

Transcript Prepared by Clerk of the Legislature Transcribers Office
Government, Military and Veterans Affairs Committee February 25, 2026
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SANDERS: Good afternoon and welcome to the Government, Military and Veterans Affairs Committee. I am senator Rita Sanders from Bellevue, representing District 45, and I serve as your chair for the committee. The purpose of the public hearing is an information-gathering endeavor in which senators on the committee are seeking information about the proposed legislation that we do not know or have not thought about. It allows individuals representing themselves or a group to share their unique perspective on a proposed measure. It also serves as a record about the proposal for future historical and legal purposes. A key component of the process is the ability for senators to engage directly with testifiers to ask questions and elicit clarification on the information provided. The committee will take up bills in the order posted. If you are planning to testify today, please fill out one of the green testifier sheets for each of the bills that you are testifying on. These are on the table in 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 but you would like to indicate your position on a bill, there are also yellow sign-in sheets in the room on the back 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, and spell your first and last name to ensure we get an accurate record. We will begin each bill hearing today with the introducer's opening statement, followed by the proponents of the bill, then opponents, and finally anyone wishing to speak in the neutral capacity. We will finish with the closing statement if the introducer wishes to one. We will be using a three-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, it will indicate you have one minute remaining. The red light indicates your time has ended as an audible alarm will sound. Questions from the committee may follow. Also, committee members may come and go during the hearing. This is nothing to do with the importance of the bills being heard. It's just part of the process as senators may have bills to introduce in other committees. If you have handouts or copies of your testimony, please bring up 12 copies and give them to the page. If you do not have enough copies, the page will make sufficient copies for you. Please note that thumb drives, CDs, DVDs, oversized documents, books, lists of signatures and similar will not be accepted as exhibits for the record. Please silence or

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turn off your cell phone. You may see committee members using their electronic device to access more information. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may cause 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 8:00 a.m. the day of the hearing. The only acceptable method of submission is via the legislature's website at legislature.nebraska.gov. Written position letters will 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 have committee members with us here today introduce themselves, starting on my far right.

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

J. CAVANAUGH: Good afternoon. John Cavanaugh, representing District 9: midtown Omaha.

ANDERSEN: Good afternoon. Senator Bob Andersen, District 49: northwest Sarpy County and Omaha.

HUNT: I'm Senator Megan Hunt and I represent District 8 in the northern part of midtown Omaha.

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

F. MEYER: Fred Meyer, District 41, 8 counties north of Kearney and Grand Island.

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

SANDERS: Thank you. Senator Bob Andersen is our vice-- vice chair of this committee, and we-- also assisting with us today is legal counsel Dick Clark to my far-- to my right. And to my far left is Julie Cash, our committee clerk. We also have two pages for the committee today. They are Luke Perry from Gretna, who is a freshman at UNO and majoring in history and political science. We also have Grace Harper from Loveland, Colorado who is a junior at UNL and in political science.

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Thank you for your assistance today. And we'll now begin our hearing today on LB1159. Welcome, Senator Lonowski.

LONOWSKI: Good afternoon, Chair Sanders and members of the Government, Military, and Veterans Affairs Committee. Thank you for this hearing. For the record, my name is Dan Lonowski, D-a-n L-o-n-o-w-s-k-i, and I represent the 33rd Legislative District. I introduced LB1159 at the request of the Governor, and I extend my thanks to the great number of colleagues who have signed on as co-sponsors of this bill. The purpose of the Nebraska Hall of Fame is to bring to attention and to recognize people who in their lives have achieved prominence and who were outstanding Nebraskans. A Nebraskan shall mean someone who was born in Nebraska, gained prominence while living in Nebraska, and whose residence in Nebraska contributed to their greatness. Under current law, to even be placed in the Nebraska Hall of Fame, the individual must have been deceased for at least 35 years. The purpose of LB1159 is to require the Hall of Fame Commission to name one living person to the Nebraska Hall of fame prior to January 1st, 2027. Such person shall have been a prior member of the U.S. House of Representatives, have been the former head coach of the University of Nebraska Lincoln football team, have served as the athletic director of the University of Nebraska at Lincoln, and have attended Hastings High School. It is not surprising that these requirements are met by Coach Tom Osborne. It is my belief that Tom Osborne not only meets, but exceeds the requirements to be named in the Nebraska Hall of Fame. Over his 89 years of life, Coach Osborne has embodied nearly every aspect of what it means to be a Nebraskan. He had decided his life was to support and encourage the youth of Nebraska. He has done this both directly and indirectly. While serving as a head coach of Nebraska Cornhuskers, he personally mentored hundreds of young student athletes that now have an incredible impact on our state and on our nation. He also continues to support youth through TeamMates, which was created during his time as head coach to allow his student athletes to have a positive impact on the youth in their communities. TeamMates has grown into a multi-state mentoring program that connects young students with adults to provide a positive impact. Tom Osborne has made a lasting impact on Nebraska by providing a space for young students to grow and thrive through promoting mentoring at every level and of course by providing Nebraskans with a reason to celebrate by winning three national championships while heading the Nebraska football program. Tom Osborne has lived his life celebrating and promoting one of Nebraska's most

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precious resources: our youth. He embodies the necessary requirements to be named to the Nebraska Hall of Fame. The only issue is he would not be able to receive the honor until 35 years after the end of his life. Why wait? For all the joy and celebration Coach Osborne has brought us over his 89 years of life, he deserves to enjoy the celebration of his induction into our great state's Hall of Fame. Tom Osborne has earned widespread admiration for his unwavering integrity, humility, honesty, faith-guided principles, and principled leadership. His career achievements and personal values have made him an enduring icon in college football, in our state, and well beyond. That concludes my opening, and I respectfully ask the committee's consideration for the advancement of LB1159. Thank you, Chair Sanders and fellow committee members.

SANDERS: Thank you, Senator Lonowski. We'll see if the committee has any questions for you. Senator Hunt.

HUNT: Thank you. Is the Hall of Fame different from the statues in the hallways up here, the busts? Or is that what that is?

