

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

BOSTELMAN: Good afternoon and welcome to the Natural Resource Committee. I am Senator Bruce Bostelman from Brainard, representing the 23rd Legislative District, and I serve as Chair of this committee. The committee will take up the bills in order posted. The public hearing today is your opportunity to be a part of the legislative process and to express your position on the proposed legislation before us. If you're planning to testify today, please fill out one of the green testifier sheets that are on the table at the back of the room. Be sure to print clearly and fill out-- fill it out completely. When it is your turn to come forward to testify, give the testifier sheet to the page or to the committee clerk. If you do not wish to testify but would like to indicate your position on a bill, there are also yellow sign-in sheets back on the table for each bill. 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 name and spell your first and last name to ensure we have 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 by 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 5 minutes 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 have 1 minute remaining. And the red light indicates that you need to wrap, wrap up your final thought and stop. 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 bills being heard. It is 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 handouts or copies of your testimony, please bring up at least 10 copies and give them to the page. Please silence or turn off your cell phones. Verbal outbursts or applause are not permitted in the hearing room. Such behavior may be cause for you to be asked to leave. Finally, committee procedures for all committees states that written position comments on a bill to be included in the record must be submitted by 8-- 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 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'll now have the committee members with us today introduce them-- introduce themselves, starting on my left.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

HUGHES: Good afternoon. Jana Hughes, District 24 and that is Seward, York, Polk and a little bit of Butler County.

BOSTELMAN: On my right.

BRANDT: Senator Tom Brandt, District 32: Fillmore, Thayer, Jefferson, Saline, and southwestern Lancaster Counties.

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

MOSER: Mike Moser, District 22: Platte County and most of Stanton County.

BOSTELMAN: Senator Moser also serves as Vice Chair of the committee. Also assisting the committee today, to my left is our legal counsel, Cyndi Lamm. And to my far right is our committee clerk, Laurie Vollertsen. Our page for the committee today is Ruby Kinzie. Thank you for being here today. With that, we'll begin today's hearings with a gubernatorial appointment of John Hoggatt for the Nebraska Game and Parks Commission. John, please come forward.

JOHN HOGGATT: Good afternoon. My name is John Hoggatt, 10210 14th Avenue, Kearney, Nebraska. I represent District 4 Game and Parks.

BOSTELMAN: Spell your name, please.

JOHN HOGGATT: J-o-h-n, last name is Hoggatt, H-o-g-g-a-t-t.

BOSTELMAN: Go ahead. Tell us a little bit about yourself, about why you want to be-- is this a reappointment?

JOHN HOGGATT: Right, it's a reappointment.

BOSTELMAN: What have you done on the committee, a little bit about your interest and why we should?

JOHN HOGGATT: Yes, I'll kind of start-- kind of some fresh faces here. My family is from the Adams County area from that perspective, I-- but I'm a Phelps County Holdrege Duster at heart. I spent most of my career in banking, 40 some years in banking. The senator that's not in attendance hired me in 1994 in a position. I was going to give him a hard time, but Mike's not here. Senator Jacobson is not in attendance so I'll give him a hard time later. So, yeah, been an active lender for agriculture as well as commercial business for 40-some years. So interested in business as well as agriculture and as well as

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

recreational hunting, fishing and all that growing up as well so have passion for the outdoors. This appointment came along with the-- for Governor Ricketts and was appointed by Governor Ricketts and confirmed; served 4 years and served 1 extra year last year because appointments were delayed. So I've come into-- I'm in my one-- I've already served one year of the second term. I've enjoyed it greatly. I've learned a lot about the Game and Parks. I learned a lot about government, more than I realized, what goes on and how things work. It's, it's fascinating. A couple quotes that I'd like to share with you that I have picked up on and heard from some of the staff is, number one, wildlife management is like riding a bicycle on a barbed wire fence. That's-- I think about that often. The other one, I think is a takeaway that I've, one of the biggest aha moments is that the amount of fish that the Game and Parks raises a year, roughly 70 million fish a year. And to those people who want to fish for walleye, 95% of the walleye that we catch in the state of Nebraska comes from our fisheries. I had no idea when I first walked into this position that that was that important. And so without that, there would be a lot of disappointed anglers, especially in the walleye area. So the fisheries are important. The wild-- wildlife management is important for a lot of different reasons, good, bad and indifferent. So social tolerance is important. Damage control is important.

BOSTELMAN: All right. Thank you. Any questions from committee members? Senator Cavanaugh.

J. CAVANAUGH: Thank you, Chairman. Thanks for being here. Thanks for your willingness to serve. I'll resist the temptation to ask for embarrassing stories about Senator Jacobson, but I reserve the right to ask later. I just wanted to ask about the walleye. So is walleye not native to Nebraska or what?

JOHN HOGGATT: They are native, but the reproduction is, is limited. I'm not an expert. I'm just going to repeat what I've been told from the biologists. But the natural reproduction is, is limited. And some of our, our, our waterways that-- and Tim can help me, bail me out here a little bit. Our waterways that have natural spawning because the temperature goes or the water goes up and down. It limits-- it limits their ability to naturally reproduce. So our fishery guys go in and grab the walleye during spawn and, and milk them, take the eggs and then hatch them and then take them back out.

J. CAVANAUGH: This is like there's a-- I know there's a hatchery at Schramm Park or something like that. I didn't mean to put you on the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

spot. It's just you piqued my interest, and this is a dangerous committee for that.

