

Transcript Prepared by Clerk of the Legislature Transcribers Office
Agriculture Committee January 30, 2024

HALLORAN: --afternoon. Before we start, just a little bit of up front business, for, for, my understanding. How many of you are going to te-- actually testify today on LB828? OK, so there's not a lot of observers, there's a lot of testifiers, that's good. OK. Very good. I think we'll do four minutes for testimony. If you've prepared five, we'll just have to ask you questions to get the rest of it out of you. Welcome to the Agriculture Committee. I'm Senator Steve Halloran. I'm from Hastings, Nebraska, and represent the 33rd Legislative District. I serve as the Chair of this committee. The committee will take up the bills and confirmation in the order posted on the agenda. Our hearing today is your public part of the legislative process. This is your opportunity to express your position on the proposed legislation before us today, the committee members will come and go during the hearing. This is just part of the process as we have bills to introduce in other committees. I ask that you abide by the following procedures to better facilitate today's proceedings. Please silence or turn off your cell phones. Please move to the reserved chairs when you're ready to testify. These are the first two chairs on either side of the first row. Introducers will make initial statements, followed by proponents, opponents, and neutral testimony. Closing remarks are reserved for the introducing senator only. If you are planning to testify, please pick up a green sign-in sheet that is on the table just outside the room, or at the side of the room. Please fill out the green sign-in sheet before you testify. Please print. It is important to complete the form in its entirety. When it is your turn to testify, give the sign-in sheet to the page or the committee clerk. This will help us make a more accurate public record. If you do not wish to testify today, but would like to record your name as being present at the hearing, there is a separate white sheet on the table that you can sign for that purpose. This will be a part of the official record of the hearing. If you have handouts, please make sure you have 12 copies and give them to the page when you come up to testify, and they will distribute those copies to the committee. If you do not have enough copies, a page will make sufficient copies for you. When you come up to testify, please speak clearly into the microphone. Tell us your name and please spell your first and last name to ensure that we get an accurate record. We will be using the light system for all testifiers. You will have four minutes to make your initial remarks to the committee. When you see the yellow light come on, that means you have one minute left remaining; and red light indicates your time has ended. Questions from the committee may follow. No displays of support

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or opposition to a bill, vocal or otherwise, are allowed in a public hearing. All right. Committee members who are with us today, I'm going to start with my far left and have them introduce themselves.

HUGHES: Thanks for being here today. I am Jana Hughes, District 24. It's Seward, York, Polk, and a little bit of Butler County.

BREWER: Tom Brewer, District 43, which is 11 counties of central and western Nebraska.

IBACH: Teresa Ibach, District 44, which is eight counties in southwest Nebraska.

HALLORAN: And Senator Ibach is the Vice Chair of the committee. To this side.

RIEPE: I'm Merv Riepe, Legislative District 12, which is the part of the Omaha metropolitan area.

HALLORAN: OK. To my right is committee research analyst Rick Leonard. And to my left is committee clerk Payton Coulter. And with that, I would like to have the page introduce himself.

RYAN SKINNER: My name is Ryan Skinner from Scottsbluff, Nebraska. I am a sophomore at UNL studying criminal justice.

HALLORAN: All right. Thank you, Ryan. I wouldn't say he was mortified when I asked him to do that. I thought he did a pretty good job. All right. We will start off the hearing today with LB828. And, if you would please introduce yourself.

ALEX MAYCHER: Yeah. Good afternoon, Chair Halloran and members of the Agriculture Committee. My name is Alex Maycher, spelled A-l-e-x M-a-y-c-h-e-r. And I am the legislative aide for Senator Carol Blood, who represents District 3, which is the western half of Bellevue and east-- eastern Papillion, Nebraska. She expresses her apologies for not being able to present LB828 in person today. The last session, our office introduced LB735 with two specific goals the senator wished to achieve. The first goal is to establish a workgroup that would research and learn about ongoing issues of pollinators, specifically bees, and to come up with a plan to address those issues. The second goal would be to create a beekeeper registry that would track how many beekeepers there are in the state, determine how many hives, and the output from said hives, and to educate and inform beekeepers for best

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practices. The original draft of the bill needed work, and we understood we had to make rigorous changes. This refers to the amendment we are handing out to you today and hope that you consider. The amendment does remove the apiary registry and the mandatory participation from beekeepers, along with any misdemeanors for any violations. After having discussions with experts in the apiary field. This was considered the best course of action to satisfy various stakeholders. We needed to let the voices of beekeepers in the state be heard, and it was important to allow a common understanding to be developed amongst all parties. So with the structure of the Nebraska Pollinator Task Force, we want to include as many vested interests as possible so that not one group receives preference over the other. We want state agencies, environmental groups and private interests to work together. And we have also clearly outlined the goals for the workgroup and allow room for the group to explore other avenues as well. The main goals are research existing pollinators in Nebraska and habitat for such pollinators; research issues relevant to pollinators in Nebraska, and how to resolve those issues; and three, work with the Legislature to achieve a healthy and sustainable pollinator population in Nebraska. The Department of Agriculture will have the responsibility of organizing and maintaining the workgroup. Each member of the workgroup that's not in a state agency will be approved by the Legislature on a yearly basis. And the workgroup, once it has established itself in 2026, will be mandated to procure a yearly update on the workgroup findings. So now to the second part of LB828 that we have changed, the registry. The reason why the senator believed it was necessary that we create the registry is simply this. We currently have no data available within Nebraska on beekeeping. Currently in Nebraska, we don't know how much-- how many beekeepers there are, how many hives, how much honey is produced, how beekeeping practices are being carried out, which bee colonies have diseases, and et cetera. For an agricultural state, not knowing this information can be detrimental to the production of goods that are necessary for our economy and our citizens. Without pollinators, agriculture would not be able to function in the same way. It is essential for Nebraska's pollinator population to protect our food production and our agricultural economy. As we work to keep young farmers in our rural communities and look towards the increased interest in organic farming practices, preserving pollinators becomes an even more pressing issue. Our agricultural and urban constituents depend on pollinators to

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maintain Nebraska's biodiversity. I want to thank the committee for your time today.

HALLORAN: OK. Thank you, Alex.

ALEX MAYCHER: Yeah.

HALLORAN: Any questions from the committee. Senator Riepe.

RIEPE: Thank you for being here. I think the biggest concern that I've heard about is the registration, because there are a number of them that are, for lack of a better term and no disrespect, amateur beekeepers. And so the concern I would like to have you elaborate a little bit on how does the registry work out, what's the frequency, what's the cost, what's-- just give me a kind of a general overview because I know nothing about it.

ALEX MAYCHER: So I apologize, Senator. I think there's people behind me that probably know a little bit better about that than me. If I could pass that.

RIEPE: Thanks. Nice move. Thank you, Chairman.

HALLORAN: Typically for staff, when staff presents a bill, instead of the senator, the sponsoring senator, we can, we can certainly answer-- ask questions that are, technical of nature about the bill, but we would shy away from asking questions about the intent, for example, and get into those kinds of questions. So any other questions that are of-- technical in nature? All right. All right. Thank you, Alex.

ALEX MAYCHER: Thank you.

HALLORAN: Appreciate it. We'll start with proponents of LB828. Assuming they're lined up like we asked to begin with on each side. Proponents, one at a time. Good afternoon.

JACK DANIEL: Mr. Chairman, members of the Ag Committee, my name is Jack Daniel. I live at 230 154th Denton, Nebraska. That would be in the southeast corner of Seward County. I'm here in support of LB828. I have kept bees for 47 years. The bulk of those years I have run roughly 400 colonies in Lancaster, Saline, and Seward County. And I was extremely sad when the Department of Agriculture dropped the bee inspection program somewhere around the 1990s, because I saw it as a, as a viable state tool to recognize an industry and to protect my

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investment. It costs a lot of money to keep bees. A little 3 pound package of bees and a queen is roughly \$160, \$170. And that's just you're looking at this much. And we're having trouble keeping them alive. You can read that, you'll find literature of that all over the place. I myself lost 100 colonies the last spring. Specifically regarding LB828, knowledge-- I'm talking about on-- having knowledge, on-the-job knowledge, not just general stuff I read, but having hands-on knowledge and the importance of education. For this bill to be successful, I would, I would hope that the committee would make one amendment to the bill, and that is to add the University of Nebraska Entomology Department to the task force. The way this bill is, the way this bill is written now, they're, they're invited as, as to, to come to meetings, when in fact they have on hands knowledge and they have the ability to educate not only the task force, but the people of Nebraska and the beekeepers as the best way we can keep bees alive in Nebraska. And this issue of keeping bees alive isn't only for bees, it's affecting all of our environment. Pheasants, quail. Our environment is in trouble and we need, we need pollinators for a lot of reasons. It isn't just bees, but I'm here certainly for the bees. That's the end of my testimony, and I'll answer any questions.

HALLORAN: All right. Thank you, Mr. Daniel. Any questions for Mr. Daniel? Senator Brewer.

BREWER: Thank you, Mr. Chairman. So when you say you support the bill, is that as in the original form with the registry and the misdemeanor?

JACK DANIEL: I don't have any problem with the registry or the, or the, or the fines or that stuff. That's, that's not a problem. If you're doing a good job, I don't see why that's a problem.

BREWER: OK.

HALLORAN: OK. All right. Any further questions? Thank you, Mr. Daniel.

JACK DANIEL: Thank you.

HALLORAN: Very concise in your presentation. And I will always remember a name like Jack Daniel. Additional proponents. Good afternoon.

AL DAVIS: Good afternoon, Senator, Senator Halloran, members of the Agricultural committee. My name is Al Davis, A-l D-a-v-i-s. I'm here today on behalf of the 3,000 individuals who are members of the

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Nebraska chapter of the Sierra Club in support of LB828. We want to thank Senator Blood for introducing the bill. Agriculture relies heavily on the work of bees and pollinators to produce the crops which we consume. Most garden plants and fruit trees rely on pollinators to do the work necessary to produce crops, and we have long taken for granted that the insects we rely on will always be available to fertilize plants and provide a bountiful harvest for all of us to consume. Unfortunately, that is not always the case. Doctor Wu-Smart's work at the ENREC and her discovery of bee collapse due to exposure to pesticides associated with AltEn, brought home the vulnerability of the apiary industry to pesticides and fungicides, which killed bees for miles around. Doctor Elizabeth Hillborn, a North Carolina veterinarian, authored Restoring Eden, which is the name of the book, which deals with the ramifications of a flood near her farm and the destruction of pollinators in a nearby field when water from the flood inundated a tractor and planter which contained 60 pounds of neonicotinoid-treated seeds. Doctor Hilborn's, in Doctor Hillborn's situation, the pollinators did not recover for several years, despite a relatively small amount of contamination from the neonicotinoids, which killed the only pollinators-- not only pollinators but earthworms under the flooded area. The apiary industry has changed significantly over the past several decades. Bees are now mobile animals traveling from state to state as crops needing pollination come into bloom. The mobility produces rewards for the industry, but it also increases the risk of parasitic infestation, fungal contamination and other diseases which destroy the hive. This has been occurring in Nebraska for decades, but isn't well tracked due to our apiary industry being dominated by small part time apiary specialists rather than a commercial sector. Lack of information does not mean there is no problem, it just means that the problem is unknown at this time. We do know that there is a significant expense associated with reestablishing a bee, as Mr. Daniels explained, establishing a bee colony every year due to death and illness in the bees. We also know that commercial producers are uncomfortable bringing bees to states where the collapse and disease are endemic. We understand that the registry will be stricken from the bill if the amendment is adopted. This should remove objections from beekeepers who have concerns that the penalties and rulemaking associated with the registry in the bill are too restrictive. A task force like that described in the bill will serve several purposes. Communications between the industry and government can head off future problems or demonstrate opportunities when they become available. The industry is an important one and the

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task force will provide vision, research and knowledge. All good things in any field. We urge the adoption of the bill as amended. And thank you for your time. I'll take any questions.

HALLORAN: Thank you, Mr. Davis. Any questions from the committee?

AL DAVIS: Thank you, Senator.

HALLORAN: Thank you much.

_____: Is there a chance to-- we could turn the sound up a bit? We're having difficulty hearing.

HALLORAN: Well, these aren't exactly amplifying microphones, for-- it's my understanding. It's for transcribing and recording. We'll just try to speak up. I guess they do come across the PA. We'll elevate our voices a little bit. All right. Next proponent, please. Next proponent? If there are additional proponents that are going to speak, if you could move up to the front row, on either side of the front row. Those should be reserved for the next speakers, if you would. OK. Good afternoon.

NICK BONHAM: Good afternoon. My name is Nick Bonham N-i-c-k B-o-n-h-a-m. And together with my wife Jackie, I run Lucky Toad Restorative Gardens out of Omaha, where we specialize in creating wildlife and pollinator gardens. I've come today to voice my support for Senator Blood's proposed bill, LB828, regarding the creation of a pollinator task force which will generally enhance our abilities to study the ways these creatures and the plants that sustain them impact broader elements of life in Nebraska. Practically speaking, pollinators are the gears that drive the ecosystem, and their health determines the productivity of their environment. Every plant that requires pollination owes, of course, a pollinator for its fertilization and reproduction. The health of plants directly determines the health of our soil, water retention capabilities, and resulting economic viability. In an agricultural state especially, I submit that maintaining healthy pollinator populations should register as a top priority. In addition to innumerable directly practical benefits, allocating resources to more fully understand and facilitate Nebraska's native ecosystem is a great patronage to the natural heritage of the region, and an investment in quality of life. An ecologically degraded state is not only an unfortunate loss in terms of biodiversity, but can lose economic opportunities as federal

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regulations are imposed to manage its recovery. By getting ahead of the issue and making wildlife habitat creation a priority, we can preclude the necessity of such intervention, such as that incurred via the Endangered Species Act. Economic interests and a thriving ecology are not mutually exclusive. This is a problem that Nebraska is well equipped to handle. The Great Plains are home to some of the most resilient, productive, and personally speaking, beautiful plants in the world. They are an integral part of the area's identity. The ecosystem that evolved here was one of such abundance that it provided for an enormous amount of animal life that created some of the best soil on the continent. Exploring the relevance of this ecology and adapting its benefits can help Nebraskans appreciate their state's legacy and envision its future more fully. Pollinators and the plants that sustain them are fundamentally important not only to the maintenance of this remarkable ecosystem, but the human systems that exist within it. With drought and other stressors providing complex challenges for agriculturalists everywhere, the most sensible and actionable option we have is to increase the health of our soil and the plants that grow in it. Pollinators and their habitat are the key to this issue, and I look forward to a future in which we can coexist more fully for one another's benefit. That is all I have.

HALLORAN: All right. Thank you, Mr. Bonham. Any questions from the committee? Seeing none, appreciate your testimony.

NICK BONHAM: Thank you for your time.

HALLORAN: All right. Next proponent for LB828. Good afternoon.

JENNIFER HOPWOOD: Good afternoon. My name is Jennifer Hopwood, J-e-n-n-i-f-e-r H-o-p-w-o-o-d. I'm a Senior Pollinator Conservation Specialist with the Xerxes Society for Invertebrate Conservation. We're a nonprofit organization focusing on translating science into on the ground conservation. And specifically, we work here in Nebraska and nationally, focusing on protecting invertebrates that are key to our health, to agricultural systems, and to healthy ecosystems. I and my team assist producers with efforts to install and manage habitat, pollinator habitat specifically, on their farms and ranches. And through these projects, our partners hope to bolster production along with other benefits such as increased water infiltration, reduced soil erosion, increased crop pest control, habitat for wildlife such as songbirds and game birds, and beautification of their land. Field borders and hedgerows with diverse native plants support wild native

bees, wild flower flies, butterflies and more, as well as manage species like the honeybee. Though unmanaged, wild bees and flower flies contribute significantly to crop pollination if habitat exists nearby. Many of these insects fly in cooler weather, wetter weather, and on cloudier days, and are particularly efficient in transferring pollen of certain crops. If you've ever eaten raspberries, squash, or apples here in the Nebras-- grown here in Nebraska, those are pollinated by wild species mostly, particularly bumblebees, solitary miner bees, and squash bees. Ranchers also benefit from wild pollinators. New emerging science from the Great Plains indicates that native wildflowers and shrubs that depend on pollinators can be valuable nutrition for livestock. So managing these plants, for these plants can support livestock production and can increase drought resilience and sustainability for rangelands. Establishing a pollinator taskforce here in Nebraska will benefit producers and agriculture around the state, compiling research about Nebraska's pollinators and their habitat, supporting public education and increasing native seedability for habitat restoration will benefit producers. These efforts will also help state agencies, private entities, landowners and other diverse stakeholders work collaboratively and strategically to use money efficiently and effectively to best support pollinators. Agriculture is important to pollinators and supporting them, but other spaces like gardens, yards, parks, suburban areas, roadsides, utility rights of way, corporate campuses and many other spaces can also be places where we manage existing pollinator habitat or create additional habitat. A number of pollinator species here in Nebraska are in decline. Without additional conservation efforts, species such as the southern plains bumblebee or the ottoe skipper are at risk of extinction in the coming years. So any investments in pollinator conservation that the task force may identify and help to implement proactively may help to avert listings under the Endangered Species Act, and will save considerable time and money in the future. In conclusion, this task force would help the state be better positioned to address emerging pollinator issues that could impact agriculture and other sectors, and will highlight strategic opportunities to help all sorts of entities help the pollinators that are so important to Nebraska's economy and ecology. Thanks so much for all that this committee does for agriculture, and to Senator Blood for introducing this legislation.

HALLORAN: Okay. Thank you, Ms. Hopwood. Appreciate that. Reading along, I can see you kind of ad libbed a little bit, jumped ahead and

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condensed down to four minutes. You did a nice job. Got any questions for Ms. Hopwood? Senator Hansen.

HANSEN: Thank you. Chairman. You've got quite a title on, so I figured you'd be the best person to ask, because it's really long.

JENNIFER HOPWOOD: It is.

HANSEN: You list off some potential causes for maybe the disruption of the bee population, habitat loss, invasive species, disease, overuse of pesticides. Which one of those do you think specifically for Nebraska is probably one of the biggest causes? Like, for instance, the one I hear the most like in the news is pesticides or overuse of pesticide use and how it disrupts how they signal or how they get from place to place. I hear it on the news. I don't know if that's true or not. I was kind of curious to know if that's your opinion.

JENNIFER HOPWOOD: I think that all of those factors have relation and overlap, so sometimes they impact each other. In the case of honey bees, for example, they have more habitat on the ground, more access to diverse sources of pollen nectar, it allows them to have a better immune system that can help them fight off disease more effectively, or it can help them process pesticides if they get exposed to that, so it allows them to be more resilient. So a lot of those factors are interconnected. In the case of wild pollinators, habitat is a huge component. There's so many diverse pollinator communities in Nebraska, and they depend on specific types of habitat. So in particular, we have a lot of pride in our Sandhills because they're so important to the natural heritage of Nebraska and to those ranching communities. And they are also really critical habitat for a number of diverse wild pollinator populations. So without that habitat, all these other factors wouldn't be as important. But they are all interconnected, so it's difficult to rank.

HANSEN: OK. Thank you.

HALLORAN: OK. Thank you. Senator Hansen. Any further questions? Yes, Senator Hughes.

HUGHES: Thank you. Thanks for coming in today. The pollinator task force-- if we would have had the registry as part of this, that would have given that task force a lot of information of the bees that are actually in Nebraska, the hives, the colonies, etc.. That piece has been taken out. So now-- I guess, does it, does a pollinator task

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force have the same amount of information? I mean, does it make as much sense to have them meet when you don't have the real information from Nebraska? I mean, otherwise it's just, well, let's get together and we'll, you know-- I don't know, I'm not-- do you see what I'm saying?

JENNIFER HOPWOOD: I do, and I think it's an important question. I do think that the piece the registry provides is specific to the managed honeybee. So it impacts beekeepers who manage species. But we do also have hundreds of other unmanaged wild species out there. And I also think that the task force can accomplish a lot of good, even without some of those critical pieces of information that the registry was trying to accomplish. So some of the goals of the task force include getting best practices out there, both for beekeepers and for citizens, so that everybody can contribute. That's a really important piece, because we can do things to support honeybees and other wild pollinators and all sorts of entities, not just the agricultural sector, but lots of people can contribute. And so that public education piece, both for beekeepers about best practices and for public citizens is important. And it helps state agencies coordinate within. And that's also really critical. So.

HUGHES: So if I, I, we-- I'm from a rural district. And if I was going to-- say I'm going to go into beekeeping, too bad Senator Holdcroft isn't here, who is our resident beekeeper. In my mind. I would just go to, like, Nebraska Extension in Seward and I would think would have access to a lot of this information. I guess my question is, is this pollinator taskforce going to bring something a lot more and different than maybe the resources that we've already got?