LONOWSKI: That is tied into it. Yeah, it's-- so the Hall of Fame is different, but then I think, you know, to be-- to more likely to get your bust here, it helps to be in the Hall of Fame.

HUNT: To be more likely, but it doesn't necessarily?

LONOWSKI: I don't know about that, Senator.

HUNT: OK, OK. That's my question. I'm saying, are we getting the bust or is this the Hall of Fame, it's a different thing? So, yeah, we can find out.

LONOWSKI: OK.

HUNT: Thank you.

LONOWSKI: I will, I will find out. Thank you.

HUNT: Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. Thanks for bringing this. I would say the fiscal note says that the fiscal note is the cost of the bust, so.

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HUNT: There you go.

LONOWSKI: Yes.

My only question, I mean, obviously we all love Tom Osborne. Is this bill only apply to Tom Osborne then?

LONOWSKI: Yes.

J. CAVANAUGH: I mean is there anybody else that could meet the criteria at all?

LONOWSKI: There, there probably are people out there. This bill is specifically for Tom Osborne.

J. CAVANAUGH: OK. All right, thanks.

SANDERS: Senator Andersen.

ANDERSEN: Thank you, Chairwoman. Thank you, Senator Lonowski, for bringing the bill. Regarding the fiscal note that came from the Nebraska Historical Society, do you know, is that, is that fully funded? Is that part of their budget to be able to do those things? Do you know?

LONOWSKI: I do not know that.

ANDERSEN: OK, thanks.

SANDERS: Are there any other questions from the committee? I see none. You'll stay to close?

LONOWSKI: Yes.

SANDERS: Thank you. Are there any proponents on LB1159? Good afternoon. Welcome.

NICKLAS STEFANIK: Thank you, thank you Chairman Sanders and members of the Government, Military and Veterans Affairs Committee. My name is Nicklas Stefanik, N-i-c-k-l-a-s S-t-e-f-a-n-i-k, and I am here on behalf of the Association of Students at the University of Nebraska. I'm here today to say that we the students of UNL are strongly in support of LB1159, and thank Senator Lonowski for introducing this legislation. As a student at UNL, I can say that Mr. Tom Osborne has

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left a lasting legacy on the University of Nebraska long before I and my fellow students were here, and one that still impacts students to this day. I don't think I need to tell anyone here what it is like to watch a game on Osborne-- on Osborne Field, but as a student specifically, I can tell you that it is simply incredible. In large part because of Mr. Osborne's legacy and lasting contributions to the program and the university. However, it is not only the university where Mr. Osborne has left an impact, helping found the TeamMates mentoring program, this organization now helps mentor over 1,200 K-12 students in the Lincoln area. Students at UNL have been helping with this program and have been able to give back to Lincoln and the state of Nebraska. This strengthens our community and, when partnered with our university, creates an unstoppable force of charity. We also want to recognize and thank Mr. Osborne for his service to Nebraska and the halls of Congress. Serving Nebraska's 3rd Congressional District, he represented the area where, like himself, many of the students of the university hail from. His time in Congress solidifies his dedication to this great state and represents the impact he's had on our students and our school. Which brings us to LB1159. We are in support of the change that allows Mr. Osborne to be inducted into the Nebraska Hall of Fame, that changes the certain criteria that Mr. Tom Osborne meets. And as students of the university, we know the impact Mr. Osborne has had on us and feel we have a unique view on this legislation. For such a man that has dedicated his life to our state and this university, it is truly the least we can do. We are in strong support of the passage of this bill, and thank you for your time. I'd be happy to answer any questions.

SANDERS: Thank you Nicklas Stefanik for your testimony. And the red tie is a nice touch.

NICKLAS STEFANIK: Yes, thank you. Thank you.

SANDERS: Let's check to see if there's any questions for you from the committee. Are there any-- Sen-- Senator Andersen.

ANDERSEN: Thank you, Chairwoman. And thank you, Mr. Stefanik, for being here. Just out of curiosity, can you just tell us a little background about yourself?

NICKLAS STEFANIK: Yeah, so I will admit I was not born in Nebraska. I came out here from Illinois for uni-- for the university, not because

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of the-- well, I mean, the football program was a part of it, but I, I toured and I just loved the university. Got involved in student government. And just being at Nebraska has been wonderful, and I plan on staying after graduation, so.

ANDERSEN: Awesome. What year are you, and what are you studying?

NICKLAS STEFANIK: Oh, I'm a sophomore political science major.

ANDERSEN: Nice, thank you. Thanks for being here and thanks for your involvement. It's impressive.

NICKLAS STEFANIK: Thank you for the opportunity.

SANDERS: Any other questions for Mr. Stefanik? I see none, you got off easy. Thank you very much for your testimony--

NICKLAS STEFANIK: Thank you very much.

SANDERS: --and being here. Thank you. Any other proponents on LB1159? Any opponents on LB1159?

ANDERSEN: Not possible.

SANDERS: What's that?

ANDERSEN: Not possible. Opponents.

SANDERS: Any neutral testifiers from LB1159? Seeing none, Senator Lonowski, would you like to close? While you're coming up, online comments for the hearing record: 2 proponents, 3 opponents, and 1 in the neutral.

LONOWSKI: Thank you, Chair Sanders and committee members. And for the record, Senator Andersen, one of the opponents online is worried that I'm trying to create a crack for myself to get a bust, was their comment? I hadn't considered that yet, but I appreciate that they, they're thinking of me. Thanks to those that testified. Mr. Stefanik, welcome to the world of politics at the Unicameral. It was an honor to introduce this legislation on behalf of the Governor. Due to scheduling conflicts, Governor Pillen was unable to testify, and he regrets that he could not be here. Out of respect to the committee, I wanted to keep this brief, and so I did not ask anyone to come in and testify. I do believe Tom Osborne's accomplishments and all he has

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done for the state speak for itself. The handout I gave you is merely a picture of Tom Osborne in his Hastings days, probably long before most of us were around. It was just for fun more than anything. I also wanted to remind everyone, Tom Osborne was inducted, inducted into the College Football Hall of Fame, operated by the National Football Foundation in December of 1998, shortly after his retirement following the 1997 season. The National Football foundation waived its standard three-year waiting period because of Tom Osborne's exceptional achievements. So I want to thank you all. I want to thank the 40 senators who co-sponsored this bill, and I respectfully ask the committee for support of LB1159. And appreciate if you can move it forward. Thank you.

