

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

[AGENCY 21]

SENATOR HEIDEMANN: I think we're going to go ahead and get started here. We got some members still coming in. We just...there was three of us that's on Retirement Committee and it just got over, so that's why we're getting started a little bit later than we would like to. We will start by doing some introductions. Way over the right, joining us later who probably just is leaving Retirement is Senator Jeremy Nordquist of Omaha, District 7; sitting next to his left is Senator Tom Hansen from North Platte, District 42; sitting next to his left is Senator Danielle Nantkes from Lincoln, District 46; sitting next to her left, Senator John Wightman from Lexington, District 36; our committee clerk is Anne Fargen; I am State Senator Lavon Heidemann, Elk Creek, District 1; Fiscal analyst's name at the present time is Scott; pages for today is Andy and we have a Jared. We also have with us Senator John Harms from Scottsbluff, District 48; Senator John Nelson from Omaha, District 6; Senator Tony Fulton from Lincoln, District 29; and Senator Heath Mello from Omaha, District 5. At this time, we ask if you have cell phones if you will please shut them off, put them on vibrate or silence so as they don't disrupt later on. Testifier sheets are on the table or near the back doors. We ask that you would please fill them out completely and put them in the box on the table when you testify. You do not have to fill out these forms if you are not publicly testifying. At the beginning of the testimony, please state and spell your name. This is transcribed later on. That helps with the transcribers. Nontestifier sheets near the back doors if you do not want to testify but would like to record your support or opposition. You only have to fill out this if you will not be publicly testifying. If you have printed materials to distribute, please give them to the page at the beginning of your testimony. We need 12 copies. We also ask you, in the matter of time, please keep your testimony precise and on topic, under five minutes would be appreciated. With that, we'll start the public hearing on Agency 21, the State Fire Marshal. [AGENCY 21]

JOHN FALGIONE: Senator Heidemann and members of the Appropriations Committee, good afternoon. I'm John Falgione, State Fire Marshal, it's J-o-h-n F-a-l-g-i-o-n-e. I

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

support the Governor's budget for the 2009 through 2011 budget cycle. I would also like to thank the committee for their diligence and continued efforts in the current economic situations. If there are any questions from the committee, I will be happy to try to answer them. And I've kept it under five minutes, Senator. [AGENCY 21]

SENATOR HEIDEMANN: You did well and we like that. Our motto is the less testimony the more money. (Laughter) [AGENCY 21]

JOHN FALGIONE: Thank you very much. [AGENCY 21]

SENATOR HEIDEMANN: We do have a question. Senator Hansen. [AGENCY 21]

SENATOR HANSEN: Thank you, John. Thanks for being here. Could you explain your cash, how you get the cash account in and out, where some (inaudible) accounting for that. [AGENCY 21]

JOHN FALGIONE: Some of our cash funds, it comes from different licenses that we issue and inspections that we do. [AGENCY 21]

SENATOR HANSEN: So it's all from licenses and... [AGENCY 21]

JOHN FALGIONE: Yes. [AGENCY 21]

SENATOR HANSEN: Okay. That's all I have. [AGENCY 21]

SENATOR HEIDEMANN: Are there any other questions? Senator Mello. [AGENCY 21]

SENATOR MELLO: John, was I correct to hear that you came in, in support of the Governor's recommendation? Because I know the committee gave you close to a 3.7 percent increase, as well as a 2.4 percent increase. [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

JOHN FALGIONE: Yes, sir, that's what I said. [AGENCY 21]

SENATOR MELLO: Okay. [AGENCY 21]

SENATOR HEIDEMANN: Any other comments or questions? Seeing none, thank you.
[AGENCY 21]

JOHN FALGIONE: Thank you very much. [AGENCY 21]