JENNIFER HOPWOOD: Yeah, I absolutely think it is. It's really critical for compiling information that isn't readily available out there. I-- and again, to, to separate out what's available through Nebraska extension, which is really key wonderful sources of information for managed honeybees, there's a whole host of other data that we need to pull together for wild species that do also contribute to agriculture in key ways on rangelands and for specialty crop producers.

HUGHES: Thank you.

JENNIFER HOPWOOD: Thank you.

HUGHES: I appreciate that.

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HALLORAN: Thank you. Senator Hughes. Any further questions for Ms. Hopwood. Yes. Senator Ibach.

IBACH: Thank you Mr. Chair. So you're speaking more specifically to the registry portion of it, and with the amendment, we would not have the registry portion of it.

JENNIFER HOPWOOD: So I'm actually not speaking to the registry portion at all. I'm actually speaking specifically to the value of the task force.

IBACH: OK. Thank You.

JENNIFER HOPWOOD: Yeah. Yeah.

IBACH: Thank you.

JENNIFER HOPWOOD: I appreciate the opportunity to clarify.

HALLORAN: Good clarification. Thank you. Any further questions? Seeing none, thank you so much.

JENNIFER HOPWOOD: Thank you.

Next proponent for LB828. Good afternoon.

KATIE LAMKE: Hello. My name is Katie Lamke, K-a-t-i-e L-a-m-k-e, and I'm a conservation biologist with the Xerxes Society as well, just like Jennifer. As Jenny said, we are a nonprofit organization that works to conserve invertebrates as well as the habitat that they need. And one of my roles here in the state is to lead the Nebraska Bumble Bee Atlas, which is a statewide community science project that engages hundreds of volunteers to go out and monitor our state and see how our bumblebees are actually doing. The public is aware that many of our bees are undergoing, undergoing alarming declines, and the Atlas is a local effort that allows them to get involved and take action on these issues. So after attending our in-depth educational programs, volunteers go out on their own, conduct surveys, and report back their findings to us. And from these surveys, we're learning about species distributions, forage use, associations with habitats, associ-- Excuse me. We're learning about their habitat associations as well as impacts that management practices could have on them. And it's really giving us the information that we need to make effective decisions on the ground. And for some background, Nebraska was the second state to

launch a bumblebee atlas. Since 2018, Xerxes Society has expanded this monitoring program into 20 states, covering nearly half of the continental U.S. because this work is so needed right now. We partner with multiple state and federal agencies to get this work done and make sure that all the resources and our time is being used efficiently. And we focus on these pollinators because they are a very recognizable group. A lot of people know about bumblebees, but they're also a very essential native pollinator. They're similar to honeybees in that they will visit a wide variety of flowering plants throughout the entire foraging season. But what sets them apart is their size. They're able to fly in cooler temperatures, windier temperatures. They're able to conduct a behavior known as buzz pollination, which is something that our managed bees cannot do. And it actually can increase the fruit set of some of our managed crops, like tomatoes. About 8% of plants need the service that bumblebees can provide. And unfortunately, the atlas is demonstrating that these recognizable pollinators are showing declines. Despite this atlas program being the largest monitoring effort in the state of Nebraska, we've only been able to detect 14 out of the state's historical 20 species. And this situation is not uncommon. Right. Bumblebees are some of our most well-studied insects, so we've been able to document these declines pretty well across many different species. The good news for bumblebees is that because they are such generalists and are found in such wide areas, that it's not yet too late to conserve them, and something like a Nebraska Pollinator Task Force could help us take the right steps to do that. Our state does recognize the value of native bees and acknowledges their ongoing declines. Nebraska is actually one of the few Midwestern states that includes native bees on our state wildlife action plan. And that kind of makes it feel to me like we're ahead in the realm of protecting pollinators. But in order to stay on top of this and get ahead of the emerging issues that pollinators are facing, the task force will really allow a lot of the agencies and organizations that are already networked and working on these things together in the state to come together formally and work with you all to create policy and get out recommendations. And that is all I have. Thank you for the time today.

HALLORAN: Thank you, Ms. Lamke, very much for the testimony. Any questions? I might make a quick comment. I found the bumble bee an amazing creature, not only as a pollinator and the other benefits, but the fact that it can fly. I mean, it's it's certainly-- and that's been studied a lot.--

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KATIE LAMKE: Yeah.

HALLORAN: --I'm sure.

KATIE LAMKE: Yeah.

HALLORAN: That it makes no sense. It's far from being aerodynamic, and yet it's, it's, it's being studied by the Air Force. They could learn something, I'm sure. Anyway, any questions from the committee? Seeing none, appreciate your testimony.

KATIE LAMKE: Thank you.

HALLORAN: Next proponent? If you wait, if you hesitate-- Good afternoon.

JOHN HANSEN: Chairman Halloran, members of the Agriculture Committee, good afternoon. For the record, my name is John Hansen. J-o-h-n H-a-n-s-e-n. I am the president of Nebraska Farmers Union, our state's second oldest and second largest general farm organization. We think that there's not really much of a question about the economic, environmental importance of pollinators. And I think there's also not a lot of doubt, certainly not with our members, we have a lot of beekeepers who are members, that there's a lot of environmental challenges for beekeepers and that they struggle to be economically viable and that there's, excuse me, a need to increase the, the, the fact gathering, the information, sharing, and sort of the, the role of maybe our Department of Ag to see what it is that we can do before we let the industry get so far slipped away that then it's too far. And that-- so, what is an appropriate response, then? Well, the task force seems like a good place to start. If you have a bunch of really smart well-motivated people and you give them some sort of a job to do, they, if they don't have the tools they need to do the job, would hopefully help share the fact that they need additional tools if that turns out to be the case. But we ought to do something. And doing nothing, or next to nothing, certainly hasn't served us well. That has not-- that hasn't improved the information sharing or the public understanding. And I think that, that the role of education is-- it should not be underlooked. That most folks want to do the right thing. And most folks want to be good neighbors. And so the more information sharing that we can do, the more fact gathering, so we have appropriate, best methods and, and all of that is helpful because not everyone is committed to doing the right thing. But most folks are.

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And so we can have, I think, a, a qualitatively improved outcome if we, we can have a task force that helps us point the way toward better practices, and that if we can do that, I think that this is a worthwhile activity. So with that, I would end my comments and be glad to answer any questions in the off chance I was actually able to do so.

HALLORAN: All right. Thank you, Mr. Hansen. Any questions from the committee? Senator Brewer.

BREWER: [INAUDIBLE]. John, you're probably one that goes back far enough that can remember when, I guess, disassembling what structure there was before. There's a reason why they did it, or was it just reducing the size of Department of Ag?

JOHN HANSEN: I-- I think that was mostly it, you know, and I think that it was, you know, I don't think it was malicious. I just think that, you know, that it was belt tightening and that went on. And then, you know, it's kind of hard to tell what, what happens when you make one adjustment in the system until, until later. But we were not supportive of that effort. We, we thought that there was value in, in keeping that system in place and if nothing else, improving it because the problems were clearly there at that time.

BREWER: All right. Thank you.

JOHN HANSEN: Thank you, Senator.

HALLORAN: Thank you, Senator Brewer, any further questions from the committee? Seeing none, thank you, Mr. Hansen.

JOHN HANSEN: I'll just buzz away.

HALLORAN: [INAUDIBLE]. Next proponent for LB828. Time's ticking, any further proponents, additional proponents, LB28 [SIC]? One more time, LB828? If not, we will move on to opponents of LB828. Good afternoon.

ALLIE FRENCH: Good afternoon. Good afternoon. Renee [PHONETIC]. Excuse me. My name is Allie French, A-l-l-i-e F-r-e-n-c-h. I am representing our grassroots group, Nebraskans Against Government Overreach. The largest crux of our concern was the registry, so it's great to hear that that portion has been removed. I will say there are a lot of beekeepers associations, other groups, as many who testified before me, that already do a lot of this work. So what I see coming from this

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task force and what our group is concerned about, is that it just looks like an opportunity to send \$100,000 every year to UNL to just add to their funds and continue research that they're already doing. And if they need more money, the university should do better job of appropriating funds to them so that they can get that done. But there's a lot of interest, people are very concerned about conservatorship, that's extremely important. I am a consumer of raw honey, not a grower or farmer of raw honey. And my goal is to ensure that they can continue to do so. We just don't want to see their costs go up because they're having to fund a program that would increase their costs or cause people to drop out from from doing so. Again, our largest crux was the registry, so we're glad to see that gone. And we thank you guys for your time.

HALLORAN: OK. Thank you, Ms. French. Questions from Senator Hughes.

HUGHES: Thank you. Thank you, Chairman. Thanks for coming in, Ms. French, I, I was looking over the comments on this hearing, and you said you're representing Nebraskans Against Government Overreach.

ALLIE FRENCH: Yes, ma'am.

HUGHES: OK, there's a online submitted comment from K. Waggs, W-a-g-g-s.

ALLIE FRENCH: No association, ma'am. They're a completely separate entity from ours. We're a grassroots, that is a nonprofit intended to do the opposite of what we stand for. It's just a troll group.

HUGHES: So they say they're Nebraskans Against Government--

ALLIE FRENCH: [INAUDIBLE].

HUGHES: --Just different. I don't know. I--.

ALLIE FRENCH: No, I know, you don't know. I'm just being absolutely blunt with you. They created themselves specifically to tell you the opposite of anything we say or support. So--

HUGHES: OK.

ALLIE FRENCH: You will see that--

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HUGHES: That's fair. But I just was like, well that's weird. They say they're a proponent. And then you're saying, and I popped up on it. So OK.

HUGHES: Yep.

HUGHES: Thanks for the clarification.

ALLIE FRENCH: Absolutely. Anytime. Thank you guys.

HALLORAN: Well, thanks for the clarification.

ALLIE FRENCH: You would likely see that on crossover committee--

HALLORAN: That could be very useful.

ALLIE FRENCH: And we'll clarify.

HUGHES: That's very good. OK.

HALLORAN: Thank you very much.

ALLIE FRENCH: Thank you, guys.

HALLORAN: All right. Next proponent [SIC] please. Good afternoon.

Speaker 8: Hello, sir. I have this. And then can you get one of these to each of the senators? Thank you, sir.

HALLORAN: Whenever you're ready.

JOHN RUDEBUSCH: OK. I'm John Rudebusch, a honey producer from Randolph, Nebraska. I, I'm here for the Nebraska Honey Producers Association. I am the vice president and so on. My name is John Rudebusch, R-u-d-e-b-u-s-c-h. I'm John Rudebusch. I've been a migratory commercial beekeeper for over 40 years. I am the past president and vice president of the Nebraska Honey Producers Association. To give you a brief history review, 30 plus years ago, when the presence of trachea mites were first found in two beekeeping operations in Nebraska, the state inspection personnel depopulated/destroyed all of their hi- living hives. This caused great economic harm to these beekeepers' families. The very next year, most of the operations were found to be infested with trachea mites. That year it was decided by the beekeeper inspector, oh, well, you can have mites now. Wow. Knowing this was how the state bee laws were

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historically implemented, being the contact person, I have-- I had a conversation with the Nebraska Department of Agriculture, Rich Reiman, that there was a new mite, the Varroa destructor was predicted to enter into the state soon. We helped-- we needed help, not put out of business. The cost of registration hives in the state was becoming a burden, and they wanted to raise the fees even more. As the contact person, I called a meeting of the Nebraska Honey Producers Association. To make a story short, our advisory board voted unanimously to defund the apiary inspection program. Later, I received a call from Department of Agriculture, again Rich Reiman, suggesting a possible solution for the Nebraska beekeepers potential problems. This what-- this put in place an extension research facility at the UN Mead campus. The Nebraska Honey Producers Board of directors voted to accept this proposal. Basically, the apiary inspection program laws did no-- did more harm than good. For a few reasons, the Nebraska Honey Producers Association became less active because things were going smoothly for the commercial beekeepers community for many years. Recently, we have officially reorganized the Nebraska Honey Producers Association because of the threat and nuisance of LB828. I am currently the vice president of the Nebraska Honey Producers Association. The UNL bee lab in recent years has fallen very short of our expectations. There's been very little contact with the personnel at the-- personnel and the commercial beekeeping community. It's because it has become worthless to the commercial beekeeper. It's a waste of Nebraska tax dollars. All of the commercial beekeepers and hobbyist beekeepers I have talked to are totally against LB828. It does not benefit beekeepers of the, the production in Nebraska. We wonder if the true motive behind this bill. A quote from one of our greatest presidents of the United States, Ronald Reagan: the nine most terrifying words in the English language are I'm from the government, I'm here to help. I hope I answered some history there.

HALLORAN: All right. We may have some questions for you. Senator Ibach.

IBACH: Thank you, Mr. Chair. Thank you for your testimony as well. This is very informative. And I received a letter from a Jim Long from Overton, and I think he shares a lot of your concerns. So the Nebraska Honey Producers Association, is that a voluntary group?

JOHN RUDEBUSCH: Yes. We just reformed a couple of weeks ago, and we got a lawyer and stuff to put it back, enact it. And we're literally going out and getting members at this time. But we have a vice

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president, I mean, a president, secretary, vice president and board of directors at this time.

IBACH: OK. And--

JOHN RUDEBUSCH: Jim Long is the son of Doug Long, who was present at this reorgan-- you know, defunding the program at that time, he was on board of directors for me.

IBACH: Okay. So do you feel like this bill is duplication, then?

JOHN RUDEBUSCH: Well, my fear is this thing's going to get built on. Now, just as-- they're using the beekeeper's, way it looks to me, to tag on a pollinator bill. And bee kee-- bees in the state of Nebraska, I would classify as the same as other livestock, cattle, sheep, and so on. They're not pollinators. They're not native to the United States. They're used for a commercial entity. To put a pollinator task force to use beekeepers to fund this shouldn't be. If you want to do that, do the Game. And Parks Commission, add it on to them because they handle natural resources and so on like this. Not a commercial entity like the beekeepers. And the other thing, a register and the bee hives in the state of Nebraska, why farm cattle, hogs, sheep, chickens, everything, they're added on a dollar fee on top of them. And the other thing is, is, when we come into the state of Nebraska, or just this bill says that we have to have registration by April 1st. Us migratory beekeepers are not even in the state of Nebraska. And we get here in main in the month of June and so on. And we can't use the same yards every year because the farmers don't plant the same crops. Sweet clover doesn't grow on the same locations every year. The alfalfa fields get tore up. We can't say, we're going to use these yards this year. We have to go out and search them out. Don't look at yards that we used in the past, but we're probably got to, to find new ones each year. And that's why-- and the other thing is, is how can a commercial beekeeper that runs bees in another state come through the state of Nebraska to consolidate his bees with it, to take to another state like California, where most of the bees are, or into Texas, where-- and then the other thing is these other states don't have a law that counts bee hives and charges them a dollar. The only one that I knew of at the time was Iowa. They put a law in that out of state beekeepers had to pay a dollar a colony to bring bees into the state of Iowa. I used to run bees in the west hills, and I used to pollinate crown vetch. That was used to, to seed along highway for erosion control from Iowa to Pennsylvania and so on. When they start charging

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a dollar a colony for me to bring my bees in because I was not a resident in Iowa, I quit bringing them in there. I brought them into South Dakota now, and part of them in Nebraska. I hope I didn't make that too long.

IBACH: No, you're very, very helpful. Thank you for clarifying those two things.

HALLORAN: Good. Thank you, Senator Ibach. Senator Brewer?

BREWER: Thank you, Mr. Chairman. Well, a calm has come over the room because our resident beekeeper has arrived here. All right, let's start with a real basic question. Do you have a rough idea how many beekeepers there are in Nebraska?

JOHN RUDEBUSCH: Well, we don't know exactly how many commercial beekeepers there are. I suspect you could ask these people back here, and they'll probably answer that question. There's quite a few hobbyists in the eastern part of the state. They don't run a lot of bees. Some of them do run a few colonies, but as far as the amount of bees, one commercial large beekeeper in the state would run more than they do. Possibly.

BREWER: So if you're going to draw a distinction between a commercial and a hobby, just as a volume of honey that you produce in a year?

JOHN RUDEBUSCH: I wouldn't draw a distinction between the two and the reason for this is because they all want to run bees in the state of Nebraska. It's just that the commercial beekeepers to do it as a livelihood, you know, for their family and so on. But they, the commercial beekeeper, his importance is, is he runs a volume of bees that can be put in one location to have enough pollinating insects to cover a field that needs to be pollinated. Like in California, almonds need between one and a third to four and a half colonies per acre pollinated. So it takes a lot, a lot of bees in one location to pollinate something. And each location that would need pollinating from year to year, say like buckwheat or so on. Those aren't raised on the same locations every year.

BREWER: OK, so track along those lines, you brought up in your testimony about UNL bee lab. So if I need to find out about whether a particular tractor has issues, I can go to the lab there and ask about

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the test and evaluation you do on a particular make and model and all that. What does the UNL bee lab do?

JOHN RUDEBUSCH: When we first put this in play, it was because at that time the trachea mites had come in. There was really no control for those. And they destroyed the colony eventually by itself. But the-- the state bee inspection laws, way they were stated, they had to depopulate and get it under control because there was really no good means to control it. We were known that the Varroa destructor, which is the, the rural mite that's present right now, that's causing the colony collapse disorder, a big part of it that's causing the death loss of these bee hives that are out there, that was coming into the state. We were worried that the beekeepers were going to have this. We would have no way of controlling it. They would depopulate us and so on. So we needed help. I talked to Rich Reiman on the phone and I asked him, I said, can we figure out a way that we can come up with a solution where we can call the state and get help from you instead of the state coming in and bring in regulations? It's because they found a problem and so on, which-- that was-- they were doing, their job and so on. So what we came up with was, we figured we could get help to get a, a-- and then we got a one time grant, basically from the Department of Agriculture, to go to the University of Nebraska to create this place and meet and so on for extension research and education. Well, anyway, for the first few years that a person named Doctor Marion Ellis, which I was allowed to-- invited by the University of Nebraska to interview to fill that professorship and so on that time, he did a very good job. He reached out to each of the members of the commercial beekeeping industry, and I know he had a lot of intervention with the hobbyists to the state. In fact, he would even call me up to just touch bases, you know, occasionally and so on. He's gone now. We have a new one. I met Judy Smart last fall for the first time in Grand Island, and I've talked to several commercial beekeepers. I only know of two that know her, to the best of my knowledge, had never met her, and so on, so. They did it in the same department that we were hoping to put in place and so on.

BREWER: Don't be cutting in here, I'm not done yet.

HUGHES: OK.

BREWER: So if I was to go to UNL and go into their bee department, how many people work there?

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JOHN RUDEBUSCH: I have no idea at this time. I did get invited the first year this was put in to host the Festival of Flowers if you-- at the Mead facility and at that time there was a few students. They had about 30 some beehives. They had some extracting equipment that was used to, you know, maintain those and so on. But as far as how many people's there, I really don't-- I couldn't tell you at this time.

BREWER: OK. And, and when you talk about Nebraska Honey Producers Association, that's the commercial portion of the, the beekeepers?

JOHN RUDEBUSCH: Yes. Yeah.

BREWER: So--

JOHN RUDEBUSCH: Well, technically commercial beekeepers, but hobbyist or smaller beekeepers are definitely invited to join our ranks, because we want to work with all beekeepers in the state, but we also need to protect our industry and so on. Because this law, if it was --you imposed a \$1,000, just hypothetically, take a beekeeper that runs 3,000 colonies in the state. You're talking about a lot of money. Put that over a ten year period of time. And then just like this one, had 14 and a half cents per colony or something in that order, 30 years ago to it. They were going to raise that rate and so on. And, and the group of us decided that we weren't getting no benefit for it. The only reason that we needed the inspection service at that time was so that we could migrate to other states to get permits and so on. But other states work with us to bring our bees in there and so on. So it wasn't an issue.

BREWER: If, if you have some type of a mite issue and it's-- say, it's a, it's a regional one, is there any type of a national organization that beekeepers have to say, oh, by the way, you guys need to be aware of the fact the following is an issue?

JOHN RUDEBUSCH: There's two different organizations, large ones, in the United States. But getting back to this Varroa mite again, which you was asking about. The Varroa mite can be only controlled, it cannot be eliminated. So in other words, yeah, as a beekeeper I have to monitor these mites and so on and keep them under control. There's some, in, in, miticides that are available commercially that are legally made for controlling mite. And that's what you use to, to handle. You have to keep the level of mites below four per 100, no higher than that in the later part of the summer. If you haven't done

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that, you've lost that colony. That's what destroys them when you add on insecticide, fungicides, and nematicides on top of that, and so on. So what it boils down to a way this law would be written is that no time a beekeeper, a hobbyist or a commercial beekeeper, anybody could say that they have or no level of mites in their hive because you can't control them. You can control it. You can't eliminate it. So that would make you a violation of the law technically, the way I read it.