SANDERS: Any questions? Senator Meyer.

F. MEYER: Just a comment, I guess, and I really appreciate you bringing this. This is a wonderful-- he's done so much for Nebraska, and in my opinion, it would be a travesty for someone of his character and caliber and what he's done for the youth in Nebraska with TeamMates to wait 35 years to honor him like this. And possibly while he's still alive, to, to have this honor and to be an example for all Nebraskans to make life better here is-- it's, it's really heartwarming. So thank you for bringing this.

LONOWSKI: Thank you, Senator Meyer.

SANDERS: Any other questions? Seeing none, thank you very much.

LONOWSKI: Thank you.

SANDERS: This closes the hearing on LB1159. Thank you very much. We will now go on to LB1019. Welcome, Senator Dorn.

DORN: Hello. Well, first off, I'll start, my name is Myron Dorn, M-y-r-o-n D-o-r-n. And I wanted-- I should have probably come up here as a neutral testifier, and I didn't fill out no green sheet, but part of Senator Lonowski-- the commission has those guidelines for how a bust is eligible to be in the Capitol. They brought for me about, I don't know, four or five years ago, a bill because there were several people that were eligible for a bust in here, and they couldn't at that time afford the \$50,000 cost. Because it has been all on the family up until the bill that the commission brought to me, that we put \$10,000 a year into that fund now for up to five years or \$50,000.

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After that, it pauses or stops until that money is spent. So yes, there are certain guidelines, certain rules, and one of those as it stands today is you have to be deceased for 35 years to be eligible. So know a little bit about that and a little about the funding because, like I said, there were two or three people that had to decline putting their bust here or having a bust here because of the cost of the \$50,000 cost. Their-- it was on their family and their family alone or donations. So that-- sorry to get off on that tangent, but thank you for letting me explain that, so.

SANDERS: You're welcome. Thanks for using the time. Please.

DORN: OK, now we'll go ahead on LB1019. Good afternoon, members of the Government, Military, and Veterans Affairs Committee. My name is Myron Dorn, M-y-r-o-n D-o-r-n, and I represent District 30. LB1019 was brought to me by the Nebraska Association of County Officials, NACO, to ensure that county assessors can do their jobs. It allows assessors to enter onto real property in the performance of their official duties without being liable for prosecution for trespassing. It does not allow them to enter any building, enclosed buildings, without the express permission of the property owner or occupant. An Attorney General's Opinion issued last summer concluded assess-- assessors who enter private property without consent or a warrant could be liable for criminal trespass, and the entry could be an unconstitutional search and seizure. That Opinion replaced a long-standing Opinion that assessors had relied upon that allowed them to enter property, but not home. Without being held liable for trespass. Without the ability to access properties, assessors cannot evaluate the quality of the property and see whether the property owner has improved or changed the property. Inspection with drones or aerial photography are helpful, but they are costly. If drones or air photog-- aerial photography were used, NACO conservatively, conservatively estimates the cost to be \$4 million statewide. And those forms of survey do not provide the same level of accuracy as on-site inspection. Reduced accuracy leads to more valuation protests, again with increased cost to counties. I encourage you to include this bill in the committee package to clearly authorize assessors to perform their essential duties. Jon Cannon, and I believe there's one or two other testifiers, here that will, I call it, be able to explain more of the details of why this bill was brought forward than, than I can really or whatever. Said I would carry this for them, bring it forward. And they will-- if you really have some detailed questions, please ask them and not me.

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I, I have-- I understand the concept, but other than that, I don't know some of the ins and outs.

SANDERS: Let's check to see if there are any questions just for you. Questions from the committee? Senator Andersen has one.

ANDERSEN: Thank you, Chairwoman. And thank you, sir, for being here. Do you know, is NACO going to testify?

DORN: Yes, Jon.

ANDERSEN: OK. So I'll discuss the--

DORN: I know there's two people from NACO, so I assume one is going to testify.

ANDERSEN: So fiscal note I'll just save to ask them.

DORN: OK.

ANDERSEN: One of the things in just our socializing and discussing this bill, one of the concerns by one person was well, you know, I don't really want somebody just walking across my property. Understand the reason for doing it and all that stuff. So when we were kind of spitballing the whole thing, have you considered or would you consider an amendment to this bill saying that they can access the property within the existing easements for [INAUDIBLE]? You know, like my property line, both property lines have easements for utilities and all that, and it typically runs four to five feet inside the property, so they could get the whole property line without being intrusive into, you know, the further part of it. Is that something under consideration, or did you already--

DORN: Well, I'm open to anything, but some of this you're going to have to run by, I call it, Jon Cannon and the counties. Because the counties were the ones that brought them in for me to say, yes, I would be agreeable to that or not. Without their consent, I probably wouldn't give you an answer, yes or no.

ANDERSEN: OK, so if they're agreeable, you're agreeable.

DORN: Yeah.

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ANDERSEN: OK. I'll save it for Jon. Thank you.

SANDERS: Any other questions from the committee? Seeing none, you'll stay for close?

DORN: Yes.

SANDERS: Thank you. Any proponents on LB1019? Hello again.

