, you heard opposition not just from our-- the leader of our organization, Dave Honnens, who's also-- serves as the head of the Nebraska PGA, but you also, members of the committee, heard directly from a lot of the golf professionals directly in our-- in, in-- at our courses around the state. And their concern was focused primarily on the impact that it could have on nighttime golf leagues and if we were going to lose about an hour of daylight, would we still see revenues come in at those-- at those courses? When we saw this bill, it was forwarded on to the PGA of America and the PGA of America is still in the process of determining what position they are going to take, so you appear-- see me appearing in a neutral capacity, but with high encouragement that this is the right direction to go if we're going to look at- at a time change in Nebraska. So with that, I would try to answer any questions that you might have.

BREWER: First off, let me apologize for thinking that you are just relaxing in the back and not in an official capacity. I, I, on

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occasion, will see the whole back row full of people that are just kind of hanging out because it's a great place to hang out, I guess, but--

JOE KOHOUT: What's better than hanging out in the Government Committee, Senator Brewer?

BLOOD: Nothing.

BREWER: Unless you have to.

JOE KOHOUT: Unless you have to.

BREWER: OK. Questions for Joe? All right.

JOE KOHOUT: Thank you, Senator.

BREWER: Thank you for your testimony. I'm assuming, if I make this offer again, that Walt's going to come up. Is there anybody else-- oh, so Walt actually is hanging out. [LAUGHTER]

WALT RADCLIFFE: I'm with him over there.

BREWER: Anybody else in the neutral capacity? So no more opponents, no one in the neutral. We'll welcome back Senator Briese to close on LB1015.

BRIESE: Thank you. Again, I don't really have much for you but a couple comments. You know, prior to '17, no states had adopted a resolution or statute to go to year-round daylight savings time. Since '17, we have those seven states. We mentioned earlier another four states with resolutions. And as we sit here today, we have six surrounding states and every one of those states have a, a proposal before its legislative body to go to year-round daylight savings time. And in fact, according to my staff, the one in Colorado is being heard in committee today. And so if we're worried about being out of sync with our neighbors, as perhaps the broadcasters expressed some concerns about, you know, maybe we'd better be taking a hard look at this, get this in place, but to protect against being an island or, you know, being one of three states in the neighborhood that have daylight savings time, we could increase the requirement that two adjoining states adopt this to three or four. But anyway, something to consider, I think, when neighboring states are talking about it, have

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proposals to do it, and it seems like Washington is creating some momentum to head this direction. But anyway, thank you for your time.

BREWER: Thank you. Thank you for waiting to do this.

BRIESE: Oh, no problem.

BREWER: Any questions for Senator Briese? All right. Before we close this, let's go ahead and run through. LB1015 has two proponents, one in opposition, one in the neutral. With that, we'll close the hearing on LB1015 and we'll close our Government hearings for today. Don't forget, tomorrow we'll have an Exec after we're done.