JOHN HOGGATT: It's, it's, it's fascinating and there's, there's a lot. I did a-- got the year-by-year spreadsheet from the head of fisheries. I just drew, drew a blank.

_____: Dean.

JOHN HOGGATT: Dean.

_____: [INAUDIBLE]

JOHN HOGGATT: Dean Rosenthal and a little spreadsheet of what-- the last 5 years how all the different bodies-- close to 307 different bodies of water and about at least 30-some different species. But the big ones are, you know, walleye muskie, you know, a lot. It's fascinating work.

J. CAVANAUGH: Thank you.

BOSTELMAN: Senator Moser.

MOSER: So who has more silly rules, the banking industry or Game and Parks?

JOHN HOGGATT: That's a great question.

MOSER: Not silly, but rules that are not evident for why you're here.

JOHN HOGGATT: I can sit here and talk about both of those quite a long time.

MOSER: But you're comfortable talking about fish.

JOHN HOGGATT: Well, and both, I think both were quite-- both indust-- both industries would have some silly rules. The government-- I would tell-- I would say this, Senator Moser. What I was-- what I was surprised by going to the Game and Parks is the amount of statutory limitations that we've had and that amount of control that the Legislature does have on some things that I was surprised-- some, some I thought was some mundane things that they control. That, like, why would they control that? Well, they just have. You know, for example, one I think is-- I think quite silly. We, we set prices for a lot of different things by regs. But there's a state statute that limits our

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

ability to raise for nonresident deer hunting. That's state statute. So we have to get a bill passed, you know. So statistically, we're pretty fair on our nonresident hunters for whitetail tags. But our mule deer tags are statistically cheaper. And we need to probably-- we should raise those up a little higher to get reimbursed equitable for other states. But we can't without, without going back to the Legislature and passing a bill. It should be done by regs, in my opinion. That's just-- that's a silly one.

MOSER: Yeah, there'd be some in the Legislature think that we need more control over what Game and Parks do.

JOHN HOGGATT: Another thing I can tell you, 88% of our-- of our budget is self-generated. So 12% comes to the taxpayers. I was surprised by that.

MOSER: One of the senators showed me a herd of elk tromping through somebody's pasture.

JOHN HOGGATT: Yeah.

MOSER: That's always a sore subject. Well, anyway, it sounds like you can handle yourself.

JOHN HOGGATT: Yeah.

MOSER: Good luck. Thank you.

JOHN HOGGATT: Thank you,

BOSTELMAN: Senator Hughes.

HUGHES: Thank you, Chair Bostelman. Thanks for coming in. Thanks for volunteering. I think everybody needs to serve on some type of governmental board, and they would have a much better feel for how things really work. So my question to you is because you're with your background in finance and banking, I'm sure you're aware of this, but the bill, LB1413, that Arch, Speaker Arch has brought on behalf of the Governor, would take money from the State Game Fund and the stake-- State Park Fund and transfer it to the General. I get a lot of calls from constituents that are hunters, campers who oppose this. TheyI think, why are you doing that? Put that money back into the Game and Parks for infrastructure, etcetera. What are your thoughts and comments on that?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

JOHN HOGGATT: Well, my understanding that we-- when that bill was published, our director talked to the chief of staff--

HUGHES: OK.

JOHN HOGGATT: --and they understood the impact and have reallocated that--

HUGHES: OK.

JOHN HOGGATT: --removed that.

HUGHES: And you believe that's the right thing, too, so.

JOHN HOGGATT: Absolutely.

HUGHES: Great. Thank you. Thanks for serving.

JOHN HOGGATT: So that went out and it, it hit the media and it got legs of its own.

HUGHES: Yeah. OK. Thank you.

BOSTELMAN: Senator Brandt.

BRANDT: Thank you, Chairman Bostelman. Thank you for appearing today. What are some of your interests in regards to Game and Parks? I mean, do you consider yourself a subject matter expert on or?

JOHN HOGGATT: I'm probably more wildlife than fishery or parks probably. I spend more time on the wildlife side.

BRANDT: OK. And so the potential future of Game and Parks, you know, today you buy a park permit and go camp or a hunting license to go do this. What do you see 10 years down the road? Is this going to look different than today?

JOHN HOGGATT: I think it will evolve.

BRANDT: Any ideas?

JOHN HOGGATT: I'm, I'm worried about a few things.

BRANDT: What are you worried about?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

JOHN HOGGATT: I'm, I'm-- accessibility. The number one reason people-- I think the number is less than 10% of Nebraskans hunt. That, that used to be a lot higher. And the number one reason people do not participate in hunting like they used to is because of access. And access with a state that's roughly 97% privately held is hard.

BRANDT: So is there a way to incent private landowners like myself to grant access in spite of some of the bad experiences we've had?

JOHN HOGGATT: Yeah. Open Fields and Waters is one avenue. We've gained-- we're gaining momentum with that. And we have a program that's working with limited liability as well. I think the Legislature has done a good job of that. It's gaining ground. But I think what's happened of, like a lot of other states, a lot of the outside interest in outfitters have leased up ground. And so I worry the have-- the people with limited ability to afford access get pushed out by the people who are-- who have the ability to afford the lease on ground.

BRANDT: OK, just one more question. I've delayed long enough so that he could get here.

JOHN HOGGATT: OK.

BRANDT: Oh, wait. Did you know this started at? OK.

JACOBSON: Now you tell me. I've been looking for the room.