JON CANNON: Good afternoon, Chair Sanders, members of the Government, Military and Veterans Affairs Committee. My name is Jon Cannon, J-o-n C-a-n-n-o-n. I'm the executive director of the Nebraska Association of County Officials, also known as NACO, here to testify today in support of LB1019. Really appreciate Senator Dorn bringing this bill. This is something that after the Attorney General Opinion was issued last summer, it's created quite a bit of consternation within the assessor ranks across the state for all 93. So we've been doing inspections and reviews in the state since at least 1858. We have records going back from Otoe County that shows that they've done this. The assessor has the general obligation, according to professionally accepted mass appraisal standards, to discover, list, and value all real property within the county. And then we have something that we do separately for personal property that, that doesn't really impact this whole thing. And, and that duty can really only be satisfied through an accurate physical inspection. And so, you know, like Senator Dorn had mentioned, there are alternatives. We have drones. We have-- you can do flyovers or aerial photography. These are more expensive. They're less accurate. And they-- those are the sorts of tools that have always been intended to supplement the job that the assessor does, but not to supersede it. Senator Dorn had mentioned the 1977 Opinion that was issued by the Attorney General. That Opinion basically relied on the fact that, well, you know, we have this obligation in statute that the assessor has to do this inspection in order to do their jobs. And so we'll yield to that, that notion and say they can, they can have entry to the property so they can accurately physically inspect and review property. There was a section in that AG Opinion about and if someone's really upset about it, they can go get an inspection warrant under the statute. The statute that he had referenced in the 1977 Opinion talked about public health and public safety. When I was an attorney at the Department of Revenue, I always thought that was kind of hokey. But when assessors would ask, you know, can we go on the property? I'd say here's the Opinion, I wouldn't rely too much on, on

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the inspection warrant part. The 2025 Opinion that, that Attorney General Mike Hilgers, you know, he, he did me the courtesy of giving a forewarning that it was coming, it correctly notes that the Legislature has already exempted one other county office when it comes to the law of trespass, and that would be the county surveyor. And so what we attempted to do with the bill was to mirror, but added-- mirror that statute, we've added some specific protections for the property owner. And so whereas the surveyor statute said the county surveyor in the performance of his official duties, because back when that statute was drafted all the surveyors were males, you know, shall not be held liable for prosecution at trespass. And so what we did is we mirrored that language, but we said, but if they want to enter an enclosed structure, they have to have prior permission of either the owner or the occupant. And that's, and, and there was-- that was the first question when I was talking to a number of folks in, in this building about this particular bill. The first question that everybody asked was, does that mean they can come into my home? And, and I don't think assessors have ever wanted to do that. They certainly shouldn't. You know, but, but there is the fear that the assessor is going to, you know, rifle through your sock drawer. And I think anybody wants that. So we want to make sure that we put that in there to make that-- I'm out of time. I'm happy to take any questions that you may have.

SANDERS: If you have more to add, please do so.

JON CANNON: Yes, ma'am. Thank you very much. So, anyway, the statute, it would amend Nebraska Revised Statute 77-1311.03. That is the statute that provides the specific obligation to inspect and review every parcel of real property in the county no less frequently than once every six years. If, if you don't want to advance and pass this bill, we would recommending repealing that obligation for the inspection and review process of every six years. Because if it's impossible for them to do it, you might as well not even have it in the statute. And so the ask-- the question that I would ask for anyone that that is, you know, and I understand that, that exempting someone from the law of trespass is a big deal. And property rights are a huge deal for people in Nebraska. They are to me, certainly. And I understand Senator Andersen, to your point that, you know, you don't want people just wandering across your property. And, and I, I get that. But I think that the question to ask fundamentally, if someone is opposed to this would be, is the solution to the property tax crisis in the state to make assessments less accurate? And or is the

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solution to the property tax crisis in the state to make assessments more expensive for the taxpayer? And with that, I'm happy to take any questions you may have.

SANDERS: Thank you. Do we have questions? Senator Lonowski.

LONOWSKI: Thank you, Chair Sanders. And thank you for being here, sir. I got a couple of questions. Do you attempt to, at first, contact the owner, or does the assessor have to knock on the door, or--

JON CANNON: Generally speaking, that's the best practice. And Johnson County Assessor Terry Keebler, by way of past president of the NACO board, is here as the assessor for Johnson County. He'll be speaking about what they specifically do. But generally speaking that is the best practice, is you knock on the door. I think most assessors, they'll provide a notice of some sort in the newspaper that says, hey, we're going to be in the area, just FYI. That's not obligated, but it is a good practice to, to have.

LONOWSKI: OK, I'll ask my other questions of him.

JON CANNON: Yes, sir.

LONOWSKI: Thank you.

JON CANNON: Thank you.

SANDERS: Senator Wordekemper.

WORDEKEMPER: Thank you for being here. I believe when I, I talked to you about this, at some point in time, there was an exemption for other county employees to go onto the property, but the assessors were left off. Was that for surveyors and certain things?

JON CANNON: Yes, sir.

WORDEKEMPER: Do you know, was there a lot of testimony then or a reason why assessors were left out at that point?

JON CANNON: You know, my, my best guess, sir, is that the surveyor statute was passed a long, long time ago. And they, they probably had a very specific objection that had been raised. And again, like I said, assessors have been inspecting property since 1858. I, I don't think people were thinking to themselves, well, we obviously need a

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statute for assessors because they've been doing it for 100 and some odd years. For surveyors, however, because the question had been raised, they had that specific statute that was granted to them. So my, my guess, and it is purely speculation on my part, is that it probably was not even considered that we should, we should include the assessor. And, you know, oh, by the way, there are other offices that have the ability to go onto land without being prosecuted for trespass. Game and Parks, for instance, game wardens, they can go onto someone's, onto someone's property if they suspect that there's something going on they need to be involved with. And so there are off-- other offices that we've said in exercising the police power of the state-- this is the taxation power, but in exercising the police power of the state, they can enter onto property without being prosecuted for trespass.

WORDEKEMPER: OK. Chair, I have a follow-up, if I could.

SANDERS: Please.

WORDEKEMPER: While listening to your testimony, it, it dawned on me, what about if I'm going to put a fence up and I want people to come out and flag my property for electrical lines, gas lines? Like, could they be under the trespass law? I guess I don't even know. Like, when they're out marking lines so I'm able to dig where I am, do they fall under a trespass law?

JON CANNON: The logic that the Attorney General had used in his opinion from last summer was if you are-- because we have a specific exemption for surveyors and we do not have a specific exemption from county assessors, then county assessors are eligible to be prosecuted for tress-- trespass. If there is not a corresponding exemption from the law of trespass that, that exists, I would say that they're fair game. However, my expectation is, much to Senator Andersen's point, that a lot of times when you're marking for electrical and those sorts of things, you have an easement running across land. That means that I have the right, even though it's your property, I have the right to come onto your property and, and cross it in that way.

