

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee March 6, 2025

SANDERS: Good afternoon and welcome to the Government, Military and Veterans Affairs Committee. I am Senator Rita Sanders of Bellevue, representing the 45th Legislative District, and I serve as chair for this committee. The committee will take up the bills in the order posted. This public hearing is your opportunity to be part of the legislative process and to express your position on the proposed legislation before us. If you are planning to testify today, please fill out one of the green testifier sheets on the table at the back of the room. Be sure to print clearly and fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or the committee clerk. If you do not wish to testify today, but you would like to indicate your position on a bill, there are also yellow sign-in sheets in the back of the room on the table. These sheets will be included as an exhibit in the official hearing record. When you come up to testify, please speak clearly into the microphone. Tell us your first and last name and spell your first and last name to ensure we have an accurate record. We will begin each hearing today with the introducer's opening statement, followed by proponents of the bill, then opponents, and finally anyone speaking in the neutral capacity. We will finish with a closing statement by the introducer, if they wish to give one. We will be using a 3-minute light system for all testifiers. When you begin your testimony, the light on the table will be green. When the yellow light comes on, you will have 1 minute remaining, and the red light indicates your time has ended. Questions from the committee may follow. Also, committee members may come and go during the hearing. This has nothing to do with the importance of the bill being heard. It's just part of the process as senators may have bills to introduce in other committees. A few final items to facilitate today's hearing. If you have any handouts or copies of your testimony, please bring them up, at least 12 copies, and give them to the page. If you do not have sufficient copies, the pages will make copies for you. Please silence or turn off your cell phones. You may see committee members using their electronic devices to access information. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may be cause for you to, you to be asked to leave the hearing. Finally, committee procedures for all committees state that written position comments on a bill to be included in the record must be submitted by 8 a.m. the day of the hearing. The only acceptable method of submission is via the Legislature's website at nebraskalegislature.gov. Written positions may be included in the official hearing record, but only those testifying in person before the committee will be included on the committee statement. I will now

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ask committee members with us today to introduce themselves, starting on my far right.

GUERECA: Good afternoon. My name is Dunixi Guereca. I represent Legislative District 7, which is downtown and south Omaha.

J. CAVANAUGH: John Cavanaugh, District 9, midtown Omaha.

ANDERSEN: Bob Andersen from District 49, the best district in Omaha.

LONOWSKI: Good afternoon. Senator Dan Lonowski. I'm from District 33, which is Adams County, Kearney County and rural Phelps County.

WORDEKEMPER: Dave Wordekemper, District 15, Dodge County, western Douglas County.

SANDERS: Thank you. Also assisting the committee today to my right is our legal counsel Dick Clark. Senator Bob Andersen is the vice chair of the committee. And my far left is committee clerk Julie Condon. We have two pages with us here today, if they will please stand and introduce themselves.

RUBY KINZIE: I'm Ruby Kinzie. I'm a third-year political science major at UNL.

ARNAV RISHI: Hi, I'm Arnav. I am also a third-year political science major at UNL.

SANDERS: Thank you. With that, we will begin today's hearing with LB696. Welcome, Senator.

RAYBOULD: Thank you. Good afternoon, Chair Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Jane Raybould, J-a-n-e R-a-y-b-o-u-l-d, and I represent Legislative District 28. I am here today to introduce LB696. This legislation was brought to me by the Nebraska State Board of Landscape Architects. With LB696, the board seeks to revise the Professional Landscape Architects Act to adopt the Council of Landscape Architect [SIC] Registration Boards uniform licensure for landscape architects, which was passed by member boards in 2022. Additionally, the bill contains a handful of cleanup housekeeping revisions, including the following: removal of the requirement for a yearly roster to be filed with the Secretary of State and a hard copy sent to all licensees; the roster can be requested from the office and is also made available on their website; updating the term certificate of registration to certificate of licensure, which was missed in previous revisions. It also updates

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the effective date for individuals already licensed under the act. It does remove language related to the initial biennial license renewal periods. Regarding any violations of the act, the bill removes the term "cancellation" as the board does not cancel licenses. And, finally, the bill creates a definition for direct supervision as having full professional knowledge and control over work that constitutes the practice of landscape architecture in accordance with the Professional Landscape Architects Act. The page has passed out AM499 to you to the bill which corrects a minor drafting oversight in the consistency of two terms in the bill. On page 4, when you look at the language in lines 14 and 16 and lines 22 and 29, the language is not consistent. The amendment makes the necessary changes to achieve the consistent language throughout. Jennifer Seacrest, the current board chairperson, is here to testify on the bill. She will describe the new standards and provide more information on other changes in her testimony. She's the real deal and the real expert on this matter. However, I will be happy to answer any questions, but I can promise you that Ms. Seacrest will be a much better person to ask. I also want to let you know that I will have to waive my closing. So if there are any follow-up items at the end of the hearing, my staff, Kate Wolfe, and I will do our best to follow up in the coming days. So thank you very much for your time and attention.

SANDERS: Thank you, Senator Raybould, for bringing-- introducing LB696. Let me check with the committee to see if there are any questions for you. See none-- oop, oh, Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank you, Senator, for being here. I saw in the documentation a reference to LR222, the, the research that was conducted, but I didn't see anything that came from it with recommendations or, or anything else. Do you have any additional information on LR222?

RAYBOULD: I, I do not have any information to share, but I know Ms. Seacrest is the expert.

ANDERSEN: OK.

RAYBOULD: Be sure and ask her.

SANDERS: Any other questions for Senator Raybould? See none, thank you.

RAYBOULD: Thank you, Chairperson.

SANDERS: OK, we go to proponents on LB696. Welcome, the real deal.

JENNIFER SEACREST: Hi. Well, a lot of pressure. Thanks, Jane. Hello. Good afternoon, Senators. My name is Jennifer Seacrest. The spelling is J-e-n-n-i-f-e-r S-e-a-c-r-e-s-t. I am here representing the Nebraska State Board of Landscape Architects, on which I serve as the chairperson. I am a licensed landscape architect in the state of Nebraska. The Nebraska State Board of Landscape Architects is testifying in support of LB696, which will enact proposed changes to the Professional Landscape Architects Act. The Professional Landscape Architects Act was enacted by the Legislature in 1987, replacing statutory provisions first enacted in 1967, the year Nebraska State Board of Landscape Architects was established. The act provides the licensure of professional landscape architects in Nebraska, whose activities may affect the public health, safety, and welfare, ensuring those who are qualified meet certain education, examination, and experience requirements. Currently, there are 173 licensed landscape architects in Nebraska, 62 of those reside within our state, and the remaining 111 are out of state. Senator Raybould provided an accurate summary of the bill, and I would like to go into a little bit more further detail in clarification. LB696 would revise licensing requirements and current statutory language to align with the new national licensure standard adopted in 2022 by the Council of Landscape Architects [SIC] Registration Boards or CLARB for short, which Nebraska is a member. The new standard allows for improved mobility between jurisdictions and removes existing barriers. This helps to cut red tape and improve ease of access for licensees, especially those 111 that are out of state and make up 60%-- 64% of our current licensees. As of right now, the Professional Landscape Architects Act requires 3 to 15 years of experience in addition to meeting separate education requirements. The national standard is based on an 8-year combined education experience. Alongside this, the bill will remove an antiquated requirement for a yearly roster to be filled by the Secretary of State. LB696 also adds definition for direct supervision, which had not been included in previously through [SIC] term is used within our act. And in summary, the bill is largely housekeeping in nature, with the significant revisions allowing the board to align with our national CLARB standards. We will work on rules and regulations to further remove existing barriers to licensure, and to help streamline the process of licensing through updated language and cutting unnecessary red tape. We are committed to licensing as many competent landscape architects as possible. We do not represent a significant barrier to entry. In fact, this bill will provide multiple new alternatives from which to qualify for licensure. We wish to thank Senator Raybould for sponsoring this bill and happy to answer any questions.