BRANDT: That's right. In southeast Nebraska where I'm from, we don't have a lot of parks. You know, we don't have monuments or big lakes or anything like that. But what we do have is an undeveloped asset or a lot of small rivers. And one of my-- I guess one thing I'd like to see us put more emphasis on is kayaking on the Blue, the Big Blue, the Little Blue, the Nemaha. Some of these bigger streams, you can get a kayak down them. But we have a problem with ingress and egress points, and they're very expensive. And to try and find landowners that are willing to let people park the pickup there while they go downstream 4 or 5 miles and, and another egress point that they can-- they can travel back. Are there any programs in Game and Parks that would help communities develop these assets? And maybe you're not the guy to ask that. I'll wait for somebody-- I'll wait for somebody else to come up.

JOHN HOGGATT: I see guys right there that can answer that question.

BRANDT: All right. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

JOHN HOGGATT: Yeah.

BOSTELMAN: Senator Jacobson.

JOHN HOGGATT: If I could back up [INAUDIBLE] a little background for a second, but-- and I was about 4 years in banking. In 1994, a very brilliant individual hired me [INAUDIBLE] banker.

MOSER: Must need [INAUDIBLE]

JACOBSON: I don't know. I didn't realize it was that tough of a [INAUDIBLE].

BOSTELMAN: I'll let you introduce yourself.

JACOBSON: I'm Senator Mike Jacobson, District 42: Lincoln, Logan, McPherson, Hooker, Thomas, and most of Perkins County. So--

JOHN HOGGATT: Hi, Mike.

JACOBSON: Good to see you. Good, good to have you here.

BOSTELMAN: Have questions?

JACOBSON: No. I know this guy way too well. So if I start asking too many questions, he'll start asking questions about me so.

BOSTELMAN: We may need to talk afterwards.

JOHN HOGGATT: Mutual sheer destruction.

BOSTELMAN: Any other questions from committee members? Seeing none, thank you for coming in--

JOHN HOGGATT: Thank you.

BOSTELMAN: --and willingness to say-- to serve. Anyone like to testify in support of the gubler-- gubernatorial reappointment of John Hoggatt to the Nebraska Game and Parks Commission? Please step forward. Any in support? Seeing none, anyone like to testify in opposition? Seeing none, anyone like to testify in neutral capacity? Seeing none, that'll close our hearing on the gubernatorial appointment of John Hoggatt to the Nebraska Game and Parks Commission. Next, we'll have the hearing on LB1001 by Senator Conrad.

CONRAD: Hi..

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

BOSTELMAN: Welcome.

CONRAD: I haven't had a chance to visit Natural Resources all that often, so this is fun. Hi.

BOSTELMAN: Welcome to the fun committee.

CONRAD: Yes, clearly. Clearly. Hi. My name is Danielle Conrad. It's D-a-n-i-e-l-l-e, Conrad, C-o-n-r-a-d. I represent north Lincoln's 46th Legislative District in the Legislature. And I'm pleased today to introduce LB1001. LB1001 creates a migratory waterfowl hunting season for veterans. This bill was brought to me by Dustin McKenna, who you're going to have a chance to get to hear from if you haven't had a chance to meet him already. He is a National Guardsman, and he is the chapter lead for the Nebraska Armed Forces Initiative and Backcountry Hunters and Anglers. So we had an interim study in the Government Committee over the interim that Senator Day put forward to try and figure out different ways that we could strengthen our state laws, our policies to make Nebraska more friendly to veterans and to military families. And so we heard about a lot of different issues and ideas in that hearing. And then shortly thereafter, I received a connection from a good friend, another brave Guards person, Kamryn Sannicks, who said, hey, we heard about the work there going on in the Legislature in regards to making improvements in Nebraska law for veterans and military families. I want to connect you up with Dustin so that you can learn more about this really cool veterans hunting program that he's trying to get off the ground, and looking to, to get some legislative movement on. So we started that conversation among Senator Brewer and myself, and then Senator Brewer said that he was a little-- a little bit too full in his personal legislative agenda. And I still had some room. So he was gracious enough to sponsor this. And it's under my name originally. So I also had a chance to go out and meet with Dustin and some of the active military members and veterans who are participating in programs like this in the interim period. And it was super fun to get to connect with them, to say thank you for their service, to get to learn about their families, to get to learn about different challenges that they're facing in life, and to really glean the passion that they had for conservation and the outdoors and hunting and fishing. And so in addition to having an incredible program where we talked about this legislation and had an awesome educational presentation from representatives of Game and Parks, they also served up some of the most delicious waterfowl dis-- dishes that you can imagine. And I'm still thinking about those teal poppers. And it was just a really special night of fellowship for me. And it, it

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

really stayed on my heart and in my mind as we prepared for this legislative session. So fast forward, introduced the bill to try and bring this idea to fruition. About 34 of our sister states have some sort of similar program that are out-- that's out there related to veteran waterfowl hunting seasons and other sister states are presently working on it as well. Of our surrounding neighboring states, Kansas, Wyoming and Colorado have already adopted a program or policy or law in regard to a similar measure like this. After LB1001 was introduced, Senator Bostelman was kind enough and gracious enough to flag it for me and ask that we pull the stakeholders together and work on an amendment so that we could address some technical issues to make sure we're harmonizing with federal law so that we don't jeopardize any funding or things of that nature. And thanks to his thoughtfulness and graciousness and the hard work of committee counsel and a lot of other stakeholders, we are presenting you with a white copy amendment that will go around here today. And that should effectuate the policy goal while making sure we get it right from a technical perspective. So big thanks to Cyndi and big thanks to Game and Parks and Dustin and Ryan McIntosh, who is helping out on behalf of the Guard as well. So I'm going to stick around for the hearing and I'll be here at the close if you have any questions. But I want to hear-- I want to make sure that this, this hearing really centers the superstars that are coming behind me.