WORDEKEMPER: Thank you.

JON CANNON: Yes, sir. Thank you.

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SANDERS: Any other questions? Senator Andersen.

ANDERSEN: Thank you, Chairwoman. Thank you, Mr. Cannon, for being here. As I had a question earlier, is it better to talk to you about the fiscal note?

JON CANNON: Yeah, happy to, sir.

ANDERSEN: OK, so the fiscal note says that for the digital survey, the pictures, I guess annotated pictures, it's about \$150,000 a year per county, with \$14 million a year for the state, as an estimate. Is that currently being done now?

JON CANNON: Not for every county. There are, are certain counties that they will, they will do it as needed. Some counties will say, you know, we have the ability with, with the staff in our office to inspect and review all the parcels, physically inspect and review all parcels of real property in the county just with the staff. And, and they'll go do certain things. If, if you've got a really large county and you've got a small staff, and, and some of those properties are hard to get, they'll probably make the use of aerial photography. But without the ability to inspect and review, almost all of them will have to do that. The probably the best exception would be Douglas County because the, the population density in Douglas County is such that, you know, I can only look at your property from the sidewalk, not a problem. There are sidewalks all over the place.

ANDERSEN: OK, yeah. I, I think it's interesting because like you mentioned drones. Yeah, if you look at how you apply the different analytic tools based on where you're at and densities and everything else, it looks like it's kind of not that clear-cut, that this may increase the need for manpower to go out to individual sites as opposed to looking at pictures or video from a drone. Honestly, same question about the easement. Have you thought and would you consider an amendment to this to say that you can legally trespass on the property along the easement to be it's four to five feet inside the property line, would avoid somebody from walking all across your property and keep them just on the outskirts?

JON CANNON: Sure.

ANDERSEN: Would that be acceptable for--

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JON CANNON: You know, that, that's a legitimate question. We, we'd want to look at what that looks like. And again, I'll defer to Mr. Keebler as to his specific knowledge of, of how he does his job. But I, I, I think that has a certain amount of merit, you know, that, that sure, I mean, you know, you're able to be inside the property. You're able to see what you need to see as far from a measurement standpoint. My only concern now that as I'm thinking through this, I apologize, as I am thinking through it, my only concern would be that if you're talking about a rural residential parcel that's multiple acres. And that easement's only around the, you know, the exterior of the property, it's still going to be difficult for me to get the measurement of, you know, the house and any of the freestanding structures. You know, whether it's a, you know, 10,000 square foot house or 4,000 square foot house. That would be my concern, but I, I'm not sure I can articulate it better than Mr. Keebler. And I've just volunteered him like three different times in this testimony.

ANDERSEN: But the size of the house and all that stuff should already be articulated in the building permits when they built the house, right? I mean, I know my house is online, and Sarpy County can go pull the dimensions for almost anything.

JON CANNON: Yeah, it should be sir. There, there are times when the, the building permit specs do not quite match what was actually done. And that, that's all I have to say about that.

ANDERSEN: Fair enough.

JON CANNON: Yes, sir.

ANDERSEN: Thank you.

JON CANNON: Yes, sir. Thank you.

SANDERS: Any other questions? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chair. Thanks for being here, Mr. Cannon. I would tell you, so when they came and inspected my house a couple years ago, we talked and there was on the schematics a freestanding structure on my property. If you know my property is the size of this round table, so there's no separate structure on my property. So we

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did get that corrected when they came, that their specs had the wrong additional structure on my property.

JON CANNON: And it lowered your value by having an inspection, sir.

J. CAVANAUGH: You know, I didn't see that reflected in my--

JON CANNON: I might have to talk with Mr. Goodwillie.

J. CAVANAUGH: It's OK. You know, I'm OK with him. But my question is about the Attorney General's Opinion. So it looks like it was Washington County asked for it?

JON CANNON: Yes, sir.

J. CAVANAUGH: Why?

JON CANNON: There's a, there's a really long story.

J. CAVANAUGH: Maybe I'll ask you off, offline then on that.

JON CANNON: Yes, sir.

J. CAVANAUGH: So my follow-up question is the Attorney General's Opinion doesn't have the force of law.

JON CANNON: No, sir.

J. CAVANAUGH: It's not the same as a court case.

JON CANNON: No, sir. It does not.

J. CAVANAUGH: So it's his opinion.

JON CANNON: Yes, sir.

J. CAVANAUGH: Why is there-- has, has anybody then subsequently been charged after this guidance or why do we change state law based off of-- the opinion was one thing for 40-- what, 46 years, 47 years and now we're changing state law in response to a change in one person's opinion?

JON CANNON: Sure. Well, Senator, as the Attorney General has a certain amount of sway with county attorneys of the state. They're going to look to the Attorney General for, for direction. Some of them will

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look to the Attorney for General-- for direction and say, that's great, now we can safely ignore you. Many of them will go along with that guidance. And so I, I think that there's a real danger that someone could say, yeah, the, you know, the assessor is out inspecting my property and I want him charged with trespass. And depending on the relationship between the county attorney and the county assessor, that's entirely possible you'll have a charge brought up. We're seeking to avoid that and provide clarity. We had, we had a lot of clarity up until 1977, and then we had an Attorney General's Opinion, we had a little bit more clarity, and now, now we have less. And so to the extent that we're able to provide clarity for our assessors and make sure that public servants that are doing their public jobs are not, are not cited for doing that job, I, I think that's what we're trying to accomplish here.

J. CAVANAUGH: OK. And in, I guess, do they have any sort of sovereign immunity from being personally charged?

JON CANNON: I don't know the answer to that, sir.

J. CAVANAUGH: OK.

JON CANNON: I'll, I'll consider that and try and get back to you.

J. CAVANAUGH: All right, thanks.

JON CANNON: Yes, sir.

SANDERS: Senator Andersen.