BREWER: All right, you have been incredibly helpful and informative. Thank you.

JOHN RUDEBUSCH: OK.

HALLORAN: Thank you, Senator Brewer. Any further questions? Yes, Senator Hughes.

HUGHES: Thanks for coming in.

JOHN RUDEBUSCH: Yes.

HUGHES: So I think the-- I'm asking if this is how you feel. They've taken out the registry, which clearly you're against. What do you think of that pollinator task force just as is. Or do you-- are you agreeing-- are you thinking that it's redundant, they've kind of tried something like this before and you know?

JOHN RUDEBUSCH: They can have a pollinator task force. Don't attach it to the honey bees.

HUGHES: Right, don't attach it--

JOHN RUDEBUSCH: --because they're livestock, same as cattle, hogs and so on and so on. So if you pick a group like-- and I'm just pulling this out, the Game and Parks Commission. They would be the ideal person because they deal with that kind of stuff. And I do agree that it's very important to have work with those native pollinators, but they're not honeybees. And it's definitely not right to add on a bill for us to fund it, or even to have these bees that are commercially handled that aren't even in the state all the time along with these--

HUGHES: Because the funding is out now with that amendment.

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JOHN RUDEBUSCH: Exactly. I think my fear is that they would reconstruct it--

HUGHES: They'll add it, they'll start it--

JOHN RUDEBUSCH: Which they will.

HUGHES: --and then they'll need to pay for it.

HUGHES: OK. Thank you.

JOHN RUDEBUSCH: Because the laws in other states, they build on it. Like the state of South Dakota has a three mile law and so on. Well, it was created because of disease control that was untreatable in the '50s and '60s and so on. Then they came up with the antibiotics. Well, the three mile bee law still stayed in place, and it turns into a protection-- there's a law that just supports very large commercial beekeepers for the most part. And no new beekeepers can move in there because they own that right. Because when they sign it up, they get fined or-- a farmer signed up. Nobody can come into that range. This year with the drought that was in South Dakota in the first part of the year, there was thousands of acres of sweet clover, alfalfa, and two different types of sweet clover and sunflowers that were available to put bees on. Nobody could put bees on them because they had been registered to another beekeeper, and when they seen it was a drought in there in the first part of the spring, they moved them into North Dakota in areas where there was a lot of rain so they could get production. And then it rained and all these acres were unavailable and the farmers had no access to the bees because of a protectionism law.

HUGHES: OK. Got it.

JOHN RUDEBUSCH: I'm sorry to take so much time.

HUGHES: No, you're-- it's-- you're clearly passionate about this. So thank you.

JOHN RUDEBUSCH: This has been my life lately.

HUGHES: It's out.

HALLORAN: Very passionate and very knowledgeable. We appreciate your input. How do you pronounce your last name?

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JOHN RUDEBUSCH: Rudebusch.

HALLORAN: Rudebusch.

JOHN RUDEBUSCH: Yes.

HALLORAN: So we've had Jack Daniels, and now we've had Rudebusch.

JOHN RUDEBUSCH: There you go.

HALLORAN: OK. Any further questions? Thank you for your testimony.

JOHN RUDEBUSCH: Very good. Thank you, gentlemen and ladies.

HALLORAN: Next opponent to LB828. Good afternoon.

LESA BECKER: Good afternoon. My name is Lesa Becker. L-e-s-a B-e-c-k-e-r. I'm representing myself. I am here for the love and the care of honeybees. It is my passion. Regarding one of the questions over here, am I a professional or an amateur? If I had to fill out forms, I would be very frustrating. Because I view myself as a professional, yet I'm an amateur. I care the most about my honey bees. More than anybody does. And I-- we are third generation beekeepers. My dad's the first, I'm the second, one of our sons is the third. He-- I introduced him to a hive at the age of two. And he has the love of bees. The only reason he has stopped right now is because he took a break to go into the military to serve his country. And, that's the first thing he's going to do when he gets out is get back into the bees. I cared so much about my bees that I'm going to come up with something. It might not be conventional. During storms, my husband was always worried, where's mom? Well, mom would be out trying to protect the bees from the tornado. In the dead of winter, when it was its coldest I'm out there with, with an extension cord with heating pads. Not, not too long because you don't want to sweat. But I care so much about my bees. Or I would wrap wool blankets around them. I would come up with something to take care of my bees. During the hottest part of the summer, I'd make-- the kids and I would make these little makeshift shades for them. If they were too hot, we'd watch during the swarm season because this was like, everything stops during swarming time. Because this is great entertainment, we loved it. And we always pretty much without fail, would catch our own swarms. The third generation beekeeper that I was talking about-- And by the way, I am allergic to bee stings. But I don't have to carry an EpiPen. But our son does. But he still keeps bees because he loves bees so much. I

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know what I'm doing for the most part. And if I don't, I know who I'm going to ask and by the way, I don't know-- I don't think I know anybody behind me here. But, I would probably just fill out our phone numbers and give it to everybody. Beekeepers are the first person I'm going to ask because they're the ones that care the most, they have the most invested. And I'm going to go ahead and name some names here, celebrities. I'm going to drop some names. Marion Ellis, Chi-- Charlie Simons [PHONETIC], Dale Bauer [PHONETIC]. I'm very privileged to call them my friend. Dale Bauer helped me put my first package of bees in. And Mr. Ellis and Mr. Simons, obviously were, university level, and I appreciated the help that they gave me. Sometimes that was valuable, sometimes it was not. Sometimes I would just rather go ask another fellow beekeeper. And by the way, I, I just think these people behind me, the beekeepers, are the professionals. And then we have of course, our own associations. Years ago, I used to belong to those. And for some reason, I don't know why. I just wasn't anymore. But we do have our own associations. If, if I can't get help from my fellow beekeepers, then you can keep going up. The, the professionals are the ones who-- they call themselves professional because maybe they have more experience. So, sure, I'm going to ask them. But within ourselves, we are the group of people who take care of ourselves. We know what we're doing. We-- and it's volunteer. Talking about the, and--

HALLORAN: Ms. Becker, we need to wrap it up.

LESA BECKER: Oh, OK. Sorry. OK. I never ha-- in our three generations, we've never had a problem that we could not solve ourselves. We didn't have winter kill. We, we kept an eye on our things. These bees, to me, are my pets. And just as you have your pets, you raise your dogs or cats. Let me raise my bees. Because I do take very good care of them. And yes, it's very expensive. So the beekeeper is going to care the most about his own bees. When my dad started, I'd get paid \$12 a package for a bee, for bees. Now they're over \$100.

HALLORAN: OK. Thank you so very much. Any questions from the committee, Senator Holdcroft?

HOLDCROFT: So how many colonies do you have?

LESA BECKER: Currently none at this moment, because our son's in the military. So at the most. I would have maybe six, four--

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HOLDCROFT: OK. And, what was your survival rate over the winter time?

LESA BECKER: Usually 100%.

HOLDCROFT: And what was, the primary cause of any death of a colony can do? Can you narrow that down?

LESA BECKER: Usually usually there wasn't. The, the biggest-- There wasn't.

HOLDCROFT: OK, and--

LESA BECKER: We would shelter our-- where we would place our bees, we would shelter them in trees or, or drafts of, you know, big agricultural springs. We would try to avoid those fields and put them where they were protected.

HOLDCROFT: OK. Have you had any problems with pesticide over-- overspray?

LESA BECKER: No, because we knew where to put our bees to be protected from that.

HOLDCROFT: OK. Thank you.

LESA BECKER: You're welcome

HALLORAN: OK. Thank you. So we'll go [INAUDIBLE]. Any further questions? So would it be safe to say you would prefer to be left alone?

LESA BECKER: Yes.

HALLORAN: OK.

LESA BECKER: Thank you.

HALLORAN: All right. Thanks for your testimony. Additional opponents to LB828?

HUGHES: Oh, I know, you though-- you thought of these all night last night, didn't you?.

HALLORAN: Good afternoon and welcome.

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STEVE CALLICUTT: Good afternoon, Senator Halloran and committee members. My name is Steve Callicutt, S-t-e-v-e C-a-l-l-i-c-u-t-t. I live in Springfield, Nebraska. Senator Holdcroft is actually my senator. So, I, I'm not here in total opposition. I'm here in opposition to just a couple of the subsections on-- those ones that make it a misdemeanor to not report or to fill out the report. I don't believe that it's appropriate to charge a beekeeper with a misdemeanor because he didn't turn a piece of paper in and pay his \$10. I think he can go have a conversation and get the piece of paper turned in, if we got to have this law. Or the update to the Apiary Act. But I, I don't believe that it's appropriate to create a punitive fine with a punitive record for failing to register your beehive. I mean, the number of hobbyists in this state, as already mentioned, greatly outnumber the commercial guys in just numbers of people. But the numbers of hives are actually greater, obviously, in the production side for the commercial guys, so. I'm not sure whether it's even appropriate to be paying to keep bees. But I would say my primary objection if we, if we're going to pass the act is maybe we can remove this act of making it a misdemeanor to not turn the paper-- paperwork in on promptly on January 1st or whatever the date that's stated in the act. And that's really all of my comments. I'll hand you back the rest of your time.

HALLORAN: All right. Thank you, Mr. Callicutt. Any questions from the committee? Seeing none,--

STEVE CALLICUTT: Thank you.

HALLORAN: Thank you very much. Next opponent for LB828 please? Good afternoon.

JEANNE GREISEN: Good afternoon, Senator Halloran. My name is Dr. Jeanne Greisen, J-e-a-n-n-e G-r-e-i-s-e-n, and I'm only here-- I'm actually a pharmacist, and we got into growing bee-- and having bees because of the health benefits of bees. And so, yeah, we are in our, I don't know, second year of having bees. Anyway, I'm taking a different approach on what I read on this bill before I came down here. And we like to look at legislation based on constitutional principles, saying the free market makes better decisions than elected officials and bureaucrats. So the government should not try to micromanage the economy or industry. And so when I looked at how this was initially written, making a violation of a class five misdemeanor is completely overreach on that. And then, I broke it down into three things. We

look at four principles: limited government, individual liberties, free enterprise, and traditional values. The way this was originally written, on individual liberties, does it promote self-responsibility or self-sufficiency? And this one does not meet that. And it-- does it give individual right to privacy? To have to make a registry is a complete violation of the people's privacy. We see that in the reporting. And it violates free enterprise due to the fee schedule. Not only that how it was originally written, it gives special privilege in how the fees were going to be varied. And I see that all the time reading all this Legislature, that there's always special privilege. And that's really a violation of the Constitution to write any law that gives somebody special privilege. So that was written in there, which is not good. The last thing that I wanted to bring to your attention is this proposed legislation in New Hampshire. And I'm going to read that to you because it's-- we've been following this a lot. This was introduced in January 22nd of this year, in the year of our Lord 2024. This is proposed an act prohibiting the intentional release of polluting emissions, including cloud seeding, weather modification, excessive electromagnetic radiofrequency and microwave radiation, and making penalties for violation of such prohibition. So I think the bee issue is much bigger than we're talking on the ground level. And until we deal with something like this that New Hampshire is dealing with, the bee population is going to keep dwindling. And to say that New Hampshire is the only state that's dealing with this would be completely asinine to think that. And why would Nebraska Legislature write weather modification into their laws years ago if there wasn't a purpose to do it? And so that's my question. Why was it written into law? And what's going on with it? And why was the given to the NRD to make contracts?

HALLORAN: We'll have to leave those go as hypothetical questions because It's our job--

JEANNE GREISEN: Those were just my questions.

HALLORAN: --to ask you questions.

JEANNE GREISEN: That's just my questions that, you know what, I think all of Nebraska that's listening, I kind of did this as an educational. And so maybe a lot of Nebraskans are asking those questions now too.

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HALLORAN: I appreciate that. Any questions from the committee? Seeing none, thank you so much. Next opponent to LB828. Don't be bashful. Second call. Good afternoon.

DIANE RUDEBUSCH: Good afternoon, Senator Halloran and the committee. I'm going to ask-- I'm my name is Diane Rudebusch from Randolph, Nebraska. My husband already spoke, but I was-- been asked by George Bunnell of Oxford, Nebraska, to be able to speak to you, to read his letter by proxy. Is that allowed?

HALLORAN: That's fine.

DIANE RUDEBUSCH: OK. This is coming from George Bunnell. My apologies for not being able to speak in person to the Agriculture Committee today. As a commercial beekeeper, this time period is crucial to many of us who pollinate California's almond crop and requires us to focus on our bees and not legislative matters. LB828 that has not had input from the commercial beekeeping aspect of Nebraska. The people who make a living from investing in their capital and toil employ Nebraskans, pay sales, property and income tax had no voice in its creation. There was a time a couple of decades past, when the Nebraska Honey Producers Association had a good relationship with the Ag Department, and we worked together to respond to the needs of the industry, as I believe would be the case today. This bill is introduced, in my opinion, by an activist University of Nebraska entomologist and an activist state senator with no real clue of the real world of commercial beekeeping. LB828 seems to want the Department of Agriculture to be involved in the inspection and education of beekeepers through Nebraska-- University of Nebraska to defend against disease and parasites. To which I say "why?" Beekeepers have been dealing with all these issues for my 60 plus years in the industry. We were challenged by American foulbrood, tracheal mites, Varroa mites, small hive beetles, Africanized bees, colony collapse disorder, nosema cerana, and whatever will come next to us. I can't think of a time when there was an active inspection program by the state of Nebraska, or any other state that prevented or reduced impact of any of these problems, and in some cases they were counterproductive. Do we really need to have the Department of Agriculture involved in the ag-- education of beekeepers? The University of Nebraska already has extension services for beekeepers. There are associations and bee clubs in the state that also provide education to their members. Community colleges offer beekeeping courses, and many beekeeping vendors share information as well as YouTube videos. This seems like duplication of already

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available programs and other modern online resources. LB828 seems to have at its core the creation of the Pollinator Task Force to protect honeybees? Well, not exactly. It defines a pollinator as an animal that carries pollen from the stamen of a flower to the pistil of the same flower to another flower. LB828 is an apiary bill (apis mellifera== honeybee==apiary), but includes all other pollinators from birds to bats to butterflies and other insects. It's like creating a bill to regulate beef producers and then say, oh yeah, we're going to make them sa-- make you save the sheep, the goats, and maybe some prairie dogs because they eat grass too. It's just a ridiculous idea. Native pollinators and honey bees have little in common. Habitat for native pollinators has very little to offer for beekeepers for honey production, and in my view, native pollinations have little to offer to commercial pollination settings. Nothing against native pollinators, but this is not part of an apiary bill. The pollinator task force would have, as an estimate from the text of the bill, up to 19 members. It includes bureaucrats, academia, trade groups representatives and one beekeeper who owns at least one colony of bees. One. Really? For the whole Nebraska beekeeping industry? LB828 also sets up a registry requirement for each apiary location. This seems like overreach by the creators of the bill. 50 years ago, Nebraska was one of the largest producing honey states, with many times more bees and beekeepers than we have today. There was never a registration of apiaries required back then, and the construction of the requirement of this bill would be very restrictive for commercial beekeepers--

HALLORAN: Mrs.-- Mrs. Rudebusch.

DIANE RUDEBUSCH: Time?

HALLORAN: Let's try to wrap it up. We've got the written testimony that will be handed in, which we appreciate.

DIANE RUDEBUSCH: OK. Thank you very much.

HALLORAN: You bet. All right. Any questions from the committee? Seeing none, thank you so much.

DIANE RUDEBUSCH: OK. Thank you.

HALLORAN: Additional opposition to LB828? Good afternoon.

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ROBERT NELSON: Good afternoon, Senators. My name is Robert Nelson, R-o-b-e-r-t N-e-l-s-o-n. I am here to testify in opposition to LB828 in its introduced form, because I am opposed to reinstating regulatory oversight by the Nebraska Department of Agriculture to create and oversee an Apiary Registry and hiring of personnel to perform routine apiary inspections for disease and pests. I'm a beekeeper of 45 years, and have had anywhere from between 2 and 800 colonies of honeybees at any time, I also worked for five years in the 1980s as a seasonal apiary inspector under State Apiarist Dr. Marion Ellis. Our mission under the Apiary Act at that time was solely regulatory. While working under Dr. Ellis, I quickly learned the necessity of education, particularly in areas where beekeepers lacked the understanding of diseases. At that time, the regulatory scheme was created to combat American foulbrood, or AFB, which was the greatest threat to healthy honeybees at that time. AFB was and continues to be the basis of most state bee laws where they still exist. I saw a lot of AFB as an inspector, but I have had only one case in my own bees in the last 30 years of no antibiotic use, and that case resolved with re-queening. Since then, various other pests and diseases have caused honeybee losses, including tracheal mites, Varroa mites, small hive beetle, and there's a host of others. But beekeepers, Nebraska beekeepers, and those in many other states have resiliently adapted without an inspection program. You see, the honey bee is not a domesticated animal like hogs or cattle, which typically remain in a certain locale, always under the oversight and care of typically one person. They have diseases, some of which are very infectious and damaging. The most virulent and damaging are controlled by elimination of infected animals when found. Now Avian Flu is in poultry and its spread by wild birds has recently become a significant problem as well. Honeybees take this step one, one step further in that there are tens of thousands of-- in a colony which nearly daily co-mingle with other colonies' bees. Beekeepers merely provide a suitable home for them to reside, but they come and go freely. On top of this, honeybee colony hives are very mobile, in that their hives are trucked thousands of miles for important economic reasons. Honey bees packages and queens can even be shipped freely and unregulated through the mail and other services. With the prospect and discovery of these exotic pests and diseases came efforts to modify the apiary laws. Tried to limit their impact and be realistic and fair to all beekeepers, small and large. These were challenging times, and the Department of Ag consulted with and had many meetings with beekeepers, representatives of the Nebraska honey producers, and officials of other states. As it

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turns out, the outcome has been the same regardless of those efforts. Pests and diseases continue to emerge, and beekeepers continue to adapt those threats. Nebraska has a functioning beekeeping industry. Hobbyists, sideline and commercial beekeepers are present a lot across the landscape. They cooperate with landowners, obtaining permission to keep their hives where they see fit. There are a lot of things that I know about beekeeping and the history of regulation of this industry. The past demonstrates a difficulty to adequately frame a regulatory scheme that will be flexible enough to work with the threats of the current time. I believe that with education and local extension activities, that Nebraska beekeepers can continue to adapt to the challenges posed to pollinators without needing to grow government through apiary inspectors. Thank you for your time and I'll take any questions.

HALLORAN: OK. Thank you, Mr. Nelson. Any questions? Senator Brewer?

BREWER: Thank you, Chairman. All right. So, if you come out and you find out that you have this AFB in your hives, how do you treat it? What do you do?

ROBERT NELSON: The conventional method before the advent of antibiotics was burning, because it was a very infectious or forming bacteria, and it was in the comb, and that was the cure-all, end-all method. Now, with the advent of antibiotics at that time that I was inspecting bees, we had the, we had the option of quarantine for 30 days and they could be treated with antibiotics. And if they cleared in those 30 days, it would be released from quarantine and deemed healthy.

BREWER: So you spray it in as a mist or how do you do that?

ROBERT NELSON: The anti-- The antibiotic was typically either as a dust with powdered sugar, or it could be through a syrup, sugar and water syrup solution. And there's also a patty form as well. It's-- that is currently available. But go ahead. Yeah.

BREWER: Thank you.

HALLORAN: Senator Riepe.

RIEPE: Thank you, Chairman. I guess my-- excuse me --my question would be-- I've had a little bit of a head cold, so I apologize for my voice. Is this bill as you view it primarily to support the commercial

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keepers versus the, what I will label, those of you who have lived a lifetime of-- as a hobby. Is this to your advantage or disadvantage, and to the advantage or disadvantage of the commercial growers? Beekeepers?

ROBERT NELSON: You mean the bill as it pertains to the Apiary Act or the Pollinator Board?

RIEPE: I'm naive enough to not know what I don't know which one. So.

ROBERT NELSON: OK. I'll go with what I can on that.

RIEPE: OK.

ROBERT NELSON: My observation with the advent of the tracheal and the Varroa mites, which I was personally involved with the discovery and the remediation efforts of the first discoveries in Nebraska back in '84 and 1987, for the respective mites. At that time, Nebraska was-- we had a volunteer, not a volunteer, the Apiary Act was in force, enforced by the Department of Agriculture, and registration was required by law with no fees at that time. And we had bee inspectors that went out and about. We were looking solely for American Foulbrood. As we-- and we would, well, you could typically tell what you're going to find, depending on whose bees they were when you cracked the lid. You had a pretty good idea of that. And it was, it was across the board as far as people with 1 or 2 colonies versus a thousand or more. It varied by the operator and how they well, how will they managed things. So as far as the size of the beekeeper, the problems that exist, I would say, is the same across the board, if that addresses your question at all.