SANDERS: Perfect timing.

JENNIFER SEACREST: Thank you.

SANDERS: Thank you very much, Ms. Seacrest, for your testimony. Let's see if there are any questions for you from the committee. Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. Thanks for being here, Ms. Seacrest.

JENNIFER SEACREST: Yes.

J. CAVANAUGH: I just want to ask about the direct supervision. I saw this thing that you handed out with it, kind of the bill summary.

JENNIFER SEACREST: Yes.

J. CAVANAUGH: It says that direct supervision is something from the PLA Act. And I guess my question about it is we don't have a definition of direct supervision, but we also don't use the word direct supervision anywhere or am I missing it [INAUDIBLE]?

JENNIFER SEACREST: I, I believe it's, it's, it's in our rules and regulations, is where that would come into play.

J. CAVANAUGH: Should it maybe be somewhere else in the, the act? I guess I'm confused about having a definition in statute-- right, that's where we're adding the definition. But we're defining something that, then, we don't seem to-- I can't find a place where we actually use the word.

JENNIFER SEACREST: You may be correct. I may have to go through. I know we use it in our rules and regulations so you may be correct, and that may be a more appropriate place to add the definition.

J. CAVANAUGH: OK. Thanks.

SANDERS: Any other questions from the committee? Senator Wordekemper.

WORDEKEMPER: Thank you for being here. Just if you're licensed in Nebraska, does that license carry over to other states, like are we on a compact or do these people have to be licensed in every state that they do work?

JENNIFER SEACREST: You have to be licensed in every state that you practice. And part of what our licensing organization CLARB is trying to do is make it easier to transfer. Right now, states have different

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requirements for education years of practice. And so that's what we are trying to align with, with these changes is to become more uniform across the nation. And then for provinces in Canada, some other islands that are part of CLARB, to make that transfer simpler. So the new-- the changes that we are, are making would allow for you as long as you have a license in another state and are in good standing in that state, you would be able to get a license in Nebraska.

WORDEKEMPER: OK. Thank you.

JENNIFER SEACREST: You're welcome.

SANDERS: Any other questions from the committee? Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank you for your testimony. Just out of curiosity, how does this work as far as having a license to be a landscaping architect, is that something that's cross-checked and verified when they hold permits to, to build something or update your, you know, landscaping, is that how it applies?

JENNIFER SEACREST: Yes, sir. When we issue drawings to the state to be permitted or a city or municipality, we have to sign and seal them with our stamp. And at that time, they should do their due diligence to ensure that the license is up to date and current.

ANDERSEN: Thank you.

JENNIFER SEACREST: You're welcome.

SANDERS: Any other questions from the committee? See none, thank you for your testimony.

JENNIFER SEACREST: Thank you.

SANDERS: Are there any other proponents on LB676? Good afternoon and welcome.

DENNIS BRYERS: Thank you, Senator. Good afternoon, everyone, Chair Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Dennis Bryers, that's D-e-n-n-i-s B-r-y-e-r-s. I am a professional landscape architect from Omaha, Nebraska. I have over 45 years of experience as a landscape architect, 14 of those years in the private sector working on various types of projects such as elementary and high school designs, commercial and retail developments, spec office buildings, residential subdivisions, multifamily complexes, a couple of state prisons, land studies, a

couple of corporate headquarters as well, and the last 31.5 years I was employed by the City of Omaha Parks, Recreation and Public Property department as a park and recreation planner. I was there working on various parks and trails in the city. I just recently retired from the city back in January, so I am here just representing as a landscape architect for this. I'll add-- I'm going to deviate a little bit from my original comments that I-- the testimony you will be handed just to give you some background about myself. I spent 15 years as a member of the Nebraska State Board of Landscape Architects from 2002 through 2017, 13 of those years, I was the chairperson of the board. During that time, too, I was the board representative to the CLARB, the Council of Landscape Architectural Registration Boards, spring and annual meetings, eventually getting elected and serving on the CLARB Board of Directors, with 1 year eventually becoming president of the CLARB. That was-- I was on the CLARB Board from 2008 to 2014. And I still keep in touch with a lot of those people, they're good friends of mine. The senator and Jennifer have given you some great background on LB696. I won't go into the, what we call, the housekeeping things, the definition of direct supervision, the updating, removing terminology and things, and eliminating the outdated requirements. I'll give you a little more background with regards to the uniform standards the CLARB has approved. Jennifer went into a lot of background on that. I will let you know that currently, right now, there are seven jurisdictions or states, for the most part, that have adopted the uniform standard. They are Alaska, Alberta, Canada-- yeah, Alberta, Canada, North Dakota, South Dakota, Wyoming, Illinois, and Maine. There are another 18 jurisdictions, and counting Nebraska, that are in the process of looking at adopting the standards. And those are British Columbia and Canada, Washington State, Oregon, Idaho, Arizona, New Mexico, Colorado, Kansas, Nebraska, Minnesota, Rhode Island, Tennessee, North Carolina, South Carolina, Georgia, and Alabama. So there's a big push with those areas in North America that regulate the profession. Lastly, I'll just say that the professional landscape architecture is actually regulated in all 50 states, the District of Columbia, three provinces in Canada, and Puerto Rico at this time. So all those states require someone who wants to practice landscape architecture, you need a title to get licensed in that state. And again with CLARB, and with the way states are set up, the reciprocity to get a license in another state is very easy. Myself, besides being licensed in Nebraska, I'm also licensed in New York State--

SANDERS: Please continue your--

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DENNIS BRYERS: --New York State, Connecticut, New Jersey, and Rhode Island. And I have CLARB certification, which helps with getting licensed in other states. Again, I am for this, support this bill, and I am here to answer any of your questions you might have. Thank you.

SANDERS: Thank you, Mr. Bryers, for your testimony. We do have a question. Senator Guereca.

GUERECA: Thank you, Madam Chairwoman. Thank you, sir, for coming in today and for your testimony. So it's not true reciprocity that streamlines the process, right, everyone has the same standard?

DENNIS BRYERS: Well, again, licensing is regulated by the states or jurisdictions.