ANDERSEN: Thank you, Chairwoman. Thanks, Mr. Cannon. The question is about, about drones. Are there any prohibitions or any, we call rules of engagement, basically operating instructions of how you can use them? When you can use them, the proximity, altitude things like that?

JON CANNON: Yes, sir, there are. And you have to be a certified drone pilot, essentially. There's a lot of stuff that you have go through, I believe, through the FAA. You know, speaking, speaking for NACO, we have a software company where we have at least one person that's, that's certified to fly a drone. We provide assessment services for, for a fee to counties that, that need it. We would prefer not to have, not to have to fly drones if we don't have to. We prefer not charge counties more to do something that could be accomplished for much

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less. But there are a lot of things-- to answer your question directly, sir, there, there are a number of things that you have to do. There are laws that you have to follow. There's a certain height restriction on, on how high above the structure you have to be. And those are all things that are going to impact the accuracy of the assessment that you're able to achieve.

ANDERSEN: Thank you.

JON CANNON: Yes, sir. Thank you.

SANDERS: Any other questions from the committee? I see none. Thank you very much for your testimony.

JON CANNON: Thank you very much.

SANDERS: Are there any other proponents on LB1019? Good afternoon, welcome.

TERRY KEEBLER: Good afternoon, members of the Government Committee. My name is Terry Keebler, T-e-r-r-y K-e-e-b-l-e-r. I am the Johnson County Assessor, here testifying in support of LB1019. I am also representing the Nebraska Association of County Assassors, and I'm on the board for NACO. So, so yes, this is in response to the Attorney General's Opinion last year that removed our somewhat protection anyway over trespassing. The follow-up to that was they referred everyone to their county attorneys. We had varying degrees of support of what you can and can't do, and it was very muddied of what someone could do. Some of them said, don't cross off the right of way. Some said, continue as you were. But so we're, we're requesting this statute change so that we all have clarity and it's consistent, which is what the assessors are trying to do, is to be fair and equitable in assessing the value of property. We're trying to do it correctly. As John said, we have the requirement to inspect property every six years. I believe we're allowed to figure out how to do that. But this really restricts our abilities if we get guidance from our county attorney that we should not be somewhere. So as a practice, yes, we go up to the door, knock. We get varying responses of anyone answering the door. But we do announce that we're there. Now there's a lot of ring doorbells, so we get some responses through those, asking who we are and what we're doing. And we, we let them know we're there to do our inspection. And so as far as being fair and equitable there, as

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Senator Cavanaugh said, we a lot of times will find things that are on our system that are not there. We also, as you walk around the buildings, you get a much better feel for condition and quality than you do from an aerial picture that may tell you the size, but really doesn't give you a good sense of what that structure is like. And for the most part, that's to their advantage because you see bad things a lot better up close than you do from a distance. So with that, I would take any questions.

SANDERS: Thank you, Mr. Keebler. See if there are any questions from the committee. Senator Lonowski.

LONOWSKI: Thank you, Chair Sanders. Thank you for explaining a lot of that. So you make the one contact, you make an attempt to knock on the door, they're not there, you go ahead with the assessment?

TERRY KEEBLER: Yes.

LONOWSKI: You don't have to leave and come back another day? OK, is it the same for renters?

TERRY KEEBLER: Yes, we will, at least our practice in Johnson County, we send out postcards ahead of time telling them we're going to be out doing a review in this certain area, starting on a certain date. We send those to the owners. We hope they share that information with the renters, but that may not always be the case. So whether it's an owner or a renter, we, we will knock and, and check to see if someone's there and let them know what we're doing.

LONOWSKI: OK, thank you.

SANDERS: Any other questions from the committee? I see none. Thank you, Mr. Keebler, for your testimony.

TERRY KEEBLER: Thank you.

SANDERS: Any other proponents on LB1019? Any opponents on LB1019? Any neutral testimony on LB1019? Senator Dorn for the close. And while you are coming up, position comments for the record, hearing record is 14 proponents, 48 opponents, and 1 neutral.

DORN: Thank, thank you, Senator Sanders. My staff had advised me how many opponents there were to this. I think it relates to some of the

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questions or some of the comments made here today. This is-- I think everybody in the state would like to make sure that everybody is assessed correctly. I think that's the goal. How we get to that point, or some of the, I call it, road-- not roadblocks, but bumps in the road. I think those are challenges for many people or some counties. Senator Andersen, I will agree with you 100% that, as I call that, a city of Lincoln, most of these inspections can be done from the sidewalk. We get out to the rural area, especially you get to some place like Cherry County, and it's miles maybe between something or some house. When I was on the Gage County Board we did the GIS of the flyover, and they could fly over and they would map a foot area at a time in Gage County. We were a big enough county we could afford that. Somebody like Johnson County who doesn't have the population or the tax base maybe can't afford that, maybe somebody like Cherry County who has that vast area which they don't need a foot-by-foot, they can go 6 feet by 6 feet and it picks up those buildings, then yes, they could do that, too. But again, there's a cost to all of that. Some of this, they need to be on-- or they need a visually inspect every property every six years, so how is that going to be done just from the road from the right of way? Go on the property. Those are a lot of questions that need to be asked or whatever. So I thank you guys for all listening to the bill today and being a part of the discussion.

SANDERS: Let's see if there are any last-minute questions for the committee.

DORN: OK.

SANDERS: I see none. Thank you for bringing out B1019.

DORN: Thank you.

SANDERS: This closes our hearing on LB1019, and we will now open on LB1203. Welcome, Senator Clouse.