RIEPE: OK. Thank you.

HALLORAN: Senator Holdcroft?

HOLDCROFT: So American foul borer [SIC]. Have we had any cases lately?

ROBERT NELSON: No I've-- I saw one mild case, like I say, in the last 30 years, and I've not, I've not used any antibiotics for that period of time.

HOLDCROFT: Well, I think we've had a case within the last year that was identified by the--

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ROBERT NELSON: Oh, you mean in Nebraska?

HOLDCROFT: In Nebraska.

ROBERT NELSON: Oh, yes. Absolutely. American foulbrood still exists. It does.

HOLDCROFT: And what was the treatment for that particular case and how was it discovered?

ROBERT NELSON: I don't have any knowledge of that. I can't address that. Typically, managed probably. But I would speculate that it was discovered by the beekeeper or maybe a person who was mentoring that person.

HOLDCROFT: Well, actually, it was the University of Nebraska Extension office, and a certified bee inspector. It was funded by the federal government right now. Who doesn't-- I mean, I think she limited to do about eight inspections a year. But that's the only way we found American foul borer [SIC] and was able to control it in Nebraska. I mean, you don't see any any need for that kind of--

ROBERT NELSON: Oh, no, I, I disagree. I mean, I totally agree with the need for a cooperative extension. And if-- as-- if I may go back to what I recall of the transition in the mid '90s, roughly, give or take. And was-- as a bee inspector, we did regulatory stuff and that was the intent of the law at that time. We, we carried out the intent of the Apiary Act at that time. But Doctor Ellis, if I could speak on his behalf, the influence he had on me as an individual and as a bee inspector was ,you can regulate somebody. But until they know what's wrong and what's being done wrong, it's a, it's a moot point, or it's futile. So we did a lot of education to-- particularly beekeeping to beginning beekeepers. But honestly even migratory or commercial beekeepers, suggestions and cultural practices and so forth to abate that spread of disease at that time.

HOLDCROFT: So.

ROBERT NELSON: Becau--.

HOLDCROFT: So, who's doing that [INAUDIBLE] today? I mean--.

ROBERT NELSON: The cooperative extension office through the UNL bee lab. And that's and that's the entity in Nebraska that has been

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charged with that through the state budgetary process and, and the laws that have evolved over the-- well, starting 30-some years ago.

HOLDCROFT: OK. Thank you.

HALLORAN: Thank you, Senator Holdcroft. Any further questions for Mr. Nelson? If not, thank you so much.

ROBERT NELSON: Very good. Thank you. Senators.

HALLORAN: Next opponent for LB828? Seeing none, are there anyone, anyone in the neutral position for LB828?

BRAD PLANTZ: Trooper, I promise I'm unarmed and not using [INAUDIBLE]. So a couple of things. I just absolutely love all the testimony that was given.

HALLORAN: Would you please introduce yourself.

BRAD PLANTZ: Yeah, I will, I'm sorry.

HALLORAN: Spell your name, please.

BRAD PLANTZ: Good afternoon senators. My name is Brad Plantz, B-r-a-d P-l-a-n-t-z. This is not just a fashion statement. I left my glasses at home, and these have readers in them. The most important part of my testimony is I intended to bring visual aids. But I stopped at Senator Halloran's office, and a box of honey is sitting there. He promised he would distribute samples from my bees to all of you. But Senator Halloran and I go way back, so I just wanted to make sure you all knew where--

HALLORAN: I was hoping that wouldn't be publicly revealed.

BRAD PLANTZ: Yeah. So, so, so, there's-- listening to everything is really kind of changing my testimony a bit. And I want to say, Senator Hughes, you asked one of the most pressing questions that I've heard so far, and I hope you ask it of me again, and I'll remind you if you don't. My background is biology. I'm a microbiologist. I, I, I built ethanol plants for a living. I've retired, now I'm a beekeeper. And, and I have nowhere close to the number of bees, hives these folks have. At most, I hope to build up to 50. But then my back starts hurting and I'm thinking maybe five is enough. What I really want to focus in on on my presentation, and it's a synopsis, I'm cutting

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through a lot of this, is the apiary board or whatever it is, task force. And to me that, that's the most critical thing here. I'm a member of the Omaha Bee Club. I have a position on the Bee Club, and I'm emphasizing I'm not representing the Omaha Bee Club. I'm here on my own. But the position I'm in, I hear from everybody about this bill, and it is incredibly divisive amongst beekeepers, hobbyists, commercial, everything. I just want to relay a quick story. Yesterday, one of those beekeepers reached out to me, wanted to see the bill. I sent it to her. She responded, oh, man, it's a bunch of gobbledygook to me. Why don't they just let us keep bees? My response to her was for the exact same reason that if I have a noxious weed growing on my property, I have to control those weeds. There has to be some level of regulatory oversight. So, so, you'll see a lot of numbers in here. It's interesting in the United States, according to the USDA, in 2022 the average amount of honey produced across the United States was, I believe, 47 pounds, 44 pounds. And in Nebraska it was 47 pounds per hive. If you go to Canada, it's 150 to 151 pounds per hive. Are Canadian beekeepers that much better than American beekeepers? No. There's a lot of reasons for the difference, and too many really to list. But what the, what a-- what the apiary act does now that it's been revised, it creates a board, hopefully a knowledgeable board of people to advise you folks on what should be done. And even if we take out all the other parts of the Apiary Act, that group is critical if it's the right structured board. And that's why I'm really testifying on the neutral. When I read through it, oh boy, that was a fast few minutes. There's only one beekeeper on the board, and, you know, you've heard me as a small beekeeper versus somebody that's trying to keep 2,000, 3,000 thousand hives. We have very different perspectives. So I encourage you to take a close look at the composition of the members of that board. And please consider adding more beekeepers so that you folks can hear all the different troubles, demands, needs the beekeepers in Nebraska have. Beekeeping can be a strong business for this state. And I'll answer your questions.

HALLORAN: OK. Thank you, Mr. Plantz. Is there any questions from the committee? Seeing none, I appreciate your testimony. And Thank you for the honey samples. As long as we don't have to disclose them, we'll be fine. Neutral?

BRIAN NILSON: Yes.

HALLORAN: Good afternoon.

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BRIAN NILSON: Good afternoon, senators. My name is Brian Nilson. B-r-i-a-n N-i-l-s-o-n. I'm a row crop farmer and beekeeper on the side in Hamilton County Nebraska, a vice president of the Nebraska Beekeepers Association, past board member of the American Beekeeping Federation, and a member of the American Honey Producers Association. My comments are just my comments and not from any of the organizations. I am glad to see that they removed the current registration, as the level for the big commercial beekeepers would have been cost prohibitive in the state. So I'm glad to see that gone. We do have infrastructure in the state. There's currently a voluntary registration through CropWatch. I could see where that easily could be a low cost way to encourage more beekeepers to register the hives, so we know how many are in the state. And with the modification of being able to register on that and keep your locations private, I think you'd get more beekeepers to register, so we know how many hives are in the state. My other concern with this bill, again, as the last speaker spoke to, is the composition of the advisory task force. It currently has three representatives from the spray industry, an educator, a dealer, and an applicator, and one representative from the beekeeping industry. At a national level, we bring beekeepers into three categories, small scale being less than 25 hives, sideline between 26 and 300 hives, and commercial 300 and above. And although those three groups all have a lot of common interests, we all have different difficulties and different things that we deal with, with our operations that are different. So I would like to see the task force include three beekeepers, one from each level, so the issues at each of those levels have-- could be addressed in that task force. I do see value in the task force of trying to get more nutrition on the ground and being planted around, help mitigate pesticide issues. I got my feet in both worlds. I don't want to lose my crop protection on my row crop side, but I get tired of replacing 30 to 80% of my bees every season, too. So we need to find a, a level in there. That's basically my comments. Thank you.

HALLORAN: OK. Thank you, Mr. Nilson. Any questions? Senator Brewer.

BREWER: Mr. Chairman. I asked this question earlier and it seems to be a little bit of a mystery. What's your best estimate at the number of beekeepers, small, medium, large, in the state of Nebraska?

BRIAN NILSON: That-- it's just impossible to determine at this point in time because there is no one group or anything that we all belong to. You know, as some of the other people have answered, there's more

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hobby beekeepers in the state of Nebraska than any other level of beekeepers or small scale. But 80% of the colonies in Nebraska are probably run by commercial beekeepers. But again, there's, there's no way-- you know, I know that the number of beekeepers in the state of Nebraska is above a thousand for sure.

BREWER: Nope. There. There you go. That's better, because I didn't know that I'm talking a dozen, dozens, hundreds.

BRIAN NILSON: Yeah.

BREWER: But you're thinking probably in excess of a thousand if you wrapped from all into--

BRIAN NILSON: Right.

BREWER: --a pile.

BRIAN NILSON: Here's-- I think there's over 100 beekeepers in the city limits of Lincoln alone that are keeping 1 or 2 hives in their backyard.

BREWER: OK.

BRIAN NILSON: Omaha has probably just as many within the city limits. I teach a beginning beekeeping class at the community college in Grand Island, Nebraska, and I've been doing it nine years now, and I train 10 to 15 beekeepers every year to help them get through their first year of beekeeping.

BREWER: All right. Thank you.

HALLORAN: You know, I'm guessing they all average a B plus, at least.

BRIAN NILSON: There's no grading on this.

HALLORAN: Senator Holdcroft.

HOLDCROFT: So I'm trying to get a handle on the beekeepers in Nebraska. That's kind of the purpose of the registry and the-- So, you know, I'm not opposed to the registry, just only the way the registry was brought forward in this bill. I mean, as far as mandatory with punishments and fines and, and that type. But, I was-- interesting to hear you say that it would be cost prohibitive for commercial beekeepers. And I think what was proposed and has been withdrawn was

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that it would be, what, \$15 per beekeeper and \$1 per apiary. So, I mean, technically, you know, a commercial beekeeper coming in with a truckload of, of beehives, that's-- that would be one apiary, would it not? Or do you split them up? I mean, how many apiaries are we talking about?

BRIAN NILSON: The way the law is written and the definition of an apiary is a location with one or more beehives. So every place that commercial beekeepers set hives would be an individual apiary. And with the commercial beekeeping industry, they're migratory. Some of them actually follow the blooms across the state of Nebraska. They might set up on a buckwheat field when it's blooming, you know, and it probably came from clover before that. And they'll move to another location. So a lot of these commercial beekeepers, they run 2,000 plus hives. I know there's at least four in Nebraska that are doing over 2,000 hives. And then there's migratory beekeepers. The Adee family used to come to Nebraska, and they'd bring in the neighborhood of 8 to 10,000 hives to Nebraska.

HOLDCROFT: Ok. So, so, I-- you know, I think the purpose of the funding or the charge was really just so it would be self-sustaining. It would cover the cost of maintaining the registries. So we're not really talking a large amount of money here. And I think that, the intent was, I think, when we thought about \$1 per apiary, that we wouldn't be significantly impacting even the commercial ones. So maybe something needs to be worked out with Senator Blood on-- And again, the registry has been removed.

BRIAN NILSON: Right, I understand

HOLDCROFT: And so, we're kind of-- we're just going to go back to, I believe what Senator Blood wants to do is just go back to the task force, maybe redefine the task force. But, but we need to, to look at how do we fund the registry, and, and how do we ensure the registry's secure. And we're not sharing the locations .

BRIAN NILSON: Right. And, and that's my thing. We have existing infrastructure. With the CropWatch BeeCheck program that's already there, you're not reinventing the wheel. It's simply adding a layer to it, which I think would be minimal funding. And maybe that one is a registration fee for actually using the system. But--

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HOLDCROFT: Would you, would you say it's fair to say that pesticide is not the primary killer of beehives? It's more, the Varroa mite pest.

BRIAN NILSON: Well, it's, it's death by a thousand papercuts. I mean, our biggest, our biggest one is the Varroa mite kills more bee hives in the state of Nebraska than anything else. But they could handle the Varroa mite better if they had better nutrition, if they weren't exposed to all these different levels of chemical. And our biggest problem, we don't know even most of the bee labs across the country, they're doing research on it, don't know the real effects of all those different chemicals, because it's never just one chemical. Everyone talks about the neonic, but the neonic interacts with the miticides we use, which interact with fungicides, which interact with herbicides, and with all of that, making the bees sick. And then the Varroa mite attacks the bee and introduces bacterial and viral diseases also to the bee. And then just it suddenly gets to a level, the bees can't handle it. So, you need-- it's got to be a broad picture. We need to reduce pesticide exposure. We need to increase nutrition for the honeybee. And we need to do better training too with some of our new beekeepers, and teach them how to properly manage their colony. Because if you properly manage them, most of the time you don't lose large numbers. But even properly managed bees, you have years where I've lost as much as 80% of my bees. Don't know exactly why they died.

HOLDCROFT: Sure. Yeah. Thank you.

HALLORAN: All right. Thank you, Senator Holdcroft. Thank you for your testimony. Neutral?

MICHAEL WROBEL: Good morning, Senator. My name, my name's Mike Wrobel, Michael, W-r-o-b as in boy e-l. I'm the president of the Omaha Bee Club. But here I am talking on behalf of myself. So, I've got a business in, in Nebraska. It's called Beehive Guys. So I do a small business with a small number of hives as registered, so. There was a question asked earlier by Senator Hansen, I know he's excused himself, about what, what-- he, he was asking a question of what we believe the issues are with the bees. I would say Varroa is being one of the major problems that we have with the, with the honeybee right now. Pesticides, I've experienced an 85% loss. It happened to be in the state of Texas where it happened. I was creating nucleus colonies to bring back up to Nebraska. And, had, had a major failure that was due to pesticides. So not, not saying much different than the gentleman here, but when you do get hit with pesticide, and you get hit hard, it

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all of a sudden comes to number one on, on your list. Although I would, would say that generally Varroa are, are the biggest problem. I'm here in a neutral position to say in general, I like what I'm seeing in most of the bill. There's some accountability in the bill. Some of the problems that we see with beekeepers, again, I have the opportunity to work with in excess of 300 beekeepers in-- with the Omaha Bee Club. And in my communications with them, and we're probably talking, I don't know, somewhere 1,000 to 2,000 hives, so it's a very large-- as a hobbyist organization, it's a very large group of people. You know, what are they putting in their hives and why are they putting it in their hives? And it don't-- having a little bit of accountability, I think there's value in that. I'll give you an example. A couple of weeks ago I was in Tennessee. I was at a friend's house, talking to them about getting into beekeeping. We went to a beekeeping meeting that happened to be that Monday night, and there was a gentleman who had a small number of hives briefing as a, an official presentation for the club. And he basically said, I just let my hives die every year. He's, he's, he had his hives in what's considered a honey, honey hole. Basically, for some reason, a lot of honey is produced in certain areas based on the, the plant life that's there. He, he's able to produce eight boxes of honey on a hive. I'm happy when I can produce three, and he's, he's producing eight, no problem. But his methodology was he just puts the hives there new every year, lets them go. If they get mites, who cares because they're not going to die until after the honey season. They get through their honey flow, he lets them die. But what he's done is he's created mite bombs. So a mite bomb is basically your neighboring beekeeper who is-- doesn't care about mites. And I, as a beekeeper right next to him, have very little control of what I can do except complain. So, a couple of things real quick while I'm running out of time. I think a lot of the, the changes you're talking about are positive. You know, charging people by the apiary, I don't see that to be that expensive, a dollar per apiary. If I had 408 hives on a semi loaded truck, which I, I've done one time down in Texas, you know, you're talking the price of a hamburger to divide those those hives out across five apiary steppers, are temporarily, you know, five bucks for for the guy to do it after he registers the first time for \$15. So the cost of registration, I think, is good. I appreciate the privacy on my location, because there are bee rustlers out there that do steal bees. And I appreciate the fact that, you know, research, yes, they've got it, but, but we-- you know but I'm protected so that the random person can just come find where my hives are. So again, the number of

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beekeepers, again, the, the Omaha Beach Club has in excess of 300 members. But I can find places where there's hives-- I'll finish up here for quick --where I, I see hives and I never find those people in our club, so I would, I would estimate 2 to 3 times the number of people just in the Omaha area based on the places I see. And I can never figure out who actually owns those hives. I've never gone up to the door and knocked, so. And those are hobbyist beekeepers for the most part.

HALLORAN: OK. Thank you very much. Any questions from the committee? Senator Brewer.

BREWER: So, these hives have no markings on them to identify who owns them?

MICHAEL WROBEL: So bees will fly upwards of two plus miles. So, I'll give you an example. Just in, in Plattsmouth, I had-- there was a hops farm there, and I was right next to the hops farm. I ran into a guy at work when I used to work at Stratcom, and I ran into a guy who said, oh, yeah, I'm your neighbor across on the other side of the fence. Number one, I never saw his beehive because I didn't walk the property line. And we just started talking one day, and he was one of those people that it's like, yeah, I've got mites, but I don't really worry about them. And I'm like, that means my-- I'm fighting mites continuously because you're not controlling your mites. And so having a program where there's inspection, accountability, and again, whether it's mites or whether it's the types of things you're putting into your hives to make sure that when I get that jar of honey at a, at flea market, not a flea market, sorry, farmer's market, that, that that jar of honey does not contain chemicals that are harmful to me. I'm glad I'm getting my own honey based on just some conversations I've had with a handful of beekeepers that are not quite following the rules.

BREWER: You know, wouldn't the challenge then be if you don't even know your neighbor has bees? If it was mandatory, short of having the National Guard go look in everybody's backyard, how would you know who had bees or who didn't have bees?

MICHAEL WROBEL: So, I would, I would when I noticed my uncontrollable problem, I would start asking questions. I would assume that an inspector or an educational, edu-- educational research organization, without necessarily revealing to me who they are, I could say I'm

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having a problem with mites, and they could look into the databases and find out who was possibly near me, and then do inspections to try and figure out why I'm having a mite problem. It's very similar to, to the gentleman that has American foulbrood problems, and you're going the reverse direction and notifying the people around him.

BREWER: But nobody stencils our name on the beehive to know owns it?

MICHAEL WROBEL: First I would have to find him, and most of the time the stenciled names on the beehives are from three far-- three major beekeepers ago that sold a hive. I've got boxes with, with all kinds of stenciled or, or branded names from all over the country. So, yeah, you typically don't find the owner's name on the hive. I do believe somewhere I read that that was originally in the bill. I don't know if that's still, still here or was originally talked about.

BREWER: All right. Thank you.

HALLORAN: Thank you. Senator Brewer. Any further questions from the committee? Seeing none, I thank you. Appreciate your testimony. Well, we don't want to turn this over to the brand committee.

HUGHES: Oh, that's all right

HALLORAN: Any further testimony in the neutral?

JUDY WU-SMART: Hello. My name is Dr. Judy Wu-Smart J-u-d-y W-u-S-m-a-r-t. I'm a professor and the director of the UNL, University of Nebraska-Lincoln, bee lab. I want to first thank Senator Blood and the committee for this opportunity to testify. I'm acting on my own behalf as an expert, not as a representative of the university. I've been here before testifying about the importance of a functional apiary program, as well as the importance of this task force to kind of outline the statewide goals for healthy pollinator communities, both managed and the wild ones. Today, I just want to provide some additional information to emphasize the importance and urgency of this issue. Our beekeeping industry is rapidly changing. There are some that are larger operations that are leaving the state. Some are retiring. Some struggle because they're new beekeepers or small operations. But this is a high risk profession. And then the last 15 years, from 2000 when the apiary program was dissolved, there's only about 126 operations. As of the last census, there's 2000-- from 2017, there's over 480 operations. That's a 284% growth. And despite that growth, Nebraska has lost 60% of honey bee colonies in production, and

thus the pollination services that they would have provided. That loss in pollination services could have direct impacts on several different industries, from our hay and alfalfa, which we are sixth in production; edible beans, were fourth in production; potatoes, 11; and the specialty crop farms grow-- growing all sorts of fruits and vegetables all across the state. Now this is another really big growing industry, larger than the beekeeping industry. They've gone from 78 specialty farms in 2000 to 575 specialty farms. That's a 637% growth. And we have over a hundred different farmers markets across the state. All of these farmers require insect pollination or services to help them with their yield and their production. Wind pollinated crops also get a yield, and we get about 18% yield in soybean production. We also see bees foraging on corn, millet and sorghum pollen. However, we don't have a lot of information about the economic contributions of the-- that interaction to the cropping system itself. And we talked a lot about some of these losses. But I think more important, the previous testifier had mentioned the loss of profitability and productivity of these hives. It was already mentioned that the current average honey production per colony is about 45 pounds per hive. 20 years ago, the average colony production was 70 pounds per hive. And in that table two, I've added a little bit of graphics, a little bit of math. Based on today's productivity, if you were to have 100 hives, you would have lost about \$6,000 or 36% in potential revenue based just solely on the comparative productivity of hives 20 years ago versus today. And so I think that's something that's missed. Oftentimes we look at losses and the number of colonies in a state. But it's not just beekeepers and their colonies, but the productivity, most of which of these loss of productivity is due to pesticide exposure, diseases, pests and lack of forage. That last graphic I added here, the red, the blue and the yellow, that is, South Dakota, North Dakota registered apiaries. Of off-peak registration, they might have a 10,000 to 50,000 colonies in their state. At High peak summer forage, North Dakota has over 500,000 hives moving into those states. Now, we don't have a mandatory registry, so we have no idea how many, how many hives are being moved into our state and moved out. So that is a concern. I know that there's a strong need to understand the factors affecting both the health and productivity of our managed and wild bees, and this work is beyond one institution or organization, but requires the collaboration and, and contribution of many state, industry, and academic partners, so I thank you on your work on this.