GUERECA: Gotcha.

DENNIS BRYERS: CLARB has a set up, which I'm CLARB certified, and which is something-- because I maintain a CLARB record, they have a form that basically they will send out to other states if I want to get licensed there that says I meet, you know, these outstanding requirements so I don't have to jump through all the hoops in most cases from that state. Normally, when you're going for a license, you're going to not only-- you're going to give you your examination-- get your examination scores passed on there, you're going to have any references or so, your experience requirements and things like that. In many states, because if you're CLARB certified, you can bypass all of that, which streamlines the process. Nebraska is one that does accept the CLARB certificate, which helps, which is also nice, reducing the, the years of experience from 3 to 2 will be very nice as well. I will say when I moved out here 30, almost 32 years ago, I knew some people who were licensed landscape architects. They got licensed in Kansas first rather than Nebraska, simply because at that time, and I think till today, Kansas has a 2-year experience requirement and Nebraska is 3. So they wanted to get their license sooner. And once they were here long enough, got 3, then they would apply for reciprocity in Nebraska.

GUERECA: It sounds like you'll, you'll, you'll even be able to practice your, your craft in some Canadian provinces as well.

DENNIS BRYERS: Yes. Yeah, CLARB has members-- in fact, there are a few other members of CLARB, a couple of the other provinces is Canada. There's also, I believe, Guam. And I do know the Northern Mariana Islands are part of the CLARB membership. CLARB is set up-- the

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members are representatives of each member board in all of the jurisdictions where if you've heard, too, I'm also a member of the American Society of Landscape Architects, ASLA. ASLA's membership, they promote-- ASLA promotes the profession. Their members are individuals. But CLARB, you don't join CLARB as a member. Sorry, as an individual member. It's a board, each board is a member.

GUERECA: Thanks for being here.

DENNIS BRYERS: You're welcome.

SANDERS: Are there any other questions for Mr. Bryers? Senator Lonowski.

LONOWSKI: Thank you, Chairwoman Sanders. Thank you for being here. I really-- I have a question about the whole process of becoming licensed. So my two sons worked their way through college by working for landscaping architects, so much so that they almost dropped out of school because they liked it. But I never really realized-- is, is there a certain level that you have to charge or get to before a landscaping architect is required?

DENNIS BRYERS: The way the law is set up, there are certain-- you know, the law is both a, a title law or the current Nebraska Professional Landscape Architecture [SIC] Act, title meaning only certain people who are licensed can call themselves or use the title landscape architect. There are some work things that define-- also a practice law that defines the type of work we do. A lot of that work also overlaps at times with what architects and engineers do. So you don't always have to hire a, a licensed-- a landscape architect to do something [INAUDIBLE].

LONOWSKI: If they're doing simple projects, they don't necessarily--

DENNIS BRYERS: Yeah, doing simple-- yeah, this-- and there, there are exceptions in the law, too. Those who do landscape design, you know, they're not crossing over-- one, they're not using the title, which is, again, it protects the title. And I guess, you know, the reason the law is there, really, in all, in all the jurisdictions is just to protect the public health, safety, and welfare because some people don't know, should I hire a landscape designer or do I need a landscape architect? There are landscape architects that do residential design. I did a little bit in my two offices in Connecticut, that's where my 14 years were from, but we did a lot, as

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I mentioned, a lot of other varied type projects, a larger set of landscaper or landscape designer wouldn't be able to do.

LONOWSKI: OK. All right.

DENNIS BRYERS: So--

LONOWSKI: That makes sense. Thank you.

DENNIS BRYERS: All right. I was-- you were also asking about the, the process of how to become licensed.

LONOWSKI: Well, I, I guess, I'm pretty sure they never did anything complex, but, you know--

DENNIS BRYERS: No.

LONOWSKI: --out, out laying bricks in front of the bank for roses to grow in and such. I'm pretty--

DENNIS BRYERS: No, those, those type of things are fine. Yeah, there's nothing-- I mean, I said-- on my projects, I said, I've worked on trails for Omaha, some of my Omaha projects, if you've been up to the, the Koch Family Tennis Center, that was my design. I started that when I first came here, they tagged me because I had done some tennis court designs--

LONOWSKI: OK.

DENNIS BRYERS: --in Connecticut or like the, the Central States or Central Connecticut State University, I worked on their outdoor tennis courts there and a few other. So I got tagged with the tennis court so-called expert and got involved with that. So that whole complex was my design. I did the floating trail up at Standing Bear Lake recently if you've been up there. I've been working with a lot of the trails recently, too, a lot of the neighborhood parks and playgrounds, so.

LONOWSKI: All right. Thank you very much.

DENNIS BRYERS: You're welcome.

LONOWSKI: I appreciate that.

SANDERS: Are there any other questions for Mr. Bryers? Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank, thank you, sir, for being here and your testimony. This is kind of fascinating. I, I made the comments of Senator Cavanaugh, I was like, what don't we license in the state? I had no idea about CLARB and licensing the landscape architects. Is that-- and one of the big concerns in-- for us in the state is affordable housing and affordable commercial developments. Does a certification process and licensing and all that, does that end up having a financial or fiscal impact on any of the developments?

DENNIS BRYERS: Not that I am aware of. I mean, you're-- if a, if a developer is building a project-- I mean, they will be hiring the appropriate-- a lot of times if it's a building itself, the first one, the prime, is the architect who is the prime consultant to the owner. Then they usually, the prime will hire subconsultants, whether it'd be structural engineers, landscape architects-- landscape architecture does all the work outside of the building. Like I said, I worked on a prison, a brand new prison in Connecticut years ago. The architect firm was out of New York City, along with a partner with an architect in Connecticut. Our job-- my job, as it got handed to me in the office, was to design the complete site. So I was locating where all of the buildings were going to go, all of the walkways, all of the roads in there, all of the security fencing, the parking lot design, worked on the drainage of the project of how things will drain in there, which added a little additional security because with storm drainage, you know, you got to make sure pipes aren't big enough that an inmate can climb through or get stuck. So all of that. So that's-- I think, a developer going into it-- I mean, if they want to hire a, a landscape architect, like I said, it's not required by law that you hire a landscape architect on your project. We've had for trails, we've had both landscape architects and Omaha design trails, as well as civil engineers working on trails, too.

ANDERSEN: Sure.

DENNIS BRYERS: So we accomplished that. I will-- I was going to say one other point, too, just about in Nebraska. Nebraska was the ninth state to adopt the professional regulation to regulate professional landscape architecture. It was in 1967, and at that time, none of the surrounding states had even adopted regulations yet to do that. So I, I was always amazed when I came here that the foresight of the Legislature and the governor and people here to do that, to recognize the need for, for this was tremendous.

ANDERSEN: Thank you.

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DENNIS BRYERS: You're welcome.

SANDERS: Any other questions from the committee? See none, thank you, Mr. Bryers,--

DENNIS BRYERS: You're welcome. Thank you very much.

SANDERS: --for your testimony. Are there any other proponents on LB696? Good afternoon and welcome.