JERRY STILMOCK: Good afternoon, Senators. My name is Jerry Stilmock, J-e-r-r-y, Stilmock, S-t-i-l-m-o-c-k, testifying on behalf of my client, the Nebraska State Volunteer Firefighters Association. The 7,300 men and ladies that are part of our association throughout the state rely tremendously on the services provided by the Fire Marshal's Office in training, extrication maneuvers, a whole host of services, and so it's always important, I believe, for our association to show up, lend our support to what the Fire Marshal's Office does and the dire need that we need for those services offered by his office. The training division provides just invaluable services. During May of each year, just as a side note, during May of each year firefighters from throughout the state join about 2,000 in number in Grand Island at Fonner Park. The Fire Marshal's Office is a part, a very important part, of the two and a half days of classroom and in-the-field operation training that occurs during those two and a half days, plus everything else that the office does throughout the year, whether it's assisting small towns in fireworks displays, making sure that those fireworks displays are selling only legal fireworks, and everything else that the office does. So I'd be remiss if we weren't here today. And I understand that the Governor's proposal was short of what the Appropriations Committee...and I...being here on time, I listened to the senator's question of the Fire Marshal, but we'd certainly support what the Appropriations Committee has proposed because of the cuts that may have to occur if the Governor's budget was followed. In two minutes, let me just say in years prior the Fire Marshal's Office had another cash

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

fund from a fire insurance premium tax and there was a historical event happening that when the Fire Marshal's Office arrived at--it was explained to me by the Fiscal Office--about to February, that the funds coming in from that insurance premium tax weren't enough to sustain the Fire Marshal's Office for the full fiscal year. So they start running short about February, March, until those funds came in, in April, May, and June. And so there was legislation introduced to remove that insurance premium tax and so now it's, other than the cash fund that the senator mentioned, it's going back to the General Fund in making that request. So our association did not oppose that request because we were mindful of the problems that was creating in the months of March...February to March, but we do believe it's important for this funding to continue and certainly would support the committee's recommendation. Thank you. [AGENCY 21]

SENATOR HEIDEMANN: Thanks, Jerry, for coming in today and... [AGENCY 21]

JERRY STILMOCK: Yes, sir. [AGENCY 21]

SENATOR HEIDEMANN: ...testifying on the volunteers' behalf. Are there any other questions? [AGENCY 21]

JERRY STILMOCK: Okay. [AGENCY 21]

SENATOR HEIDEMANN: Seeing none, thank you. [AGENCY 21]

JERRY STILMOCK: Thank you all. [AGENCY 21]

SENATOR HEIDEMANN: I'd like to note at this time that Senator Jeremy Nordquist from Omaha has joined us. Is anyone else wishing to testify on Agency 21, State Fire Marshal? Welcome. [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

MARVIN KOHLER: Thank you. My name is Marvin Kohler, K-o-h-l-e-r, address is 1739 Ingalls, I-n-g-a-l-l-s Street, Grand Island. My position is the...I am the president of the Nebraska Fireworks Retailers Association. Our association is a trade group. We make up...represent over 600 retail locations in the state. The reason I'm here today--and my associates, Mr. Eric Sanders and Kirk Myers, will also briefly talk to you about our issue--we would like to ask for a line-item addition on to the Fire Marshal's budget in the amount of \$20,000. The purpose for that is to allow for testing of consumer fireworks. Approximately 30 years ago, the then-Fire Marshal decided that they wanted to test the products that we sell in the state, so any new items that are being introduced into the market by the distributors in the state of Nebraska must be tested before they can be sold. Prior to about 2004, we had no limit on the number of items that we could introduce and we had a two-night process in which the testing took place. We were told in 2004 that the budget simply did not allow for that many items and that much time to be spent, so we were cut back to having 20 items tested each year. Fire Marshal Falgione informed us this past year that the budget again was strained and that we needed to be cut back to only one night of testing and 7 items to be tested, so we went from 20 to 7. The problem with this is, for us, is that we need to have new items and...to compete with other states as well as the fact that what happens in the fireworks business is a lot like what happens in all other retail businesses. You have new items that's introduced and oftentimes different companies actually are selling the same item but it may be sold under different labels. And I handed out to your aides yesterday a little...a piece of information that looks like this, and what it basically is doing is I'm showing that there's two items here and these items are basically the same item. It has the same performance. It's probably most likely made in the same factory, but two different companies are selling them and, therefore, they put their name on them and they put a different label on them and, that be the case, we have to have...both of them items have to be tested in the state to get them approved. And so that's basically a summation of the reason that we believe we need to have this money. And then the other issue that comes about oftentimes is that even though you might have dealt with a company for many years, in my case this past year I dealt with the same company for