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HALLORAN: Thank you, Ms. Smart, Dr. Smart. Any questions from the committee? Senator Hughes?

HUGHES: Thank you.

HALLORAN: Senator Hughes.

HUGHES: Thank you. Thanks for coming in, Judy and I-- or Dr. Smart. And I think maybe you can then answer the question that I had. So the original intent of this bill was one to create the registry, mandatory registry, so we actually knew what hives we had and whatever. And then now it's kind of been pared down to just doing the pollinator task force. You are with the bee lab.

JUDY WU-SMART: Yes.

HUGHES: And work for the University of Nebraska. When I-- I was just trying to find out real quick. I think the pollinator task force was maybe going to meet twice a year, and have the list of people-- I guess my question is, why can't you just do that?

JUDY WU-SMART: Right--

HUGHES: Do you have to have this legislation to make that happen?

JUDY WU-SMART: That's a great question. So a lot of times there are universities and bee labs, and we do ourselves produce, you know, writings or documents or best management guidance that say these are the things you can do to help pollinators. But if it goes through a legislative mandate for the stated agencies, we're talking about collaboration with Department of Transportation, Department of Ag, Department of Energy and Environment. And the things that we can do for beekeepers, like help them with pests and disease and management and education. That's great and dandy, but there's still things like moats, roadside mowing and spraying, the availability of wildflowers on the roadsides. If we can help work on the timing and spraying of those roadsides, we could probably help increase the availability of forage for those beekeepers. Other things, like providing landscape incentives for maybe planting pollinator habitat in ranches or cover crops. Those are also things that could be really beneficial for the bees, both managed and wild. That is out of the purview of the bee lab or the university entity just working with beekeepers and growers. It really requires the cooperation across the state agencies to allocate time and funding and labor and expertise to say what is reason-- what

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can be doable in our state, rather than we create a plan that isn't, you know, implemented or capable of being done within our agencies.

HUGHES: So then this \$100,000-ish was going to be used by this pollinator task force to do--

JUDY WU-SMART: Oh, that's also a great question. There was-- so that was a two pronged approach. The funding was only going to help establish a support for the apiary program. So that is just for honeybee inspections,--

HUGHES: Oh, for the [INAUDIBLE].

JUDY WU-SMART: --providing diagnostics, which is all gone. That toll-- pollinator task force is actually unfunded. It's just requiring these agencies to work with us. We tried to do this four years ago to create a statewide pollinator protection plan or action plan. We got all these agencies together, but the majority of them say it's not on our purview. We can't dedicate any time. We can give you some feedback, but we can't contribute to the writing, development, or implementation of the plan, given that they're just being outside kind of, you know, subjective feedback kind of reviewers as opposed to active participants in creating it.

HUGHES: So that, that's you've kind of attempted some-- you've reached out to those different bodies prior years.

JUDY WU-SMART: Yes.

HUGHES: Just didn't really get anywhere.

JUDY WU-SMART: Yes.

HUGHES: So therefore if we, say, mandate it, it will happen.

JUDY WU-SMART: Yeah. And there are enti-- and there are agencies that are doing pieces of it. There's a monarch group that is working with the Department of Transportation that are building pollinator habitat. This task force would essentially look at what is going on across the state in these different agencies, pull that information together and help them leverage those resources so that they're a little bit more collaborative in their approach.

HUGHES: OK. Thank you.

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HALLORAN: Senator Holdcroft.

HOLDCROFT: Thank you, Chairman. Halloran. So North Dakota is kind of the poster child for apiary programs. Can you describe that program for the committee?

JUDY WU-SMART: Yes. North Dakota receives at peak over 550,000 colonies a year coming into their state and then moving back out. So these are commercial beekeepers that go through pollination contracts from state to state, and then they need a place to over summer their colonies for honey production. So they basically just move them up just for a few months to collect honey. And then they'll move them back into their states for bottling and selling and harvesting. That's a common practice. But the extent of the migration has increased over the last decade because, you know, there are landscapes that are just not as suitable or hospitable for beekeepers. They found that going up to the Dakotas, you can still make honey. So they are mandatory. They have a registry program that charges per apiary. They have generated enough funds through that apiary program to now have more inspectors help with bee diseases and issues and pests when they have problems with that. I think it's important to just have a record, an acknowledgment of the movement of hives in and out of a state. And if there are issues with disease outbreaks, to have some framework to respond to that.

HOLDCROFT: How many bee inspectors do they have in North Dakota?

JUDY WU-SMART: Oh, I think they have about 19 or so.

HOLDCROFT: Don't they have an agreement with California--

JUDY WU-SMART: Yes.

HOLDCROFT: --that they can do inspections in South Dakota and then they, they can go right across the lines?

JUDY WU-SMART: Yes. There are some states that require a health certificate to enter the state. And that's California and Florida are examples of that. So sometimes, the Nebraska apiary program will have a specific request to get inspected and a basically a health check so they can transport their hives, and we do that for them. We are the contracted by the Department of Ag to helps-- provide health inspections for the beekeepers.

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HOLDCROFT: And how many inspectors do we have in Nebraska?

JUDY WU-SMART: Well, as part of the APHIS inspection program, we do 24 operations a year at minimum and then upon request. So it's a small program that is for the national database inspection program. There have been cases where there are disease outbreaks and we can provide recommendation for treatments, but we are not enforcement. We are not regulatory. And so we can't force them to do anything about their diseases. The concerns I have is when the infection one year was treated, taken care of, showed up another year, and in multiple operations because they shared equipment. And so that's, I mean, we got lucky there because it doesn't seem to be spreading further than that. But it only takes one bee supplier with an unchecked infection to distribute infected hives all across the state. And if we don't have a framework in place to say, where are our beekeepers in the state, that can be problematic.

HOLDCROFT: Thank you.

HALLORAN: Thank you, Senator Holdcroft. Any further questions for Dr. Smart? OK. Seeing none, thank you so much.

JUDY WU-SMART: Thank you very much.

HALLORAN: Neutral for LB828.

BILL HAWKINS: Chairman Halloran, members of the Ag Committee, my name is Bill Hawkins, B-i-l-l H-a-w-k-i-n-s. And originally I was coming in as a proponent for the bill. And as I listened further, I chose a neutral position. I'm a lifelong Nebraskan. I grew up running around Nebraska enjoying Nebraska. I acquired 50 acres a mile south of Branched Oak, just north of Lincoln, many-- 40-some years ago. Planted tallgrass prairie and alfalfa and started raising trees. In planting my tallgrass prairie, I was given a recommendation of a few ounces of prair-- wildflower seeds. Seeing the price of wildflower seeds, I chose to put pounds of wildflower seeds in my prairie. And so, eventually, it has developed into a wildlife habitat paradise. I spent my life doing environmentally creative landscapings where I would go in and tear up people's bluegrass yards and plant wildflowers, many years ago. I've become an organic farmer. Did farmer's markets, had 5 hives at one time, destroyed by mites and I think wax worm from abandoned hives that were across the road from me. Unidentified-- not-- you couldn't find out who owned them. But I learned. I've tried

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to do bees again because I love my bees and taking care of hives, but it's hard to get hives established. Because, as we've been told, honey bees are not native to here. They are like cattle and pigs. That's what I've learned in this testimony. So in looking at Senator Blood's bill, and I appreciate her and her staff's work on this bill, it seems like it's 2 different bills. I haven't read the bill thoroughly, but I thought it was a pollinator task force, which, if we don't have pollinators, we do not have food in our great agricultural state or this whole world. In China, they, because of pesticide use, there's whole providences that hand pollinate pears that you get in those packages. And they have to go to another region to collect the pollen to give to those trees. So I believe that the commercial beekeepers need to be regulated, monitored, and we need this bee lab. We are a land grant university that is supposed to work with agricultural producers to help them in our great state. So, it's kind of 2 bills. I can see the problems with the state ag not wanting to do things. We've had a problem with that for a long time and hopefully we can resolve that. But I really think that this task force needs to be diverse. We don't need pesticide applicators and other vested interests running a task force. We need really educated people who can really look at the changing climate and other needs that we need here in the great state of Nebraska. So, I would be glad to take any questions, but I appreciate the committee and Senator Blood on this issue.

HALLORAN: OK. Thank you, Mr. Hawkins. Any questions for Mr. Hawkins? Seeing none, thank you for your testimony.

BILL HAWKINS: Thank you, committee.

HALLORAN: Additional neutral testimony, LB828? It looks like that will conclude our hearing for LB828. Before I do that, for online comments we had 25 proponents, 56 opponents and 1 neutral for LB828. Thank you very much. If we could clear the room and start over for the next hearing, it would be helpful so we know where we are. We'll reconvene at a quarter till. Take a break.

[BREAK]

HALLORAN: LB831.

ALEX MAYCHER: All right. Yeah. Again, my name is Alex Maycher, spelled A-l-e-x M-a-y-c-h-e-r, and I am the legislative aide for Senator Carol Blood, who represents Nebraska Legislative District 3, which comprises

western Bellevue and eastern Papillion, Nebraska. She does express her apologies again for not being able to present LB831. The reason our office is bringing forth this legislation is the current Noxious Weed Control Act does not go far enough to restrict invasive plants that damage our state's ecosystems. The current Control Act does not clearly define a noxious weed, but instead mentions the need to control plants that are detrimental to crops and livestock; does not take into account ecosystems at large rather than just agriculture. Invasive species pose a larger threat to Nebraska's ecosystems and agriculture currently. LB831 fills the gap that the current Noxious Weed Control Act does not enforce. A prime example our office was made aware of is the Callery pear or the Cleveland/Bradford pear, a nonnative tree that quickly repopulate some prairie ecosystems like Nebraska and crowds out vital native species. Yet because it is not deemed a major threat to agriculture, Nebraska's current law is unable to respond to species such as these. Other states, including Iowa, Colorado, Minnesota, have taken the initiative to include plants that are harmful to agriculture and native ecosystems, and Nebraska should join them to preserve our natural habitats. Upon recommendation from several interested groups and stakeholders, our office introduced AM2113. The intention is to add ecological threats to the existing Plant Protection and Plant Pest Act to include threatening species in Nebraska's ecosystems. With the amendment, we decided not to create any new penalties but use the existing enforcement mechanisms within that Plant Protection and Plant Pest Act for distributing a nuisance plant that is an ecological threat as well. The Department of Agriculture and its director will still have the responsibility of defining a noxious weed, but with ecological threats in mind. In addition, we wanted to include restricted plants threatening ecology within the Plant Protection and Plant Pest Act as to not create undue burden on weed control supervisors and county teams and just keep the responsibility with the state. Nebraska's beautiful prairies, rivers, forests and bluffs have been under siege from many different threats, and a simple step to mitigate environmental degradation happening in our state is passing LB831. Our current infrastructure and noxious weed management is outdated and insufficient. But LB831 modernizes oversight to plants that are damaging our agriculture and natural ecosystems. Expanding the definition of threats to ecological ones in our current statute will better enable Nebraska to protect its beautiful land. I thank the committee for their time today.

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HALLORAN: Thank you for your opening. Any questions from the committee? I guess we're going to hold off questioning the staff member. So let's start with proponents for LB831. Go ahead.

TREVOR PELLERITE: Thank you, Senator. Good afternoon, ladies and gentlemen of the Agriculture Committee. My name is Trevor Pellerite, spelled T-r-e-v-o-r, last name P-e-l-l-e-r-i-t-e. Thank you for the opportunity to testify today regarding Senate Bill 831. I'm the president of a small nonprofit organization called Grasslands Unlimited. Our work focuses on protecting and restoring native prairie ecosystems across the Great Plains. Invasive species are one of the most significant threats to native ecosystems across Nebraska today. Nonnative plants can crowd out native species, introduce diseases and pests, and deprive wildlife of the diverse plant community that they rely on for food, shelter and survival. I'll try not to duplicate Senator Blood's staff's introduction. They did-- he did a wonderful job of summarizing the impact of this bill, and I genuinely want to thank her office for beginning the dialogue to address this gap in Nebraska policy. Changing the definition of noxious weeds is a change that's needed that will also have the benefit of not negatively impacting agricultural operations in the state. It's consistent with definitions in other agricultural states like Nebraska, like Colorado, Iowa and Minnesota, where operations have continued unaffected. And it would also give the state jurisdiction over species that, while they do not necessarily occur in agricultural areas, may have a negative impact on them. An example of this is the invasive tree of heaven, which occurs primarily in urban areas, but it is a known host plant for the spotted lanternfly, which you may know because it is a potentially very serious agricultural pest that is currently sweeping its way westward across the United States and will likely be in Nebraska soon. Giving the Department of Agriculture the authority to control and delineate weeds that are ecological threats like this will have added benefits for agriculture as well. The most powerful thing this bill does is add 2 very crucial words to the Plant Pest and Plant Protection Act to include ecological threats, which will close a major avenue through which nonnative and invasive species are introduced into Nebraska, which is primarily people buying them at nurseries and online. The Nebraska Invasive Species Council, a group created by statute and tasked with advising this very Legislature on noxious weed issues, maintains a list of species of major concern to Nebraska's ecosystems. Many of these species are actively sold at nurseries, either physically located in the state of Nebraska or from online

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retailers that ship here. Examples include the known aggressive species Callery pear, crown vetch, which actually came up earlier in the context of the bee bill, and amber maple. There's strong research to suggest that all 3 of these species have an extremely negative impact on prairie, such as Nebraska. But last summer, I worked a part-time job at a nursery in Omaha and would see people on a regular basis leave the yard with species that are on the Invasive Species Council's monitoring list. As a land manager with my nonprofit, I've seen firsthand the impact these species can have on green spaces when they escape from yards, orchards, nurseries, tree yards and landscaping. I've seen the time and money that private groups and public agencies spend on trying to eradicate them from habitat areas. And allowing them to continue to be sold at commercial greenhouses not only makes the problem worse, it is driving with the proverbial brake on. Prohibiting the sale of invasive plants and trees that threaten our ecosystems is low-hanging fruit that would go a long way toward helping Nebraska's natural beauty and the hunting, fishing and recreation that depend on it. Finally, I do want-- I do hope the committee will note that the bill works entirely through existing framework. Every mechanism amended currently already exists and through which these invasive species will be controlled, using already well-trained experts performing the duties that they've been performing for years. It would have no additional impact on the great agricultural operations of our state and would help modernize our land management toolbox. I do believe that if the committee sees fit to bifurcate the amendments put forth in the bill, that priority should be placed on listing ecological threats to the Plant Protection Plant Pest Act. It's my hope that you'll vote to advance LB831 out of committee. And I would be happy to answer any questions.

HALLORAN: OK. Thank you, Trevor. Any questions from the committee? Senator Brewer.

BREWER: Thank you, Mr. Chairman. All right. If we just take a look at the way things are right now, not including stuff people buy at nurseries, if you're out and you're hiking, biking, doing whatever, and you find a field full of invasive, say, thistles, what is your course of action at that point to fix that situation? Who do you report that to and what do they have in the way of authority?

TREVOR PELLERITE: Thank you for your question, Senator. My understanding of, if it's one of the listed thistle species, that would be under the jurisdiction of the county weed control board in

whatever county you're located in. If it's one of the-- I think most of our invasive thistle species in Nebraska are listed as noxious weeds already. But the, the course of action right now, if it is a listed species, would be to report it to the county weed board. If it is a nonlisted species, you would have to hopefully collaborate with the landowner, whether it be a parks department, federal land, anybody like that for a nonlisted species would be, I believe, a discretionary management action on their part.

BREWER: I think you're absolutely right. And let me share with you my frustration on this. So I'm on the Mopac Trail, see this very situation, called the county weed board. They said that's NRD ground, not our problem. I called the NRD. They said we maintain the trail. It's not our job with the weeds. So there's a lot of passing the buck, I guess, on, on weed control. And I think it kind of leaves openings for issues where it, you know, gets farther out of hand than it should because no one really wants to take action on it. What we're looking at here is adding to the list. Would that be correct?

TREVOR PELLERITE: Yes.

BREWER: And some of the stuff we're adding you can buy at probably one of the bigger, you know, places that sell whatever it is you, you want to buy in the way of outdoor plants. But what you're saying is that among those things that you can buy at these places where you buy your outdoor plants and all your plants, it will be on the list, the ones that are invasive.

TREVOR PELLERITE: Yes. And I would like to clarify as well, Senator, if it's OK, the list of species maintained by the Nebraska Invasive Species Council are considered invasive, but they are not legally classified as noxious. So they're separate--

BREWER: Ah.

TREVOR PELLERITE: --and parallel lists.

BREWER: Thank you.

TREVOR PELLERITE: The noxious species list has the force of law behind it and affirmative obligations that come with it when it occurs on land that you or I own. The invasive species list is simply advisory, and it's a list of things that private landowners should try to avoid,

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if at all possible, simply because it doesn't have that force of law behind it.

BREWER: But with the force of law that law is, or the enforcement part of it would be the county weed board. If they don't feel they have the authority to, then it's kind of in, in law only, not in reality, where someone's out there actually forcing some action to correct the problem.

TREVOR PELLERITE: I think that's accurate to say. I think that's why the 2-pronged approach in this bill is very appealing to us because, say we were dealing with Callery pear specifically, and we listed Callery pear as a noxious species that counties have an affirmative obligation to manage. That would be one track of management. The second would be it would be placed on the nuisance list under the Plant Protection and Pest Act. And the state Department of Agriculture would say this is no longer a species that nurseries in the state of Nebraska are legally allowed to sell. You can't go online and have a seedling shipped to your door. It's, it's a way to stick a broomstick in the-- in the wheel spoke to stop the problem from getting worse to give people a chance to-- so you're not-- you've actually plugged the hole in the dike. You're not just trying to scoop bucketfuls out as more comes in.

BREWER: No, you did a good job explaining that. Thank you.

TREVOR PELLERITE: I appreciate you saying that. Thank you.

HALLORAN: So by outlawing some of these species from coming in, we're just going to make them more expensive on the black market.

TREVOR PELLERITE: I'm not, I'm not--

HALLORAN: I'm not trying to be totally facetious here, but--

TREVOR PELLERITE: Yeah.

HALLORAN: --that at some level that's what happens, whether it's-- whether it's a drug or it's a-- it's, it's a plant that someone likes enough that they're willing to go on the black market to get in spite of it.

TREVOR PELLERITE: I think, Senator, that that's certainly conceivable. In my experience, if people have access to other trees, say they want

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a Callery pear, but they go to a nursery and there are 15 other species that are readily available, they will select one of the ones that's more advisable.

HALLORAN: You have not met my wife.

TREVOR PELLERITE: I have not.

HALLORAN: All right. Any other questions for the testifier? All right. Thank you.

TREVOR PELLERITE: Thank you all very much.

HALLORAN: Thank you. Next proponent of LB831. Next proponent, going twice. We'll go to opposition, opposed to LB831. Well, see, you folks threw me off. I understand we have 2 more bills following this, but I'm down here and I'm seeing people and I'm thinking, OK. All right. Opposed to LB831 one more time. Neutral for LB831. OK. Neutral.

