

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB867

Hearing Date: Wednesday January 31, 2024
Committee On: Natural Resources
Introducer: Bostelman
One Liner: Provide for a voluntary hunting and fishing guide and outfitter database

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes,
Jacobson, Moser, Slama

Nay:

Absent:

Present Not Voting:

Testimony:

Proponents:

Senator Bruce Bostelman
Timothy McCoy
John Heaston

Representing:

Opening Presenter
Nebraska Game & Parks Commission
Nebraska Sportsmen's Foundation

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB867, introduced by Senator Bostelman, amends and inserts a new subsection into section 37-201 of the Nebraska Game Law that provides authority for the Game and Parks Commission to establish and maintain a voluntary hunting and fishing guide and outfitter database on its website and to authorize a registration fee for applicants who wish to be included in the database.

LB867 provides that applicant guides or outfitters who meet certain criteria may be placed on the database for 3-years. For inclusion in the database under LB867 an applicant is required to have completed a commission-sponsored hunter education program or a similar program, must be a licensed business in Nebraska, possess adequate liability insurance, and comply with any relevant state or federal laws. In addition, the hunter or outfitter must not 1) have ever been convicted of any felony; 2) have ever been cited for trespassing; and 3) may not have his or her privileges or right to hunt or fish suspended in Nebraska, another state, or a participating state in the Interstate Wildlife Compact. These criteria are not applicable to fishing guides or fishing outfitters.



Explanation of amendments:

Explanation of Amendments: The committee amendment AM2767 is a white copy amendment that incorporates LB867, amended by AM2532, along with LB971 amended by AM2288, LB1001 amended by AM2374, LB1406 amended by AM2511, LB868 amended by AM2602, and LB866 amended by AM2112.

LB867 (Sections 1-2)

LB867, introduced by Senator Bostelman, as amended, inserts a new subsection into section 37-201 of the Nebraska Game Law that provides authority for the Game and Parks Commission to establish and maintain a voluntary hunting and fishing guide and outfitter database on its website and to authorize a registration fee for applicants who wish to be included in the database. LB867 provides that applicant guides or outfitters who meet certain criteria may be placed on the database for 3-years. For inclusion in the database under LB867 an applicant is required to have completed a commission-sponsored hunter education program or a similar program, must be licensed business in Nebraska, possess adequate liability insurance, and comply with any relevant state or federal laws. In addition, the hunter or outfitter must not 1) have ever been convicted of any felony; 2) have ever been cited for trespassing; 3) have not violated a state or federal game law within the previous three years, and 4) may not have his or her privileges or right to hunt or fish suspended in Nebraska, another state, or a participating state in the Interstate Wildlife Compact. These criteria are not applicable to fishing guides or fishing outfitters.

LB1001 (Section 3)

LB1001 as amended, was introduced by Senator Conrad and amends section 37-201 of the Nebraska Game Law to direct the commission to prescribe a migratory waterfowl hunting season for members of the armed forces, as defined in U.S.C. 101, as the section existed on January 1, 2024. LB1001 provides that any veteran or member of the armed forces may hunt during such season as long as the veteran or member of the armed forces has a valid hunting permit under the Game Law and all required stamps. LB1001 further amends section 37-438 to provide that no veteran or member of the armed forces is required to purchase a vehicle park entry for entry into a permit area during this special season.

LB1001 was amended into LB867 on an 8-0 vote of the committee:

Aye - Senators Brandt, Bostelman, J. Cavanaugh, Fredrickson, Hughes, Jacobson, Moser & Slama

Nay - 0

LB1001 had a public hearing on February 14, 2024 with the following testimony:

Proponents -

Sen. Danielle Conrad, Introducer

Dustin McKenna, Self

Ryan McIntosh, National Guard Association of Nebraska

Evan Egger, Self

Opponents - None

Neutral -

Alicia Harding, Nebraska Game & Parks Commission

John Heaston, Nebraska Sportsmen's Foundation

LB971 (Sections 4-5)

LB971 was introduced by Senator Lippencott, joined by 19 other senators as co-sponsors. The bill, as amended, amends sections 37-420 and 37-421 of the Nebraska Game Law to create an opportunity for permits to be issued to Nebraska veterans for no fee to hunt on Veterans Day in the year it is obtained. The bill directs the commission to issue a one-day hunting permit, habitat stamp and Nebraska migratory waterfowl stamp at no fee to an applicant who is an honorably discharged veteran who is a resident of Nebraska. The single-day permit is for use only on November



11 in the year it is applied for.

LB971 was amended into LB867 on an 8-0 vote of the committee:

Aye - Senators Brandt, Bostelman, J. Cavanaugh, Fredrickson, Hughes, Jacobson, Moser & Slama
Nay - 0

LB971 had a public hearing on January 31, 2024 with the following testimony:

Proponents -

Senator Loren Lippincott, Introducer
Timothy McCoy, Nebraska Game & Parks Commission
Ryan McIntosh, National Guard Association of Nebraska

Opponents - None

Neutral - None

LB1406 (Section 6)

LB1406 as amended, was introduced by Senator Sanders and amends section 37-438 to provide for creation of an annual motor vehicle park entry permit that can be purchased by any active-duty military member who is stationed in Nebraska for five dollars, with proper documents of service and proof that such the individual is stationed at a military base located in Nebraska for active-duty military service.