BOSTELMAN: OK. Thank you. Questions from committee members? Senator Moser.

CONRAD: Yeah.

MOSER: Have you looked at some of the other bills that have been introduced that do similar things?

CONRAD: I, I did see those. Upon bill introduction, I think there was at least 3 or 4, if not a few more out there from--

MOSER: Yeah.

CONRAD: --different senators. And I think they perhaps have different nuances as to what they're trying to accomplish. But the cool thing is, I think a lot of people were trying to figure out how to make improvements in our laws to get more military families and veterans into hunting and fishing. So I don't know if you have a favorite one, Senator Moser, but you don't have to answer that.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

MOSER: Yeah. Yeah. No. Thank you.

CONRAD: Yeah.

BOSTELMAN: Senator Hughes.

HUGHES: Thank you, Chairman. Thanks for bringing this. I, I think it's answered, but the whole-- they don't have to require vehicle entry just for those 2 days. If they're hunting the other 105 days, then you would have to have a vehicle permit. OK.

CONRAD: Yeah, I think that's right, Senator Hughes, and there's some good explanation about that in the fiscal note as well, about kind--

HUGHES: And this [INAUDIBLE]

CONRAD: --of how that might work from a practical perspective. And I, I think the Game and Parks people were trying to figure out a way, just logistically--

HUGHES: OK.

CONRAD: --to make the access as easy as possible, but then also, of course, you know, flag to Game and Parks employees that folks were there in a permissible way. OK. I'll be here.

BOSTELMAN: Senator Jacobson, sorry.

CONRAD: Oh, Senator Jacobson. Yeah.

JACOBSON: Thank you, Chairman Bostelman. Senator Conrad--

CONRAD: Yes.

JACOBSON: --I guess I'm-- I mean, I-- I'm all in favor of anything we can do to really help our veterans and provide these opportunities. And I always kind of start thinking about the practical pieces.

CONRAD: Yeah.

JACOBSON: So game wardens and, OK, you open up the season 2 days ahead for veterans only. So all of a sudden, you're hearing all the gunshots and suddenly the game-- and the-- and now the game, game wardens have to figure out, OK, do we go figure out whether these are truly veterans or whether they're just people who decided to jump the gun a couple of days? And, and I think about, OK, if they go and somebody

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

goes with them who's not a veteran and they got one gun. I mean, I, I see some logistical issues in terms of how this would work. And I guess I'm also looking at would they have to-- how they would prove up they're a veteran. Would that be through the license and that they're going to get through Game and Parks? That I, I'm just-- and maybe there's others behind me--

CONRAD: Yeah.

JACOBSON: --that can answer that question. But that was the only other thought is how do you readily confirm that the people there are veterans? I like the idea.

CONRAD: Sure.

JACOBSON: It's always the devil's in the details.

CONRAD: Yes, absolutely. And thank you for flagging that. I will do my best and I'm sure there's smarter people behind me who can give us the technical--

JACOBSON: May not be smarter--

CONRAD: --aspects on it.

JACOBSON: --but they can give me [INAUDIBLE].

CONRAD: Well, they're, they're highly trained in this regard. But I think a couple of just general points. We have, for example, the youth hunting days that kind of would work in a similar way that this measure is proposed. So I think we probably don't have to guess about how enforcement works. I'm guessing it's primarily honor based. And then, of course, there's enforcement on the other side if somebody were run afoul. And particularly with this groups, with our veterans and military, I think that we're going to have a lot of assurance that they're going to be on their honor to do the right thing there. And then, of course, it will always take a little bit of education and some time to make sure that the law enforcement officers and the Game and Parks wardens that are out there just are kind of aware of the change practices with bringing on a new-- a new hunting season. But I think overall Game and Parks has been really receptive and awesome to work with and is eager to get more people out to enjoy the outdoors. So I don't think it will be a huge problem. I do think that the status of veterans per se is consistent with federal law, as defined in the

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

bill, is to make sure that there's no ambiguity that way. But, good question.

JACOBSON: And for what it's worth--

CONRAD: And if we don't get it right there, I'll figure it out before I come back up for close.

JACOBSON: To be clear with my question, I'm not questioning the integrity of veterans.

CONRAD: No, of course. [INAUDIBLE] question.

JACOBSON: I'm questioning-- I'm questioning the integrity of the people who aren't veterans who will try to--

CONRAD: You got it.

JACOBSON: --take advantage of the program.

CONRAD: No, I, I, I appreciate that point. That's a-- that's a great point. And I'm not, you know, sure what we can do for folks who are going to go out under the auspices of service to try and, and get some, you know, access to hunting. But I do know that we can remove barriers to help those that have served have these opportunities. And I know that it's a commitment that we all share to do all that we can to at least say thank you for that service.

JACOBSON: I agree. Thank you.

CONRAD: Yeah. Thanks.

BOSTELMAN: Senator Moser.

MOSER: So the gist of the bill is a couple days early start of the season, still have to buy their permits, all those things.

CONRAD: Yes. That's right, Senator.