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

30 years and when I got my new prices, the prices that this company was charging had went up excessively. And so I've been forced to try to find different suppliers and when I try to find different suppliers I find out that, of course, they've got different labels and those labels are not approved as such in the state. So it makes it very difficult. Eric Sanders will address the issue of, again, why we need new items, and Kirk Myers is going to tell you that even though we're asking for money, we're going to show you how we're going to pay it back, contrary to Washington, D.C. So we're...this is our issue today and we do appreciate what the Fire Marshal has done for us. We think that his agency and he himself have done an excellent job in representing the people of the state of Nebraska. [AGENCY 21]

SENATOR HEIDEMANN: Questions? Have you approached the Fire Marshal and voiced your concerns about testing more products? And what response did you get from them? [AGENCY 21]

MARVIN KOHLER: We have talked with Fire Marshal Falgione. He has asked us to be here today to present this issue. He's telling us that the budget simply won't allow for this, for any more items, and he's telling us that perhaps in 2010, with the strain that might exist, that there may not be any money at all for testing. And, of course, that's going to be a real difficult issue should that occur. [AGENCY 21]

SENATOR HEIDEMANN: Okay. Thank you. [AGENCY 21]

MARVIN KOHLER: Thank you. [AGENCY 21]

SENATOR HEIDEMANN: Are there any other questions? Seeing none... [AGENCY 21]

ERIC SANDERS: Good afternoon, Senators. My name is Eric Sanders, it's E-r-i-c S-a-n-d-e-r-s. I live at 304 South Chestnut Street in Norfolk. I'd like to thank you all for allowing me to bring this to your attention. The money that Marv has been talking about

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

would allow the State Fire Marshal to do two nights of testing for potentially new products for us to bring for sale to not only consumers but for jobbers and wholesalers in Nebraska. They're licensed in the state of Nebraska. These new products are vital, as he said, to our...to expand our current business. Without adding new products every year, our sales will suffer to the surrounding states that are allowed to have these items, because the consumers and wholesalers will go to these states if they're not allowed to get them here in Nebraska. Because I do live in Norfolk and all of our retail stands are north and east of us, so if the consumers can't buy them in our stands...you know, they come in, they want to see new products. That's the first thing they ask when they come in the door--what do you guys have new this year, you know? So we don't have anything, you know? We weren't allowed to test anything, per se. Down the road is what we're talking about, so it's hard to keep those customers here because they know the other states have these products. That's my testimony. Do you have any questions?
[AGENCY 21]

SENATOR HEIDEMANN: Is there any kind of fee that you pay when you test these things? I didn't pick up on this. [AGENCY 21]

ERIC SANDERS: No, we don't. Our fees are our wholesale license that we have every year. We apply for it. [AGENCY 21]

SENATOR HEIDEMANN: And where does the revenue for the license fee go to? Do you know? [AGENCY 21]

ERIC SANDERS: The revenue for the licensing fee goes in...I'm not sure where it...goes into the General Fund of his. [AGENCY 21]

SENATOR HEIDEMANN: Would you be...if this is important to you, would you be willing to have an increased license fee or a fee to test these things so that more could be tested, almost self-funded type of a deal? [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

ERIC SANDERS: That's a consideration. [AGENCY 21]

SENATOR HEIDEMANN: Okay. Other questions? Senator Nelson. [AGENCY 21]

SENATOR NELSON: Do you know what your license fee is? [AGENCY 21]

ERIC SANDERS: It's \$500 for a retailer...or for a wholesale license... [AGENCY 21]

SENATOR NELSON: Per year? [AGENCY 21]