LB1406 was amended into LB867 on an 8-0 vote of the committee:

Aye - Senators Brandt, Bostelman, J. Cavanaugh, Fredrickson, Hughes, Jacobson, Moser & Slama
Nay - 0

LB1406 had a public hearing on January 31, 2024 with the following testimony:

Proponents -

Senator Rita Sanders, Introducer
Ryan McIntosh, National Guard Association of Nebraska
Jeff Fields, Nebraska Game & Parks Commission
John Winkler, Nebraska Association of Resource Districts

Opponents - None

Neutral - None

LB868 (Sections 7-10),

LB868, as amended, was introduced by Senator Bostelman to amend Sections 66-1519-1529.02 to extend the sunset date of the Petroleum Release Remedial Action Fund (Fund) under section 66-1519 from June 30, 2024 to June 30, 2028, and to direct investment interest be credited to the Fund. The Fund may receive gifts, fines, stipulated settlement proceeds, and federal grants. The Fund helps pay for investigation and cleanup costs for owners/operators of facilities which have leaking petroleum tanks or other contamination by petroleum products. Costs for cleanup of both underground and above ground tank releases are eligible for reimbursement. The Nebraska Department of Environment and Energy (NDEE) provides oversight of the program. Currently, money in the Fund may be spent for its intended purposes until June 30, 2024. LB 868 extends the sunset date and other related dates from 2024 to 2028 for consistency; and directs that related investment earnings on and after the effective date of the bill to be credited to the Fund.

LB868 was amended into LB867 on an 8-0 vote of the committee:

Aye - Senators Brandt, Bostelman, J. Cavanaugh, Fredrickson, Hughes, Jacobson, Moser & Slama
Nay - 0



LB868 had a public hearing on January 24, 2024 with the following testimony:

Proponents -

Senator Bruce Bostelman, Introducer

Tim Keigher, Nebraska Petroleum Marketers & Convenience Store Association

Robert Hallstrom, Nebraska Bankers Association

Opponents - None

Neutral - None

LB866 (Section 11)

LB866, brought by Senator Bostelman, as amended, amends Section 70-1003 which outlines the composition, duties, and compensation of the Power Review Board (PRB), increases the number of terms a member of the PRB may serve from two terms to three terms, and updates composition of the board, and increases per diem compensation.

The Power Review Board functions as an independent board to oversee electric utilities in Nebraska. The Board has indicated a need to have expertise in certain fields on the board and has identified certain fields from which recruiting members is extremely difficult. Currently, the five member board is composed of one engineer, one attorney, one accountant, and two additional persons. LB866 eliminates requirements that at least one member be an accountant and allows for three additional persons, of which, only one at a time can be a former director, officer, or an employee of an electric utility in the four years preceding the appointment. Such a person must refrain from voting on matters impacting their former employer for a period of four years after the board member ended service as a director, officer, or employee of the utility. The governor appoints five board members subject to the approval of the Legislature. LB866 also increases the per diem compensation for board members from \$60 per day to \$100 per day and changes the cap on permissible aggregated annual per diem for board members from \$6,000 to \$7,000.

LB866 was amended into LB867 on an 8-0 vote of the committee:

Aye - Senators Brandt, Bostelman, J. Cavanaugh, Fredrickson, Hughes, Jacobson, Moser & Slama

Nay - 0

LB866 had a public hearing on January 24, 2024 with the following testimony:

Proponents -

Senator Bruce Bostelman, Introducer

Tim Texel, Nebraska Power Review Board

Shelley Sahling-Zart, Nebraska Power Association

Opponents - None

Neutral - None

Section by Section

Sec. 1-2 LB867 provisions for creation and maintenance of a voluntary guides and outfitters database by the Game and Parks Commission; provides process for application and criteria for inclusion, as well as provision for removal; authorizes the commission to adopt rules and regulations and excludes application to licensees of licensed game breeding and controlled shooting area.

Sec. 3 LB1001 Provisions directing the Game and Parks commission to prescribe a migratory waterfowl hunting season for veterans and members of the armed forces.

Sec. 4-5 LB971 provisions for issuance of one-day hunting permits and stamps for use by any applicant who is an honorably discharged Nebraska veteran for on Veterans' Day, November 11th, of year issued.

Sec. 6 LB1406 provisions to authorize any active-duty military member, living or stationed in Nebraska, to purchase an annual park entry permit for five dollars.



Sec. 7-10 LB868 provisions for extending the sunset date and directing investment earnings of the Petroleum Release Remedial Action Cash Fund (Fund)

Sec. 11 LB866 amends section 70-1003 provisions that change composition of the Power Review Board (PRB), and per diem compensation limits.

Sec. 12 Effective dates are three calendar months after adjournment for Sections 1,2,3,4,5,6,11 and 13; remaining sections 7-10 (The Petroleum Release Remedial Action Cash Fund) become operative on their effective date.

Sec. 13 Repeal original sections 37-420, 37,421, 37-201, 37-438, and 70-1003.

Sec. 14 Repeal original sections 66-1519, 66-1523, 66-1525, and 66-1529.02.

Sec. 15 Emergency Clause.

Bruce Bostelman, Chairperson