TODD BOLLER: Good afternoon. My name is Todd Boller, T-o-d-d B-o-l-l-e-r. I'm here to provide neutral testimony for the Nebraska Weed Control Association. And I am a weed superintendent for Fillmore County, Nebraska. Chairman Halloran and members of the Agriculture Committee, I serve as a Nebrag-- Nebraska weed superintendent for Fillmore County. And I'm here on behalf of the Nebraska Weed Control Association and the Nebraska Association of County Officials to testify in a neutral position to LB831, as amended by AM2113. The bill adds ecology and ecological references to the Noxious Weed Control Act, which we feel the current act sufficiently covers. Purple loosestrife was added in 2001, saltcedar in 2005, phragmites in 2008, and knotweed in 2011 were added as noxious weeds in the current Noxious Weed Control Act. These are not agricultural weeds, but are in line with ecological threats. The Noxious Weed Act already functions as an adequate method to address serious ecological threats. The act demonstrably already functions to address ecological concerns which threaten Nebraska's viable resources and ecosystems. Nebraska currently has a very strong Noxious Weed Control Act and existing statutes in place, and a law that is efficient and effective. Nebraska weed control superintendents are committed to protecting Nebraska's ecosystems from noxious and invasive vegetation. We provide 40 hours of continuing education each year and educate on weed identification and control on more than just the 12 noxious weeds that the state weed law requires. We have a representative that is a voting member of the

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Nebraska Invasive Species Council, where a watchlist has been put together and is periodically reviewed for possible additions that are on the radar for invasion within the state of Nebraska. We also work to educate the citizens of Nebraska by having information booths at many shows across Nebraska, including the Nebraska State Fair, Sandhills Ranch Expo, Husker Harvest Days, and the Lincoln Power Farming Show. In closing, we feel that the intent of LB831 is currently being considered under the current law, but we welcome any opportunity to work with Senator Blood or anyone who is interested in strengthening or improving the current weed act. We will continue to do what is best for Nebraska by protecting its ecosystems through on-the-ground work and education. Thank you for your time and I'm happy to answer any questions.

HALLORAN: OK. Thank you, Mr. Boller. Any questions? Senator Hughes.

HUGHES: Thank you, Chairman Halloran. Thanks for coming in. So you're basically stating if there are certain plants, trees, whatever, that just throw them on that noxious list and that would take care of the issue.

TODD BOLLER: Yeah. There is a process--

HUGHES: Like why have 2 classifications, if you will?

TODD BOLLER: Yeah. Basically, you know, we-- you know, I can see what they're meaning by having that tiered system. There are other states that do that and it works for them. There are also other states that model their weed law after Nebraska's as well. So, you know, I guess through education you can add a weed to a noxious weed list. Canada thistle has been on there since the 1800s and it has not gone away. So by adding it to the list doesn't get rid of the problem. The problem is education management. You can keep the numbers down. You just-- some plants you just have a hard time getting rid of completely.

HUGHES: Today if a plant is on that noxious list, of course, the ones listed, can you buy them at a nursery? Probably--

TODD BOLLER: No.

HUGHES: That also excludes them from being sold.

TODD BOLLER: No. Nebraska Department of Ag actually has inspection programs in place for that. And they do those inspections. Noxious

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weeds are not allowed to be sell. We've even found them used as crafts in craft stores. And with USDA, we--

HUGHES: They can't sell [INAUDIBLE]

TODD BOLLER: --work together to get those removed.

HUGHES: OK. Thank you.

HALLORAN: OK. Any further questions from the committee? If not, Mr. Boller, thank you very much. All right. Any further neutral testimony, LB831? Good afternoon.

BETH BAZYN FERRELL: Good afternoon, Chairman Halloran, members of the committee. For the record, my name is Beth, B-e-t-h, Bazyn, B-a-z-y-n, Ferrell, F-e-r-r-e-l-l. I'm with the Nebraska Association of County Officials. I'm appearing neutral on LB831. When we initially read the bill, we had some concerns about the costs of the enforcement and inspection mechanisms in there. So our fiscal note reflects that. So it shows that there would be some costs. When we saw the amendment AM2113, that moved us out of an opposition position into a neutral position. So we would just encourage you, if you're going to move forward with this bill, to go ahead and move with the amendment rather than the bill itself. And that would-- the amendment takes care of our fiscal concerns. I'd be happy to answer questions.

HALLORAN: All right. As usual, you're very brief and to the point. So thank you for that. Any questions by the committee? Seeing none, thank you so much. Any additional neutral testimony, LB831? If not, we will not have closing comments because we'll, we'll relieve the staff from that stress of doing that. But we do have online comments: 6 proponents, 1 opposition, and 0 in the neutral. That will conclude-- formally conclude the hearing on LB831. OK, rolling right along, LB16-- LB1116, excuse me, will be next up on the docket. So people that are going to testify could move up to the front. That would help. We're looking for the first proponent of LB1116.

IBACH: No, you're waiting for my--

HUGHES: We're waiting for her to open.

HALLORAN: We are waiting for the open. Senator Ibach, I'm sorry. Excuse me. Thank you for your opening, Senator Ibach.

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IBACH: I'll be brief. Ready. Good afternoon, Chairman Halloran and fellow members of the Ag Committee. My name is Senator Teresa Ibach, I-b-a-c-h, and I am here to introduce LB1116, which would adopt-- which would adopt the Grocer Reinvestment Option Act, today for your consideration. LB1116 creates a grant and loan program for small, locally owned grocery stores that are located in underserved communities that are low-income or moderate-income communities. For purposes of this act, an underserved committee-- community is defined by the USDA's Food Research Atlas is a census tract where at least 500 people or 33% of the population, live more than 1 mile in an urban area or 10 miles in a rural area from the nearest supermarket. Unfortunately, food insecurity in rural areas has grown in the last few years, which negatively impacts low-income and senior citizens. As we all know, local grocery stores are important for the health of our local communities. As more grocery stores close, other businesses are nega-- negatively impacted, which then leads to residents leaving the area or community. The Grocery Reinvestment Option Act would allow qualifying stores the ability to make improvements to their businesses to allow these stores to remain open. As outlined in the bill, the funds would go toward implementing new business processes, finding alternative proces-- product sourcing, and developing the workforce through additional training. These funds could also be used to upgrade or repair aging facilities, equipment and/or systems that help grocers with cost savings and business efficiencies. Individuals following me will be able to help further explain the need of the program such as this. I hope you will support LB1116 to help protect our locally owned grocery stores in Nebraska's underserved areas and to help prevent more underserved areas from developing. With that, I thank you for your time, and I'm happy to answer any questions you may have.

HALLORAN: Thank you, Senator Ibach. Any questions from the committee? Seeing none, thank you. You'll stick around for the close?

IBACH: Yes, I will.

HALLORAN: All right. First proponent of LB1116. Good afternoon.

CARLIE JONAS: Good afternoon, Chairman Halloran and members of the committee. My name is Carlie Jonas. C-a-r-l-i-e J-o-n-a-s, and I'm here today to testify on behalf of the Center for Rural Affairs. I'd first like to thank Senator Ibach for bringing this bill for consideration. Most grocery stores eligible for funding under the Grocer Reinvestment Option Act are located in rural areas of the

state, and not all communities have a grocery store available. And because food access is fundamental to the reason of this bill, we're happy to see consideration for convenience stores, too. For decades, independently owned grocery stores have struggled to remain open due to people moving out of their communities, owners reaching retirement age, and competition with big box stores. The pandemic has exacerbated some of these struggles with supply chain issues and the prevalence of online shopping options. The GRO Act would provide a resource for these businesses to invest towards their longevity and continue serving their communities. Local grocery stores are a place where fresh produce, meat and dairy can be purchased and also have deli counters with convenient, prepared meals and dishes. But in rural communities, grocery stores are often more than just a place to buy food. They are also economic and social hubs. They are a core business of a community and are a place not just individual-- for individual residents to buy food, but also churches, hospitals, school organizations and other local businesses. Money spent there has a greater impact circulating through the local economy. These stores are also a cornerstone of the social fabric in their communities. As a high-traffic business, bulletin boards are an ideal place to post about events, fundraisers and ads. They're a gathering place, especially with places that have a place for a meal or a cup of coffee, and a place where residents can catch up with their friends or neighbors while they're doing their shopping. Rural grocery stores are vital; and when they close, the whole community is affected. The presence of a grocery store can be a determining factor for those choosing to stay or move to a community. Other businesses can see a dramatic decrease in foot traffic, which has happened in communities in Nebraska where a grocery store has closed. Rural grocery stores need help, but there is not a one-size-fits-all solution to the challenges they face. With many other grant loan programs focused on an innovative business or employee caps that disqualify some of these stores, these programs would provide [INAUDIBLE] much needed assistance to be able to keep serving their communities. The GRO Act provides flexibility for stores to be selected to make improvements to their businesses and to best address the needs of their communities. And also, just to add, we would have liked to have some more people here today, but Tuesday is truck days for many of the grocery stores, so it was really difficult for many of them who would like to be here to come. And with that I am happy to answer any questions.

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HALLORAN: OK. Any questions from the committee? All right. Appreciate it. Thank you. Next proponent.

JESSI CHANDLER MASON: Hello. My name is Jessi Chandler Mason, J-e-s-s-i Chandler is C-h-a-n-d-l-e-r, and Mason, M-a-s-o-n. I am here today in support of LB1116. I'm from Anselmo where I was born and raised. I went away to college and grad school, really, with no plan to return. After marriage and the birth of our first son, Max, who is standing with me today, my husband and I realized that it truly did take a village to raise a child, and we wanted our children to grow up surrounded with some of the very-- with the some-- some of the same small town values that were instilled in us growing up. We've been back in Custer County for nearly 11 years now, but it wasn't until a little over 2 years ago we took a leap of faith and purchased a small grocery store in Anselmo. The owner had passed away and it was only a matter of time before the store closed. We were still seeing the effects of COVID and knew without a doubt our community needed to main a grocery store for its viability. Our journey into business ownership was fueled not by experience or financial abundance, by a-- but by a deep-rooted passion to breathe life into our town and keep the spirit of rural America alive. As a social worker turned grocer, my primary mission in buying the store was and still is regeneration, regenerating the land, our culture and our community; regenerating the very values that make us love our rural way of life. We believe that investing in our community will grow our town, its people and our quality of life. With the addition of the coffee shop this past June, we see The Market and Mill not only as a place to grab groceries, but also a place for gathering, a spot for retirees to visit, young farmers and ranchers to discuss markets. We've discovered in the last 2 years that owning a grocery store in a small community comes with its own set of challenges. Relatively low profit margins coupled with renovation, maintenance, and upkeep, upkeep costs are constant concerns within our business. The reality of our situation is that we need assistance to not only survive, but also to thrive. Since purchasing the store, we've replaced compressors, we've replaced the HVAC system, we've updated flooring, we've renovated and added a commercial, excuse me, a commercial kitchen space. We've bought new equipment. We've essentially touched nearly every square inch of our building. The renovation is still not entirely done, but we've had setback after setback due to failing equipment, failing systems, unnecessary costs out of our control. Our latest setback was discovering a 6-foot sag in the original cast iron sewer line,

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resulting in plans to replace the entire sewer line this spring. Most, most of our coolers and freezers are older than me and are also in desperate need of upgrades. However, substantial costs are prohibiting their replacement. LB1116 provides a beacon of hope for businesses like ours, offering the necessary support to continue serving our communities with dedication and determination. One of the key aspects of this bill that resonates with me is its commitment to empowering rural businesses. The provisions within this legislation acknowledge the unique challenges faced by enterprises in smaller communities and provide targeted assistance to ensure their sustainability. As a first-generation grocery store owner, I can attest to the importance of programs that offer guidance, resources, and financial support to entrepreneurs who are passionate about keeping the heartbeat of rural Nebraska strong. Furthermore, LB1116 focus on fostering economic growth aligns seamlessly with our dreams for our community. By investing in businesses like ours, legislation not only secures the future of local enterprises, but also contributes to the overall prosperity of our town. It's a mutually beneficial relationship that recognizes the symbiotic connections between thriving business and vibrant communities, and, most importantly, offers hope for our next generation. In the last 2 years, I've witnessed the transformative power that dedica-- dedicated businesses can have on a community. With your support, LB1116 can be the catalyst that propels businesses like ours towards a future where rural Nebraska not only survives, but thrives. Thank you.

HALLORAN: OK. Thank you so much. Any questions from the committee? Senator Riepe.

RIEPE: Hope my voice will hold up. What's the closest grocery store and town?

JESSI CHANDLER MASON: Broken Bow is 20 miles--

RIEPE: 20 miles.

JESSI CHANDLER MASON: --away. Sargent is 28 miles to the east. And then farther northwest up Highway 2 it's 40 to Halsey. And that's not a complete grocery store. It's more like a convenience store.

RIEPE: Are you thinking about running for mayor?

JESSI CHANDLER MASON: No. I have my hands full as it is.

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RIEPE: Maybe they could rename the town after you.

JESSI CHANDLER MASON: I don't-- I don't know about that.

RIEPE: Thank you. Thank you for being here. And thank you for bringing your son.

JESSI CHANDLER MASON: Yeah. Thank you.

HALLORAN: Thank you, Senator Riepe. Any further questions? OK. Seeing none, thanks for your testimony. Thanks for bringing along the ace hired man there.

JESSI CHANDLER MASON: Yeah, he works for me on Sundays.

HALLORAN: Next proponent, LB1116. Good afternoon.

ANSLEY FELLERS: Good afternoon. Thank you, Chairman Halloran and members of the committee. My name is Ansley Fellers, A-n-s-l-e-y F-e-l-l-e-r-s. I'm here on behalf of the Nebraska Grocery Industry Association, as well as the Nebraska Petroleum Marketers and Convenience Store Association, testifying in support of LB1116, Senator Ibach's bill to create the Grocery Reinvestment Option program. There are around 1,250 grocery, convenient fruit and vegetable, and meat and seafood retailers in Nebraska. Just under 200 of those grocery locations are independently owned, providing more than 10,000 jobs and more than \$1 billion in total economic impact. When communities lose food retailers, whether it's because the customer base is shrinking, owners are aging out, or they're forced out by an onslaught of Dollar stores, they lose convenient access to fresh food, jobs and economic activity. Communities across Nebraska have banded together to keep a local grocery store in operation, understanding these retailers are lifelines and economic bellwethers in cities and counties. Over the last 2 years, NGIA has expanded efforts for and outreach to independent operators in small communities. Through a partnership with the UNL Cooperative Development Center, we hosted our first annual Nebraska Grocery Industry Summit last August, following the commissioning of a statewide study of the industry landscape as well as low-income, low-access areas throughout the state. I would like to recognize that the low-income, low-access areas in the state, the maps that are developed by USDA on which this is based, are questionable at best. But that's the best sort of map that exists at this point so we're working on it. Additionally, for the first time in our 100-year

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history, NGIA has officially formed a 501(c)(3) nonprofit entity to promote the success of the food industry in Nebraska by providing scholarships to students affiliated with the industry, micro loans for independent operators, and incentivizing investment in existing food deserts or areas at risk of becoming food deserts, all within the state of Nebraska. A bill like this would give retailers and communities another lifeline. Thanks to Senator Ibach and to the Center for Rural Affairs for their interest and support for the industry. I'd be happy to answer any questions.

HALLORAN: OK. Thank you very much. Senator Riepe.

RIEPE: I'm sorry, my voice, but I love to talk and I have questions.

ANSLEY FELLERS: All right.

RIEPE: Of the \$2 million, \$2 million per year in the fiscal note, how many grants would that cover?

ANSLEY FELLERS: So--

RIEPE: How many groceries?

ANSLEY FELLERS: Sure. It doesn't specify. I-- maybe Senator Ibach can speak to this when she closes. It doesn't specify amounts or restrictions on amounts. I think it depends. It does say in there that I think preference will be given to a retailer who could provide a match. So, you know, whether that's 10,000 or 50,000 or 100,000, I think it depends on what they're going to do. And, yeah, what the pro-- if it's a, you know, an existing expansion or maybe an investment in another location, I think that it can vary pretty widely as far as I read it. So could be 10, could be 70.

RIEPE: Thank you.

ANSLEY FELLERS: Sure.

RIEPE: Thank you, Chairman.

HALLORAN: Thank you, Senator Riepe. Any further questions? Seeing none, appreciate your testimony.

ANSLEY FELLERS: Thank you.

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HALLORAN: Next proponent, LB1116. Good afternoon.

ROBERT J. HALLSTROM: Good afternoon, Chairman Halloran, members of the committee. My name is Robert J. Hallstrom, H-a-l-l-s-t-r-o-m. I appear before you today on behalf of the Nebraska Bankers Association and the National Federation of Independent Business in support of LB1116. We are naturally supportive of measures that assist in the viability of rural groceries. And however, we believe that if there's going to be a direct loan aspect of this program that we are better served to have private financial institutions involved in that. It's not unusual for us to stake out this position and suggest that we're better served to have private financial institutions involved. Our experience has been that when the Legislature grants direct lending authority to state agencies or local political subdivisions that after the authority has been granted, we typically hear that the employees would prefer not to be in the loan underwriting, administration and collection activities. In my written remarks that I handed out to the committee, we do have a friendly amendment. I've shared that with Senator Ibach. It would simply provide that any loans in excess of \$10,000 would be made in participation with a bank or savings and loan. And it provides for the program administered-- administrator to enter into a contract to determine how that participation would be involved. I have, in my testimony in closing, suggested that there are a number of very beneficial opportunities for banks to be involved in this type of program, including guarantees, interest rate, buy down similar to the Nebraska Dollar and Energy Savings Loan Program, and traditional loan participations, all of which we think would enhance the program and assist the grocers in rural Nebraska through this program. The program does allow for grants, loans and forgivable loans. We probably wouldn't want to be involved in those that are forgivable, necessarily. But, to the extent that there are direct loans made, we'd like to assist. Be happy to address any questions from the committee.

HALLORAN: OK. Any questions for Mr. Hallstrom? Glad you came up. I mean, this was-- the mechanics of this was puzzling me on just how this was going to work. It sounds like a-- it's a loan or a grant in some fashion, but it's, it's, it's supposed to be refunded. Is it-- is that my understanding? You're not-- you mentioned in your testimony there that you didn't want to have forgivable loans.

ROBERT J. HALLSTROM: Well, the, the legislation, Senator, provides for all 3 of those options. It may need to be better spelled out in terms of, of when those different loans, grants or forgivable loans would be

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involved. But certainly, all 3 of those are viable options for providing assistance to grocers in, in rural Nebraska. And we may need a little bit more detail as to when a grant would be provided for which there would be no expectation of repayment. Sometimes when you have forgivable loans in, in different programs that we've been involved with and I've seen in other states down payment assistance and so forth, you require payments to be made for a particular period of time. And after you get by that period of time, then the loan can be forgivable or forgiven. So I think there maybe just needs to be more details, either through the administration of the program or in the legislation itself.

HALLORAN: OK. All right. Thank you so much. Any questions? Further questions? Seeing none, thank you.

ROBERT J. HALLSTROM: Thank you.

HALLORAN: Additional proponents, LB1116.

MITCHELL SCHLEGELMILCH: Hello. I'm Mitchell Schlegelmilch, M-i-t-c-h-e-l-l, last name S-c-h-l-e-g-e-l-m-i-l-c-h. Hopefully your hand's not tired writing all of that. First off, thank you, Senator, for introducing this bill. And thank you all for being here and doing what you do. It's kind of a thankless job, and I, I appreciate everything you're doing. So I'm here today. I represent, Greg's Market out of Exeter, Nebraska. We formed an Exeter Investors Group about 4 years ago when Greg's Market, the original owner, was kind of at a turning point. He had his business was facing some large investments that needed to be made, repairs, and he was at the age of his life where he didn't feel it was beneficial for him to continue on. Luckily, the community members understand how important a grocery store is to a small community. We formed the investors group, and were lucky to raise the funds to purchase the grocery store. I happened to be in the wrong place at the wrong time, I guess, if you will, and was nominated to be the president of the board. And ever since then, I've gotten to know a lot more about grocery stores than I ever imagined. And then working through this right in the beginning was-- of this venture was the beginning of the pandemic. So trying to steer our way through that, as well as trying to learn how to own and operate a grocery store, was interesting. It's been a good challenge. I can say we are still operational. We are still above water, if you will. But all of the challenges that you're hearing, the unforeseen issues that arise, there's a honey-do list a mile long of-- you're never done. You

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always have constant things that you need to work on. And then before you know it, there's something else that rears its ugly head. The day before, my, my high school classmate actually let me know about this. She works in Senator Aguilar's office. The very day before she sent this bill to me, we had a sensor go out in one of our freezers, and we lost about \$2,500 of product. And \$2,500 isn't a lot in the grand scheme of things, but for a small grocery store that we're just trying to break even, it was a-- it was a real punch in the gut. It just took our breath away for a second. And so the very next day in reading through this bill, it just-- it gave me a sense of relief that maybe there is hope that there's, there's some more avenues that could be potentially available to us. So with that, I hope this continues on and I appreciate everybody's time. If there's any questions.

HALLORAN: I appreciate your testimony. Any questions from the committee?

MITCHELL SCHLEGELMILCH: Thank you so much.

HALLORAN: Thanks again.