ERIC SANDERS: ...per year and \$25 for...per retail stand location. [AGENCY 21]

SENATOR NELSON: And this testing, are you...you're in Norfolk and... [AGENCY 21]

ERIC SANDERS: Yes. [AGENCY 21]

SENATOR NELSON: ...and the previous gentleman was from Grand Island. [AGENCY 21]

ERIC SANDERS: Yeah. [AGENCY 21]

SENATOR NELSON: So you're each tested at, what, your location? Or do you take these... [AGENCY 21]

ERIC SANDERS: No, we bring them to Lincoln here at the Lincoln Air Park in September. The Fire Marshal's Office will set up a day for testing and all the distributors that are licensed in the state of Nebraska for that particular year will submit their items prior to testing and then we bring them to that site and they set up the testing facilities for us to shoot them and grade them. [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

SENATOR NELSON: So you get seven tested; Grand Island distributor gets seven tested. [AGENCY 21]

ERIC SANDERS: Gets seven, yeah. [AGENCY 21]

SENATOR NELSON: Okay. Okay. [AGENCY 21]

ERIC SANDERS: And Kirk, he'll get seven, as long as you're a licensed distributor for the state of Nebraska. [AGENCY 21]

SENATOR HEIDEMANN: Senator Wightman. [AGENCY 21]

SENATOR WIGHTMAN: Mr. Sanders, are you a wholesaler or a retailer? I didn't pick up... [AGENCY 21]

ERIC SANDERS: I'm both. [AGENCY 21]

SENATOR WIGHTMAN: You're both. Okay. So you pay \$500 for a wholesaler's license and \$25 for a retailer's. [AGENCY 21]

ERIC SANDERS: For each retailer stand that we have. We have... [AGENCY 21]

SENATOR WIGHTMAN: Are a lot of local stands, are they wholesalers or most of them retailers? [AGENCY 21]

ERIC SANDERS: They're retailer, most. [AGENCY 21]

SENATOR WIGHTMAN: They're just retailers, but you sell... [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

ERIC SANDERS: We have approximately 20, and that's an approximation, that 20 wholesalers come to that shoot in September. [AGENCY 21]

SENATOR HEIDEMANN: Senator Hansen. [AGENCY 21]

SENATOR HANSEN: Eric, are fireworks tested anywhere else? Is there any other testing procedure for fireworks? [AGENCY 21]

ERIC SANDERS: Yes, they are stringently tested in China prior to...prior to coming into the country. [AGENCY 21]

SENATOR HANSEN: Under what office? [AGENCY 21]

ERIC SANDERS: CPSC. [AGENCY 21]

SENATOR HANSEN: And explain what that is. [AGENCY 21]

ERIC SANDERS: That's the Consumer Product Safety Commission. And they, as well as our own testing in the factories, they also are tested prior to coming into the states. [AGENCY 21]

SENATOR HANSEN: But that's a United States law that they're tested (inaudible)? [AGENCY 21]

ERIC SANDERS: Yes, they have to be tested prior to coming in and... [AGENCY 21]

SENATOR HANSEN: So all fireworks are tested by the U.S. government and the Nebraska State Fire Marshal. [AGENCY 21]

ERIC SANDERS: Yes. [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

SENATOR HANSEN: Thank you. [AGENCY 21]

SENATOR HEIDEMANN: Any other questions? Seeing none, thank you. [AGENCY 21]

ERIC SANDERS: Okay. Thank you. [AGENCY 21]