MOSER: OK.

BOSTELMAN: Thank you. Stay for closing?

CONRAD: Yes.

BOSTELMAN: All right. Thank you.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

CONRAD: Thank you.

BOSTELMAN: Supporters for LB1001 please step forward. Good afternoon.

DUSTIN McKENNA: Good afternoon, Senator Bostelman, members of the Natural Resources Committee. My name is Dustin McKenna, spelled D-u-s-t-i-n M-c-K-e-n-n-a, and I'm a lifelong Nebraska resident. I'm a husband, father of 2 kids, Army National Guardsman and I volunteer as the chapter lead for the Armed Forces Initiative of the Backcountry Hunters and Anglers. I'm here today to ask you to support LB1001, which would establish a 2-day veteran and active duty waterfowl season. This season will serve as an opportunity for current hunters to take veterans into the outdoors and help them gain a new knowledge, while not taking away a normal duck hunting weekend from them. In December of 2023, I sponsored a 3-day veteran waterfowl hunt on behalf of the Armed Forces Initiative. As part of this hunt, I was able to take 6 veterans on a duck hunting and conservation weekend. The hunt served as an opportunity for veterans to connect with each other, as well as to reconnect with the outdoors. While the hunt was not as successful as we hoped, the ability for the veterans to reconnect was evident in this after action review comment where one veteran stated: This event touched me deeply, akin to a spiritual level. The ability to get veterans into the outdoors on another weekend provides the opportunity for outdoor adjunct therapy to enhance their mental, spiritual, and emotional well-being. Veterans and servicemembers of the state and country have given time and time again. The establishment of this season, while small, protects the right to a veteran hunting waterfowl season for the future of Nebraska. I'm going to end with 2 quotes to consider as you move forward to place votes. The first is from General Douglas MacArthur: The soldier above all others prays for peace for it is the soldier who must suffer and bear the deepest wounds and scars of war. And the second is from a visionary conservationist, Aldo Leopold, who said: When we heal the earth, we heal ourselves. I urge your support of LB1001, and will be happy to answer any questions.

BOSTELMAN: Thank you for your testimony. Questions of committee members? Could you explain to me a little bit on your 3-day veteran waterfowl hunt? What's that?

DUSTIN McKENNA: Yes, sir.

BOSTELMAN: So a little bit more about that.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

DUSTIN MCKENNA: So the 3-day veteran waterfowl hunt took place out at Pawnee Lake on public land just west of Lincoln. The event, we had 6 veterans and there was 6 volunteers that helped support the event. Nebraska Game and Parks was a huge supporter, came out and a waterfowl biologist taught a class on waterfowl biology and habitat. We taught the veterans how to use duck-- a duck call, how you set up to hunt ducks. We also taught the veterans about public land access and management in Nebraska and the nation as a whole. And then we took them on 2 different hunts, 1 off of a boat and 1 up at Camp Ashland training area off the shore to just give them 2 different opportunities to learn and gain a new knowledge set. And, as Senator Conrad mentioned, we-- every-- each evening we had a pretty outstanding meal that was wild game to teach them how they can take the skill set, not from-- just from the store where you buy your guns and ammo to a hunt to then enjoying the meal with your family.

BOSTELMAN: So does this have anything in, in conjunction with the R3 program?

DUSTIN MCKENNA: No, sir.

BOSTELMAN: OK.

DUSTIN MCKENNA: Not an official capacity.

BOSTELMAN: OK. Interesting program. I don't know if I've heard much about it. Something must be fairly new with the last 20-some years since I've been gone. But--

DUSTIN MCKENNA: It is a relatively new program. Backcountry Hunters and Angler did a study a few years ago, Senator, that-- to look at their members. As we know, hunting and fishing, the number of people that hunt and fish has decreased steadily. They identified that military and veterans was a large number of their organization. So they put this armed forces initiative together. It started out as a national, then regional, and it's grown to each state having one or more leads to put on events to, you know, get the veterans outdoors.

BOSTELMAN: OK. Thank you. Senator Hughes.

HUGHES: Thank you, Chairman. Thanks for coming in, Dustin. So you're the chair or chapter lead for this. Does-- how did you get into hunting? I'm guessing maybe did you grow up doing it or?

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

DUSTIN MCKENNA: I did. So I grew up fishing. My family's from Minnesota, North Dakota. I didn't go on my first hunt until I was 19 years old. And someone that my dad worked with took me out. I've then had some really good friends and mentors. One is Ryan McIntosh that will follow me, taking me out deer hunting and pheasant hunting on numerous occasions. And I just, honestly, I got lucky and I had people around me that supported me and taught me how to do things. And that's, that's why I got involved was I want to turn around and give that back to the veteran community. I, I find peace in the outdoors and I know that it's something that will benefit others.

HUGHES: Very good. Thank you. Thanks for coming in.

BOSTELMAN: Senator Jacobson.

JACOBSON: I just have one other comment for your thought where this would be duck and goose hunting. I think if this does become law and it's 2 days before we-- I'm sure there's several of us around the state that have some pretty good duck blinds and goose blinds that were on a private land that would be something that we'd probably be interested in trying to get groups together. And they could give them an extra little bit of an experience in, in, in goose and duck hunting. So hopefully if this gets to the finish line, we'll maybe talk further about that.

DUSTIN MCKENNA: That sounds fantastic, Senator.

BOSTELMAN: Seeing no other questions, thank you for your testimony.