HAROLD BLEVINS: Thank you. My name is Harold Blevins, H-a-r-o-l-d, Blevins, B-l-e-v-i-n-s, and I am a proponent for the bill. The understanding-- I decided to come up because of the misunderstanding of landscape construction and landscape architecture. It's, it's like an architect versus contractor. So a landscape architect designs and provides those designs to the company-- to a contract or to a homeowner. We do not build anything. We do not install the bricks. We do not put the plants in the ground. We design, we provide observation, or as in the, the new thing, we also-- we provide supervision as well. That's the thing we're trying to get straightened out in the, in the current code. It, it is just simplifying the entire process for an architect or a landscape architect. For instance, I was first licensed in California and I decided to move back home to Nebraska. It was easy, just send in the application or send in the CLARB form and I was approved. Otherwise, you'd have to fill out five or six different forms from each state because they don't know you. But once you're with the CLARB organization, they know you. That's all I wanted to say at this point.

SANDERS: Thank you very much for your testimony. See if there's any questions from the committee. See none, thank you for your testimony.

HAROLD BLEVINS: Thank you.

SANDERS: Any other proponents on LB696? Any opponents on LB696? Any in the neutral on LB696? See none, and Senator Raybould waives closing. So that ends of the hearing on LB696. For the record, position comments for the hearing: proponents, five; opponents, zero; neutral, zero. Thank you very much for attending. We'll now move forward on LB414. Welcome, Senator Dungan.

DUNGAN: Thank you. Good afternoon, Chair Sanders and the Government, Military and Veterans Affairs Committee. I'm Senator George Dungan, G-e-o-r-g-e D-u-n-g-a-n. I represent Legislative District 26 in northeast Lincoln, which I will note for the purposes of this hearing, boasts the highest percentage of veterans in the city of Lincoln.

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Today, I'm honored to introduce LB414, which establishes a suicide mortality review team within the Department-- Nebraska Department of Veterans' Affairs. For over a year, I've had the privilege of attending or working with the suicide mortality review committee through the NDVA. Through that experience, I've met some of the representatives from the Nebraska Department of Veterans' Affairs, some of which will be here today, and was honored to be a part of a conversation about the forming of a suicide mortality review team within the Department of Veterans' Affairs. The department currently has funding for this exact same thing, therefore, this would not have any General Fund impact. As you can see in Section 2 of the bill, the suicide mortality review team shall consist of the following members: the director or a designee, a representative of the Nebraska Violent Death Reporting System, a representative of Nebraska Local Outreach to Suicide Loss Survivors, a representative of Division of Behavioral Health of the Department of Health and Human Services. And from there, the director shall appoint the following individuals to be additional members of the suicide mortality review team: an education administrator, a hospital representative, an emergency medical services representative, a member of law enforcement, a mental health professional or a licensed clinical social worker, and additional members as needed. I would just take a minute to note that in the meetings that I've been a part of thus far, which meet on a monthly basis, I have not been to all of them, it's been really incredible to see a lot of these folks get together and work. We have practitioners from the mental health realm. We've had law enforcement officers. We've had folks from the VA. We've had county attorneys who also operate as coroners, all get together and sit in a room and say what are we currently doing to help both our veterans who are facing these issues, but also Nebraskans as a whole, and what can we do better? And, frankly, I've heard a lot of really alarming stories about some of the current lack of communication between counties and statewide about this information. And that's what this bill seeks to address, creating a clearinghouse or a hub where this information regarding suicide mortality can be gathered and then essentially put together in a way that it can be presented to the department, us as a Legislature, or others, in order to see what the true impact of a lot of the suicidality is having in Nebraska. To summarize, the review team is going to do the following: develop a suicide mortality data collection system; conduct an annual analysis of the incidences and causes of suicides in the state during the preceding fiscal year; develop protocols for suicide investigations, including protocols for law enforcement agencies, prosecutors, medical examiners, health care facilities, and social service agencies; study the adequacy of

statutes, ordinances, rules, training, and services to determine the changes required to decrease the incidence of preventable suicides and take steps to implement these changes; educate the public regarding the incidences and causes of suicide and the public's role in preventing these deaths; designate a member of the suicide mortality review team to serve as the chairperson. All of this is to say that they will review suicides to understand better how the individual came to take that action. What warning signs were exhibited in the days, weeks, and months leading up to that suicide. Collecting and aggregating that data to implement social changes that reduce the number of suicides, not just for our veteran population, but Nebraska as a whole. To give an example, let's say that we identify a motel that has a high incidence of suicides happening on the property. This review team would be able to identify that number, and then could spend time training staff to identify that behavior and, through that, mitigate the number of suicides. This is an actual study that was relayed to me by members of the committee. The motel actually received a grant to facilitate staff training, and that training was so successful that, ultimately, they reduced the number of suicides and they lost their grant. And after that, the suicides began to go up again. So this is one example of how this team doesn't just gather data, but can utilize that data in real-world examples to actually try to reduce the harm to individuals. Having this established review team within our Department of Veterans' Affairs will be a game changer for veterans dealing with mental health issues and all Nebraskans struggling with illnesses. I will note that there is an amendment that we are currently waiting on. I don't have a copy of it for you, but I can explain the two parts of that that I think are important. One, it will likely change or changes the definition of director from Director of Behavioral Health for the Department of Veterans' Affairs to the Director of the Department of Veterans' Affairs, or their designee. The reason for this is to address the fiscal note. You might see in the fiscal note, this had, I think, a \$94,000 annual impact because it contemplated creating a new position for the Director of Behavioral Health for the Department of Veterans' Affairs. You're going to hear from some testifiers after me about their current positions. Long story short, we don't intend to create a new job. These jobs already exist. Everybody that's going to serve on this team already is either housed within the NDVA or in their other governmental agency, law enforcement, whatever. And so we are going to change the definition so it's the designee of the director to get rid of that fiscal note. Our belief and understanding from talking to Fiscal is with that amendment and change, there should be zero fiscal impact on this, because the systems that collect this data already exist. And the individuals

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sitting on this team already have these jobs. Additionally, the amendment will have one other change, making it so any subpoena power or subpoena requests that come from the suicide mortality review team go through the Attorney General. That's in order to make sure that it follows the proper legal process. And in talking with our friends from the NDVA, that was a request that they made, that any subpoenas or subpoena requests specifically went through the AG. Happy to make that change. And that language is going to be incorporated into that amendment. I think with both of those changes, it takes care of the fiscal note and any concerns that the NDVA had with regards to the subpoena process, and those amendments should be coming soon. So I'm hopeful to get them to the committee as early as next week. You're going to hear from me-- or from experts after me from the NDVA. They're going to have the knowledge to answer some of your more technical questions. But I do want to say I'm very, very excited about this bill. This has been a long time coming. There's been a lot of meetings. There's been a lot of hard work that's gone into this language from the NDVA and the other folks that are going to come up after me. I, I care about this issue a lot, mental health and the results that come from poor mental health care and other various things are incredibly close and near and dear to us. And so I just want to make sure we take this bill very seriously. And I would encourage your passage of LB414 out of committee and on to General File. With that, I would answer any additional questions.