KIRK MYERS: Good afternoon. My name is Kirk Myers, that's M-y-e-r-s, and I'm here as the treasurer of the Nebraska Fireworks Retailers Association. I live just east of Crete at 18255 Southwest 128 Street, live there with my wife and kids, do normal computer work year-round, but when the 4th of July rolls around I put on a different hat, take my two weeks' vacation and go out and live in a tent. (Laughter) Every year when customers come in they want to know, what do you have that's new. And of course they have old favorites but the industry definitely comes out with new products every year. This last year we had some new items that were allowed to be tested and approved in the fall of 2007 to be sold in the 2008 summer. Those items were double- and triple-break artillery shells. Those items are very popular with consumers. Instead of just having a reloadable mortar that shoots one artillery shell into the air with one break, it will shoot up two or three at a time, and more is better when it comes to fireworks. These items were tested and many were found to be safe by the State Fire Marshal for Nebraska consumers and were sold in the 2008 year. I can testify that we had great sales with those products in 2008, as surrounding states have had those products for many years. I also know I heard from a number of customers this year that said, with \$4 gas and with the products that are being allowed into Nebraska now, they didn't see it worth it to run to South Dakota or down to Missouri to buy those products. So those dollars are staying in Nebraska and sales tax revenue is increasing because of it. I'd like to personally thank John Falgione for having the foresight to test double- and triple-break artilleries and see that those products could be safe and good for the Nebraska consumers, along with the fireworks business in general. I don't think we can help with the \$4 gas, but we can help with having new products available for consumers

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

to want to stay in Nebraska for their sales. I contacted the Nebraska Department of Revenue to see if we could find out any sales tax figures related to fireworks. Pat Eskey was able to help out with some numbers. Let me first clarify that these numbers represent fireworks-only vendors, as these are vendors that only sell fireworks. They do not represent fireworks dollars that...a business that files sales tax year-round because those would be included with their other sales and hard to pick out the fireworks numbers. So the numbers that I'm going to give you represent about two-thirds of the fireworks vendors and I would guess approximately 50 percent of the total sales tax dollars for the state of Nebraska. In 2007, there was \$432,625 of sales tax revenue that came in through the fireworks-only vendors. In 2008, we had \$481,405 that came in. Even with a down economy, we see an 11.3 percent increase in sales...or in revenue and sales. And again, this \$50,000 of additional money I believe only represents about half of the actual dollars that came in, because it doesn't represent all of the fireworks dollars that were submitted. It is strictly fireworks vendors only and doesn't include the other businesses. Our industry produces approximately 500 to 700 new items every year. In years past we've been able to submit 150 items. That was cut down to 20 items years ago, down to 7 items last year, and it's been suggested that due to budget constraints it may go to 0. To be competitive with other states and keep the growth going here in Nebraska, we need to be able to have new items tested and approved. Unlike many tax proposals, we believe that this will prove beneficial and we'll see increased sales and increased tax dollars for the state of Nebraska to easily pay for the \$20,000 appropriation we're asking for. Thank you very much for your time. [AGENCY 21]

SENATOR HEIDEMANN: Where did you come up with the \$20,000 figure, what it's going to take to test this? [AGENCY 21]

KIRK MYERS: The Fire Marshal had done a analysis of what testing was costing for the agency and, John, do you remember the exact totals by chance on what that (inaudible)? [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

JOHN FALGIONE: Two thousand seven was over...almost \$13,000. [AGENCY 21]

KIRK MYERS: Okay. Two thousand seven was around \$13,000. [AGENCY 21]

SENATOR HEIDEMANN: How many new products would \$20,000 allow you to test?
[AGENCY 21]

KIRK MYERS: Well, in 2007, was that...were we allowing 20 that year or 7? I believe we could continue with the 20 items per distributor, which we would like to see. [AGENCY 21]

SENATOR HEIDEMANN: Okay. [AGENCY 21]

KIRK MYERS: This last year we were only allowed seven. And again, it's been suggested that in future years that could be taken to zero, which would be a detriment over the years to the fireworks industry in Nebraska. [AGENCY 21]

SENATOR HEIDEMANN: Senator Fulton, did you have a question? [AGENCY 21]

SENATOR FULTON: Yeah. I'll...just curiosity. So this shoot that happens in September out here in Lincoln, is it for...can anyone come and watch or...? [AGENCY 21]

KIRK MYERS: You bet. You bet. If you'd like an invite, give me your name and we'll get you invited. [AGENCY 21]