CLOUSE: Thank you, it's good to see you all. Good afternoon, Chair Sanders and committee members. For the record, my name is Stan Clouse, S-t-a-n C-l-o-u-s-e, and I represent District 37, which includes much of Buffalo County, including Kearney, Shelton, and Gibbon. LB1203 was brought to me by NACO, and we must have had a lot of bills from NACO this year. Followed a few of those. And it has to deal with small refunds and other checks issued by the county treasurers that often go

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uncashed because the amounts a lot of times are seen as insignificant by the recipients, they just aren't cashed. Currently when these checks haven't been cashed for more than three years, they're presumed abandoned and remitted to the state through the Uniform Disposition of Unclaimed Property Act. The state accumulates the unclaimed assets, advertises and mails notices of them. And if they remain unclaimed, they're eventually placed in the Unclaimed Property Trust Fund. LB1203 would create an alternative mechanism to handle those small checks issued by the counties. Under the bill, counties would void uncashed checks of less than \$100 after three years. Once voided, such case-- checks would cease to be an obligation to the county and would allow them to be charged off the books of the county. The funds, including any interest, would be credited to the county general fund. If the voided check is later presented to the county board for payment, the board would retain authority to approve the claim. The process is similar to the authority for expired state warrants to be charged off the books and later submitted to the State Claims Board for payment in Section 77-2205. So we may have someone that will testify in addition to this. But with that, I would be happy to answer any questions.

SANDERS: Any questions for Senator Clouse? Senator Andersen.

ANDERSEN: Thank you, Chairwoman. Thank you, Senator Clouse. You know, not too long ago we heard a bill about from the state and how they take the money, they put it into a savings account and wait a certain period of time. What happens if somebody comes after the fact, after the two years when a check is expired and say, hey, I want my 100 bucks?

CLOUSE: Well, the way--

ANDERSEN: [INAUDIBLE].

CLOUSE: Well, the way that I understand this is it's after three years then it would-- they'd write it off the books. But if they ever presented the warrant or whatever after that, then the board would still pay the claim. But it goes into their accounts, into their general account. Does that answer your question?

ANDERSEN: Yeah, [INAUDIBLE]--

CLOUSE: They would just write it off.

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ANDERSEN: --with the other effort for unclaimed property that we heard a bill on earlier.

CLOUSE: Yeah, it's just keeps from keeping it on the books and it just simplifies it. They would go credit back to their fund, to their general fund. But if they ever come back again later on, you know, I don't know if there would be a statute of limitations on that, but again, these are small amounts under \$100.

ANDERSEN: Thanks.

SANDERS: Any other questions for Senator Clouse? I see none. You'll stay for closing?

CLOUSE: Yes, I will. Thank you.

SANDERS: Thank you. Any proponents on LB1203? Good afternoon, welcome.

CANDACE MEREDITH: Good afternoon. Thank you for having me. My name is Candace Meredith, C-a-n-d-a-c-e M-e-r-e-d-i-t-h, and I'm with the Nebraska Association of County Officials here in support of LB1203. Thank you, Senator Clouse, for bringing this bill on behalf of NACO. So with the LB1203, and I do have a handout for you to, to give you a little bit more insight into the process of how counties turn in the unclaimed checks to the state. And we're just looking at another option. LB1203 creates process for counties to handle small uncashed checks under \$100 that have remained outstanding for an ex-- extended period. Under the bill, county treasurers would maintain a list of checks that remain uncashed after two years, and any check under \$ 100 would become void three years after issuance, no longer an obligation of the county, while still allowing the intended recipient to seek payment later through the county board claim process. So again a little bit different where we're trying to keep the, the funds in the county and have it accessible to the citizens at the local level. The bill also provides that these funds are charged off and credited back to the county general fund and clarifies that they're not subject to the uniform disposition of Unclaimed Property Act once void. County offices routinely issue checks for refunds on motor vehicle registrations and property taxes, and many of these checks are relatively small amounts. Tracking, stopping payment, sending multiple notifications and preparing unclaimed property reporting can be administratively costly compared to the dollar value of many of these

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checks. LB1203 serves two important functions: keep small dollar funds local and useful rather than remitting small stale amounts to the state after the dormancy period. LB1203 allows counties to return these dollars to the county general fund. It also preserves the constituents easy access to their money. Even after the check is voided, LB1203 ensures the individual can still present the claim to the county board, which may approve the payment. This keeps the process accessible and closer to home for residents while still providing a clear administrative endpoint for county accounting. And just so, and it does happen often where someone will come in years later after the funds have been turned in and like, oh, I found this check while I was cleaning. And they're like, oh, sorry, you're gonna have to go to the state. Checks under a certain amount are really not published with a name on it in all incidences. So it's sometimes hard to go and track. So just being able to access that and get that claim resubmitted would be quite helpful to the citizens. And with that, I'll be happy to answer any questions.

SANDERS: Thank you very much for your testimony. Check with the committee to see if there are any questions. Senator Lonowski.

LONOWSKI: Thank you, Chair Sanders. Thank you, Ms. Meredith for being here. What if it's a large check? It's a \$5,000 or something?

CANDACE MEREDITH: Yeah, so anything over \$100, you still want to go through their process and have the state treasurer handle those larger claims. So anything under \$100 we would want to keep and just handle those because just the cost of putting the stop payments on it, all those-- and so we just--

LONOWSKI: So they stay at the county level.

CANDACE MEREDITH: Yeah, anything under \$100 would stay at the county level. Anything over \$100 would go to the state as a normal practice.

LONOWSKI: OK, thank you.

CANDACE MEREDITH: Yeah.

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

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CANDACE MEREDITH: Thank you so much.

SANDERS: Are there any other proponents on LB1203? Any opponents on LB1203? Any testimony in the-- wait. Opponent or neutral?

MEAGHAN AGUIRRE: Opponent.

SANDERS: OK. Welcome.