SANDERS: Thank you, Senator Dungan, for introducing LB414. Let's see if there are any questions from the committee. Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank you, Senator Dungan. A couple of quick questions. You, you refer in here to the Department of Veterans' Affairs. Are you talking about the Nebraska Department of Veteran's Affairs or are you talking about the U.S. Department of Veterans' Affairs?

DUNGAN: It's supposed to-- the NDVA, the Nebraska Department of Veterans' Affairs.

ANDERSEN: So Nebraska.

DUNGAN: Correct. That's who this would be housed under.

ANDERSEN: Are, are there-- I assume there are, but I have to ask the question. Are there mechanisms in place to protect the privacy of the person that committed suicide, as well as to be sensitive to and protect privacy of families involved?

DUNGAN: Absolutely. And I know that we got a letter of neutral support from DHHS, kind of highlighting some of the privacy concerns that come up generally when these kind of questions are implicated. So there currently already is a database, the violent death reporting system that exists, and that has numerous protections for privacy and personal information. You're going to hear from an attorney, I think, from the NDVA after me, who can maybe speak a little bit more specifically to that, but nothing in this bill would ever seek to violate or would violate any HIPAA protections or other protections that are in place for privacy. The information that we're talking about oftentimes is gathered and then depersonalized and then turned into data. Right? So we're talking about white male aged 35 to 45, those kind of things. We're not violating any of the personal information that would be shared. And I've been assured that any kind of interagency agreements that would have to be entered into to protect, protect that privacy would be able to be entered into by the various agencies that are cooperating here.

ANDERSEN: Yeah, it's a delicate dance, you're trying-- making sure you have all the context for the situation that happened, and how we got to the place where suicide was the only way out, and then also respecting the families. And this board is sensitive to this, there are three of us on, on this board are, are former military. One of the questions I had, as I, I saw under the list of all the participants, maybe I missed it, I didn't see any military people on-- in any of the boards or acting as consultants, advisers or-- I'm sure there is, I just didn't see it.

DUNGAN: Well, and, and we can talk about sort of who those designees would be. You know, my understanding and, again, the experts after me who've been working on this might have a better answer for you, but certainly the input of veterans is of the utmost importance. And the fact that we housed this in the NDVA seeks to sort of enshrine that. This could-- there's other mortality review boards that exist in Nebraska that are housed under, under other agencies like Public Health,--

ANDERSEN: Sure.

DUNGAN: --DHHS. This is specifically housed in the NDVA to make sure that that population is being listened to, worked with, and addressed. And so the folks coming up after me might have a better answer for the specific input from veterans or military professionals, but I do think that's important as well.

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ANDERSEN: Thank you. I appreciate you bringing the bill. As a 21-year veteran, we know people that have committed suicide. We've been in situations where we understand why they get where they get and what we can do to isolate in advance and help them back in, back in limits and, you know, productive life. So kudos to you for bringing the bill.

DUNGAN: Well, thank you and I appreciate your service and the other vets on the board. I mean, suicide is one of those things that I think affects all of us, even if it's tangential. We all know stories. And so I think it's something we have to take care of sooner than later.

ANDERSEN: Thank you.

SANDERS: Any other questions from the committee? See none, thank you very much.

DUNGAN: Thank you.

SANDERS: Will you stay for close?

DUNGAN: I will, yes.

SANDERS: All right. Thank you. Any proponents on LB414? Welcome.

JENIFER ACIERNO: Thank you. Good afternoon, Chairperson Sanders and members of the Government, Military and Veterans Affairs Committee. I'm Jenifer Acierno, J-e-n-i-f-e-r A-c-i-e-r-n-o, and I am agency legal counsel with the Nebraska Department of Veterans' Affairs. I'm here to offer testimony in support of LB414, with the amendment that NDVA understands will be offered regarding Section 5 of the bill. LB414 establishes a suicide mortality review team in the Nebraska Department of Veterans' Affairs. The purpose of this team is to review suicide deaths in Nebraska, with a particular focus on veteran suicide-related deaths. This includes collecting necessary data to evaluate what kind of resources are needed to facilitate support to our veterans, and to combat veteran suicide. LB414 sets out a framework for the suicide mortality review team. The team would consist of, as Senator Dungan said, subject matter experts from a variety of backgrounds, including those who have direct contact with veterans in the community, NDVA would provide the administrative support and organization for this group as the agency received a federal grant to assist in the establishment of state-based suicide mortality review team, and the State of Nebraska partnered with the Substance Abuse and Mental Health Services Agency, SAMHSA, and the United States Department of Veterans' Affairs also through the governor's challenge to prevent suicide among service members,

veterans, and their families. The grant received by NDVA to establish this team helps to bolster the work that is already being done through the governor's challenge initiative. The establishment of the suicide mortality review team provides the opportunity to coordinate the next steps in combating veteran suicide by collecting mortality data, conducting analysis, developing protocols for investigations with local representatives of law enforcement, prosecutors, medical providers, examiners, and facilities and social services providers. It also allows for the study of the current legal landscape to determine any gaps where there may be change required to help educate the public regarding causes of suicide and the public's role in helping prevent these deaths. Data will be analyzed from already existing sources to evaluate relevant cases. NDVA recognizes the sensitivity of the facts and data surrounding these cases, and will take every step necessary to protect the information and to de-identify data for review purposes. The suicide mortality review team would provide a yearly report that summarizes information related to Nebraska suicides. The report may include recommendations to prevent future death by suicide. LB414 is an important step forward in understanding and addressing veteran suicide. As stated previously, NDVA had some concern with Section 5 of the bill, which we believe will be addressed through the amendment and offers our support contingent upon that amendment being included. Thank you. And that concludes my testimony, and I'm now happy to answer any questions that you may have.

SANDERS: Thank you, Ms. Acierno, for your testimony. Senator Lonowski.

LONOWSKI: Thank you, Chair Sanders. Thank you for testifying today, ma'am. So we know that there's upward around 22 suicides across the country a day among military personnel. We know that they can determine these suicides. What, what will this bring or how will this bring it together to get it to the next stage, I guess?

JENIFER ACIERNO: Yeah, so I think that this will help on our state level and also geographically across the state to identify the concerns that may exist outside of the data that we're seeing. So we're seeing a lot of data points which can tell you, like Senator Dungan mentioned, a male, age 30, but we don't also, also have the supporting, I guess, background information to understand maybe the intricacies that brought the person to where they were. And then also a way to activate in order to take that information and publicly assist in helping to prevent suicides moving forward. So I think this is kind of a critical, critical piece of taking that data and connecting it with the actual human aspect so that we can actually get out and serve and try and prevent some of these circumstances.

LONOWSKI: OK. Who's, who's doing any of that now? I mean, obviously, the military has had some people trying to figure this out over the last 15 years or whatever.