SENATOR FULTON: Think I'd like that. [AGENCY 21]

KIRK MYERS: There's lots of fireworks people that come. There's newspaper reporters that will come out. It's for the entire...all the distributors in the state. Each distributor that

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

pays the \$500 is allowed to submit currently up to seven items to be tested, and that's done out in the Air Park area out by Nine Mile Prairie in the cool evenings of September and October and... [AGENCY 21]

SENATOR FULTON: Okay. Thanks. [AGENCY 21]

KIRK MYERS: Sure. [AGENCY 21]

SENATOR HEIDEMANN: You could charge admission. You could probably make enough money to test some more. (Laughter) [AGENCY 21]

KIRK MYERS: I did want to mention one other thing. Personally, I believe that, you know, we've seen \$100,000 of retail sales tax revenue increase year over year, and I attribute a lot of that to the new items that John allowed to be tested and get approved in Nebraska, especially the double- and triple-break artillery shells. And we believe that, you know, continuing the testing and continuing to have new items will pay for that appropriation of \$20,000. However, as an industry, we would be willing to pay the additional amount, you know, through fees of either retailers or distributors to pay for it as well. [AGENCY 21]

SENATOR HEIDEMANN: How many retailers across the state do you...did you... [AGENCY 21]

KIRK MYERS: Approximately 700. [AGENCY 21]

SENATOR HEIDEMANN: Okay. How many wholesalers? [AGENCY 21]

KIRK MYERS: I'm not sure. There's retailers, jobbers, and distributors, and the distributor numbers I believe are in the fifties range. I'm not sure how many jobbers there are, and retailers, again, is just over 700. [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

SENATOR HEIDEMANN: Okay. Senator Wightman. [AGENCY 21]

SENATOR WIGHTMAN: You said last year, what, \$481,000 that you could track from those, that's sales tax. That's not sales. [AGENCY 21]

KIRK MYERS: That's actual dollars coming in to the Nebraska Department of Revenue, yes. [AGENCY 21]

SENATOR WIGHTMAN: And I guess I'm sitting here thinking that if we were to pass this on out, we probably would recover much of it, maybe all of it, but what if we were to propose, say, a \$10 increase or...well, maybe more than that. You're at \$500, right? How much is it for a wholesaler, \$500? [AGENCY 21]

KIRK MYERS: It's \$25 for a retailer. A jobber permit or a wholesaler permit is \$200, and then a distributor permit is \$500. [AGENCY 21]

SENATOR WIGHTMAN: So if we were to pass that out and then came back next year with something that would at least perhaps assess part of that cost back to additions for license holders or additional license holders, would you see any objection to that? [AGENCY 21]

KIRK MYERS: No. No. [AGENCY 21]

SENATOR WIGHTMAN: You'd prefer to have...pay some of it yourself rather than not get the \$20,000. [AGENCY 21]

KIRK MYERS: Absolutely. Absolutely. [AGENCY 21]

SENATOR WIGHTMAN: Okay. [AGENCY 21]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office
Rough Draft

Appropriations Committee
March 04, 2009

KIRK MYERS: I mean when the Nebraska Department of Revenue benefits by increased sales tax dollars, we benefit as well. (Laugh) [AGENCY 21]

SENATOR WIGHTMAN: Right. Thank you. [AGENCY 21]

SENATOR HEIDEMANN: I just...700 retailers, if my math is right here, if everybody pitched in \$30 you would gain \$21,000, enough to do this. Is it worth \$30 for a retailer to do this, do you believe? [AGENCY 21]

KIRK MYERS: I believe so. [AGENCY 21]

SENATOR HEIDEMANN: Okay. Thank you. Any other questions? Seeing none, thank you. [AGENCY 21]

KIRK MYERS: Yeah. Thank you. [AGENCY 21]

SENATOR HEIDEMANN: Is anyone else wishing to testify on Agency 21? Seeing none, we're going to close up the public hearing on Agency 21 and open up the public hearing on Agency 35, the Nebraska Liquor Control Commission. [AGENCY 21]