JOHN HANSEN: Good afternoon, Chairman Halloran, members of the Ag Committee. Good afternoon again. For the record, my name is John Hansen, J-o-h-n, Hansen, H-a-n-s-e-n. I'm the president of Nebraska Farmers Union. We thank Senator Ibach for bringing this bill and the Center for Rural Affairs for the help that they have provided. There are certain, certain things in rural communities. If you've been involved in the business of rural economic development and serving rural communities for any length of time, there are certain stores in town that just really are key to that community. And I don't think that there's any disagreement by anybody who works in this area at all that one of the-- one of the real keys to rural communities' survivability and sustainability and quality of life is the grocery store. And I've, I've seen what happens when one of the-- one of the communities that I'm not far from when that grocery store closes down. It really changes the, the mood and the character and changes the mix of people who are going to live there, move there, bring their kids there. If there's not a grocery store in town, trying to bring young people back to that community is a tough sell. They want a school. They want a grocery store. They want a gas station. And, you know, they want certain key stores in town, whether it's the co-op that has the hardware store. So we've tried to use the cooperative model in a lot of cases with rural communities to get them to expand and, and

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include a grocery store as a part of their reach in that community. Some of those have been successful. Some of those have not. But anything that we can do to try to help rural communities keep their grocery stores going is a good thing. And I'm familiar with probably a half a dozen of these projects that we've helped with over the years. And it's very seldom that you ever get a grocery store that, yeah, that looks fresh; has, has a-- that is not in need of a fair amount of upkeep and overhaul and improvements. Because a lot of cases, what happens is that the old grocery store owner, toward the end of their run, just hangs on and hangs on. And so spending money on improvements is not on the list of things to get done. So with the handoff, there is a need to freshen up and to modernize and improve infrastructure and all of those things. So this goes the right direction. I think it's a good investment in rural communities. It's a good investment in rural Nebraska. And so we would encourage the, the committee to look favorably on this bill and be glad to answer any questions if I could.

HALLORAN: OK. Thank you, Mr. Hansen. Any questions from the committee? Seeing none, thanks, John.

JOHN HANSEN: Thank you very much.

HALLORAN: Next proponent, LB1116. Seeing no more proponents, opponents for LB1116. No opponents. Anyone in the neutral capacity for LB1116? Seeing none, Senator Ibach to close.

IBACH: Well, thank you, Mr. Chairman, and thank you to those that made the trip. I know they came a long way from rural Nebraska to be able to testify today. As you know, I'm very passionate about rural Nebraska, and examples like Anselmo and Exeter are exactly why I did bring this bill. And I think our small local grocers, I can witness. We lost our, our local grocery store in our town and it is a hit because it does kind of fulfill that circle. And I think that small local grocers have been very creative and deserve some assistance just to keep their doors open. In this bill, it might be worth noting that there are 139 eligible stores across Nebraska, and 131 of those are in rural Nebraska, which kind of speaks to-- speaks to my heart. Senator Riepe, you had a question on qualifications. And to qualify for these loans, you would have to have 25 or fewer employees, and you would have to have a 50% match. But it is a loan program, and you would also have to accept SNAP and WIC benefits. So those would be additional qualifications and are covered on the applicant-- will be covered on the application process. As far as Bob Hallstrom, I know he had to

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leave, but he and I have talked about the using local, local banks for that 10,000 or more match or 10,000 or more investment. And it might be worth exploring to make this a grant program instead of a loan program. And we can certainly look at some of those options. And I appreciate John Hansen being here too. He's been very, very helpful with me in identifying different rural issues that are very important. And so I appreciate that. At this time, I would-- I would be open to any additional questions, but also appreciate your consideration of LB1116.

HALLORAN: OK. Thank you. Thank you, Senator Ibach. Senator Hughes.

HUGHES: Yes. Thank you, Chairman. And thanks for bringing this, Senator Ibach. You totally [INAUDIBLE] how many locations are urban ones versus rural that would be eligible so thanks for that information. And then so right now it is a revolving, like a loan, revolving. So it's the \$2 million, that's all it would take. And it would just keep-- it wouldn't be \$2 million every year [INAUDIBLE] or.

IBACH: Well, and we-- we could-- we would probably, thanks to Bob's suggestion, we could support a cap on how much each loan would be, too, just to expand that \$2 million to as many small grocers as possible. We have not built that into the-- to the program.

HUGHES: Now, this is so-- last night I was at a chamber dinner and they were-- the, the grocer in Utica got an award they-- their grocer was going to close in 2021. They became a co-op. And that's where the school Centennial is. And I think Centennial serves like 7 or 8 small villages and, and all that, that don't have any grocery. And this is the only grocery that they, you know, when you bring your kids in or whatever. So yeah, it is a-- it's a-- it's an issue. So thank you.

IBACH: But I really appreciate what rural communities do to stay--

HUGHES: To work to get well--

IBACH: Yeah. Co-ops.

HUGHES: --come together and make it happen.

HALLORAN: You know, I-- thank you, Senator Hughes. Senator Brewer.

BREWER: Thank you, Mr. Chairman. Well, first off, thanks for bringing the bill. I, I have one grocery store in particular I'm very proud of

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in the district. And if you've never been to Cody, Nebraska, the 90 miles between Gordon and Valentine is pretty desolate. It's kind of one of those in between. The community decided that they wanted to save the store, and they, they got very innovative on how to do it. And so they use the students in the high school who come and work there during the day and really man it on the weekends and late, but they, they kind of go back and forth on how they split the shifts. They learn about running a small business and how to stock things and how to manage things. And it's turned out a huge success story because everybody goes there to support the store more than necessarily because they need something at the time. And, and it's really saved the community from losing that asset. So I like-- I like where you're going with this.

IBACH: Is that an FFA program too? I think--

BREWER: They, they use that as part of their co-op program. And I mean, a small school like that, I suppose most of them are participating in FFA. And I suppose they could use that as a project if it was-- especially if it had anything to do with produce or meat, you know, learning how to do meat cuts and things like that. But I just like the way that they have taken the community and woven into the fabric of the store.

IBACH: Another great example of being creative.

BREWER: Yes. Anyway, thank you.

HALLORAN: Very good. Thank you, Senator Brewer. Any further questions or comments? Senator Ibach, thanks--

IBACH: Thank you very much.

HALLORAN: --for bringing the bill, appreciate it. There were 19 proponents online comments for LB1116, 0 opponents and 0 neutral. Move on to LB1192 [SIC LB1142].

Unidentified: Okay. Who wrote?

Speaker 6: And so it was weird.

Speaker 1: I was just thinking this. No accident.

Speaker 2: 1142 all the side.

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Speaker 3: This is the. Yeah. You guys.

Speaker 2: Can easily post.

Speaker 7: About these and you can get it all.

Speaker 6: Over here. Okay. Is.

HALLORAN: Well, welcome, Senator Wayne. I, I made the mistake of calling this LB1192. My clerk had to point out that she uses the old school 4 and I use the open top 4. Anyway, long story short, this is LB1142. Welcome, Senator Wayne.

WAYNE: Thank you. My name is Justin Wayne. Thank you, Chairman Halloran, Ag Committee. My name is Justin Wayne, J-u-s-t-i-n W-a-y-n-e, and I represent Legislative District 13, which is north Omaha. And I can't even say northeast Douglas County after redistricting because I go to 120th and State. So we'll just say north Omaha and northeast and west Douglas County. I'm here today to talk about LB1142, which will require animal shelters around the state to start implementing modern methods of contacting pet owners of lost pets. As it's kind of ironic, today I went around and just asked random people in the building: If you lost your dog, is 72 hours enough before someone should be able to sell it or neuter it? And I've not heard one person, except for a couple of senators, say, well, maybe it's OK, but everybody in the hallway thought 72 hours is just a bit too soon, especially if you're gone for 2 days for a weekend or out of town for a trip. And the fact of the matter is, pets are very expensive and many people see them as a part of their family. And there should be enough sufficient time to make sure you can recover that part, part of your family and sufficient notices. What happened to me is I knew somebody who was out of town and came back and looked on the animal shelter list and went and got their dog as it was about to be sold. And they were out of town for two and a half days, got back, found their dog on the website and called and it was being sold. Had to pay an expensive fee to get their dog back. But the worst part about it is that dog was already neutered. And that specific dog was a high-end brand that, actually, he bought it for partly to breed it. And so he still has his dog, but it's not the same. So this bill would-- and the amendment I handed out also said that if there-- we should try to make sure that they scan for microchips. I guess that's not part of the law. There are other states who do this. Actually, there's a lot of states that we looked at who mimic this type of. What

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you'll hear testimony is that this may be hard on that. This is your property. We shouldn't allow people just to sell your property without at least some type of due notice or some kind of notice. And I don't think-- I think 72 hours is too short. If this committee feels that 10 days is too long, I'm, I'm open to 5 business days. At least allow the person who is out of town on a Friday, Saturday and comes back on a Monday the ability to look for their animal, especially if they left-- left it with the neighbor. And the neighbor didn't quite tell you on Sunday that the, the dog ran away because they weren't sure how you were going to react, allow for that to happen. And it's crazy that I'm even having to introduce this bill to make sure that pet owners get notified when their-- when their pet's gone. And what's crazy is if you don't have a number, you don't have an email, they can send it by regular mail. And the problem with the notice by regular mail is even in Omaha it takes 5 days. So by the time you get the notice, your animal is neutered and sold. I just think that's fundamentally wrong. You wouldn't allow that to happen to any other property. You would require some kind of notice, a reasonable time of notice. And I just think 3 hour-- 3 days, 72 hours is too short.

HALLORAN: All right. Thank you, Senator Wayne. Any questions? Senator Riepe.

RIEPE: Thank you. What's the rule at a pawn shop-- at a pawn shop if you lose something?

WAYNE: Well, what's interesting at a pawn shop, we have in Judiciary Committee, we've dealt a lot with pawn shops, and they actually run it through a whole database to make sure nothing is stolen. So it takes a-- it takes a little bit. I don't know the exact day, but there's multiple databases they run through. They contact the original owner if there's a tag on it or if it's a construction equipment, equipment they'll contact like Logan Supply and ask who bought this piece of equipment. And then they'll contact you and say you could buy it back or not. Again, my issue is just the 72 hours. I think it's too short.

HALLORAN: Yes. Senator Hughes.

HUGHES: Thank you, Chairman Halloran. Thanks for bringing this, Senator Wayne. So I had gotten some information from a nonprofit facility in York, and they say that responsible pet owners usually reclaim their pets within the first 24 hours. And at York Adopt a Pet, 90% are claimed within the 3 days. Do you have stats on-- I guess

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maybe you don't because we haven't ever gone past that. But do you have stats on how many are claimed within that 3 days and how many of them are after the 3 days are fixed or whatever to be readopted or [INAUDIBLE]

WAYNE: No, I don't. I don't have any stats.

HUGHES: Yeah. Because I wonder, like, what would that good number be? Is it 4 days? Is it 5 days?

WAYNE: Well right now, according--

HUGHES: Do other states do it for 10 days?

WAYNE: But according to your own data, that's 10% that are after that day.

HUGHES: Right.

WAYNE: And again, you have individuals like Brewer or individuals like Hansen who travel and they come back, they're outside that 72 hours. I just find that as a-- as a fundamental problem that--

HUGHES: I would just be curious what like some of the stats are and if other states go longer days, where that-- where those numbers fall.

WAYNE: I'm going to do, I'm going to do what we hear in Education all the time. If we can just save one dog, we're doing the right thing. Isn't that what you said earlier, Ben?

HANSEN: No.

WAYNE: If we can just save one child. OK. Sorry.

HUGHES: And otherwise, I, I, I grew up on a farm, so, like, you know, a dog is a dog, but.

_____: Oh, my God.

WAYNE: I'm, I'm not making-- I'm not making light of these issues. At the end of the day, I would say this, Senator Hughes. At the end of the day, at least in Omaha, you know, they, they pick up many strays. They pick up many lost cats, many lost dogs. My issue is the 72 hours. I think it's just too short for anybody who travels or anybody who may be gone at a funeral, you come back and you've lost your dog through

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no fault of your own, other than the fact that you didn't know they were missing, not just your dog, any animal.

HALLORAN: This is probably a stupid question, but if you lose your dog and it goes to one of these facilities and you find it's there and you pick it up, you pay-- I assume you pay--

HUGHES: "Get out of jail."

HALLORAN: --a fee for their room and board.

WAYNE: Correct. You pay a fee.

HALLORAN: Any questions from? All right. Thank you, Senator Wayne.

WAYNE: I will try to stay for closing. I am also up in Education, right? I hope they reordered it, but we'll see. If I got a text, I got to go. Thank you.

HALLORAN: Thank you, sir. Any proponents for LB1142?

_____ : Proponents? [INAUDIBLE]

HALLORAN: OK. Second call for proponents, LB1142. Third call. We'll move on to opponents for LB1142. Good afternoon.

PAM WIESE BUNDY: Good afternoon, Chairman Halloran and members of the Agriculture Committee. My name is Pam Wiese Bundy. My last name is W-i-e-s-e B-u-n-d-y, and I am the interim president and CEO of the Nebraska Humane Society in Omaha, Nebraska. We are contracted to provide animal control services to Omaha and all of the communities in Sarpy County. And as such, we provide shelter to stray, abandoned, abused, or any pet animal that has nowhere else to go. Yearly that's about 18,000 animals. I'm here in opposition to LB1142. And to help you understand why, I want to first you walk through our process. And we do have a process that we use to try to reunite pets. When an animal is found stray, the first thing we do is scan for a microchip. We look for a tag or any type of ID. We check not only our records; but with the microchips, we check the national database for contact information to alert the owner. Oftentimes, it's an email, it's a telephone. And if there is an address with the pet as well, we actually can send our officers out to leave a notice on the door. We also check our licensing records. And if there's no ID, we look for matches with the lost pet reports that people fulfill and give us as

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time permits. Our lost and found staff stocks a lost and found community Facebook page, which is called Lost Pets of Omaha, and will message people whose missing pets seem to be a match. At the shelter, the pet's photo is taken and put on our website on the lost and found page. Also on our website are clear instructions on how to file a lost report and how to reclaim your pet. As Mr. Wayne said, these lost animals stay in the shelter waiting for owners for 3 days if from Omaha and 5 days if from Sarpy County. The provisions of LB1142 state we should try to contact the owner via email, telephone and mail. And as Mr. Wayne stated, we oppose the mail requirement because it just simply takes too long to be able to get mail delivered to people. Instead, we call, we use email, we utilize our website, we utilize social media, and in some cases, we even place notifications on the owner's door. That seems to be much more effective and timely. Now, confiscated animals are those that we're required to take in when an owner is hospitalized or jailed, and no one is left to care for the animal. In these instances, our system works a little differently because the pet didn't come in stray. A picture is not posted as a lost pet. We know who the owner is. Instead, if the owner goes to jail, we communicate directly with Corrections to get notice to the inmates. We follow up daily to ensure the pet's owner has received their inmate letter to determine where they'd like their pet to go. If hospitalized, we work with hospital reps. So we work this communication process, but it takes a little longer. So we hold these confiscated animals for 5 days and we'll extend it if needed. However, we do that at the discretion of getting a hold of the people and trying to make sure that we are able to contact them. We do have processes in place that we adjust in order to try to reunite pets with owners. With all that said, our main concern is the length of time that this bill would require us to hold animals. Our shelter and other shelters across the state simply don't have the capacity to hold all animals for this amount of time. The impact would stretch the shelter's limits and result in more overcrowding, more stress on the animals, more cost to the cities to house all of these pets up to 2 or 3 times their current stay. Stray hold limits have always been set by the municipalities that we serve, and they're based on reclaimed statute or statistics. This allows each city to enact what's best for their area. It also allows them to more easily change the laws as their cities change. We're always willing to talk through ways in which we could better serve animals in our community. However, these hold lengths and other process decisions are best left to the

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communities to make at the local level based on their local needs.
Thank you. I'd be happy to answer any questions.

HALLORAN: All right. Thanks for your testimony.

PAM WIESE BUNDY: You bet.

HALLORAN: Any questions from the committee? Senator Hughes.

HUGHES: Thank you. Thank you, Chairman. Thanks for coming in. And you mentioned that you do 3 days for in Omaha, 5 days in Sarpy County.

PAM WIESE BUNDY: Um-hum.

HUGHES: Why the difference? What?

PAM WIESE BUNDY: Because that's what the municipalities decided. I think probably, and if I recall correctly, the shelter is located in Omaha. It's not located in Sarpy County. And so therefore--

HUGHES: One shelter--

PAM WIESE BUNDY: Yeah, one shelter.

HUGHES: --for the municipality--

PAM WIESE BUNDY: Yep.

HUGHES: --and the county. OK.

PAM WIESE BUNDY: So we, we handle Omaha and a-- and a portion of Douglas County, but not all of Douglas County for, for the Nebraska Humane Society's contracted. We're also contracted with all the-- with all the cities in Sarpy. So because Sarpy is a little further away and we, I believe that they felt like, wow, 5 days hold would be better. And so that's what they decided based on what their city could handle and based on what their needs were.

HUGHES: OK.

PAM WIESE BUNDY: Yeah. You got it.

HALLORAN: Thank you, Senator Hughes. Senator Holdcroft.

HOLDCROFT: What-- thank you, Chair.

HALLORAN: You're welcome.

HOLDCROFT: What capacity do you typically have as far as percentage of total capacity?

PAM WIESE BUNDY: So currently and you may have been hearing about this, the past couple of years post-COVID, we have been running really, really crowded. It's, it's been very difficult across the country for animal shelters. People surrender pets. People can't take care of pets. The economy doesn't help either. I can't afford this pet any longer. And so we take in a lot of pets. And one of the-- we're probably usually, we're, we're at least at like 80 to 90% of what our rate is, what our capacity is. And our capacity is interesting because we do provide animal control services. So we have to have open kennels to take strays in because there's nowhere else for them to go. So sometimes if people come in and say, I can't afford this pet, we're like, OK, can you wait a little bit because we only have 3 kennels open? And we may be getting animals in that need to come into the shelter simply because there's nowhere to go and they are running stray. So we've been-- we run at 100% capacity a couple of times, and we're trying to keep the people that, that are owner surrendering, you know, at bay a little bit so that we do have those open kennels to be able to take in, excuse me, take in the strays.

HOLDCROFT: OK. So 3 years or 5 days. At that point, owner doesn't come forward so you put the, the pet up for adoption? [INAUDIBLE]

PAM WIESE BUNDY: So what happens is we hold the animal for 3 days. On the 4th day, it is assessed for medical. And when it comes in, it's also looked at to make sure that, you know, if it's bleeding or something that we're taking care of that immediately. But on the 4th day, then the animal is assessed for medical. We check it for anything that it may need. We give it-- we, we, we, we get it ready for adoption. It's ready for surgery at that point in time. If we can get it through our system because it's a little backlogged, it goes through surgery. The, the-- it goes through a behavior assessment and then through surgery and we spay or neuter, microchip, give it all of its rabies vaccinations and that type of thing. And then on the 5th or 6th day, depending on when that occurs, then it goes into our adoption kennels after a check to make sure that everything's OK and that it doesn't need any more medical.

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HOLDCROFT: OK, so 10 days is too long, but is there something that's a little bit less, maybe extend a couple-- a couple more days, 5 and 5?

PAM WIESE BUNDY: So we work with people on that. We, we actually like we said, depending on who-- depending on what, what the-- what the intake is, if animals were to-- are to come in and there's a microchip, but we just can't get a hold of the person or there's a microchip and we're looking for an address or they haven't updated their, their, their, sorry. They haven't updated their phone. My brain's going crazy right now. Then we are able to hold on to them and try to get a hold of them. In fact, I've got somebody right now that we were holding their pet, and it was like 8 days. And finally it was like, OK, we're not able to get a hold of them. What do you want to do? And I said, move them through the system. So we do utilize that, but it's on kind of a discretionary basis, sometimes based on how many kennels we have, sometimes based on what the intake was. And we feel that depending on what the municipality is, if they want to set the-- if they want to set the, the, the time limits on a-- on a either more restrictive or more lenient, that it's up to them to do that based on what they're seeing in their community. Because it's more reactive than having a state law that you have to follow versus a city law where you're like, OK, well, we can-- we can juke with this if we want to. Know what I mean?

HOLDCROFT: OK. Last question. Is there ever a point where you have to put an animal down?

PAM WIESE BUNDY: We do-- we do euthanize animals at the shelter. Generally speaking, we don't euthanize animals for lack of space. We put animals through the system. We work with them. If they start to deteriorate, if they-- if they become a problem and we're-- and we're looking at them and going, boy, this guy is not getting out of here. He's not getting any better. He is deteriorating because he's in this environment, then sometimes, yeah, we do. We do have to make those decisions. And it's because animals have been there for too long. The shelter's a very stressful place for animals to be, to hold an animal for 10 days. And one of the issues that we have with this, too, is it's a really overreaching bill because it's every animal. I don't know if any of you have ever seen a feral cat. They don't like to be anywhere where there are people and they don't like to be contained. If we have to hold all feral cats for 10 days because this is all animals, any animal that comes into the shelter, that's going to be extremely problematic for us because they are dangerous. They don't

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like to be there. They're very stressed. It's just not a good environment for those animals. And so holding animals for those longer periods of time are not always what's in the best interest of the animal, much less what's in the best interest for the shelter workers and for the community as well.