JENIFER ACIERNO: Yeah, you're right, Senator. So there are multiple levels of people trying to figure this out right now. And I think what this does is sort of bring together some of those pieces. I think that with the data collection that's happening now, there are some areas that are a little fractured or maybe not connected even as broadly as just the definition of veteran. So how folks are collecting that information may or may not be someone who served active duty, maybe simply given by a report of a family member, or maybe someone in the community who said, yeah, I think the person was a veteran. And that shows up on a lot of the reporting that happens. And this is really an effort to take some of that federal reporting that we actually don't have access to that information directly, but the, the data that we have and to try and bring those pieces together so we can get a more comprehensive picture with maybe some single definitions, so we can look at the data and say, yes, these were veterans. No, these were not veterans, things like that. So I think that there are a number of efforts kind of on the high level looking at this, and this is really taking that coupled with the governor's challenge to the next level from, from what I can see.

LONOWSKI: OK. Thank you.

JENIFER ACIERNO: Um-hum.

SANDERS: Any other questions from the committee? Senator Andersen.

ANDERSEN: Thank you, Chair. You come with a definition of veteran, which I think is kind of self-explanatory, but in defense of that, I think the situations that veterans find themselves in, the things they have deal with affect not just themselves, but also affect their families, their children, their wives,--

JENIFER ACIERNO: Sure.

ANDERSEN: --all those kinds of things. So I, I think it's, it's really a great conversation. I'll ask you the question I asked Senator Dungan, and that's when you look at the people that are part of the team, you have people from the violent death reporting system, you have hospital people, education, medical examiners. I don't see anybody from the military. And my encouragement with that is that the military is a unique environment, and there's a lot of things that

military guys think of, and mainly because of their background that may or may not be very readily apparent to a civilian that doesn't have exposure to the military. Any thoughts to adding military people to your, your boards or advisers?

JENIFER ACIERNO: Yeah, a couple, a couple of thoughts on that, Senator. One, I think probably in the representation we get, I would be surprised if some of those folks aren't veterans because we do have, you know, quite a few veterans serving in a lot of roles. But, secondly, I do think there will be groups that are eventually formed to look at the specifics for different areas of the state and in regard to this review team, where they will pull in focus groups of veterans, they'll pull in focus groups of spouses, women, you know, different things like that to make sure that there is a variety of points of, a variety of points, points of view being represented there. And your point is well-taken. Thank you.

ANDERSEN: Thank you.

SANDERS: Are there any other questions from the committee? Seen none, thank you very much. Proponents? Any other proponents on LB414? Any opponents on LB414? Any in the neutral on LB414? See none, Senator Dungan, would you like to close, please? And position comments for the hearing record today, LB414: proponents, seven; opponents, one; neutral, one.

DUNGAN: Thank you very much. I don't want to take too much of your time. I know it's been a long week and people are ready to go, but I want to say thank you again to the NDVA for their work on this. I can't tell you how much effort they've put into this so far. I mean, the language going back and forth between myself and their office and how much effort they've put in over the last year and a half to really put this together. It's been pretty amazing. I don't think I have to underscore the importance of this. I think we all know how valuable this information is. And to your question, Senator Lonowski, I think gathering this information is the first step. And then from there, it's what do we do next? And there's plenty of organizations and groups out in the community that can continue to work on that. But until we know the breadth of the problem, it's very difficult to address it. And in my time in the Legislature, I've been a big advocate of collecting as much data as possible to know what decisions we have to make moving forward. So I think that this is a really good starting point. And if you look at the online comments, I think the social workers organization submitted a letter of support, but they kind of said exactly what you did is like, OK, so we have this

information now what? And I think that we have incredible people out in the community that can continue to do this work and help those folks, but they just need to know what to focus on. So I think this is the beginning of gathering this information, but we have to know the problem before we deal with it. In addition to that, I neglected to mention that what I think kicked off a lot of the interest in this, as well, was Governor Pillen signing off on the-- or signing onto the governor's challenge, which is a national challenge that governors have signed on to, to ensure that we're addressing veterans suicide. I think 54 states and territories have all signed on, and there's a list of commitments that that essentially says you, as a state, are going to make to reducing veteran suicide. And this is a part of that commitment that Governor Pillen has made at the national level to say what we can do at the state level. So I think this is part of a larger situation that we're dealing with as a state. And I think it's a good stepping stone to addressing a lot of these problems. Finally, I would like to say I am intending to ask for a Speaker priority for this. I've already talked-- I've already spoke to Speaker, Speaker Arch about this. We're just waiting on that amendment. But I'm going to do my best to get that to the committee as soon as possible next week. I know we're coming up on some deadlines, and that makes things a little bit complicated, but I will try to get the amendment to you ASAP so the committee can do, do as you see fit, but I would appreciate your vote to General File on this so I can at least know that I can request a Speaker priority and see if Speaker Arch thinks this is something that rises to that level of importance.

SANDERS: All right, no other questions-- Senator Andersen.

ANDERSEN: Yeah, I'm sorry, Chair. One of things I'd ask is for you to consider is adding an amendment to add veteran appointees to the, to the a list of appointees. And then the other thing would be to look at automation, using models for prevention. So once you identify what the different factors are that end up leading to, to a suicidal event, I think you'll find a lot of the same mark-- markers, if you want to call them that, will be resident in many cases, and you could actually take that to through automation and go looking at big data analytics to try and identify people that may be in a higher risk category, that you could do some prevention in advance. I suggest maybe working with academia or industry to develop those models. I think the technology exists today.

DUNGAN: Yeah, I absolutely agree. And I think, you know, to your two points there. One, I would just point to page 2, Section 2, paragraph (2), it's a lot of 2s, at the end of who will be on the committee, it

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does have subparagraph (f) saying additional members as needed. And so I think that the intention there was to leave that broad enough that the director could appoint additional members. I would contemplate that covering members of the veteran community or military members, if that needs to be clarified, we can work on that. But I do think you're right that those voices are important. And then to your second point, I think that upstream investments, like you're talking about identifying the issues and finding ways to prevent them before it happens, is the whole goal of this. So that's a, a good idea of things that we can look to. But we'll continue to look at that. I, I agree we got to make sure those folks have their voices heard. So thank you for that.

ANDERSEN: Thanks again for bringing it.

DUNGAN: Yeah.

SANDERS: Any other questions from the committee? See none, Senator Dungan, thank you for bringing LB414.

DUNGAN: Thank you, Chair.

SANDERS: Thank you. This closes the hearing on LB414. We'll now open on LB434. Welcome, Senator Wordekemper.