MEAGHAN AGUIRRE: Thank you. Chairman Sanders, members of the committee, my name is Meaghan Aguirre. That's M-e-a-g-h-a-n, last name A-g-u-i-r-r-e. I'm the Director of the Unclaimed Property Division of the Nebraska State Treasurer's Office, and I also serve as this year's president of the National Association of Unclaimed Property Administrators. I'm here to testify in opposition of LB1203. The unclaimed property program serves to ensure property rights for Nebraskans and protect their lost and abandoned assets. In Nebraska, we maintain our own searchable website. We participate in the national association's website, missingmoney.com. We send out postcards to owners where we have a name and a last name and address reported. We publish newspaper advertisements and issue press releases amongst other efforts to create awareness and to return money to people. Last year alone, we returned \$19.7 million made up of nearly-- or made up of 19,952 claims. The goal is always to return as much unclaimed property as we can. If funds are held in dormant bank accounts are in the form of uncashed checks where the owner is not aware of the funds, they're not benefiting from their assets. For this reason, we consider unclaimed property the greatest consumer protection program out there. No matter the dollar amount or holder reporting requirements, Nebraskans have the right to their property. And the funds held at the Nebraska State Treasurer's Office are always available for claim indefinitely, and at no point are they barred from their rights. While I understand that LB1203 does still maintain a process for, you know, the recipients of these checks issued by the counties, you know, I assume that there wouldn't be any advertisement or, you know, it would require the person to actually find that check, to realize that they still have it, to ultimately maintain the rights to their assets. Otherwise, you know, municipal governments, you know, wouldn't be exempt from maintaining the rights for those owners. And that could be considered an unconstitutional taking. And any, any of those additional, you know, programs at the county level would be duplicative as far as like notice-- any notices to owners or

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advertisements of it and additional efforts for those county governments. The Unclaimed Property Division of the State Treasurer's Office is well-established as the state's lost and found, and is the best place for the people to be able to look for their unclaimed property versus having to look through 93 counties to, to check to see if they have any additional funds. An additional concern our office holds is this legislation could potentially create a slippery slope. If counties become exempt from reporting at any amount, then do other groups to seek to exempt themselves as well in the coming years? A robust, unclaimed property law is the best way to ensure that owners have rights-- have their rights to their property protected, and the integrity of the state's unclean property law is maintained. For this reason, we recommend the committee not advance LB1203.

SANDERS: Thank you for your testimony. Any questions for Ms.--

MEAGHAN AGUIRRE: Aguirre.

SANDERS: --Aguirre? Senator Guereca.

GUERECA: Thank you, Chairwoman. Thank you, Mr. Aguirre, for being here. What percentage of unclaimed property is under that hundred, hundred dollar threshold?

MEAGHAN AGUIRRE: I don't have an exact number, but a very significant number of the properties that we receive are under \$100.

GUERECA: Thank you.

SANDERS: Senator Andersen.

ANDERSEN: Thank you, Chairwoman. Thanks, Ms. Aguirre. What are your thoughts on working with, with Senator Clouse and his staff to try and figure out how to harmonize and make these work together? [INAUDIBLE] you were here before [INAUDIBLE].

MEAGHAN AGUIRRE: Yes, and-- yeah, I was not aware of this bill actually until last night. So I apologize. I didn't have like more information or better prepared with stats. You know, and cause I-- if I better understand kind of like the operational complexities or the issues with it, you know, I would be willing to further-- have further conversations to discuss, you know, what the pain points are to see if there's a better solution. Or to, you know, reconcile what the issue

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was. Because I wasn't sure if it was a matter of like use of the funds for the counties while they're unclaimed, or if it's more of an operational complexity in reporting, or both or, you know, whatever the case may be. We could review that and see if there's a better way to, you know, make sure people are aware of those assets. And because we do have that happen from time to time, just like they mentioned. You know, people will say, oh, I found this check. And quite frankly, what that process could look like is, you know, let's just say it's a \$25 check from a county. They may go to the county because that's who issued it. And if that county says it's at unclaimed property, they could just go to our website, query their names, submit a claim online. If it's got their information on it, it very well could even be like automatically validated and they can have a check in the mail within the week. You know, potentially, that could be faster than having to go through a separate process to have a claim approved. You know, for \$25, we have a streamlined process. I don't know how far they've gotten as far as like what that's going to look like and how long it's going to take to issue a check, you know, after it's been moved over to the general fund from their like operating account. I don't want to speculate on something outside of my purview, but I'm just saying that that process could potentially be a longer process versus our streamlined process that we've created after like years of doing this type of thing.

ANDERSEN: All right, thank you.

MEAGHAN AGUIRRE: Mm-hmm.

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

WORDEKEMPER: Thank you for being here. Does any other businesses, private or public, remit things back to the state? Like if you're a utility company, cable company? So if they all have unclaimed property, they have to get back to a person.

MEAGHAN AGUIRRE: Right.

WORDEKEMPER: Does that come to your office?

MEAGHAN AGUIRRE: Correct.

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WORDEKEMPER: OK. So is there anybody else that handles it on their own? Other than like what the county is trying to do?

MEAGHAN AGUIRRE: No, so the case that was mentioned with the state warrants, how those will go, they've got like that established process where they go back to risk management. But as far as all of those other utilities, they are all required to report to our office and we handle those claims.

WORDEKEMPER: OK, thank you.

MEAGHAN AGUIRRE: Mm-hmm.

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

MEAGHAN AGUIRRE: Thank you.

SANDERS: Are there any other opponents on LB1203? Any neutral testimony? Seeing none, Senator Clouse, if you'd like to close. And position comments for today's hearing were zero.

CLOUSE: Yeah, well, it's interesting. The previous testifier found out last night, I found out five minutes ago had opposition. So it sounds to me like we might have some things to work on on that. And so we'll, we'll certainly take care of that. The, the thing that I always look at is how much work do we have that has a low rate of return or low value? And obviously with under \$100, and we don't know the exact numbers of how many of those are that go to the state under that, but that would be a question I would have was why do we mess with those small dollar amounts we, you know, when we have so much other work that needs to take place? So we will, we'll definitely work with them and see what can be done. Find out for sure what all the concerns that we have.

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

ANDERSEN: Thank you, Chairwoman. Senator Clouse, I think it's really just more of a try to leverage the best practices they've already developed and how to migrate those over for everybody to use. This is probably great for, you know, other subdivisions as well.

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CLOUSE: And I agree, and that's where sometimes it gets to be the duplication of work. So if the-- if they're doing it, does the county need to do it? How does that process work? Because you can have a lot of people doing busy work. And who pays for it? We all do. So thank you.

SANDERS: Any other questions, comments? I see none.

CLOUSE: OK, thank you.

SANDERS: Thank you very much for bringing in LB1203. This closes the hearing on LB1203, and also closes the meeting for today. Thank you very much.