HOLDCROFT: Thank you.

PAM WIESE BUNDY: Does that make sense? OK.

HALLORAN: OK. Senator Hansen.

HANSEN: Thank you. Just curious, how many animals are we talking about? How many animals, like, would this bill pertain to? Like, I don't know, like, 100 animals in your kennel. How many-- is it 20%? 20-- all of them is that [INAUDIBLE].

PAM WIESE BUNDY: Currently, it's pretty high, because what we're doing at the shelter is not taking a lot of owner surrenders. The majority of the animals that we are-- and I don't have the full number for you, but I can certainly get it.

HANSEN: Just, yeah, [INAUDIBLE] perspective of what Senator Hughes says.

PAM WIESE BUNDY: Right.

HANSEN: She says 90% of them were typically returned within 2 to 3 days anyway, so 10% of the animals that you're talking about, is that like a couple animals a week? Is it-- you know, I'm just kind of curious. Like you say, we're overstretched, we're overburdened, like I don't know how many animals we're talking about.

PAM WIESE BUNDY: So we take in-- last-- this is 2022, and I'm sorry I don't have 2023 numbers, in, in 2022, we took in 13,423 domesticated animals. On average, that's 663 animals in our care every single day.

HANSEN: OK.

PAM WIESE BUNDY: So we were really pushed to the limit. And then in 2023, we started working to try to figure out, OK, we're going to try to keep some of these guys out of here. We're going to help people do different things. We're going to offer up different, different ways for people to keep their pets so that only the pets that truly are

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stray or those pets that literally have nowhere else to go come into the shelter.

HANSEN: Yeah, that's what I was wondering, 600-and-some, like, how many of those are actually owned-- they have an owner and it's lost, right, because there's strays, there's feral cats.

PAM WIESE BUNDY: So we, yeah. And we get in, I mean, feral cats come in because they come in stray. Animals come in stray. We're not-- if they don't have any idea-- we have no idea if there's someone looking for them or not. And part of this is the onus is kind of on the owner too. They need to come and look for their pet.

HANSEN: Yeah.

PAM WIESE BUNDY: I don't know that cities want to have, you know, we're going to hold your pet for 10 days while you decide to come on in, and we're going to pay \$33 a day to pay for this pet every single day while you decide to come on in, you know, at some point.

HANSEN: If I can ask one more question.

PAM WIESE BUNDY: Yeah.

HANSEN: How many instances have you had of owners come in after the deadline and say, you sold my dog?

PAM WIESE BUNDY: So we've probably-- we get a handful of those a year quite frankly. The system isn't perfect. But we get people that and we say, well, where were you? Why didn't you come in? Well, I couldn't or-- and, and sometimes we talk to people and are like, how can we-- how can we help make this better? Can we educate better so that people know that they need to come in and look? We do the best to try to make sure that people do know that that's the place to go. We're the centralized shelter in our location. We're centralized in Omaha and Sarpy County. We're the only place you should go if you're looking for your pet.

HANSEN: OK. Thanks.

PAM WIESE BUNDY: Yeah. You got it.

HALLORAN: OK. Thank you, Senator Hansen. Any further questions from the committee? If not, appreciate your input--

PAM WIESE BUNDY: Thank you

HALLORAN: --and your testimony. Additional opponents, LB1142.

MATT MADCHARO: Good afternoon, Senators. I am Matt Madcharo, M-a-t-t M-a-d-c-h-a-r-o. I'm the executive director for Capital Humane Society here in Lincoln, and I am here on behalf of Capital Humane Society today, in opposition to LB1142. As Pam mentioned, animal shelters in Nebraska and around the country are currently experiencing a capacity crisis, especially for dogs. Daily shelters in our state, including Capital Humane Society, are at or near capacity for dogs. And this bill would increase the required holding period for lost pets by a minimum of 7 days, from 72 hours to 10 days. This would be extremely detrimental to shelters in our state and further exasperate the capacity crisis. Capital Humane Society works to provide pet owners with access to resources and services to locate their lost pets through online lost and found pet reports. And also, we have a lost and found pet map on our website. We also offer pet owners tips to locate their pets, along with over 40 hours of access to our mission center each week to walk through and look for their lost pets. In addition, we actively try to locate pet owners by contacting potential owners via phone, email, door cards, and posting the lost and found pets on our lost and found pet map on our website. We don't do direct mail. As stated by Pam and others, the mail just takes too long to send that out. We also contact microchip companies to gather owner information for pets who arrive at the shelter with a microchip implanted. We will also contact vet clinics if they are wearing rabies tags, that we can call those clinics to find out owner information. Most pets that are claimed by their owners are claimed within 24 to 48 hours. We feel giving responsible pet owners 72 hours to claim their pets is fair and reasonable. This bill, as it's currently proposed, places the burden of reuniting lost pets on shelters when the ultimate responsibility in locating the lost pet is with the pet owner. By increasing the required holding period to a minimum of 10 days, this bill would negatively impact the well-being of pets and the ability for shelters to operate. Shelters are already full, as I mentioned, with dogs. By increasing the holding period another 7 days, shelters will run out of available kennels for incoming pets. This could lead to more pets being euthanized in our state's shelters due to lack of space for those incoming pets. This could also result in shelters being unable to accept surrenders from pet owners due to a lack of available kennels, which in turn could result in more abandoned or neglected pets in our communities because the shelters are unable to

accept them. Increasing the number of pets in the shelter's care on a daily basis will impact a shelter's ability to properly care for all pets and stretch already thin resources and staff time beyond their limits, which affects the well-being of pets. Shelters are intended to be a short-term stay for pets so that they can get back home or into a new home in a timely manner. This bill negatively impacts the shelters' ability to care for pets and move them back into homes in a reasonable amount of time. Again, shelters are in a space crisis right now, especially for dogs, and the responsibility for locating a lost pet is on the pet owner, not shelters. And 72 hours is a reasonable time frame for a responsible pet owner to locate their pet. A more productive bill would be to require dog and cat owners to microchip and register their pets with the microchip company and their local animal control agency. Doing so would result in more pets being reunited with their owners and reunited in a quicker manner. Thank you for your time.

HALLORAN: OK. Thank you, Matt, for your testimony. Any questions from the committee? Seeing none, appreciate your testimony.

MATT MADCHARO: Thank you.

HALLORAN: Additional opposition, LB1142. Good afternoon.

SUSAN RODABAUGH: Good afternoon, Senators. My name is Susan Rodabaugh, S-u-s-a-n R-o-d-a-b-a-u-g-h, and I'm the shelter manager at York Adopt A Pet in York, Nebraska. Currently we have 30 dogs-- 30 dogs and 60 cats who are adoptable at our shelter, 66 dogs who are not. And we are a no-kill shelter. We have one room that we call our receiving room. It has 10 kennels in it; 6 are for dogs and 4 for cats. So when we-- when we receive a stray, those dogs go into this specific room that prevents disease and infection spreading into our other, other areas. And the one we, we have a stainless steel dog kennel in there that we use for like if we have a group of puppies that come in that have ringworm, we'll put them in the steel and so that may be eliminated. So I don't know what I'm going to do with that if that scenario comes up again. We have a contract with the city to-- we get dogs and cats from people who are in accidents that go to the hospital or are jailed. Currently, right now I have 3 dogs. Somebody who's been in jail for 48 days that-- and I still have their dogs because we've been in contact with them. And they will be going through sobriety therapy, training-- therapy so we're keeping their dogs. We don't necessarily try to get dogs out as soon as possible. But we want them to be in

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homes. Adding those extra days to those-- to the dogs or cats is very stressful. It's a stressful environment. It creates-- it'll, it'll create problems for the volunteers that we have because they'll be overworked. There will be more animals that-- more, more animals, more strays. I will have to euthanize dogs who have been there the longest who possibly we're trying to find a special home for. I would have to euthanize them to save place for these strays with this 10-day hold. Let's see. We will have additional costs for care and maintenance of the dogs. We-- our income is we get donations and adoptions. Without the holding needs or having to hold strays longer, I won't have the number of cats or dogs to adopt because I'll-- I will-- I'm holding extra dogs. Who's going to compensate that loss? Who's going to compensate the loss of the dog that I have had to euthanize to keep the strays for those extra days? Who's going to compensate for having to hire additional staff for the extra pets that we do have there? I don't know the, the magic number. I don't-- I don't know what that is. I do know that I've been there for going on 4 years. We get about 150 to about 180 strays a year. Dogs at about 180 to 225 cat strays a year. Cats, stray cats, we probably get a half a percent to 1% of people that pick up their stray cats. So they just go, if they're feral, we euthanize them. If they are going to be adoptable, then we, we end up vaccinating them and making and preparing them for surgery for spay and neuters. The dogs, on the other hand, within 24 hours, generally, responsible pet owners will pick up their dogs. I had so and that's common--

HALLORAN: Ms. Rodabaugh, we need to wrap it up.

SUSAN RODABAUGH: OK.

HALLORAN: So if you could--

SUSAN RODABAUGH: So for the month of January I have had every dog owner has been there within 24 hours. So anyway, it'll cause harm to a nonprofit because of the fact that there are irresponsible pet owners.

HALLORAN: OK. Thank you very much. Any questions for the testifier? Seeing none, appreciate your testimony. Additional opposition, LB1142. Good afternoon.

MARTHA BANG: Good afternoon. Martha Bang, M-a-r-t-h-a B-a-n-g. I am here-- I'm a resident of Fremont, Nebraska. And I'm here as president of FurEver Home Incorporated. We are the local shelter. We're

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contracted with the city of Fremont to hold all of the strays that are brought in by our community service officers. As our friends from other shelter groups here today, we have been experiencing, like, a ridiculously terrible crisis in animal welfare across the state of Nebraska over the last 18 months. We are all full. We are always full. We are having to make space at the end of the day for overnight strays to come in. The owner surrenders have not stopped. People are looking to give up their pets left and right for whatever reason: having to move, their new rental won't allow pets, things of this nature. Holding a stray animal for 10 days would increase costs both to the governments that we're serving to provide their stray hold services, and to the citizens coming in to pick up their animals. Those responsible pet owners that are coming in, you know, that 75% that come in to claim their animal the same day it goes missing, we're going to have to increase their costs to cover the cost of having to hold the others that don't get claimed for that 10 days, not being able to vet them, not being able to put them up for adoption. Like we need to be moving and constantly moving and constantly getting these animals out. Shelter environments are nowhere great for animals. Have any of you ever visited your local animal shelter? Like, how sad did you feel when you walked out? Like, it's a terrible environment, but it's a necessary evil. And it's something that we that work in animal advocacy work really hard to give these animals the best temporary home that we can. But it's still a facility. It's still loud. It's still stressful. They're not sleeping on the couch that they should. So holding something for 10 days waiting for an owner to claim is ridiculous in my opinion. When there is a simple thing called a microchip that costs \$25 that's available to every pet owner, every shelter offers them. If you're going to buy an expensive animal, I would think you could spend \$25 to put a microchip in it to make sure that it gets home 15 minutes after it comes into the shelter. We house about 30 to 45 dogs, large dogs in a day, anywhere from 40 to 60 cats. And my town is a town of 25,000 people. We almost always have a backlog of 10 to 15 large dogs needing to come in as owner surrenders and 5 to 10 cats. We also, like, we're not the smallest community either. Many of our outlying towns, our smaller communities out in county, like Nickerson, Nebraska, or Scribner, Nebraska; North Bend, Nebraska; those places, they don't have a shelter. Like, there isn't another shelter near them between, let's see, it's Fremont, Columbus and Norfolk. Those are the places. So our small outlying towns don't have a shelter place. So a lot of times some of the smaller vet clinics will board and do the stray hold for them. They are certainly

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not going to take up their precious vet space for 10 days for a stray. They'll just stop doing it altogether. And then where are those animals supposed to go? Like, we-- it's just-- it's just not a feasible thing. Will the state be adding additional funds for the shelters to help offset the cost? Did I go over my time?

HALLORAN: Well, just a little, but you're--

MARTHA BANG: I'm so sorry.

HALLORAN: Let's wrap it up.

MARTHA BANG: OK. Let me wrap it up. So in summary or in closing, if we're wanting to be committing to animal advocacy, I think we all need to shift our efforts to something more concrete and direct, perhaps supporting a bill for mandatory microchipping of all pets in the state of Nebraska. Then we wouldn't have to be worrying about stray hold times in shelters. Microchips proved to get pets home quicker. Or how about mandatory spay and neutering? Because then we wouldn't have the overpopulation problem we're having as is. Any questions?

HALLORAN: Appreciate your testimony. Any questions? Senator Holdcroft.

HOLDCROFT: Thank you, Chairman Halloran.

HALLORAN: You're welcome.

HOLDCROFT: So what do you do if you need a-- if an animal needs a vet, for instance, you determine the animal needs a vet?

MARTHA BANG: If you have something comes in that need-- that is injured, depending on where you're located, like we're in Fremont, there is urgent care veterinarians available in Omaha. We do have good relationships with our veterinarians in Fremont that we sometimes can call them off hours if we need to.

HOLDCROFT: So then do you just pass that cost on to the owner?

MARTHA BANG: If they're claimed, yes. But when you-- in my experience, most of the owners that we deal with are very low income. So a lot of times they will end up surrendering their pet because they can't afford any sort of, of medical costs if the pet comes in injured.

HOLDCROFT: OK. Thank you.

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MARTHA BANG: You're welcome.

HALLORAN: OK. Thank you, Senator Holdcroft. Any further questions? Thank you for your testimony, appreciate it.

MARTHA BANG: Thank you.

HALLORAN: Next opposition to LB1142.

CARLEE FIDDES: Hello.

HALLORAN: Good evening.

CARLEE FIDDES: My name is Carlee Fiddes, C-a-r-l-e-e F-i-d-d-e-s. I'm the executive director at the Beatrice Humane Society down in Beatrice, Nebraska, so Gage County. And apparently I have been someone nominated to be the closer in that back row back there after this very long session today. So I want to thank everybody for shedding a little bit of light on something that you and I can agree on. Getting animals back home is really, really, really important. I would actually venture to guess if we were to ask the people in this room how, how important it is in the realm of their life that the most indebted people, the most-- the people that are most impacted by getting animals home is actually sitting in that back row right there. Our goal every single day is to get these animals back home, because every animal I get back home is one less that I have to take care of; one less that I have to house for 2 weeks or 4 weeks; one less that I have to do advanced blood work on; one less that I have to do all of those eventual things that have to happen before I can place them up for adoption. And quite frankly, all of those things take cost. When we're looking at the average cost for an animal, we don't cover that with our adoption fees. We don't cover that with our stray contracts that we hold. We cover that with donations from, from the general public, from people that care about our mission. As an organization down in Beatrice, we are very, very, very blessed. We have a town of 12,000, and we had about 1,300 animals coming in our doors last year. We were able to-- we euthanized less than 3% of all of those animals coming into our shelter, which is probably pretty close to the, the, the highest across the shelters here in Nebraska. So we are very lucky that we have adopters for all of the animals that come through our doors. And we are never making decisions because of space or, or concerns regarding that. However, every animal that we take in comes in from different routes. One of those is-- comes in as strays, one of

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those comes in as owner surrenders. And then our last group of big for us is transfers. And these are animals that would be at other shelters and rescues that are at severe risk of euthanasia. And so that's the population of animals that I can slow down or stop because when we have owner surrenders, when we have strays, we have stray contract with Beatrice and Gage County. Those animals are coming in and I can't-- I can't stop that. But I am fortunate in being able to stop our transfers. So I just wanted to kind of give you guys a little bit of an idea of what that looks like. I noticed we had a couple of numbers people over on this side, and so I did actually pull quite a few of our shelter numbers just so that you can kind of break things down with us. So we had 1,384 animals coming to our shelter this last year. That's a pretty significant number for a town of 12,000. But again, we take in transfers from outside of our community. I've actually taken in transfers from, I think, every one of the shelters in that back row at some point in the last year or 2. So we're working together to, to solve this pet overpopulation problem. And it is a problem. Of those, 348 of our animals were stray intakes, 190 of those were cats, and 158 of those were dogs. To be completely honest, our shelter does amazing things at getting animals back home. We have decreased or waived return to owner fees for animals that are reclaimed in the first 2 hours. We will decrease and waive things beyond that if we know that the animal's well taken care of, spayed and neutered, vaccinated. We, we waive a lot of fees to get these animals back home to the families that love them. And with that, up until just last year, we, we made it up to 68% of our stray dogs were reunited with their owners. Less than 2% of the stray cats were reunited with this-- with their owners. This bill, unfortunately, doesn't differentiate in how things are handled. Of the animals that were returned to their owners this year, of those dogs, the average length of stay was .3 days, .3. The average length of stay for a average animal coming through my shelter that doesn't get returned to his owner is 36 days. So when it comes down to it, we are very good at getting animals back to their owner when their owners are looking. We unfortunately are not able to help owners that don't look. We take a lot of-- a lot of different things to be able to make that happen. So last year, 92 animals were returned to their owner, which means that we ended up keeping 276 strays in our shelter. If we were to keep those 276 strays for an additional 7 days, which is kind of the difference right now between our 3-day stray hold in Gage County and the 10-day stray hold, that would result in 1,932 extra days of care, which equates to 63 animals that we couldn't help. So again, while we

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don't euthanize, I do want to point out the fact that the animals that we're taking in would be euthanized in that situation. So there are 63 less animals that will get a chance at life because of this program at our small, small shelter down in Beatrice.

HALLORAN: OK. Thank you so much. Any questions from the committee? Seeing none, thanks for volunteering to wrap it up for the back row.

CARLEE FIDDES: I do-- I did want to just, sorry, 3 seconds. If anybody has any questions on rural communities, because we do have one of the only shelters in our community, so if anybody has any questions regarding what you do in other communities for strays, I'd be more than willing to answer those. We are surrounded by Saline, Thayer, Fillmore, Jefferson on the other side. We've got quite a few other counties. None of those have animal control entities. And so this bill does strongly impact them, but you won't see them being able to attend an entity-- an event like this, as there are no animal control officers. So if anybody has any questions, I'd be willing to answer those as well.

HALLORAN: That was-- that was an interesting 2 seconds. I appreciate that.

CARLEE FIDDES: Sorry.

HALLORAN: All right. We appreciate everyone coming in for this hearing. Senator Wayne, would you like to close?

WAYNE: Yes. Thank you, Chairman Halloran. And I just first, let me say, I think what they do is yeoman's work. I can't imagine the amount of effort they put into taking care of animals. I do want to point out 2 things. If somebody in Senator-- first of all, I fundamentally believe that imaginary borders shouldn't determine your rights and how things happen. That's why I was for preemption. I think wherever you go it should be treated the same, especially if you're processing-- due process and property. So I say that to say you're in Merv's district and you lose your animal, it's 72 hours. You go across the street of Harrison, you're in Holdcroft's district, it's 5 days. That is arbitrary. It makes no sense. Second, in Omaha, what you heard today was if you go to jail, it takes you longer to make sure you get things right with your dog than if you accidentally lose it and don't know about it when-- so a law-abiding citizen is actually in a worse position because they work with the people in the jails to move their

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dog to make sure it's taken care of. But if you're on vacation and you're a law-abiding citizen, you got 3 days. The critical quote today is "handful"; happens a handful of times. Those are people's animals. A handful wasn't good enough. There is no coming back for that handful. You can lose part of your family a handful of times. That's not OK. That should never be OK. So the handful is what we're trying to prevent by extending it. And I offered 5 days. I think Sarpy's 5 days works. But the last thing I'll end is they're currently not following the law. Not a negative. They're saying mail's too slow. So we got to update the law anyway. If it's too slow, they should use social media and email. If they're disregarding mail, then they're disregarding the current law. So we need to update the law anyway. So I would implore this committee to update the law anyway, because you heard testimony that really nobody's following it. So we should up--update it. But in addition, we should update it to modern times when people are traveling, there isn't somebody staying at home making sure the animal is taken care of. When they come back, their 72 hours could be up from vacation. And we're talking about people. It's not just property, but oftentimes they're family members. Thank you.

HALLORAN: Thank you, Senator Wayne. Any closing questions from the committee?

WAYNE: I'll try to be quick. Thank you. Look for this to be an Ag Committee priority. Thank you.

HALLORAN: How about consent calendar? So before we formally close, the online comments: 1 proponent, 9 opponents, and 1 neutral capacity for LB1142. Thank you for being here.