WORDEKEMPER: Thank you, Chair Sanders. Thank you, Chairperson Sanders, fellow members of the Government, Military and Veterans Affairs Committee. I am Senator Dave Wordekemper, D-a-v-e W-o-r-d-e-k-e-m-p-e-r, representing Legislative District 15. I'm here today to introduce LB434, a bill that updates various fees collected by the State Fire Marshal's Office. LB434 addresses a critical need for the State Fire Marshal's Office to update various fees that have not been increased in over 2 decades. The bill proposes raising a number of fees to help offset the rising costs associated with inspections and licensing services provided by the office. I want to emphasize a few key points about this legislation. First, many of these fees have remained unchanged for 20 to 30 years. Fees for inspections of daycares, hospitals, nursing homes, and heating oil tanks have not kept up pace with inflation or the actual costs of providing these services. Second, even with these increases, the fees will not cover the actual costs associated with performing inspections. This is not a revenue-generating measure, but rather a necessary attempt to reduce the gap between fee revenue and operational expense. Third, the amendment you receive includes important adjustments to the implementation timeline to allow for

quicker revenue collection and assessment, giving the State Fire Marshal the ability to make adjustments for the second half of the biennium, if needed. A notable increase under LB434 applies to plan review fees for remodels or new construction, but these remain considerably lower than comparable fees charged at the city level. It's also worth noting that for new construction not requiring a separate state license, applicants receive associated inspections such as fire alarm, fire sprinkler, and final inspection services as part of the fees. The amendment also addresses concerns about late plan filing fees by changing the penalty to 50% of the late fee, rather than basing it on the total project costs. This was a drafting error, and it was never intended to charge folks these rates. These fee increases are necessary to support the ongoing operations of the State Fire Marshal's Office, which we all know provides essential public safety services through inspections and licensing. The increases will help cover rising costs of salaries, benefits, vehicle maintenance, equipment, and code books required to perform these duties. Following my testimony, you will hear from the interim State Fire Marshal. He is here to provide more technical details about these changes and answer any specific questions you may have about the implementation. Thank you for your consideration of LB434, and I would be happy to answer any questions that I can.

SANDERS: Thank you, Senator Wordekemper. Let me check to see from the committee if there are any questions. Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank you, Senator Wordekemper. Just looking at the old rates to the new rates. How did you come up with the new rates? Just out of curiosity. Some are pretty extreme changes.

WORDEKEMPER: They are. And this bill was brought to me by the-- our former State Fire Marshal, Scott Cordes, who recently resigned. We worked with him and I believe they were just reviewing the fees and when they were established, and I guess how they come up with these, I will defer to them. But I know they were maybe looking at some comparisons. As my testimony says, I believe these are still a lot lower than the city of Omaha or Lincoln and, and those areas would charge. And so anything more further on that I would defer to them. I don't know if they did a study of surrounding states to be comparable.

ANDERSEN: Do you have any concerns that you're going to drive some of the people out of business by these? I mean, because one going from \$500 to review the plans not to, not to exceed \$10,000. I mean, that for a guy of those fireworks maybe once a year, and I don't know if

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that would drive them out of business or make it untenable and unprofitable.

WORDEKEMPER: I would defer that to the State Fire Marshal. But I don't know that for a fireworks stand or the fee that it would be going up that much, but I would defer that to them.

ANDERSEN: OK. Last question. I see the fiscal note is \$1.9 million in revenue coming in. Is that your intent to-- that to go to the fire departments?

WORDEKEMPER: It, it is my understanding that the-- and, and I would advise the Fire Marshal to correct me if I'm wrong, but it is my understanding that these fees go to the cash fund of the Fire Marshal's Office. They do not go to the General Fund. And I believe in talking with the previous Fire Marshal that the cash funds are intended to help the office run. They're in no means to offset the General Fund. They still need General Fund appropriations, but these are just user fees that would help support the office in functioning.

ANDERSEN: Thank you.

SANDERS: Any other questions for Senator Wordekemper? See none, thank you. You'll stay for closing?

WORDEKEMPER: I will try to be here.

SANDERS: Any proponents on LB434? Good afternoon and welcome.

DOUG HOHBEIN: Good afternoon. Thank you. OK.

SANDERS: Go ahead.

DOUG HOHBEIN: Good afternoon, Chairperson Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Doug Hohbein, D-o-u-g H-o-h-b-e-i-n. I am the interim State Fire Marshal, and I'm here today to testify in favor of LB434. I'd like to thank Senator Wordekemper for introducing this bill on behalf of the agency. The State Fire Marshal Agency provides a multitude of services to help ensure public safety. These services come in a variety of forms, such as fire and light safety code inspections for facilities, licensing of various companies and individuals involved in the realms of fire alarm and fire sprinkler systems, testing, licensing, and inspecting the various operations and personnel of the fireworks industry, registration, licensing, and inspections of above and below ground storage tanks, the review of plans and blueprints and shop drawings

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for compliance with many codes and, in many situations, compliance with the Nebraska Accessibility Guidelines. Many of the services and programs affected by LB434 are in Umbrella Program 193. LB434 is designed to increase the revenue generated by the agency for the services performed. Most of the fees associated with these services have not been increased in decades. For example, the fee for a public firework display is currently \$10 and has not been changed since 1986, almost 40 years. Another example is the \$150 fee charged for a full fire and life safety inspection to a hospital with 101 or more beds. This fee is increasing to \$300 and has not been changed since 2004. The largest increase will be in the fees charged for the review of plans, blueprints, and shop drawings. LB434 increases the maximum fee from \$500 to \$10,000, which will be charged on projects that have a projected cost of approximately \$2.8 million or above. While this is a large increase, it still represents only a small percentage of the total project cost and is lower than what is being charged in many cities and surrounding states. The increases are designed to help generate additional cash funds for the agency, to help offset the General Fund appropriation within the agency. I respectfully request that you advance LB434. Thank you for your time and consideration. I will be happy to answer any questions.

SANDERS: Thank you very much, Fire Marshall Hohbein,--

DOUG HOHBEIN: Hohbein. Yes.

SANDERS: --for your testimony. See if there are any questions from the committee. Senator Guereca.

GUERECA: This is kind of reiterating Senator Andersen's questions. First off, thank you, Madam Chairwoman. Thank you for being here and for your testimony today. So that, that \$10,000 limit doesn't, doesn't kick in unless it's at \$2.8 million and greater?

DOUG HOHBEIN: That-- exactly. Yes.

GUERECA: OK. It's not going to affect us. We're not going to charge a little guy \$10,000?

DOUG HOHBEIN: No, I think our proposal is to start at \$50 for a fee--

GUERECA: OK.

DOUG HOHBEIN: --for the smaller projects and then it incrementally steps up.

GUERECA: Gotcha.

DOUG HOHBEIN: Like the time you reach \$2.8 million for a project, that's when we reach the top.

GUERECA: Gotcha.

DOUG HOHBEIN: And it doesn't go any higher than that regardless of how much that project costs, so.

GUERECA: Thank you, sir.

DOUG HOHBEIN: Thank you.

SANDERS: Any other questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. And thanks for being here. I'm just curious, my first reading of with fireworks display, I thought, like, the signs at the fireworks place. But is it actual shows of fireworks?

DOUG HOHBEIN: We do both. We license public fireworks display operators, people that shoot off the, the big displays you see around, around town. And then we also have licensed retailers, the ones that have the tents all over town, so.