DUSTIN MCKENNA: Sir.

BOSTELMAN: Next supporter for LB1001. Good afternoon.

RYAN McINTOSH: Sorry. Got out of Revenue quick. Good afternoon, Chairperson Bostelman, members of the committee. My name is Ryan McIntosh, M-c-I-n-t-o-s-h, and I appear before you today as a registered lobbyist for the National Guard Association of Nebraska. You've heard me testify before in this committee about connecting veterans in the outdoors and outdoor activities, have a lot of veterans connect and adjust to a civilian life. LB1001 is a little bit different than all the other bills you've heard this year. For one, it doesn't cost anything. It aligns with federal law. I think it'll be very easily implemented. If you bought a permit from the Game and Parks in the last year, they've done an awesome job updating their system. I did, you know, just for inputting your-- for landowner tags.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

You just have to input your land once and then it's in there. So the verification isn't an annual thing. You just have to verify your veteran status once. I will say that the Nebraska Department of Veterans' Affairs did a phenomenal job of maintaining a veteran registry for both National Guard and then broken down by, by various service branches. In discussions with Game and Parks, I don't purport to testify with how they'll do this, but it's my understanding that they'll work with the Department of Veterans' Affairs to verify the positions. This is something that's done in a lot of other states. It's something that's permissible law. I don't think there's going to be confusion on the shooting, Senator Jacobson, because it will be held in conjunction with, with the youth waterfowl season on the exact same dates. As a matter of fact, Game and Parks is already promulgating regulations to put this into place. But what we're asking to put in the statute is to ensure that it-- that it remains in place. Just a few things about the bill. LB1001 aligns with current federal law and utilizes the definition for member of the armed forces, which is found in 38 U.S.C. Section 101. And although it does not include traditional end day soldiers like myself of the National Guard, it does include our active duty force within the National Guard, which is about 10 to 15% of our organization. So they will benefit from this. I would thank Senator Conrad for bringing the bill and Nebraska Game and Parks for working with us on the white copy amendment to make it-- to streamline it and make it something that everyone can agree to. So, as I said, I really do think this is-- this is different than the other bills. And it's something that I would very much urge the committee to pass, and as [INAUDIBLE] and the process of implementing it should be seamless. So with that, I'd be happy to answer any questions.

BOSTELMAN: OK. Thank you. Senator Jacobson.

JACOBSON: Thank you, Chairman Bostelman. Mr. McIntosh, I guess the other question I'd ask is that, I'm just thinking through my previous question, but probably more specific to, I would think in some cases, particularly if we were to go to private lands and we've got, you know, we've got decoys, could bring dogs. But in many cases, that's going to mean having a guide or a chaperon or somebody there who can-- who can kind of show them the way around. And so now the question kind of almost flips back the other way. Are there any-- are we going to need to have any provisions where someone could be there acting as a guide, so to speak, who doesn't have a gun, isn't counting the ducks in the limit? I mean, I, I would see there could be that potential need. I-- how do you-- how do you think we could address that?

RYAN McINTOSH: I really look at this the same way as the youth season and I go out. I don't personally duck hunt. I did wear my duck tie today in celebration of LB1001. But I-- I've taken my kids out on youth season. I don't take a gun. And so I think this really operates in a very similar manner. And as you heard from Mr. McKenna's testimony, there's a lot of initiatives right now where it's veterans taking other veterans into the outdoors. If you don't have a guide, you're not going to have a fun time if you've never been before and you're not going to get anything. But I really don't see this as any different than, than what we do with our youth seasons right now, where you have a mentor taking out a youth with a permit and a-- and a firearm.

JACOBSON: OK. Yeah. Thank you.

BOSTELMAN: Other questions from committee members? Seeing none, thank you.

RYAN McINTOSH: Thank you.

BOSTELMAN: Any other supporters for LB1001 please step forward. And I'll ask Senator Slama if you'd like to introduce yourself.

SLAMA: Absolutely. Senator Slama, District 1, representing Otoe, Nemaha, Johnson, Pawnee and Richardson Counties in southeast Nebraska.

BOSTELMAN: Thank you. Good afternoon. Welcome.

EVAN EGGER: Thank you, Chairman Bostelman and members of the committee. My name is Evan Egger, E-v-a-n E-g-g-e-r. I'm a sixth generation Nebraskan, grew up in Lancaster County on a farm in District 32. I'd like to speak briefly as one of the 6 veterans that Mr. McKenna took out hunting, about my journey from Nebraska to Afghanistan and back home, because I think this bill is very illustrative of what can attract and retain veterans to Nebraska. I grew up upland game hunting around our farm property and family friends, relatives; kind of fell out of hunting when I got to college, did ROTC with Dustin and Mr. McKenna, and I ended up commissioning into active duty. Left the Nebraska Army National Guard, which I served in during college. Spent 6 years with the active Army in Georgia, Texas, and Arizona. Deployed twice to Afghanistan. And everything in my life changed as a result of combat in Afghanistan. My perspective on myself, on humanity in general, the limits, the capabilities of humanity. And it, it made it pretty challenging. I