J. CAVANAUGH: And so to do the fireworks display, the one where you shoot them off, costs \$10 right now?

DOUG HOHBEIN: Right now it's \$10, I believe we're going to double that.

J. CAVANAUGH: OK.

DOUG HOHBEIN: Yeah.

J. CAVANAUGH: Cool. Thanks.

DOUG HOHBEIN: Yes. Thank you.

SANDERS: Go ahead, Senator Lonowski.

LONOWSKI: Thank you, Chair Sanders. Thank you for being here. So are these, like, minimum rates for each city like Hastings will have to go up to \$100 for a fireworks display permit just like Omaha or Lincoln would have to?

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DOUG HOHBEIN: No, the cities-- this won't affect the cities directly. They, they make the decision as to how they set fees and what they charge.

LONOWSKI: OK.

DOUG HOHBEIN: This, this is only through the State Fire Marshal's Office.

LONOWSKI: So, so then whatever the city charges would be in, in addition to this?

DOUG HOHBEIN: Correct.

LONOWSKI: OK.

DOUG HOHBEIN: So they have their own separate license, they can charge whatever they charge.

LONOWSKI: OK. Thank you.

DOUG HOHBEIN: Thank you.

SANDERS: I just have a question of curiosity.

DOUG HOHBEIN: Yes.

SANDERS: Will the drone displays possibly take the place of fireworks?

DOUG HOHBEIN: They may take that place.

SANDERS: Are they maybe already?

DOUG HOHBEIN: They're not covered by our agency, so it's not something we regulate, but we're seeing more and more of those going out. And, frankly, I like those a lot. They're, they're really nice. But we'll see how, how the, the future unfolds with that, so. Some people like the noise.

SANDERS: And they're not under your committee or organization because they don't catch on fire, batteries?

DOUG HOHBEIN: Yeah, they're, they're really not within our realm. It's probably the FAA and other organizations that would involve those flying craft, so. Yeah.

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SANDERS: Interesting. Thank you. Any other questions? See none, thank you for your testimony.

DOUG HOHBEIN: All right. Thank you very much.

SANDERS: Any other proponents on LB434? Any opponents on LB434? Good afternoon. Welcome.

KORBY GILBERTSON: Good afternoon, Chairman Sanders, members of the committee. For the record, my name is Korby Gilbertson. It's spelled K-o-r-b-y G-i-l-b-e-r-t-s-o-n, appearing today as a registered lobbyist on behalf of the Nebraska Realtors Association, the Nebraska State Home Builders Association, the Home Builders Association of Lincoln, and Metro Omaha Builders Association Coalition in opposition to LB434. Senator Wordekemper's office was kind enough to share with me the amendment, and that took care of one of our concerns, which was the 50% of the project value. That scared a number of people, as you can imagine. But they continue to have some concerns with increasing costs. There was a recent study done by UNO that estimates that 32% of a new construction home built in Omaha goes to satisfying various government regulations. The national average is 21.5%. So when you look at the cost of building, we have, obviously, a housing shortage in this state. And so both the builders and the realtors are very concerned with the increasing cost of compliance. So they're concerned what the additional fund-- the additional charges that, obviously, one can increase up to \$5,000, the other one up to \$10,000. The other concern is, if you look at the amendment, I'm sorry, it's on page 4 at the top of the line. And this is where it changes that language to the penalty being the amount of the plan review fee. Under the Nebraska Constitution, all penalties are required to go to the permanent school fund. That's in Article VII, Section 5 of the State Constitution. So if the department isn't already submitting those to the state-- to the school fund, I would suggest they talk to their legal counsel and maybe look at our constitutional requirements. So just so you know that all of that money does not go back to the State Marshal-- Fire Marshal's Office as fines are required by our constitution to go to the permanent school fund. And that's it. If you have any questions, I'd be happy to answer them.

SANDERS: Check to see if there are any questions for Ms. Gilbertson. See none, thank you--

KORBY GILBERTSON: Great. Thank you.

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SANDERS: --for your testimony. Are there any other opponents on LB434? Any neutral testimony for LB434? Senator Wordekemper, if you'd like to come forward and close. While he's coming up, we have position comments for the hearing record today: proponent, zero; opponents, four; and one in the neutral.

WORDEKEMPER: Thank you, Chairman Sanders and members of the committee. I think this is a pretty straightforward bill, and it's just to update our fees. It's not going to, by any means, cover the expenses that our state puts out to inspect these buildings. It's simply to, to help start moving in the right direction. You know, if, if we go off of what's happened in the past, we would pass this legislation and we might not have to address it for another 20 or 30 years, which I think is ridiculous. But one, one comment to the opposition. The State Fire Marshal's Office does not regulate permits for single-housing dwellings or any of those. So these fees do not apply to single-family dwellings, duplexes, or anything like that. If you're in a city-- or, or apartment complexes, they probably would apply to that. But I can certainly reach out to the Fire Marshal's Office to address any concerns that the, the committee might have. And at that, I would like to advance this out so we can bring some revenue into our state.

SANDERS: Thank you. Let's see if there are any questions from the committee. Senator Guerca.

GUERCA: Do you know what the unit count-- thank you, Madam Chairwoman. Do you know what the unit count is for the State Fire Marshal when that kicks in? You said it doesn't deal with single-family homes or duplexes.

WORDEKEMPER: I, I would, I would defer that to them. We can talk to them. It would probably be, I would guess, jurisdiction on how that goes. I know the Fire Marshal, and, and we can, we can talk to him, like Omaha and Lincoln and the bigger cities have their own inspections and things like that. The Fire Marshal's Office, to my knowledge, does a lot of smaller towns, western Nebraska and things like that, that--

GUERCA: Sure.

WORDEKEMPER: --don't have that, and they provide the services there. So I, I do not know for sure what the mount-- multi-housing level would be that they would have to come into.

GUERCA: Just out of curiosity. Thank you, Senator.

WORDEKEMPER: Yep.

SANDERS: Any other questions? Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank you, Senator Wordekemper. Have you consulted with any of the builders at all to look at what the additional cost would be? As you know, you know, the term affordable housing is, you know, kind of the unicorn and trying to figure out, you know, the ever-increasing cost of housing. I'm certainly not a Fire Marshal, I know, I know it's not part of the fireworks portion, but some of the other ones it seems a little more expensive. How much of that, because it's all gets passed onto the purchaser of the house or the building or whatever?

WORDEKEMPER: To my knowledge, this doesn't affect any of the affordable housing plans or single-family dwellings that they build under that.

ANDERSEN: So then what would it be, would it be office buildings, grocery stores?

WORDEKEMPER: Yeah, public entities. I, I guess I would defer that to the, to the Fire Marshal's Office on everything that is covered under that. Public buildings, gyms, schools, hospitals, daycares, restaurants, anything that requires a permit, I would believe that is going to be occupied by the public businesses, things like that.

ANDERSEN: Thank you.

SANDERS: Any other questions from the committee? See none, this closes our hearing on LB434. And this also closes the hearing for the Government, Military and Veterans Affairs Committee today. Thank you very much.