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

left the Army at age 28, not expecting to make it to 30 after some of my experiences in Afghanistan. Raising 3 boys, it's, it's been a good challenge to reconnect me to my humanity and remind me of what's important in life. I find myself now in a corporate environment, working indoors 8 to 5, Monday through Friday. And so opportunities to get outdoors are very grounding for me. The waterfowl weekend with the Armed Forces Initiative taught me a lot, and now I will just say I'm hooked to waterfowl hunting. It-- the amount of strategy that goes into it, the site selection, the land access, the maintenance of arms, the camaraderie of following a guide, the art and science of decoy placement and calling, they all required me to focus in the moment and get my mind off of some of the horrible things I had experienced. It, it was a challenge even to handle firearms. Growing up with firearms, hunting after combat, it became much more difficult to emotionally prepare myself for that. It took several years before I felt fully equipped to again handle firearms responsibly and get in the outdoors. And I am so glad that this opportunity happened with the Armed Forces Initiative. It inspired me to teach my own 3 boys how to hunt, and I look forward to taking them out in Nebraska's public and private lands as soon as they're able. I think my experience is, is my own. I can't speak on behalf of any other veterans. But I think there are plenty of folks who come back from combat changed, and getting into nature and focusing in the moment is very helpful for people like me. And so I hope that this bill may open up opportunities for others to come back to Nebraska. When I was leaving the military, I strongly considered Texas as my new home. It offers tremendous benefits to veterans, but my wife had a good opportunity here as a public school teacher that brought us home. Family kept us here. And I think opportunities like this can continue to serve veterans very well into the future. And I appreciate any questions.

BOSTELMAN: Thank you for your testimony. Questions from committee members? Seeing none, thank you for your service as well as thank you, Dustin, for your service. Next supporter for LB1001. Any others would like to testify in support of LB1001? Anyone like to testify in opposition, LB1001? Seeing none, any that would like to testify in the neutral capacity on LB1001? Good afternoon.

ALICIA HARDIN: Good afternoon, Senator Bostelman and members of the Natural Resource Committee. My name is Alicia Hardin, A-l-i-c-i-a H-a-r-d-i-n. I am the wildlife division administrator for the Nebraska Game and Parks Commission. The commission is neutral on this bill. The commission appreciates all that our veterans and active military have done and are doing to protect our country. And we would also like to

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

see them have a couple of days to hunt waterfowl in our state. Through the federal frameworks that govern the migratory waterfowl season and our existing statutes, we are able to accommodate such a hunt. The commission staff will be making recommendations, as you heard, at our March commission meeting to set eligibility requirements, season dates and bag limits. The 2-day season is being recommended to be set in conjunction with our youth season, which is held the weekend prior to the start of the regular duck season in each duck zone. We appreciate the opportunity to work with the senator and her staff on the amendments to better align the bill with the current federal frameworks and definitions. And I would be happy to answer any questions.

BOSTELMAN: Thank you. Questions from committee? Senator Jacobson.

JACOBSON: Yes. Thank you, Chairman Bostelman. Ms. Hardin, I thank you for being here and thank you for your testimony. And, and thank you for what you do at Game and Parks. I guess the only question I would have is, does Game and Parks need this bill to implement this program or is this something you could and would do on your own? How-- what's, what's your view there?

ALICIA HARDIN: We have the ability under current statutes to, to accommodate such a season. And we are actually in the process of making those recommendations that are already out for public review. The orders are on our website, and the Secretary of State's website holds the eligibility requirements. And so we plan on having a public hearing on March 8 in Hastings, Nebraska, to talk about it.

JACOBSON: So if we-- if this bill moves, let's say this bill passes. Is that potentially going to create some limitations?

ALICIA HARDIN: No. The way that the senator and her staff have worked with us on creating the amendment, it, it absolutely meshes with the current federal frameworks, with the definitions and including active military, residents and nonresidents. They've absolutely aligned everything so that it won't be a problem.

JACOBSON: So specifically passing a bill puts it in statute would, would, would bind future Game and Parks commissioners and, and staff to keep this in place is basically the difference.

ALICIA HARDIN: Correct. And it's written in a way that allows some mobility of when those days are in the amendment. The way that we are

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

choosing to do it is to do it with the youth season, because we are capped at so many days of exposure for migratory waterfowl in a couple areas of our state. And so to allow for it, we have to do it with, like, the youth season at this time.

JACOBSON: OK, great.

ALICIA HARDIN: So, no, it works perfect.

JACOBSON: Thank you.

BOSTELMAN: Question on-- that I asked the previous testifier. So the Armed Forces Initiative Backcountry Hunters and Anglers, are you looking-- is the R3 program looking to maybe make connections with them to bring them together? To me, it seems like that's all about what both of those organizations are trying to do, wanting to do is the education, bringing people out. You know, it's the whole experience and taking them from, from no knowledge to completion of whatever. Whatever, if it's hunting, if it's fishing, if it's hiking, if it's kayaking, whatever it is, it's to bring them to that full circle and involve them into the-- into the outdoors. And it seems like those 2 would be a great, great 2 programs to bring, bring together. Has that already been done? Are you looking to do that? Could you comment on that?

ALICIA HARDIN: Sure. We've had some meetings when Backcountry Hunters and Anglers first came to Nebraska. They were just starting to get organized and then COVID hit. And then we've kind of-- we've seen them start to grow more. So I don't think, you know, until some of these things happened we were aware that they had such an initiative. But certainly John McKinney is our waterfowl program manager, and he was out there with them on the hunt and helped provide some information as well. I totally agree with you, Chairman Bostelman, that this would be a great fit for our R3 work group that we have that's internal, external within the agency. And we would be happy to invite them to join us with that. Backcountry Hunters and Anglers does a lot of great advocacy work in a lot of different areas too. So I have a feeling you'll hear from them more.

BOSTELMAN: And I do know as, as Senator Jacobson had asked, and Senator Conrad had mentioned, we did look at the bill, and there has been a lot of collaborative work between your office and Senator Conrad's office to make this work specifically within the time frame, which waterfowl season, you have 107 days, is it--

ALICIA HARDIN: 107.

BOSTELMAN: --the federal government allows you to have a waterfowl season. So you need to fit it within that season. If you go outside of that season, then significant penalties and fines to individuals. So really I think it's a-- what you've done is-- appears to be a good fit to work with, especially for youth deserves another opportunity for mentorship. So you can take the R3, you could take the youth, and then you take your new hunters together. And you, you bind that together, bring that together, it's another great opportunity to expose people, teach people about the outdoors. And that's-- so I think that's a good idea.

ALICIA HARDIN: I've also had some discussions with the Nebraska Department of Veterans' Affairs. I agree they're a wonderful organization, and they've given us some great ideas of how to, to verify who should be in the field and who should not and just been-- and they'll help us promote it as well.

BOSTELMAN: And I believe Mr. McIntosh mentioned it before, but-- and we've had it on different bills, there is a process that you have that you're connected with the veterans, VA or the DoD, that you pull up the veteran's status. So if a person goes online, that's something they can do so they can work the whole permit process or eligibility process. That's fairly smooth transition thing you can do online is my understanding.

ALICIA HARDIN: They, well-- we're-- our databases aren't connected yet. That is something that we've, you know, had some very beginning discussions with them. But they are willing to help us to verify if somebody doesn't have, like, a DD214 or orders or something like that to show.

BOSTELMAN: All right. Other questions? Seeing none, thank you for your testimony.

ALICIA HARDIN: Thank you.

BOSTELMAN: Anyone else like to testify in neutral capacity on LB1001?

JOHN HEASTON: Good afternoon, Chair, Chairman Bostelman and members of the Natural Resources Committee. My name is John, J-o-h-n, Heaston, H-e-a-s-t-o-n, and I'm the executive director of the Nebraska Sportsmen's Foundation. And on behalf of my organization, I would like to, to testify in neutral, only because we have not taken a positive

or negative position on any of the other veterans or active duty bills that have been introduced. In saying that, we would like to make sure that these bills stay in sight of each other and maybe, ultimately, we have some, some sort of a veterans active duty, for lack of a better term, bill of rights so that Game and Parks has a comprehensive understanding of what their obligations are to the active duty and veterans committee-- community and that those mandates are not left unfunded. We need to make sure that we're taking care of our veterans properly and not just in name only. And so I'm personally in support of, of these bills. But we also have to recognize that, and as has been stated, it falls within the context of having places for them to go, as Senator Jacobson pointed out earlier. Veterans are a high percentage of outdoor folks, and that means they're also a high percentage of contributors to things like hunting permits and habitat stamps. And so in providing benefits to them, we want to make sure that we're not shortcutting our long-term health in terms of fiscal contributions to Game and Parks. As was mentioned by commissioner being appointed today, you know, 88% self-financing. That's a hard number to keep up if we start making discounts for everything. And I'm not saying we shouldn't. I just think we need to make sure that we're, we're not creating issues down the road by not seeing the big picture. So that said, I, I am in strong support of anything that we're going to do to the benefit of our active duty and veterans. I want to make sure that we're giving the commission and any other relevant agency the tools to do it right. And, and if there's anything that we can do as the Nebraska Sportsmen's Foundation to assist in these hunts or, or get people lined up or informed of the value of them, we would be happy to do so. And I'd take any questions if anybody had any.

BOSTELMAN: OK. Thank you for your testimony. Questions? Senator Jacobson.

JACOBSON: Thank you, Chairman Bostelman. I guess I just want to clarify. I know you're testifying in a neutral capacity, but probably what separates this bill from all the other bills that have been brought is this one does have zero fiscal note.

JOHN HEASTON: Right.

JACOBSON: It's something that can easily be done. Game and Parks could do on their own.

JOHN HEASTON: Yeah.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Natural Resources Committee February 14, 2024
Rough Draft

JACOBSON: So I guess I kind of see this as why would you not be in support?

JOHN HEASTON: Well, because we didn't take a position on the other bills.

JACOBSON: How about you personally?

JOHN HEASTON: Me personally, I, I support it.

JACOBSON: [INAUDIBLE]

BOSTELMAN: Any other questions? Seeing none, thank you for your testimony.

JOHN HEASTON: Thank you for having me.

BOSTELMAN: Anyone else like to testify in neutral capacity? Anyone else to testify? Seeing none. Senator Conrad, you're welcome to close. We did receive 1 comment, proponent comment online.

CONRAD: OK. Very good. Thank you so much, Chair Bostelman. Thank you so much to the committee members for your great questions and kind attention. I just want to reiterate, reiterate my gratitude, our gratitude to those brave people who have served our country and who stepped forward today to advocate on behalf of this legislation. I can tell that the committee enjoyed meeting them and hearing their stories as much as I did. And I think it would be really meaningful if we could work together to bring this over the finish line together in the remaining weeks of this session. So with that, I'm happy to answer questions and really, really appreciate committee counsel's work and really appreciate Game and Parks as well.

BOSTELMAN: Thank you. Other questions for committee members?

CONRAD: OK. Thank you.

BOSTELMAN: Seeing none, thank you very much. That will close our hearing on LB1001.